



Planning Committee Date Report to	07.09.2022 Cambridge City Council Planning Committee Joint Director of Planning and Economic Development
Lead Officer	Nick Yager
Reference Site	22/02127/FUL 611 Newmarket Road, Cambridge, Cambridgeshire, CB5 8PA
Ward Proposal	Abbey Demolition of existing house and erection of eight flats and one maisonette (net eight new homes) together with ancillary works
Applicant	Mr Andrew Reed
Presenting Officer	Nick Yager
Reason Reported to Committee	Third party representation in contrary to the Officer Recommendation
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Neighbouring amenity2. Private and communal amenity space3. Noise Impact Assessment i.4. Waste storage5. Cycle storage6. Part M4(2)7. Overdevelopment of the site.
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks Demolition of existing house and erection of eight flats and one maisonette (net eight new homes) together with ancillary works
- 1.2 This application is a re-submission of application 21/01487/FUL which was issued as a delegated refusal on the 30.11.2021 and currently being assessed at appeal under reference number APP/Q0505/W/22/3297765/.
- 1.3 This revised proposal has included a communal amenity area to the northwest of the application site, additional cycle storage, created private amenity areas for all the units, altered the bin storage arrangements, incorporated curved balconies with 1.7m solid screens and a redesign of the internal flat layouts. However, the application still raises concerns with which are explained in detail below.
- 1.4 The proposal fails to respect the residential amenity of occupiers and neighbouring properties, provide appropriate external amenity areas, fails to provide adequate cycle and bin collection for units and adequate access requirements it is considered the proposal constitutes an overdevelopment of the site contrary to policies 52, 55 and 57 of the Cambridge Local Plan 2018
- 1.5 Officers recommend that the Planning Committee refuse the application.

2.0 Site Description and Context

None-relevant	x	Tree Preservation Order	
Conservation Area		Local Nature Reserve	
Listed Building		Flood Zone	
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

- 2.1 The site is situated on the northern side of Newmarket Road. The red line includes 611 Newmarket Road which a two-storey dwelling, the access road leading to 615 Newmarket Road which is the Ivett and Reed site, a stonemasons business. The red line also includes part of the single storey warehouse located to the north east of 611 Newmarket Road. Immediately to the west of the site is 609 Newmarket Road and immediately to the east/north of the site is the Ivett and Reed site.

2.2 There are no relevant site constraints. The application site is not within a conservation area and is not within a controlled parking zone.

3.0 The Proposal

3.1 The proposal is for demolition of the existing dwelling at 611 Newmarket and erection of a replacement maisonette and the erection of a block of flats. The proposal will also include the partial demolition of the warehouse building to the rear of the site as the proposed block of 8 flats would be erected in its place.

3.2 The proposal would include a cycle/pedestrian path from Newmarket Road underneath the proposed maisonette. The proposal would provide vehicular access from Newmarket Road using the existing car access for the Ivett and Reed site. A car park is proposed at the north of the site

3.3 This application is at appeal by non-determination. The application was received on the 06.05.2022. An extension of time request was sent on the 09.06.2022 to allow for the expiry of the consultation timeframe which was agreed until the 22.07.2022. Following the consultation responses, a further extension of time was requested in order to take the application before the next available committee in September 2022. The applicant did not agree to extension of time and appealed by non-determination.

4.0 Relevant Site History

Reference	Description	Outcome
21/01487/FUL	Demolition of existing house and Erection of eight flats and one maisonette (net eight new homes) together with ancillary works	Refusal
19/1545/FUL	Erection of a single storey workshop and garage/carport, following removal of existing car port	Approved
06/0843/REM	Reserved Matter application (landscaping) – pursuant to permission C/00/0990/OP – refurbishment of stonemason's yard (B2) to include new staff canteen, premises, starter units, and associated facilities.	Application Closed
C/98/0753	Change of use of part of No 613 Newmarket Road from a residential dwelling (Class C3) to offices (Class B1(a)), change of use of rear portion of residential land (Class C3) at No 611 Newmarket	Refused

14/0181/FUL	Side extension to existing showroom	Delegated Approval
C/86/1203	Erection of storage building	Approved Approved
C/99/0352	Extension to existing buildings to provide single storey office and storage accommodation for Stonemasons (Class B2).	Approved
C/83/0822	Erection of portal framed building	Approved
15/0707/FUL	Demolition of existing store construction of new stone store and stone-cutting facility	Refused
C/98/0637	Demolition of existing sheds and replacement with single storey office extension to stonemason's (Class B2)	Approved
C/86/1000	Erection of extension to existing stonemasons premises	
C/04/0626	Erection of three flat following demolition of exiting house	Refused
06/0278/FUL	Erection of extension to offices.	Approved
C/00/0990	Refurbishment of existing stonemason's yard (B2) to include new staff canteen, work premises and starter units together with associated facilities to provide 740 sqm of additional floor area.	Approved
C/03/0695	Erection of 4no. flats following demolition of existing detached house	Refused
C/78/0317	Provision of vehicular access	Approved

4.1 This application is a re-submission of application 21/01487/FUL which was issued as a delegated refusal on the 30.11.2021 and currently being assessed at appeal under reference number APP/Q0505/W/22/3297765/. The application was refused by Officers under delegated powers for the following five reasons:

1. *609 Newmarket Road is situated directly to the west of the site. The proposal would replace a single storey building that has no openings with a part three storey, part single storey and part two storey building with multiple openings and multiple balconies at first/second floor level which*

would be immediately opposite and span the length of the garden of 609 Newmarket Road. This would not only result in a significant sense of enclosure but would also result in a significant loss of privacy due to the impact of overlooking. The proposal would therefore have a significantly detrimental impact upon the residential amenity and enjoyment of 609 Newmarket Road contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.

2. *The proposal fails to provide direct access to private and communal amenity space of sufficient quantity and quality contrary to Policy 50 of the Cambridge Local Plan 2018. In particular, the proposed maisonette and flats 1, 2 and 4 do not have direct access to an appropriate private external amenity area for each dwelling and neither is there a communal space set aside for residents to enjoy.*
3. *The submitted Noise Impact Assessment is substantially lacking in detail and clarity, and for these reasons the Environmental Health Team are unable to provide an informed judgement on whether or not the proposals are suitable and will provide adequate protection for future residents from the impacts of commercial noise. The proposal has therefore failed to provide a sufficient Noise Impact Assessment to allow an assessment of the proposal contrary to Policy 35 of the Cambridge Local Plan 2018.*
4. *The proposed bin store would be located in an integrated bin store within the proposed block of flats. This is located a considerable distance from the proposed maisonette, circa 59m distance. The proposal would therefore fail to provide convenient and accessible waste storage for all units contrary to policies 52 and 57 of the Cambridge Local Plan (2018).*
5. *Appendix L of the Local Plan states that residential units should provide 1 cycle space per bedroom up to 3 bedroom dwellings. The proposed block of flats would contain 8 x 2 bed units and only 14 cycle spaces are shown within the proposed integrated cycle store within the block of flats. Given the layout and openings to the cycle store, there would not be enough space to accommodate the policy required 16 cycle spaces. The proposal also fails to provide any space for visitor cycle parking. For these reasons, the proposal has failed to provide an acceptable level of secure and covered cycle parking contrary to the requirements of appendix L of the Cambridge Local Plan 2018 and policy 82 of the Cambridge Local Plan 2018.*
6. *As the proposal fails to provide appropriate external amenity areas for all units, fails to provide adequate cycle and bin storage for all units, and fails to respect the residential amenity of neighbouring properties. It is considered therefore that the proposal constitutes an overdevelopment of the site and would result in a cramped layout contrary to policies 52, 55 and 57 of the Cambridge Local Plan 2018.*

- 4.2 This revised proposal has included a communal amenity area to the northwest of the application site, additional cycle storage, created private amenity areas for all the units, altered the bin storage arrangements, incorporated curved balconies with 1.7m solid screens and a redesign of the internal flat layouts. However, the application still raises concerns with which are explained in detail below.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2019

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 3: Spatial strategy for the location of residential development

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 50: Residential space standards

Policy 51: Accessible homes

Policy 52: Protecting garden land and subdivision of dwelling plots

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 **Neighbourhood Plan**

N/A

5.4 **Supplementary Planning Documents**

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Health Impact Assessment SPD – Adopted March 2011
Landscape in New Developments SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009

5.5 **Other Guidance**

Arboricultural Strategy (2004)
Cambridge Landscape and Character Assessment (2003)
Cambridge City Nature Conservation Strategy (2006)
Cambridge City Wildlife Sites Register (2005)
Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)
Strategic Flood Risk Assessment (2005)
Cambridge and Milton Surface Water Management Plan (2011)
Cycle Parking Guide for New Residential Developments (2010)
Air Quality in Cambridge – Developers Guide (2008)

6.0 **Consultations**

6.1 **County Highways Development Management**

No objection subject to the suggested conditions:

- Traffic Management Plan
- Demolition or Construction Vehicle Hours
- Vehicular Access to 611 Newmarket be removed the grass verge reinstated and the footway returned to having a full face kerb.

Guidance was then provided on the information required for the Traffic Management Plan (TMP).

6.2 Access Officer

“The lift needs to serve all above ground flats. I need to see a correct drawing of the lift to show doors and dimensions. I need to see where a through floor lift could be installed in the future. In general they must meet Building Regulations Part M3(2).”

6.3 Environmental Health

It is not possible to comment on the proposed development and the additional information set out below will be required in order to provide comments.

Additional information is required on the following:

- Character corrections for the noise sources (intermittency)
- Justification for omission of forklift reverse alarms for the noise assessment
- Clarity/justification on the number of lorry/ HGV movement and deliveries along the access road adjoining.

6.4 Sustainable Drainage Officer

No comments received.

6.5 Nature Conservation Projects Officer

No comments received.

6.6 Waste

No comments received.

6.7 Camcycle

Cam cycle object to application 22/02127/FUL on the ground that it does not comply with polices 80 and 82 of the Local Plan.

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 Third Party Representations

7.1 Two third party representations have been received.

Objection received from 609 Newmarket Road:

- Half of 609 Newmarket Roads Garden will be shaded
- 1st and 2nd floor balconies will overlook 609 Newmarket Road
- The proposed trees planting will reduce sunlight upon my garden
- Maisonette is not in keeping with neighbouring properties
- North facing windows and Juliette balcony from the masionette will overlook the east facing bedroom window, lounge window and kitchen window of 609 Newmarket Road
- Noise impact upon 609 Newmarket Road from the bike and pedestrian access running down the common boundary
- Parking provision isn't sufficient
- The proposal will devalue 609 Newmarket Road

7.2 Support comment received from Flat 1, 616 Newmarket Road:

- Need to increase the density of this area and a very high demand for property.
- Considering how busy the road is this isn't really a suburban area, s its bizarre that most of the houses are single family.
- More projects like this that move the area closer to what it ought to be.

8.0 Member Representations

No member representations received.

8.1 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

9.0 Assessment

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Drainage
8. Biodiversity
9. Sustainability
10. Third party representations

9.1 **Principle of Development**

9.2 The site contains existing buildings and is classed as previously developed (brownfield) land. Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally.

9.3 Policy 52 of the Cambridge Local Plan (2018) states that: 'Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:

- a. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
- b. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
- c. the amenity and privacy of neighbouring, existing and new properties is protected;
- d. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties;
- e. there is no detrimental effect on the partial comprehensive development of the wider area'

9.4 The following paragraphs in the below report set out to assess and conclude that the proposed scheme fails to accord with policy 52.

9.5 **Design, Layout, Scale and Landscaping**

9.6 Policies 55, 56, 57 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

9.7 The proposal is for the demolition of the dwelling at 611 Newmarket Road and for the part demolition of a warehouse building to the rear. The proposed maisonette that would replace the existing dwelling at 611 Newmarket Road would be of a contemporary style in comparison to the existing design. While the existing dwelling is more in keeping with the street scene context in terms of design, the Maisonette is sited next to 613 Newmarket Road which is of a different design. Officers therefore do not consider the proposed design of the maisonette would be unacceptable in this case.

9.8 The proposed block of flats to the rear would be a contemporary block of flats, varying in height between 3 storey, 1 storey and 2 storey. Given its limited views from Newmarket Road and taking into account that the proposal would allow for some landscaping fronting onto the access, the external appearance

of the block of flats would be acceptable. If the proposal was being recommended for approval, a number of conditions regarding materials and landscaping would be required.

9.9 Officers therefore conclude that the external appearance of the buildings would be acceptable. However, for the reasons set out in the following sections of the report, officers conclude that the proposal would constitute as overdevelopment. As the proposal fails to respect the residential amenity of occupiers and neighbouring properties, provide appropriate external amenity areas, fails to provide adequate cycle and bin collection for units and adequate access requirements it is therefore considered the proposal constitutes an overdevelopment of the site.

9.10 **Residential Amenity**

9.11 *Impact on the amenity of neighbouring occupiers*

9.12 *609 Newmarket Road (to the west of the site).*

9.13 609 Newmarket Road is situated directly to the west. It's eastern and northern boundaries abut the site. Currently, 611 Newmarket Road and its long garden sits between 609 Newmarket Road and the Ivett & Reed site. The existing warehouse building is of a single storey scale. The pitch of the roof decreases towards the west with the apex being set far to the east of the roof scape.

9.14 The furthest northern element of the proposed block of flats would be 3 storey in height, moving south dropping to 1 storey then moving further south rising back to 2 storey. Within the 3-storey element there would be a large number of openings at first and second floor level, with also 2 balconies at first floor and 2 balconies at second floor. Within the 2-storey element there would also be openings and a balcony at first floor. The openings would be located at approx. 8.2 meters from the boundary with 609 Newmarket Roads Garden.

9.15 The proposal would replace a single storey building that has no openings with a part three storey, part single storey and part two storey building with multiple openings and multiple balconies at first/second floor level which would be immediately opposite and span most of the length of 609 Newmarket Road's Garden. This would not only result in a sense of enclosure but would also result in a significant loss of privacy due to the impact of overlooking.

9.16 The revised scheme has incorporated 1.7m High Solid Screens and curved balconies upon the 1st floor and 2nd floor balconies in order to try and mitigate the overlooking impacts. These are new additions from the last submission 21/01487/FUL. It is acknowledged the screens will prevent some of the overlooking impacts when the balconies are in use. However, the scheme still has significant other windows/openings and areas of the balconies that will lead to overlooking impacts upon 609 Newmarket Road. It is therefore considered that these additions do not mitigate the overlooking impacts to a level that is acceptable. Further, the alterations to the internal layouts still have habitual rooms located upon the western side.

- 9.17 For the above reasons, the proposal would have a significant impact upon the residential amenity and enjoyment of 609 Newmarket Road contrary to policies 52, 55 and 57 of the Local Plan.
- 9.18 Third party concerns have been raised regarding the windows/ Juliette balcony on the rear elevation of the maisonette directly looking unto windows on No.609s east facing elevation. The rear elevation of the maisonette would be in a similar position to the existing dwelling and views would be of an oblique angle. Officer's do not consider this element of the scheme would result in a significant residential impact.
- 9.19 Third party concerns have also been raised that the proposed tree planting would reduce sunlight upon 609. Although there could be some loss of light from the planting it is not considered to be at a level that would substantially harm the amenity of the occupiers of property.
- 9.20 *Wider area*
- 9.21 Due to the position of the Maisonette replacing the existing host dwelling. It is considered the proposal would not lead to material harm upon neighbouring amenity by virtue of overlooking loss of light and overbearing impacts.
- 9.22 The proposed construction of the flats would be located within the middle of the site with some separation from the boundaries to the north, west and east. Although the proposal is constructed of a reasonable sized height approx. 9.0 meters by some separation from the boundaries the proposal is not considered to lead to any material harm by virtue of overbearing and loss of light to any neighbouring amenity that surrounds the side.
- 9.23 The proposal would lead to the installation of windows and Juliette balconies at three storey level that would look towards 617 Newmarket Road on the eastern side. 617 Newmarket Road is a commercial funeral director with a rear yard area. It is considered that noting the commercial use of the property and functional yard the overlooking impacts on the eastern side would not lead to material harm upon the amenity that would be sufficiently harmful. The northern elevation by virtue of some separation would not lead to any material overlooking impacts.
- 9.24 It would be standard practice to recommend various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction.
- 9.25 Therefore, the wider area context is considered to be in accordance with policies 55 and 57 of the Local Plan.
- 9.26 *Amenity for the future occupiers of the site*
- 9.27 *Internal space Standards*

9.28 Policy 50 of the Cambridge Local Plan (2018) requires all new residential units to meet or exceed the Government's Technical Housing Standards – Nationally Described Space Standards (2015).

9.29 The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	2	4	1	70	70	0
2	2	4	1	70	70	0
3	2	4	1	70	70	0
4	2	4	1	70	70	0
5	2	4	1	70	70	0
6	2	4	1	70	71	+1
7	2	4	1	70	70	0
8	2	4	1	70	71	+1
Mas	2	4	3	79	128	+49

9.30 All of the proposed units comply with the size requirements for internal space standards under Policy 50 of the Local Plan.

9.31 *Amenity Space*

9.32 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space which should be of a shape, size and location to allow effective and practical use of the intended occupiers.

9.33 All of the proposed flat units have a direct access to an area of private amenity space. The ground floor units 4, 2, and 1 have access to a garden area facing the western side. Units 3, 5, 6, 7 and 8 have access to balcony areas also facing the western side. The proposed apartments are 2 bed units and could be accommodated by a family. Policy 50 sets out that dwellings with more than one bed space should provide space for children to play, that space should be provided for washing to dry and for circulation and that in addition to private space, development with flats need to provide high-quality shared amenity areas on site to meet the need of residents. The application site has a communal amenity area located within the northwestern side of the application site adjacent to the car parking spaces areas. The communal area has an approx. 139 m². It is considered the communal area is of a cramped and contrived nature located within the corner area of the site. The communal space area is of a small scale and within a cramped and unappealing area of the site. The communal area therefore raises concerns that it would be capable of providing an area for children to play and the functional needs of the occupiers. The proposal therefore fails to provide a highway quality and sufficient space of shared amenity space that policy 50 requires.

9.34 It would appear from the plans that there is a landscaped amenity area to the northeast of the proposed maisonette. It is included within the red line. However, from studying aerial images, it would appear that the area is currently connection with 613 Newmarket Road as there are ground floor windows and a door that open/face directly onto it. This could be problematic given its relationship with 613 Newmarket Road and would not constitute as a private amenity area as could be shared. The proposal therefore fails to provide direct access to a private amenity space for the maisonette contrary to Policy 50 of the Local Plan.

9.35 *Noise impact*

9.36 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

9.37 The Environmental Health Team were consulted as part of the application. As outlined above, the site is immediately adjacent to the Ivett and Reed which a stonemason business and therefore generates a level of noise which may result in disturbance. While the maisonette would be replacing an existing dwelling, the proposed block of flats would be introducing residential units currently where there isn't any much further north into the site. The applicant has submitted a Noise Impact Assessment which has been assessed by the Environmental Health Team.

9.38 The Environmental Health Team commented stating it is not possible to comment on the proposed development and additional information will be required in order to provide comments. The additional information is required on the following:

- Character corrections for the noise sources (intermittency)
- Justification for omission of forklift reverse alarms for the noise assessment
- Clarity/justification on the number of lorry/ HGV movement and deliveries along the access road adjoining

9.39 This information has not been provided. Therefore, concerns are raised that the Noise Impact Assessment is substantially lacking in detail and clarity, and for these reasons the Environmental Health Team are unable to provide an informed judgement on whether or not the proposals are suitable and will provide adequate protection for future residents from the impacts of commercial noise. The proposal has therefore failed to provide a sufficient Noise Impact Assessment to allow an assessment of the proposal contrary to Policy 35 of the Local Plan.

9.40 *Accessible homes*

9.41 Policy 51 requires all new residential units to be of a size, configuration and internal layout to enable Building Regulations requirement part M4(2).

9.42 The Access Officer was consulted on the application and stated the lift need to serve all the above ground flats. Currently Flat 3 at first floor level does not have access to a lift. The access officer requested a drawing of the lift to show door and dimensions. Further, details were required on if a through floor lift could be installed in the future. Absent this information the proposal is not considered to comply with the requirement of Part M4(2) of the Building Regulations and Policy 51.

9.43 **Refuse Arrangements**

9.44 The bins would be located in an integrated bin store within the proposed block of flats. The Design and Access Statement states that the bins will be collected from the east of the access to the car park. A waste management condition would be required if the application was to be recommended for approval.

9.45 The proposed maisonette has a bin storage area located adjacent to the pedestrian/cycle access. However, the collection point for this property would be to the east of the access to the car park in the same location as the proposed flats. The occupiers of the maisonette would have to transport the bins approx. 97 meters to the collection point. This distance is considerably further than the 25m distance from storage to collection points outlined in the RECAP waste guidance. The proposal would therefore fail to provide convenient and accessible waste storage for all the properties contrary to policy 57 of the Cambridge Local Plan 2018.

9.46 **Highway Safety**

9.47 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

9.48 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

9.49 The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety subject to the suggested conditions of a Traffic Management Plan, Demolition/Construction Vehicle Hours and Vehicular Access. Officers do not have reasons not to accept this advice. The proposal would therefore be compliant with policies 81 and 82 of the Cambridge Local Plan (2018) and the NPPFs advice.

9.50 **Car and Cycle Parking**

9.51 *Car Parking*

- 9.52 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Outside of the Controlled Parking Zone the maximum standard is no more than 1.5 spaces per dwelling for up to 2 bedrooms and no less than a mean of 0.5 spaces per dwelling up to a maximum of 2 spaces per dwelling for 3 or more bedrooms
- 9.53 The proposal would provide 7 car parking spaces on site. This car park would be located at the very north of the site, adjacent to the block of flats. This would be in the same place as the existing car park. Officers note the car parking space for the maisonette would be located a considerable distance away but on balance, this would allow for the introduction of landscaping to the front of the maisonette, fronting Newmarket Road.
- 9.54 The proposal would be in accordance with Cambridge Local Plan 2018 policy 82.
- 9.55 *Cycle Parking*
- 9.56 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.
- 9.57 The proposed Maisonette would have its own cycle store and would comply with the policy requirement. The proposed block of flats would contain 8 x 2 bed units. 18 spaces are shown within the proposed integrated storage area. Within appendix L of the Local Plan, it is stated that visitor cycle parking should be provided and should be located next to the main entrances to the block of flats. There is no cycle visitor parking identified.
- 9.58 Concerns are raised by Cams Cycle that the proposed cycle parking located within the ground floor of the flat block includes two bicycle stands (to the right-hand side) which are not accessible due to an inadequate aisle width, which is noted. Insufficient is provided in order to ensure that the cycle storage can be achieved a more detailed plan showing spacing and dimensions would be required.
- 9.59 The proposal therefore fails to comply with appendix L of the Cambridge Local Plan 2018 policy 80 and 82 of the Cambridge Local Plan 2018.

9.60 **Carbon Reduction and Sustainable Design**

9.61 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

9.62 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires new residential developments to achieve as a minimum water efficiency to 110 litres pp per day and a 44% on site reduction of regulated carbon emissions and for non-residential buildings to achieve full credits for Wat 01 of the BREEAM standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

9.63 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.

9.64 If the application was being recommended for approval, conditions regarding water efficiency and renewables would have been required. The proposal therefore complies with Cambridge Local Plan 2018 policy 28 and 29.

9.65 **Biodiversity**

9.66 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.

9.67 Given the nature of the existing site, there are limited opportunities to enhance the biodiversity on the site. A condition would have been recommended to secure green roofs on the flat roofs of the block of flats. The proposal therefore complies with Cambridge Local Plan 2018 policy 70.

9.68 **Water Management and Flood Risk**

9.69 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

9.70 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

9.71 No comments were received from the Drainage Officer. However, on the previous submission 21/01487/FUL comments from the Drainage Officer was received stating support for the application subject to a surface water drainage scheme and a maintenance scheme and foul drainage conditions.

9.72 It is considered subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

9.73 Third Party Representations

9.74 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the tables below:

Third Party Comments in Objections	Officer Response
Property Value	Neighbours have raised concerns that the proposal will devalue 609 Newmarket Road. The value of property is not a material planning consideration.
Noise impact upon 609 from the bike and pedestrian access	Neighbours have raised concern about potential noise impact upon 609 Newmarket Road from the bike and pedestrian access running down the common boundary. Officers acknowledge this concern. Given the proposed use of the path, officers do not consider there would be a significant impact. If the proposal was to be recommended for approval, a hard/soft landscaping condition would be required to ensure appropriate path surfacing material is used to limit noise disturbance and adequate planting on the boundary to help provide a soft edge.

Third party Comments in Support	Officer Response
Need to increase the density of the area and a very high demand for property. Noting the road, the area is suburban and more projects like this within the area is closer to what it ought to be.	It is noted the benefits of providing the additional residential accommodation within the area. It is also noted the benefits that the proposal will redevelopment previously development brownfield land. However, in this instance this does not overcome the material harm to amenity and the conflict with Local Plan policy as previous explained above.

9.75 **Planning Balance**

- 9.76 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).
- 9.77 The development proposal has been considered against the relevant Local Plan Policies the objectives of the National Planning Policy Framework and the government's agenda for growth.
- 9.78 The proposal would make a small the proposal would make a contribution to the local economy including the provision of construction jobs and some additional local spend. Further, the proposal would contribute to a higher density of accommodation within the area and development of a previously developed brownfield land. Whilst these are benefits of the scheme, they are not considered to outweigh the harm as identified above. The development will lead to material harm to residential amenity and conflict with local plan policy.
- 9.79 As the proposal fails to respect the residential amenity of occupiers and neighbouring properties, provide appropriate external amenity areas, fails to provide adequate cycle and bin collection for units and adequate access requirements it is considered the proposal constitutes an overdevelopment of the site contrary to policies 52, 55 and 57 of the Cambridge Local Plan 2018.
- 9.80 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal.

10.0 **Recommendation**

10.1 **Refuse** for the following reasons:

1. 609 Newmarket Road is situated directly to the west. It's eastern and northern boundaries about the site. The proposal would replace a single storey building that has no openings with a part three storey, part single storey and part two storey building with multiple openings and multiple balconies at first/second floor level which would be immediately opposite and span the length of 609 Newmarket Road's Garden. This would not only result in a sense of enclosure but would also result in a significant loss of privacy due to the impact of overlooking. The proposal would have a significant impact upon the residential amenity and enjoyment of 609 Newmarket Road contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.

2. The proposal fails to provide private and communal amenity space of sufficient high standard and quality contrary to Policy 50 of the Cambridge Local Plan 2018. The communal space area is of a small scale and within a cramped and unappealing area of the site. The private amenity area of the maisonette appears to be in an area in currently connection with 613 Newmarket Road and therefore could be problematic and therefore are contrary to Policy 50 of the Cambridge Local Plan 2018.
3. The submitted Noise Impact Assessment is substantially lacking in detail and clarity, and for these reasons the Environmental Health Team are unable to provide an informed judgement on whether or not the proposals are suitable and will provide adequate protection for future residents from the impacts of commercial noise. The proposal has therefore failed to provide a sufficient Noise Impact Assessment to allow an assessment of the proposal contrary to Policy 35 of the Cambridge Local Plan 2018.
4. The proposed maisonette has a bin storage area located adjacent to the pedestrian/cycle access. However, the collection point for this property would be to the east of the access to the car park in the same location as the proposed flats. The occupiers of the maisonette would have to transport the bins a distance of approx. 97 meters to the collection point. This distance is considerably further than the 25m distance from storage to collection points outlined in the RECAP waste guidance. The proposal would therefore fail to provide convenient and accessible waste storage for all unit's contrary to policy 57 of the Cambridge Local Plan 2018.
5. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L. Appendix L states that visitor cycle parking should be provided and should be located next to the main entrances to the block of flats. There is no cycle visitor parking identified. Further, there is insufficient information that the proposed cycle storage can be achieve as required within the Cambridge City Council Cycle Parking Guide.
6. Flat 3 at first floor level does not have access to a lift. Insufficient information has been provided to show the doors and dimensions of the proposed lift. Details are not provided if a through floor lift could be installed. Absent this information the proposal is not considered to comply with the requirements of Part M4(2) of the Building Regulations and Policy 51 of the Cambridge Local Plan 2018.
7. As the proposal fails to provide appropriate external amenity areas, fails to provide adequate cycle and bin collection for units, fails to respect the residential amenity of neighbouring properties, it is considered the proposal constitutes an overdevelopment of the site contrary to policies 52, 55 and 57 of the Cambridge Local Plan 2018