

Application Number	18/1329/FUL	Agenda Item	
Date Received	10th September 2018	Officer	Mairead O'Sullivan
Target Date	10th December 2018		
Ward	Romsey		
Site	188 - 192 Mill Road And 2B Cockburn Street		
Proposal	Reconfiguration and extensions, incorporating dormer windows, and alterations to roof of building to provide 14 residential units (net increase of 9) along with bin and cycle storage.		
Applicant	Skymond Ltd		

A. Adjourned decision protocol

A.1 At 6 February 2019 Planning Committee members triggered the adjourned decision protocol as they were minded to go against officer recommendation and refuse the application. I will set out the four minded to refuse reasons in full below:

1. Units S3, S5 and S6 fail to meet the minimum nationally described space standards required by policy 50 and the development would therefore not provide an adequate level of amenity for future occupiers of these flats. The proposal is therefore contrary to policy 50 of the Cambridge Local Plan 2018.

2. The proposed development fails to provide any off-street car parking. The car free nature of the development cannot be realistically enforced due to the lack of parking controls on street. The proposal would therefore add additional on street car parking demand contrary to policies 82 and 52(d) of the Cambridge Local Plan 2018.

3. The applicant has failed to provide sufficient surface water drainage details to demonstrate the site can be appropriately drained. The proposal is therefore contrary to policy 31 of the Cambridge Local Plan 2018.

4. The proposal for 9 additional units will result in an intensification of the use of the garden which will cause unacceptable levels of noise and disturbance to 186 Mill Road

contrary to policies 52 and 53 of the Cambridge Local Plan 2018.

Reason 1

1. Units S3, S5 and S6 fail to meet the minimum nationally described space standards required by policy 50 and the development would therefore not provide an adequate level of amenity for future occupiers of these flats. The proposal is therefore contrary to policy 50 of the Cambridge Local Plan 2018.

- A.2 The first reason for refusal relates to amenity for future occupiers. This outlines that 3 of the 9 new units would not meet the internal space requirements of Policy 50 of the Cambridge Local Plan (2018). For clarity I have included a table with the internal floorspace of each unit from the 17/2093/FUL consent in comparison with the current proposal. The table has been updated from that in the main body of the report as there have been minor changes to the plans, these impact units S1 and S2, and as there was an error with the figure for unit S6.

Floor	Unit	Approved (17/2093/FUL)	Proposed (18/1329/FUL)
Ground	S1	47.2	37
	S2	41.8	39
First	S3	32.3	32.3
	S4	39	39
	S5	35.5	35.5
	S6	32.3	32.3
	S7	55.1	52
Second	S8	45.5	37
	S9	35.2	37
	S10	50.1	41
	S11	N/A	37
	S12	N/A	37

- A.3 Units S3, S5 and S6 were all included in the extant consent 17/2093/FUL. These units have been approved and are under construction and can currently be implemented. These units did

not meet the Nationally Described Space Standards(NDSS) when approved and were given consent prior to the adoption of the Cambridge Local Plan (2018) which set minimum internal space requirements. Although these units are small they are no smaller than already approved. As a result it would be unreasonable to refuse the application on the basis of 3 units not meeting the space standards when these units can currently be implemented at the size proposed.

- A.4 Units S1, S2, S7, S8 and S10 have been reduced in size as part of the current proposal but these units remain above the minimum requirements of the NDSS required by policy 50. Two additional units are proposed, units S11 and S12, both of which meet with the NDSS internal space requirements.
- A.5 The approved units did not provide any private external amenity space for any of the units. This continues to be the case as part of the current proposal. Given the constraints of the site I do not consider it would be possible to provide balconies for the flats without compromising the design and impacting on neighbour amenity. Given the proposal is for a flat conversion rather than a total new build I consider this to be acceptable. The increase to the courtyard space is a significant benefit of the proposal as the previous application did not provide any meaningful external space. The approved application allowed for 30sqm of external space but this was a constrained space directly adjacent to kitchen and bedroom windows. The committee report on the approved scheme acknowledged that the communal outdoor amenity space would not be meaningful and as a result would be unlikely to be used. This was considered acceptable given the nature of the units, being studios and 1 bedrooms, and their urban setting. The current proposal provides a 130sqm which is a substantially larger space and subject to conditions regarding details of landscape, I consider it would be a usable communal space for the flats and a significant improvement on the approved scheme.
- A.6 Members have raised the lack of car parking as a reason for refusal and there will be more on this matter at paragraph A.11 of the report. However, the applicant has suggested that it would be possible to provide one off-street car parking space on site. This would involve the relocation of the proposed bollard further into the site and a reduction in the size of the communal space. This would still leave approx. 100sqm of garden space

and the most private part of the garden would remain unaffected. This could be required to be provided through condition if members felt the provision of the car parking space would overcome concerns about the lack of car parking for the two new units.

Reason 2

2. The proposed development fails to provide any off-street car parking. The car free nature of the development cannot be realistically enforced due to the lack of parking controls on street. The proposal would therefore add additional on street car parking demand contrary to policies 82 and 52(d) of the Cambridge Local Plan 2018.

- A.7 The site has permission for 7 new residential units without any car parking provision. The Committee report for the approved scheme states that the removal of two car parking space and provision of a car-free development was acceptable given the sustainable location of the site and the nature of the units, being studios or one beds likely to be occupied by individuals or a couple. The current proposal broadly replicates the approved scheme but incorporates 188 Mill Road into the site and proposes two additional units above the existing two units at 188 Mill Road. The existing flats at 188 do not have any off-street car parking provision.
- A.8 Since the previous permission was granted a residents parking scheme has been introduced in Coleridge West. This was not known at the time of writing the committee report and the site is referenced as being outside the Controlled Parking Zone in paragraph 1.2. As the site is within an area of controlled parking, the suggested reason for refusal is no longer relevant as the car free nature of the development can be enforced and is in full compliance with criterion (f) of policy 82 of the Cambridge Local Plan (2018).
- A.9 Appendix L of the Cambridge Local Plan (2018) details car and cycle parking requirements. This states that the standards are maximum and should not be exceeded but may be reduced where lower car use can reasonably be expected. The appendix details criteria for consideration when determining parking requirements. The location of the development, in terms of whether the site has convenient walkability and cyclability to the

City Centre and local/district centres, and whether or not it has high public transport accessibility is one criterion. The site is located within a district centre in close proximity to a range of shops and services. The site is well connected with good pedestrian and cycle links. There is a bus stop adjacent to 184 Mill Road which serves the city centre and another across the road which serves Addenbrookes. The site is within walking distance of the train station.

- A.10 Appendix L states that the type and style of development are also important in assessing the requirement for off-street car parking. It states that infill development is more likely to be located in areas with existing travel patterns, behaviours and existing controls, and may be less flexible. The site is a flat conversion in an area where living above the shop is a typical arrangement. People moving into these types of developments would not normally expect any off-street car parking provision. Appendix L states that there is evidence that houses have higher car ownership than flats even when they have the same number of habitable rooms. The two new flats are studios and are both likely to be single occupancy given their size. In my view, given the size and location of the flats, I consider the lack of off-street car parking to be acceptable.
- A.11 If members remain concerned about the lack of off-street car parking, the applicant has stated that they are willing to move the bollard further into the site to provide one off-street car parking space. There is an existing dropped kerb which could serve this space and the area of garden lost is the least usable space as it is directly adjacent to the street. Should members feel that car parking should be provided; details of this space could be provided by condition.

Reason 3

3. The applicant has failed to provide sufficient surface water drainage details to demonstrate the site can be appropriately drained. The proposal is therefore contrary to policy 31 of the Cambridge Local Plan 2018.

- A.12 Since the application was last heard at planning committee, the drainage officer has recommended that the surface water drainage condition on the approved scheme can be discharged (17/2093/COND16). This therefore demonstrates the principle

of sustainably draining the site to be acceptable. I am satisfied that the final details can be dealt with by condition. I have asked that the drainage officer respond and will update her comments on the amendment sheet.

Reason 4

4. The proposal for 9 additional units will result in an intensification of the use of the garden which will cause unacceptable levels of noise and disturbance to 186 Mill Road contrary to policies 52 and 53 of the Cambridge Local Plan 2018.

- A.13 There is no evidence to suggest that the use of the garden by the flats would generate any significant increase in noise which could disturb nearby occupiers. At the time of committee I was unclear as to the use of 186 Mill Road. I can confirm that this is a bicycle shop so there would be no impact on residential amenity. The gardens of 2 and 2A Cockburn Street are set away from the development and as a result I do not consider there to be any impact on these occupiers.
- A.14 The original report is included as an appendix to this committee report.

Appendix 1: February 2019 Committee report

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposal creates a larger shared outdoor amenity space which is more meaningful and usable space when compared with the approved scheme.- The new units would meet with the requirements of policy 50 in terms of internal space- The proposal would not harm the residential amenity of neighbouring occupiers.
RECOMMENDATION	APPROVAL

0.0 Addendum report

- 0.1 The application was withdrawn from January 2019 Planning Committee as it was found to have been incorrectly registered as a minor development. The application was withdrawn from the agenda to rectify the error and the application was advertised and a site notice erected describing the proposal as a major development.
- 0.2 Although the application is a major development the net increase in residential units would be 9. As a result the proposal does not hit the threshold for affordable housing and infrastructure provision, and no s106 contributions are being sought.
- 0.3 As a result of the application being a major development, the Senior Sustainability Officer was consulted. She has no objection to the proposal. As the development is a conversion of an existing building, the carbon reduction requirements of policy 28 do not apply as these can only be realistically achieved on a new building. A condition is recommended requiring details of

water efficiency to be submitted prior to occupation to meet with the water requirements of policy 28.

- 0.4 The Environmental Health Officer reviewed the landscaping shown on the proposed site plan. He raised concern for the potential for contamination from the exposure of site soils and requested a condition to deal with the details. The applicant responded to the condition request and confirmed that the landscape would be provided in planters on top of the block paving. The Environmental Health Officer is willing to withdraw his objection subject to planters being used rather than landscaping being provided. A condition is recommended requiring details of the landscape to be provided and for an additional condition regarding maintenance and management of the landscape.
- 0.5 The application recommendation is for approval subject to the conditions in table 10.0 of the report; including the additional water efficiency condition.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is Nos. 188-192 Mill Road and No. 2B Cockburn Street. This comprises a tattoo studio, retail unit and five residential flats. The buildings fronting Mill Road are two-storeys with retail units at ground-floor level and a consistent rhythm of first-floor windows above. The Cockburn Street elevation is comprised of a small residential unit, set back from the road, and adjacent to the larger two-storey mass of No.2B Cockburn Street which has residential floor space above ground-floor garages.
- 1.2 The surrounding area is comprises a range of commercial units along Mill Road and typically terraced residential properties along the side streets. The site falls within the Mill Road East District Centre and the Central Conservation Area. The site lies within the newly designated Mill Road Opportunity Area. The site is outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 A substantial part of the development proposed in this application has already been included in a previous application (ref. 17/2093/FUL). This application has been implemented and

works are ongoing. The 2017 consent permitted works to 190-192 Mill Road and 2B Cockburn Street to provide 10 residential units (net increase of 7) The current proposal expands the red edged location plan to incorporate 188 Mill Road into the approved scheme (ref. 17/2093/FUL). It proposes two additional flats on the second floor bringing the total number to 14 flats with a net increase of 9, as there are 2 existing flats in the first floor of 188 Mill Road. These remain broadly the same as existing. The two new flats are proposed to be contained in the roof.

- 2.2 Whilst much of the proposal has been permitted through approval ref 17/2093/FUL, the applicant must apply for permission for the whole site as the works approved under 17/2093/FUL have not been completed. The application could not be dealt with as a section 73 application (minor material amendment) as it involves a change to the site edged red. As a result the works must be dealt with under a new FUL application. However, the approved scheme is a material consideration in the assessment of the current application.
- 2.3 The application proposes an additional dormer and rooflight to the Mill Road elevation above 188 Mill Road. A small extension is proposed at first floor and on the second floor to accommodate the new units. The Cockburn Street wing of the proposal is also amended to include a small increase to the footprint as the stairwell has been revised. A revised site plan has been provided showing a bollard adjacent to Cockburn Street to prevent vehicular access to the site. This plan also shows additional planting including a new tree. The configuration of the second floor has been amended and head heights of the second floor clarified to ensure that units S8, S11 and S12 meet the space requirements of Policy 50 of the Cambridge Local Plan (2018)

3.0 SITE HISTORY

- 3.1 The planning history since 1995 consists of:

Reference	Description	Outcome
17/0493/FUL	Change of Use from Retail (Use Class A1) to Tattoo Parlour (Sui Generis Use)	Permitted.

17/0957/FUL	Reconfiguration and extensions, incorporating dormer windows, and alterations to roof of building to provide 12 residential units (net increase of 9 units) along with bin and cycle storage.	Refused Appeal dismissed
17/2093/FUL	Reconfiguration and extensions, incorporating dormer windows, and alterations to roof of building to provide 10 residential units (net increase of 7) along with bin and cycle storage.	Permitted

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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Local Plan 2018		1, 3
		31, 32, 33, 35, 36
		50, 53
		55, 56, 58, 59, 61, 64, 69
		81, 82

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

Central Government Guidance	<p>National Planning Policy Framework February 2019</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>
Supplementary Planning Guidance	<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>Planning Obligation Strategy (March 2010)</p>
Material Considerations	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Roof Extensions Design Guide (2003)</p>
	<p><u>Area Guidelines</u></p> <p>Mill Road Area Conservation Area Appraisal (2011)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Following implementation the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the Residents' Parking Schemes. Informative required.

Environmental Health

First comment

- 6.2 Conditions required with respect to:

- Construction hours;
- Collection during construction;
- Dust;
- Noise insulation;
- Contaminated land

Second comment

- 6.3 No objection: The layout plan has been revised to include an element of soft landscaping. The exposure of site soils in such a manner creates a potential pollutant linkage between the proposed site users and potentially contaminated ground. The applicant will be required to quantify this risk and, if necessary, design and implement a suitable mitigation strategy. This can be conditioned using the site-specific condition.

Conservation team

- 6.4 No objection: No conservation issues. The shopfront is to be refurbished, and the proposed new dormer and roof light will match those previously approved. A condition is requested to control the dormer design.

Nature Conservation Officer

- 6.5 No objection: Request that green roofs are provided on the flat roofs. Request an informative about nesting birds and a condition requiring nest box provision for swifts.

Urban Design team

- 6.6 Objection: The proposal fails to meet floorspace standards. If approved should be subject to the same conditions as the previous application.

Head of Streets and Open Spaces (Landscape Team)

- 6.7 Objection: Concerned that the hard paved approach and wide access will lead to the communal space being used as informal parking. Parking should be designed out of the proposal. None of the units have access to private amenity space. This is contrary to 2018 Local Plan however, it is considered that it would be impractical to provide balconies or patios to this development. In this context it becomes more important to provide quality communal space where it is available to do so and therefore we require further development of the communal space design to ensure it would provide a usable space for residents.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.8 Objection: Considered to be a major application and therefore requires surface water drainage details to be submitted. The proposal is unacceptable without such a scheme.

Shared Waste Service

- 6.9 No objection: This development will need to allow space for the following bins:

Refuse: 1 x 1100 litre and 1 x 360 litre

Recycling: 1 x 1100 litre and 1 x 360 litre blue bins

Food waste: 1 x 360 litre green bin

The bin store must not have a code or a key except for a Fire Brigade FB2 key, and must have level access and a drop kerb onto the road. Waste arrangements for the existing commercial units should remain as at present.

- 6.10 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 or occupiers of the following addresses have made representations objecting to the proposal:

- 9 Cockburn Street
- 11 Cockburn Street x2

7.2 The issues raised in representations can be summarised as follows:

- ☐ Overdevelopment of the site
- ☐ Increased noise and disturbance
- ☐ Insufficient bin storage space
- ☐ Insufficient cycle storage space
- ☐ Increased pressure on on-street car parking
- ☐ Car parking will cause noise, pollution and dust
- ☐ Harm the character of the area by increasing short-term tenancies
- ☐ Development timeline for the whole site should not have been set in place before decision-making was complete.

7.3 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. Other
8. Third party representations

9. Planning Obligations (s106 Agreement)

Principle of Development

- 8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2018). Policy 3 supports proposals for housing development on previously-developed land within the urban area of Cambridge. The site currently includes residential uses above the existing commercial uses and future occupiers would have a wide range of services and facilities within a very close distance. For these reasons, I consider the principle of the development is acceptable in accordance with policies 1 and 3 of the Cambridge Local Plan (2018).

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

- 8.3 The extensions and alterations proposed are broadly similar to those already approved under 17/2093/FUL. The current proposal incorporates 188 Mill Road into the plans and includes an additional dormer and roof light on the front elevation, some minor changes to the extension adjacent to Cockburn Street and an extension to the rear of 188 Mill Road at second floor. The majority of the proposal is as approved. The additional dormer visible from the streetscene continues the approved rhythm of dormers and the Conservation Officer is satisfied that this element is acceptable subject to a condition requiring details of the dormers. The alterations to the Cockburn Street Wing are minor and not visually significant. The extension to 188 is in keeping with the approved design and would be tucked away behind the existing building and shielded from view from the street from the Cockburn Street wing. The changes proposed to 188 are respectful of the existing building and the design previously approved on the rest of the site. Neither the urban design team nor the conservation team raises any objections to the additional element of the proposal. In my view the proposals are substantially similar to the previous scheme, and the impact on the character of the area and the conservation area is considered to be acceptable.
- 8.4 The Landscape Officer raised concerns about the original plans submitted as part of the application as there were concerns that the hard landscape shown would be used for informal parking. She requested that this was designed out and that, as it is not

possible to provide private external space as part of the proposal due to the constraints of the site, further detail should be provided to show the space to the rear would be usable as garden space for future occupiers.

- 8.5 The applicant has provided a revised site plan showing a bollard adjacent to Cockburn Street to prevent vehicular access into the site. Further landscaping is shown which softens the environment so it reads as a courtyard garden space. The biodiversity officer requested some further green on site and the applicant has confirmed that a new native tree can be provided along with the shrubs shown. I am satisfied with the landscape details in principle and have recommended a hard and soft landscape condition to deal with the details. The condition and informative regarding swift nesting boxes recommended by the Biodiversity Officer has also been recommended.
- 8.6 In my opinion, the proposed works and alterations would preserve the character and appearance of the Conservation Area. As such, the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58, 59 and 61.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 The extensions and alterations to the built form proposed are substantially the same as the previous application. For the sake of completeness, I have reiterated much of the assessment from the last application here. The neighbouring properties are Nos. 2 and 2A Cockburn Street to the south and the residential uses above No. 194 to the east. The revised proposal incorporates 188 Mill Road into the site and includes some extensions to this property. I have included an assessment on the amenity of 186 Mill Road below.

☐ *No. 186 Mill Road*

- 8.8 It is unclear what the use of the nearest window to the rear of 186 serves. There are some minor alterations to the rear of 188 at first and second floor. The additions are modest in scale and would not have any significant impact on any residential use above 186 as the extensions would be set off the boundary with the property. Given the set away and minor scale I am satisfied

that there would be no significant enclosure or overshadowing impact.

□ *Nos.2 and 2A Cockburn Street*

- 8.9 There are no windows on the side (north) elevation of Nos.2 and 2A Cockburn Street that face towards the application site. The proposed development would not be prominent from the garden or windows of this neighbour and I am confident that this relationship would be acceptable. The revised plans extend the element adjacent to these properties further into the site at ground and first floor to accommodate a revised stairwell arrangement. As there are no windows adjacent to this I am satisfied that the addition would not harm the amenity of this occupier.

□ *No. 194 Mill Road*

- 8.10 There is a comfortable separation distance from No.194 Mill Road to the east such that the increase in ridge height proposed would not result in any harmful visual enclosure or overshadowing being experienced. There are already views across the street towards this neighbour and the proposal would not result in any harmful loss of privacy.
- 8.11 For these reasons, 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 (2018) policies 55, 56 and 58.

Amenity for future occupiers of the site

- 8.12 A number of the approved units are below the internal space standard requirement of policy 50 of the new local plan. The proposal does reconfigure the units but all units which met the space standards as part of the approved 17/2093/FUL continue to meet with the space standards as part of the current application. Both of the new units (S11 and S12) meet with the space standards. The plans have been amended since submission as unit S8, which was above the space standards in the original approval, fell below the minimum of 37sqm. The amendment reconfigured the flat and clarified through a section plan how storage space is calculated. The revisions bring this unit back to 37sqm which meets with the minimum internal

space standard for a studio unit. The below table provides a comparison of the internal floorspace for each flat under the current proposal and the approved application.

	18/1329/FUL (current application – 9 additional units)	17/2093/FUL (previous approval – 7 additional units)
Ground	S1 – 40.25 (1 bed unit)	S1 – 47.2 (1-bed unit)
	S2 – 41.3 (1 bed unit)	S2 – 41.8 (1-bed unit)
First	S3 – 32.3 (studio)	S3 – 32.3 (studio)
	S4 – 38.3 (studio)	S4 – 38.9 (studio)
	S5 – 34.3 (studio)	S5 – 35.5 (studio)
	S6 – 44.8 (studio)	S6 – 32.3 (studio)
	S7 – 50 (1 bed unit)	S7 – 55.1 (1-bed unit)
Second	S8 – 37.06 (studio)	S8 – 45.5 (studio)
	S9 – 37.9 (studio)	S9 – 35.2 (studio)
	S10 – 41 (studio)	S10 – 50.1 (studio)
	S11 – 37.04 (studio)	
	S12- 37.17 (studio)	

8.13 Unit S1 fell below the space standards for a 1 bed unit and has been reduced further but the internal space remains greater than the minimum of 37sqm for a one person unit with shower room. Unit S4 and S5 as approved fell below the space standards and have been reduced a marginal amount so continue to be under the space standards required by policy 50. Unit S6 increases in size from falling under the space standard

to being 44.8sqm. Similarly unit S9 increases from being 35.2sqm, 2sqm below the standard, to meeting the minimum requirement of 37sqm.

8.14 The increase to the site area incorporating 188 Mill Road allows for the creation of a larger communal courtyard space. The applicant has provided a revised site plan showing a bollard to prevent car access to the courtyard. Further planting and a new tree are also shown. Final details of landscaping are recommended to be dealt with by condition. The increase to the courtyard space is a significant benefit of the proposal as the previous application did not provide any meaningful external space. In my view, subject to further details of landscape by condition, the communal garden space would provide a good quality shared external amenity space which is a significant improvement on the approved scheme.

8.15 For these reasons, I am satisfied that the proposal would provide an acceptable level of amenity for the future occupants that is appropriate for the urban context. I consider that in this respect the current proposal is compliant with Cambridge Local Plan (2018) policies 56 and 58

Drainage

8.16 The proposal does not significantly change the footprint of the buildings when compared with the approved scheme (17/2093/FUL). As a result I can see no reason to require drainage details up front as these were conditioned as part of the previous approval. The condition on the extant permission has been applied to be discharged but remains outstanding on the system. I am satisfied that a further condition requiring details of surface water drainage for the whole site would be an acceptable means of dealing with surface water drainage matters for the site.

Refuse Arrangements

8.17 The proposal includes a large internal bin store with a straightforward means of access onto Cockburn Street for collections. The bin store would be convenient to use so there would be no reason for users to leave bins on the highway beyond the collection day. The Waste Officer has commented on the application detailing the required number of bins for the

development. The stores appears to be adequately large to accommodate the required bins. A condition is recommended to ensure the bins provided meet with the Waste officer's comments and if not details are to be provided to the Local Planning Authority for approval prior to occupation of the new units. Subject to this condition I consider the proposed bin store to be adequate.

Highway Safety

- 8.18 The Highway Authority has raised no objection to the proposal on highway safety grounds. The informative regarding residents parking permits has been recommended.

Car and Cycle Parking

☐ *Car parking*

- 8.19 The previous approval removed the two existing car parking spaces from the site and proposed a car-free development which was considered to be acceptable. Whilst policy 82 of the Cambridge Local Plan seeks to prevent car-free developments in areas which do not have any controls on parking on surrounding streets, the principle of car free development for much of the site has already been accepted and it would be unreasonable to require car parking for the two new units particularly given the sites location within the Mill Road East Local Centre within close proximity to public transport links and cycle and pedestrian infrastructure. The lack of car parking on site combined with the amalgamation of the sites also provides a larger courtyard space for future occupiers of the residential units. In my view the lack of off-street car parking is acceptable.

☐ *Cycle parking*

- 8.20 The proposal includes 20 no. covered cycle parking spaces. This exceeds the Council's adopted minimum standards.
- 8.21 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

8.22 I have addressed the majority of the concerns in the body of my report but will cover any outstanding matters in the below table:

Representation	Response
Overdevelopment of the site	The proposal is considered to respect the constraints of the site.
Increased noise and disturbance	The addition of two further flats is not considered to have any significant impact on noise disturbance to surrounding occupiers.
Insufficient bin storage space	The bins requested by the waste officer would fit within the store shown on the plans. A condition is recommended requiring the bins to be provided in accordance with the waste officers comments.
Insufficient cycle storage space	The proposed cycle parking exceeds the minimum policy standards.
Increased pressure on on-street car parking	The principle of car-free development has already been accepted. See paragraph 8.19
Car parking will cause noise, pollution and dust	No car parking proposed
Harm the character of the area by increasing short-term tenancies	There is no information to suggest the flats would be used for short term lets. This would require a change of use application.
Development timeline for the whole site should not have been set in place before decision-making was complete.	I can only assess the application as applied for. Whilst ideally the whole site would have been included in the original application I am satisfied that the addition of 188 into the site and the proposed alterations to facilitate this would be acceptable.

Planning Obligations (s106 Agreement)

- 8.23 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.
- 8.24 The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floor space of no more than 1000sqm. The proposal (which would create increase of nine units) represents a small scale development and as such no tariff style planning obligation is considered necessary.

9.0 CONCLUSION

- 9.1 In conclusion, the proposed external works are minor and subject to condition would preserve and enhance the character and appearance of the Conservation Area. Whilst a number of the units fail to meet the space standards required by policy 50 of the Local Plan, these have already been approved as being under the standards and the benefit of the additional external amenity space to the rear is considered to be significant. The proposal would provide adequate bike and bin storage. The principle of a car-free development has been accepted under the previous consent and given the sustainable location of the site and as only two further units are proposed, I consider the lack of car parking to be acceptable. The extensions would not harm the amenity of surrounding occupiers.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

4. There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

5. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2018 policy 36.

6. Prior to the commencement of development/construction, a noise insulation / attenuation scheme as appropriate, detailing the acoustic / noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To provide an acceptable living environment for future occupants (Cambridge Local Plan 2018 policies 35 and 56).

7. Construction traffic to the site shall accord with the details approved under 17/2093/COND7

Reason: In the interest of highway safety (Cambridge Local Plan 2018 policy 81)

8. Materials shall be constructed in accordance with the details approved under 17/2093/COND8

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 55. 56 and 61)

9. Any non-masonry wall systems shall be constructed in accordance with the details approved under 17/2093/COND9

Reason: In the interests of the visual amenity of the Conservation Area (Cambridge Local Plan 2018 policies 55. 56 and 61)

10. The roof shall be constructed in accordance with the details approved as part of 17/2093/COND10

Reason: In the interests of the visual amenity of the Conservation Area (Cambridge Local Plan 2018 policies 55. 56 and 61)

11. No dormers shall be constructed until full details, at a scale of 1:10, showing the construction, materials, rainwater disposal and joinery of the dormers, including their cheeks, gables, glazing bars and mouldings, have been submitted to and approved in writing by the Local Planning Authority. Dormers shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

12. External joinery shall be constructed in accordance with the details approved under 17/2093/COND12

Reason: In the interests of the visual amenity of the Conservation Area (Cambridge Local Plan 2018 policies 55. 56 and 61)

13. Any railings shall be constructed in accordance of the details approved under condition ref 17/2093/COND13

Reason: In the interests of the visual amenity of the Conservation Area (Cambridge Local Plan 2018 policies 55. 56 and 61)

14. Prior to the occupation of the development, hereby permitted, the windows identified as having obscured glass on the approved plans shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55, 57/58).

15. Prior to the commencement of development, other than demolition, a scheme for surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

16. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

17. Prior to the occupation of the units, a plan shall be submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external swift boxes on the buildings. The installation shall be carried out prior to the occupation of the new units and shall be subsequently maintained in accordance with the approved plans.

Reason: To protect the local swift population (Cambridge Local Plan 2018 policy 70)

18. Prior to the occupation of the unit the following refuse bins will be provided for occupiers of the new units. The bins will be kept in the store shown on the approved store.

Refuse: 1 x 1100 litre and 1 x 360 litre

Recycling: 1 x 1100 litre and 1 x 360 litre blue bins

Food waste: 1 x 360 litre green bin

Refuse provision will be provided and retained in accordance with the above details unless otherwise agreed in writing with the Local Planning Authority

Reason: To ensure adequate refuse provision and in the interest of visual amenity (Cambridge Local Plan 2018 policies 56 and 58)

19. Prior to the occupation of the first dwelling, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28).

20. Prior to first occupation or the bringing into use of the development, hereby permitted, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is maintained as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

21. The bollard shown on drawing PL-1-01 rev B shall be provided prior to the occupation of the flats and shall be retained thereafter.

Reason: To prevent the courtyard garden space being used as car parking and to ensure it provides outdoor amenity space for future occupiers (Cambridge Local Plan 2018 policies 50 and 55)

INFORMATIVE: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: 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 (other than visitor permits) within the Residents' Parking Schemes to be implemented on surrounding streets.

INFORMATIVE: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Buildings, trees and shrubs are likely to contain nesting birds between 1st March and 31st August inclusive. Buildings are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.