



Planning Committee Date	13/06/2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/00184/S73
Site	85 Coleridge Road
Ward / Parish	Coleridge
Proposal	S73 to remove condition 3 of ref: 22/04988/HFUL (single storey rear extension).
Applicant	Ms L Fahey
Presenting Officer	Laurence Moore
Reason Reported to Committee	Called-in by Cllr Anna Smith
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. All flat roofs require green/biodiverse roof condition.2. Applicant would not be able to maintain/afford costs of green roof due to disability.3. Diverge from policies within the local plan
Recommendation	REFUSE

1.0 Executive Summary

- 1.1 The application seeks the removal of condition 3 (green/biodiverse roof) of planning permission 22/04988/HFUL.
- 1.2 Planning permission was granted on the 9th January 2022 for a single storey rear extension at 85 Coleridge Road. The single storey rear extension approved utilised a flat roof design, and therefore a condition was applied for a green/biodiverse roof which is required by policy 31.
- 1.3 This application has made no changes to the plans approved, the roof of the extension remains flat.
- 1.4 The applicant has provided no further justification that the green roof condition should not be applied to the development.
- 1.5 Officers recommend that the Planning Committee Refuse this application.

2.0 Site Description and Context

None-relevant	x
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*X indicates relevance

- 2.1 The site consists of a two-storey semi-detached property fronting Coleridge Road.
- 2.2 The site is not situated within a conservation area or controlled parking zone.

3.0 The Proposal

- 3.1 S73 to remove condition 3 of ref: 22/04988/HFUL (single storey rear extension). The original application was granted on the 9th January 2022.
- 3.2 Policy 31 of the local plan requires all flat roofs to be green/biodiverse roofs. Condition 3 was applied to this effect and is outlined below for clarity.

Notwithstanding the approved plans, the flat roof of the extension hereby approved shall be a green biodiverse roof(s). The green biodiverse roof(s) shall be constructed and used in accordance with the details outlined below:

- a) Planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick.*
- b) With suitable access for maintenance.*
- c) Not used as an amenity or sitting out space and only used for essential maintenance, repair or escape in case of emergency.*

The green biodiverse roof(s) shall be implemented in full prior to the use of the extension and shall be maintained in accordance with the Green Roof Organisation's (GRO) Green Roof Code (2021) or successor documents, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity (Cambridge Local Plan 2018, policy 31). The Green Roof Code is available online via: greenrooforganisation.org

4.0 Relevant Site History

Reference	Description	Outcome
22/04988/HFUL	Single Storey Rear Extension	PERM

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Equalities Act 2010

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 31: Integrated water management and the water cycle

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

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

5.5 Other Guidance

N/A

6.0 Consultations

6.1 N/A

7.0 Third Party Representations

7.1 No representations have been received.

8.0 Member Representations

8.1 Cllr Anna Smith has made a representation objecting to the officer recommendation on the following grounds:

Challenging the recommendation on equality grounds. The resident requires an extension to set up a home dialysis machine, and as an amputee, she would not be able to maintain the required green roof. The alternative suggested is much more expensive and out of her price range. Not having this extension will mean she has to travel several times a week to the hospital, rather than being able to have dialysis in her own home.

9.0 Assessment

9.1 Principle of Development

9.2 The development constitutes a single storey rear extension.

9.3 The principle of the development of the extension is acceptable and in accordance with policy 58 of the local plan.

9.4 The proposals seek the removal of a green/biodiverse roof conditions from planning permission reference 22/04988/HFUL which sought approval for a single storey rear extension, with a flat roof.

9.5 Policy 31 of the local plan states that any flat roof shall be a green/biodiverse roof.

9.6 The proposed scheme makes no alterations to the plans approved, and the roof of the extension approved remains flat.

9.7 The applicant has provided no justification in planning terms that the green roof condition should not be applied.

9.8 The proposal is therefore considered contrary to policy 31 of the local plan and the principle of this application is considered unacceptable.

9.9 Design, Layout, Scale and Landscaping

- 9.10 Policies 55, 56, 57, 58 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.
- 9.11 The application proposes no alterations to the plans approved. The application seeks to remove condition 3 (Green/Biodiverse Roof), from the approved application reference 22/04988/HFUL. The development approved under application reference 22/04988/HFUL sought approval for a single storey extension, with a flat roof.
- 9.12 Policy 31 of the Cambridge Local Plan 2018 requires all flat roofs within the city of Cambridge to be green/biodiverse roofs, to ensure development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity.
- 9.13 The current application seeks the removal of condition 3 (Green/Biodiverse Roof), however, no design changes have been proposed, and the proposed drawings remain the same as those approved under the parent application, with the roof of the proposed extension remaining flat.
- 9.14 For the removal of the condition to be appropriate, the proposed extension must utilise a roof form with a pitch of above 10 degrees. By altering the roof form to the details specified above, the roof would no longer be considered a flat roof, and so the requirements of policy 31 regarding green/biodiverse roofs would no longer apply.
- 9.15 The covering letter, which has accompanied this application, has paid reference to the health of the current residents of 85 Coleridge Road. The letter states that due to the health of the residents, they would not be able to maintain a green/biodiverse roof without extensive additional costs to pay for a green roof maintenance service. The concerns of the applicant are noted, and the cost affiliated with the need to maintain a green roof is understood, however, given there are methods to avoid the addition of a green roof/biodiverse roof conditions, such as the suggestions outlined in section 9.14 of this report which refer to pitching the roof, the local planning authority feel it is necessary to avoid diverging from the requirements of the local plan, when there are appropriate alternatives available.
- 9.16 From the details submitted as part of this application, it is considered that the applicant has not explored the alternatives available and has not provided further justification for the removal of the green roof condition which can be consideration within a planning application. As the proposed drawings still show a flat roof, and policy 31 requires all flat roofs to be green/biodiverse roofs, it would be incongruous for the local planning authority to dismiss the need for a green/biodiverse roof, and the condition should stand.

9.17 Therefore, this application made under s73 of the planning act for the proposed removal of condition 3 (Green/Biodiverse Roof) from planning permission reference 22/04988/HFUL, is contrary to policy 31 of the Cambridge Local Plan and is recommended for refusal.

10.0 Planning Balance

10.1 The application seeks the removal of condition 3 (Green/Biodiverse Roofs) from approved application reference 22/04988/HFUL.

10.2 The need for the condition stems from the flat roof of the extension approved. Policy 31 of the local plan requires all flat roofs to be green/biodiverse roofs.

10.3 Despite advice provided by the local planning authority, the applicant has not provided further justification on the alternative options available to them which would avoid the need for the green/biodiverse roof to be applied. The concerns with the applicant's health are noted, however, are not considered an applicable planning consideration and is not considered as justification for the removal of the green roof condition in planning terms.

10.4 As the proposed drawings still show a flat roof, and policy 31 requires all flat roofs to be green/biodiverse roofs, it would be incongruous for the local planning authority to dismiss the need for a green/biodiverse roof, and the condition should stand.

10.5 The proposal is contrary to policy 31 of the Cambridge City Local Plan (2018) and is recommended for refusal.

11.0 Recommendation

Refuse for the following reasons:

1. The proposed development of a single storey rear extension utilises a flat roof, therefore policy 31 of the Cambridge Local Plan 2018 requires the development to be constructed with a green/biodiverse roof. There is limited justification in planning terms as to why this cannot be achieved or why the different options that have been considered to overcome the requirement for the green/biodiverse roof cannot be used.

The proposed removal of condition 3 (green/Biodiverse Roof) is therefore contrary to policy 31 of the Cambridge City Local Plan 2018 and is recommended for refusal on that basis.