

Application Number	17/2163/FUL	Agenda Item	
Date Received	13th December 2017	Officer	Mairead O'Sullivan
Target Date	7th February 2018		
Ward	Abbey		
Site	Abbey Church St Andrew The Less Newmarket Road Cambridge CB5 8HA		
Proposal	Two 1-bed, and 1 2bed residential dwellings on land contiguous to Abbey Churchyard, Newmarket Road, to rear of lock up garages behind Post Office.		
Applicant	Mr R Newman C/O Swann Edwards Architecture		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed units due to their size, poor outlook and backland location, with no certainty that the church will be repaired and brought back into use, would not provide an adequate standard of amenity for future occupiers - A tree survey has not been provided to demonstrate that the potential impact to trees as a result of the proposal would be acceptable
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site lies on the northern side of Newmarket Road to the east of the Elizabeth Way roundabout. The area has a mixed character with a combination of residential, commercial and educational uses in close proximity to the site. To the north of the site are the residential gardens on Beche Road. The application site is elevated above these gardens by approx. 3-

3.5m. The site lies within the Riverside and Stourbridge Grove Area of the Central Conservation Area. The Abbey Church (St Andrew the Less) is a Grade II Listed Building. The land which surrounds the church is allocated as Protected Open Space (CEM 13).

- 1.2 The site comprises the curtilage of the listed church building. The church itself dates from the early 13th century. It was built by Barnwell Priory as a chapel outside the priory gates. The building was restored in the late 19th century by Cambridge Architectural Society. Abbey Church (St Andrew The Less) is currently on Historic England's Heritage at Risk Register due to structural issues and the fact that it is no longer in use. Its condition is considered to be 'very bad' with an 'immediate risk of further deterioration or loss of fabric'.
- 1.3 There are a number of mature trees on site. None of the trees are protected by TPO but the Conservation Area Appraisal suggests that the row of trees to the frontage should be protected as they are of great importance to the townscape and as they add some green to this very built up area of Newmarket Road.
- 1.4 The site is L-shaped and the proposed dwellings are to be sited in the north eastern part of the site; a strip of land which is located behind the Cambridge Seminars College, post office building and garages on Newmarket Road. This is often referred to as the pan-handle. This part of the site is overgrown and not in use.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the construction of 3 dwellings on a strip of land to the east of the site which runs adjacent to 149 Newmarket Road. The development proposed is made up of 1 no. two bedroom dwelling (unit 3G) and 2 no. one bedroom dwellings (units 1G and 2G).
- 2.2 The proposed buildings are pre-fabricated structures with timber clad walls and lean-to green roofs. The buildings are all 2.8m to the eaves with a total height of 3.9m. On the southern elevation the windows are all either high level or obscure glazed. The

northern elevation has larger areas of glazing and is the primary outlook for the units.

- 2.3 The application proposes a new opening in the wall to the front of the church to provide pedestrian only access. The access would then be through the church yard along some form of path. A small bin store is also shown in the church yard along the eastern boundary.

3.0 SITE HISTORY

Reference	Description	Outcome
17/2164/LB C	Listed building consent for two 1-bed and one 2-bed residential dwellings on land contiguous to Abbey Churchyard, Newmarket Road, to rear of lock up garages behind Post Office.	Pending consideration

4.0 PUBLICITY

- 4.1 Advertisement: Yes
 Adjoining Owners: Yes
 Site Notice Displayed: Yes

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

- 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 3/12 3/14 4/2 4/3 4/4 4/6 4/9 4/10 4/11 4/13 5/1 8/2 8/6 8/10 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

<p>Central Government Guidance</p>	<p>National Planning Policy Framework 2018</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>
	<p><u>Area Guidelines</u></p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal provides no off-street parking provision for proposed properties. Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits. This should be included as an informative.

Environmental Health

- 6.2 No objection: Three conditions are recommended regarding construction hours, piling and unexpected ground contamination.

Historic Environment Team

- 6.3 No objection: We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition

Urban Design and Conservation Team

- 6.4 Objection: There is no archaeological information within the application documents and therefore it would be difficult to assess the full impact of the proposed development. The proposed solely residential use of the new units is not considered to be beneficial to the conservation and maintenance of the church, and therefore the less than significant harm to the setting of the listed building of the proposed development is not outweighed by the public benefit. A pre-app was supported by the conservation team as it included toilets a food preparation area and a meeting room which would help bring the church back into community use. The current application has replaced the unit which in the pre-app had a community use, and was considered to be enabling development, with an additional dwelling. By not including this community provision within this application, the applicants are limiting their ability to provide such facilities on the site. The potential for the site to earn revenue, for example by renting it out for community use, would then mean that the profit could be allocated to the conservation and maintenance of the church, dealing with the issues that have put it on Historic England's Heritage at Risk Register. Mature trees need to be retained as part of any proposal. The opening in the boundary wall could be supported subject to details. Need to see details of how bike and bin storage will be screened from view to prevent it impacting on the setting of the church. A path may be acceptable subject to details but due to the possibility of archaeological remains this may not be possible.

Head of Streets and Open Spaces (Tree Team)

- 6.5 Objection: The status of any trees on and adjacent to the site is unclear. A tree survey and Arboricultural Implications Survey is needed to assess the impact of the development upon existing trees both on and adjacent to the site.

Nature Conservation Officer

- 6.6 No comments received. Any comments will be recorded on the amendment sheet.

6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations in support of the application:

- 32 Beche Road
- 36 Beche Road
- Riverside Area Residents Association

7.2 The representations in support can be summarised as follows:

- The design and scale of the dwellings are appropriate
- Sufficiently low level so as not to impact residents on Beche Road
- Increased surveillance to churchyard
- Would not reduce area available for community to use around the church
- Would enable works to the church
- Dwellings would be constructed off-site so would have minimal disturbance to neighbours
- Potential overlooking seems to have been addressed
- Would not harm the setting of the listed church
- Rental revenue from units will facilitate bringing church back into use. It would be more convenient if all facilities are in the church rather than being in a building in the pan handle as suggested by the conservation officer.
- A co-ordinated development approach with Logic House could overcome issues with drainage and wildlife

7.3 The owners/occupiers of the following addresses have made representations objecting to the application:

- Logic House
- 151 Newmarket Road

7.4 The representations of objection can be summarised as follows:

- Poor architecture
- Issues with foul water drainage, emergency access and waste

- Poor amenity for future occupiers; units are small, cramped and poorly connected to locality
- Concerned that inadequate information has been submitted in terms of air quality, ecology, foul and surface water drainage and tree impact
- Concerned about accuracy of plans as OS maps have a margin for error
- Harm to setting of church
- Inadequate info to justify the argument that redevelopment enables maintenance work to church
- Public benefits do not outweigh harm

7.5 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces and impact on heritage assets
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Ecology
8. Third party representations
9. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The area has a mixed character and the site itself is in D1 use but there is a large amount of residential development in the immediate area surrounding the site so the principle of a residential use on site is considered compatible with the area in compliance with policy 5/1.

8.3 The site is located on land which is allocated as protected open space as it forms part of the land surrounding the Abbey Church. As a result policy 4/2 is relevant. This states that

development will not be permitted if it would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons.

- 8.4 The applicant has addressed policy 4/2 in the Design and Access Statement which accompanies the application. It notes that the strip of land only comprises a small portion of the total open space on site and that due to its siting away from the church it is not visible nor does it contribute to the open setting. The strip of land is awkward to maintain and as a result it has become overgrown and unusable. The proposal would bring the area around the church into greater use with comings and goings to the dwellings and the introduction of artificial lighting could reduce anti-social behaviour in the area. The last point will be discussed in greater detail below. However, I accept the points that the strip of land does not contribute to the open space around the church and that it is not usable given its siting. I consider the loss of the strip of protected open space to, in principle, be acceptable.

Context of site, design and external spaces and impact on heritage assets

- 8.5 An application for pre-application advice was supported by the Conservation Team. This proposal was for three buildings similar to the current proposal but one of these was to be used for community facilities. This was supported as the community building was considered to be enabling development as it would provide facilities absent in the church and the revenue for renting the building would help finance works to the church. The two residential units were to be occupied by church staff that would look after the building and provide a level of natural surveillance to the site. The revised proposal removes the community building and replaces it with an additional residential unit.
- 8.6 The design and access statement notes that the new units would fund the immediate repair of the listed building and fund ongoing maintenance. However no further evidence is provided as to how this would work in practice and what the timing would be. If the restoration works to the church and construction of the new residential units did not happen concurrently, a situation

could arise where the three units would have poor amenity; this matter is discussed in greater detail under the relevant heading below.

- 8.7 The pre-app which had been supported by the conservation team included kitchen and toilet facilities within the proposed community building. As this building is not proposed as part of the planning application, it is unclear how and whether it is possible to provide these facilities within the church or elsewhere on site as part of any potential future restoration and redevelopment. However, this in itself would not constitute harm to the setting of the listed building and would constitute a reason for refusal in terms of harm to a heritage asset.
- 8.8 The proposed units are sited away from the immediate area surrounding the church and would not be seen directly within the setting of the Church. The units have a low profile and would clearly read as subservient buildings. The proposed materials are considered acceptable. The new opening in the wall, bin store, path and lighting are all acceptable in principle but further details and amendments would be needed to ensure that these would be acceptable. The works themselves are not considered harmful to the setting of the Listed Building.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 4/10 and 4/11.

Trees

- 8.10 None of the trees on site are protected by TPO but the trees are afforded protection due to their location within the Conservation Area. The Conservation Area Appraisal references the importance of the trees to the front of the site to the streetscene. However the trees around the site, not just to the frontage, are important to the setting of the listed church and contribute to the green character of the site. The Tree officer has expressed concerns that the development may impact on some trees which are making a positive contribution. She has requested an Arboricultural Impact Assessment to assess the impact. The Conservation officer also notes the importance of the retention of mature trees on site to the character and appearance of the Conservation Area. In the absence of this information, the applicant has failed to demonstrate that the development would not result in harm to trees which are

contributing positively to the setting of the listed building and the character and appearance of the Conservation Area.

- 8.11 In the absence of information to assess the impact on trees the proposal is considered contrary to policies 4/4, 4/10 and 4/11 of the Cambridge Local Plan (2006).

Residential Amenity

Impact on amenity of neighbouring occupiers

Impact on Beche Road Properties

- 8.12 The proposed buildings are all single storey and have a relatively low roof profile. As noted above, the site is elevated above the gardens on Beche Road by approx. 3/3.5m. The buildings have been designed so the height adjacent to the boundary is kept low at 2.8m and the highest element of the building is furthest away from the Beche Road gardens. The proposed buildings would result in some enclosure to the gardens on Beche Road but due to their low height and as only the end of the gardens would be impacted, I am satisfied that this impact would not be significantly harmful to warrant refusal. This does not overcome the other concerns expressed regarding enabling works, amenity for future occupiers, trees and the ability to provide drainage without impacting on the cemetery.
- 8.13 The proposed buildings are to the south of the gardens on Beche Road. No shadow plans have been submitted as part of the application, however due to the orientation of the plots, the buildings are likely to result in some overshadowing of the gardens on Beche Road. Given the low height of the buildings, I am satisfied that this would not be significant. Due to the siting of the proposal, only the end of the rear gardens would be impacted and the most usable immediate garden spaces would remain unaffected.
- 8.14 The proposed buildings have been designed so that all of the windows on the south elevation are either high level or obscure glazed. This will prevent any overlooking to the gardens on Beche Road. If I were minded to recommend approval, a condition could be recommended that would remove permitted

development rights for windows on the south elevation, to ensure that there would be no future issues with overlooking.

Impact on 143- 149 Newmarket Road

- 8.15 Policy 3/6 states that the development of a site or of part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites.
- 8.16 As it stands, the rear of the site is in use for car parking and there would be no impact on residential amenity from the redevelopment of the land to the south. An application for the redevelopment of the site was submitted prior to the submission of this planning application. This application is due to be heard and determined at the same time as this application at planning committee recommended for approval with conditions. The proposal on the adjacent site is for two new buildings containing a total of 11 one bedroom flats and studios with some works to the retained Logic House building and the inclusion of a café to the ground floor of Logic House. Should members choose to approve 17/1815/FUL the proposal, on this church site, would have no significant impact on the occupiers of the development on the adjacent plot. There are a number of ground floor windows which would be directly adjacent to the application site. However all of these windows are high level and do not provide any outlook. As a result there would be no significant impact in terms of enclosure and, as the site is to the north of 143-149 Newmarket Road, there would be no impact in terms of loss of light to the other scheme. The impact of the proposal at 17/1815/FUL on the amenity of future occupiers of this site is assessed under the relevant heading below.
- 8.17 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/6 and 3/7.

Amenity for future occupiers of the site

- 8.18 All three units fall significantly below the nationally described space standards. Details of the internal and external space for each can be found in the below table. Both of the one bedroom

units are 10sqm under the space standard. Unit 3G is 13.5sqm below the standard for a two bedroom unit. The one bedroom units are 27.5 below the standard and the two bedroom unit is 22% below the standard.

Unit	Internal space (sqm)	Space standard (sqm)	External space (sqm)
1G (1 bed)	27	37	8.5
2G (1 bed)	27	37	8.5
3G (2 bed)	47.5	61	21

8.19 The units have their primary outlook to the south to prevent overlooking of the residential gardens to the north. As it stands the site is bounded by a high wall which results in the occupiers having an enclosed outlook with only 2.5m between the front windows and the wall of the adjacent site. The terraces are small and would be enclosed by the buildings and the neighbouring wall. The terrace to the 2 bedroom unit is larger and has a better outlook than the one bedroom units but the unit itself is significantly below the internal space standard requirements and as a result, even with a larger and less enclosed garden, it would still offer a poor level of amenity.

8.20 I have previously addressed the fact that the proposal has not made a case that the works would constitute enabling development. Whilst this in itself was not considered to constitute harm to the listed building, it would have an impact on the amenity for future occupiers of the units. The design and access statement notes that the new units would fund the immediate repair of the listed building and fund on-going maintenance. However no further evidence is provided as to how this would work in practice and what the timing would be. If the restoration works to the church and construction of the new residential units did not happen concurrently, a situation could arise where the three units would have poor amenity. Without evidence to tie the works together, a situation could arise whereby the units would be completed and the works to the church could be delayed or become unviable. If this were to happen these units would have a very poor level of amenity due to their backland context and siting within the grounds of a derelict church. Whilst the occupation of the units does add to

natural surveillance of the churchyard, if the church remains derelict, the access arrangement to the units, along a large area of public space which is not overlooked, even with the addition of lighting, would not be acceptable.

- 8.21 Conversely, if the church is repaired and brought into use, the residential occupiers may suffer unacceptable noise due to the community use of the building. I have discussed the potential noise impact with the Environmental Health Officer and he feels that should the units not be occupied by church staff there is the potential for noise disturbance and further information, in the form of a noise impact assessment, would be needed to assess this potential impact. The church has suggested that they would not accept a condition requiring the units to be occupied by church staff as they may wish to sell the units in the future. I have asked that the Environmental Health Officer updates his comments and these will be provided on the amendment sheet.
- 8.22 At paragraph 8.16, I note that there is a concurrent application for the redevelopment of the adjacent site at 143- 149 Newmarket Road. If permission is granted and consent implemented for 17/1815/FUL, this application, for development of the church land, is not considered to harm the amenity of future occupiers of 143-149 Newmarket Road. However if the application ref 17/1815/FUL is approved, in accordance with officer recommendation, the proposed development of this site would have an unacceptable impact on the amenity of the proposed units within the church site.
- 8.23 The proposed building to the rear of Logic House would be built up to the boundary with the church strip of land. The building steps up and down on the boundary being two storey to the western part of the boundary, with a gable end metal clad roof of 8m in height, moving to stepped first floor and gradually to single storey on the easternmost element of the northern boundary. Due to the height and mass on the boundary, if the Logic House development is approved and implemented, the outlook to the units on the church site will be limited and enclosed to an unacceptable degree. The church units are directly to the north of the site and would be significantly overshadowed for much of the year.

- 8.24 Policy 3/6 states that the development of a site or of part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites. The explanatory text underneath states that if development is poorly planned and is not carried out in a coordinated and comprehensive way there is a chance that the special character of the City will be damaged, that infrastructure will not be provided to serve development when it is needed, that provision will not be made for necessary land uses and that the intention to make development sustainable will not be met.
- 8.25 The church application does not impact on the development proposed at Logic House however the proposed Logic House development would harm the amenity of the proposed units on the church site. The application for three residential units on the church land was submitted in December 2017. There have been discussions with the church as to how it may be possible to overcome the reasons for refusal but no information or amendments have been provided to address officer's concerns. Whilst the proposed development to the rear of Logic House would have an unacceptable impact on the proposed units on the church site, the Abbey Church applicants have not demonstrated that it would be possible to develop the site in a way which provides a sufficient quality of amenity for future occupiers and without the loss or impact on trees which are considered important to the character of the Conservation Area and setting of the Listed Church.
- 8.26 In my opinion the proposal does not provide an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is contrary to Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.27 A bin store is to be provided within the cemetery. The Conservation Officer has not raised an objection to this element. The building would be timber clad with a green roof and would not harm the setting of the church. The store is quite a considerable distance from the residential units so is not particularly user friendly. Details of the path have not been provided but this would need to be sufficiently solid to allow the

bins to be moved on collection day. A managing agent is likely to be needed to move the bins.

- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.29 The Highway Authority has not raised any highway safety concerns. I share this view and consider the proposal would not have any significant adverse impact on highway safety.

- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.31 A bike store is to be provided to each unit. Details of the store have not been provided but the approach shown on the site plan would be acceptable in principle and if I were minded to recommend the application for approval, details of the stores could be provided by condition.

- 8.32 No off-street car parking is proposed. The site is located in a sustainable location in close proximity to public transport links and cycle infrastructure and as a result the lack of car parking is considered acceptable.

- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Ecology

- 8.34 With regard to the concerns raised by the agents acting on behalf of the Logic House developers about the wildlife value of the site, the Ecology Officer has been consulted but has not yet provided comments to date. Any comments will be provided on the amendment sheet.

Third Party Representations

- 8.35 I have addressed the majority of the third party representations within the body of my report but I will cover any outstanding matters in the below table.

Representation	Response
The design and scale of the dwellings are appropriate	Noted. The design and scale is considered acceptable
Sufficiently low level so as not to impact residents on Beche Road	The impact on the Beche Road properties is considered acceptable
Increased surveillance to churchyard	There would be a minor increase to surveillance from comings and goings but unless the church is brought back into use the backland context is not considered adequate in terms of access and natural surveillance. See paragraph 8.20.
Would not reduce area available for community to use around the church	Noted.
Would enable works to the church	No evidence has been provided to demonstrate that this would be the case
Dwellings would be constructed off-site so would have minimal disturbance to neighbours	Noted.
Potential overlooking seems to have been addressed	Noted
Would not harm the setting of the listed church	The impact on the listed building is considered acceptable
Rental revenue from units will facilitate bringing church back into use. It would be more convenient if all facilities are in the church rather than being in a building in the pan handle as suggested by the conservation officer.	There is no evidence to tie the development of the strip of land to the repairs and renovation of the church.
A co-ordinated development approach with Logic House could overcome issues with drainage and wildlife	Noted but this does not form part of this application.

Planning Obligations (s106 Agreement)

- 8.36 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.37 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development, with an uplift of three units, and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

- 9.1 The proposed units due to their small, cramped and enclosed nature are not considered to provide adequate amenity for future occupiers of the site. This is further compounded by uncertainty about how the proposed works would facilitate restoration works to the church. Unless the church is repaired and brought back into use the access arrangements to these units would also be unsatisfactory. There are a number of mature trees on site and the tree officer has requested further information to assess the impact of the development on these trees which are considered to have a positive impact on the setting of the listed church and on the conservation area. In the absence of any information, the applicant has failed to demonstrate that the development would have an acceptable impact on these trees and hence upon the designated heritage asset.
- 9.2 As set out in the reports, if the Logic House scheme is approved in accordance with Officer recommendation, it would almost certainly mean that the 'panhandle' area cannot be developed given the likely impact the Logic House scheme would have on occupiers of any development there. Of the two sites, it could be argued that the church site has the potential to deliver the greatest public benefit as the supporting information suggests that money generated from the scheme would be used to

renovate the church, which is identified by Historic England as at risk, and bring it back into community use. However, no evidence has been submitted to demonstrate the scheme is viable and achievable, and would bring forward the stated benefits. In addition, and more importantly, the Conservation Team has advised that, subject to the resolution of the trees issue, the proposal would not harm the setting of the church. In the absence of any identified harm to heritage assets, there is no requirement for an enabling development or public benefits argument to be made. The Council could not therefore justify requiring proceeds from the development of the site to be directed towards the renovation of the Church. So, whilst I appreciate that the repair and reuse of the church might bring forward both conservation and community benefits, these could not be secured through any planning permission.

- 9.3 Following the Development Control Forum relating to the Logic House site, Officers have facilitated meetings involving the developers of the two sites to try and achieve a scheme that includes both pieces of land, and brings forward residential development on the Logic House site whilst also securing works to the church. Unfortunately, following consideration of a number of alternative options, this has proven unsuccessful as a scheme that would be viable and enable the renovation of the church would be of such a scale as to cause significant and irreversible harm to the setting of the church. The applicants for the Logic House site have therefore requested that the Council proceeds to determine their application following the submission of amendments to address third party and consultees' concerns. Having exhausted the options for the potential to develop the two sites together, Officers consider it would be unreasonable to further delay the determination of the Logic House proposal. The Abbey Church has not come forward to date with any further information to address the concerns raised but, in view of the Legal advice that the two schemes need to be considered together, has been brought to Committee for Members' consideration at the same time.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. By virtue of the small and cramped nature of the internal space provided, the poor enclosed outlook and constrained access arrangement to the units, through the grounds of a derelict church with no evidence to provide certainty the church will be repaired and brought back into use, the proposed units are considered to provide a poor standard of amenity to future occupiers contrary to policies 3/7 and 3/12 of the Cambridge Local Plan (2006).
2. No information has been provided regarding the impact of the proposed development on trees on site. There are a number of mature trees on site which are important to the setting of the listed building and the character of the Conservation Area. Without information to allow an assessment of the impact of the proposal on trees on site, the proposal has failed to demonstrate that it would not be harmful to these trees and thus also the setting of the listed building and the character and appearance of the Conservation Area contrary to policies 4/4, 4/10 and 4/11 of the Cambridge Local Plan (2006).