

<b>Application Number</b>	11/0700/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th June 2011	<b>Officer</b>	Mr Tony Collins
<b>Target Date</b>	19th August 2011		
<b>Ward</b>	West Chesterton		
<b>Site</b>	Bridgacre Manhattan Drive Cambridge Cambridgeshire CB4 1JU		
<b>Proposal</b>	Provision of an additional storey to the existing 4 storey building to provide 9 additional affordable dwellings. The installation of thermal and photovoltaic solar panels on the new 5th floor roof and a recycling centre serving the entire Midsummer Meadows Site.		
<b>Applicant</b>	Mr. Ron Cousins Bridgacre Midsummer Meadows Cambridge CB4 1JU		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 Midsummer Meadows, is an access road off Manhattan Drive, which serves five blocks of flats (Mayflower House, Bridgeacre, Broadmeads, Woodvale Lodge and Midsummer Court – all, save for Bridgeacre which is run by Housing Partnership London Limited, are owned and managed by Mayflower Manhattan). There are currently 192 flats in the other four blocks and 68 one-bed flats in Bridgeacre; the five blocks are in quite close proximity to each other and set among planted grounds and car parking. The flat blocks are of different heights and different designs and form an enclave enclosed by a track known as Lover's Lane to the north and west, houses in Manhattan Drive and Acrefield Drive to the south and Cutter Ferry Lane and Queen Elizabeth Way to the east. Inside the site, on the south and east side of Lover's Lane, is a strong but not completely solid line of trees. Lover's Lane forms part of the boundary of City of Cambridge Conservation Area No. 11 (De Freville), with the rear gardens to the north and west of the lane, respectively gardens of houses in Humberstone Road and Belvoir Road, being within the Conservation Area.

- 1.2 The application site comprises part of the access road, the Bridgeacre block of flats, and some of the car parking area. The flat block is a very pedestrian, flat roof building, four storeys (about 10.9m) in height to parapet level, with a substantial service area and smaller lift overrun (rising 3m and 4.5m above parapet level) at the north end of the building, and a glazed fire-escape at the southern end. The building has a rectangular footprint (about 17m by 33m) on a north-south access and a regular pattern of windows and is finished in buff brick, (which has foliage climbing parts the building, softening its appearance) with concrete panels rising from the top windows to parapet level.
- 1.3 The site is not specifically allocated in the Cambridge Local Plan (2006), and the building is neither listed nor a building of local interest. There is no tree preservation order on the site protecting trees. The site falls outside the controlled parking zone, but is within the flood plain.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes the provision of an additional storey to the existing four-storey building to provide nine further, affordable dwellings. In addition the proposal shows the installation of thermal and photovoltaic solar panels on the new 5th floor roof and a recycling centre to serve the entire Midsummer Meadows Site.
- 2.2 The proposal comprises:
- a re-arranged plant room;
  - nine new dwellings (seven, one-bed flats and two studio bedsits);
  - the extension of the existing fire escape at the southern end of the building;
  - roof-mounted thermal and photovoltaic cells; and
  - a new central recycling centre for the wider Midsummer Meadows area.
- 2.3 The additional accommodation will be achieved by raising the service block to the same height as the existing lift overrun, and wrapping the new level of accommodation around it. The new floor will be 250mm higher than the existing parapet, above which will be a new structure, 2.65m high (above original

parapet height) to eaves, topped by a very shallow roof rising from the east and west sides (the long sides) to a central clerestory 'spine' that runs north-south and steps up from the new roof to the same height as the existing lift overrun; the windows in the new flank walls will all project out slightly from the face of the top floor, in shallow bays. While the raised service area will, like the existing, be brick, the sides of the new additional floor and its shallow roof will be finished in vertical pre-weathered zinc cladding, with lead cladding to the window bays and the non-glazed sides of the clerestory. At the south end of the block the glazed escape stair will be raised and given a shallow 8 faceted 'cap' of pre-patinated copper. Along the top of the clerestory 'spine' there will be roof-mounted photovoltaic cells and above the new service area, six solar thermal panels attached to a steel frame.

- 2.4 In the car park area, appearing to occupy what are currently two, 'grasscrete' car parking spaces, a U-shaped recycling centre for a weekly or twice-weekly collection of recyclable material is proposed. It has the capacity for four, 600 litre 'Euro-bins' and three 240 litre wheelie bins and would be timber clad with single ply roofing
- 2.5 The application is accompanied by the following supporting information:
  1. A Design and Access Statement
  2. A Flood risk assessment
  3. A Structural Investigation/Report
  4. An affordable housing statement
  5. A sunlight analysis
  6. A site waste management plan
  7. Photos/photomontages

### **3.0 SITE HISTORY**

- 3.1 There is a very extensive history of applications in Midsummer Meadows which is available on-line and in the file. There is no application for this building since its construction about 30 years ago

## 4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (meeting of):	No

## 5.0 POLICY

### Central Government Advice

- 5.1 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.
- 5.2 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the

density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

- 5.3 **Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)
- 5.4 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

- 5.5 **Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.
- 5.6 **Planning Policy Statement 22: Renewable Energy (2004):** Provides policy advice to promote and encourage the development of renewable energy sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.
- 5.7 **Planning Policy Statement 23: Planning and Pollution Control (2004):** States that 'any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use'. It highlights the fact that the planning system has a key role in determining the location of development which may give rise to pollution. Appendix A sets out those matters which may be material in taking decisions on individual planning applications including the environmental benefits of reducing the need for travel and the existence of Air Quality Management Areas.
- 5.8 **Planning Policy Guidance 24 - Planning and Noise (1994):** States at paragraph 12, that planning authorities should consider carefully whether new noise-sensitive development would be incompatible with existing activities. At paragraph 13, a number of mitigation measures are suggested which could be introduced to control the source of, or limit exposure to, noise.
- 5.9 **Planning Policy Statement 25: Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted

when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.

- 5.10 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.11 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.
- 5.12 **Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.

### **Development Plan Policy**

5.13 **East of England Plan 2008**

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

SS3: Key Centres for Development and Change

H1: Regional Housing Provision 2001 to 2021

H2: Affordable Housing

T1: Regional Transport Strategy Objectives and Outcomes

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

WAT 4: Flood Risk Management

WM6: Waste Management in Development

## 5.14 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

## 5.15 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/6 Ensuring coordinated development

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

3/13 Tall buildings and the skyline

3/14 Extending buildings

4/11 Conservation Areas

4/13 Pollution and amenity

4/14 Air Quality Management Areas

4/15 Lighting

5/1 Housing provision

5/5 Meeting housing needs

5/12 New community facilities

8/1 Spatial location of development

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/10 Off-street car parking

8/16 Renewable energy in major new developments

8/17 Renewable energy

Planning Obligation Related Policies

3/7 Creating successful places

3/8 Open space and recreation provision through new development

4/2 Protection of open space

5/14 Provision of community facilities through new development

8/3 Mitigating measures (*transport*)



8/5 Pedestrian and cycle network

10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

## 5.16 **Supplementary Planning Documents**

5.17 **Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.18 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

## 5.19 **Material Considerations**

**Central Government Guidance**  
**Letter from Secretary of State for Communities and Local Government (27 May 2010)**

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on

housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

**Written Ministerial Statement: Planning for Growth (23 March 2011)**

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy

in PPS4), and that they can give clear reasons for their decisions.

### **City Wide Guidance**

- 5.20 **Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)** Sets out how all residential developments should make provision for public open space, if not on site then by commuted payments. It incorporates elements from the Planning Obligations Strategy Supplementary Planning Document (2010) and the Open Space and Recreation Strategy (2006).
- 5.21 **Cycle Parking Guide for New Residential Developments (2010)** – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001)

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (2010)

### **Area Guidelines**

- 5.22 Cambridge City Council (2003)–Northern Corridor Area Transport Plan: The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.
- 5.23 De Freville Conservation Area Appraisal (2009): Guidance relating to development and the Conservation Area.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 No supporting information to justify the reduction of car parking provision has been submitted. Information must be provided on current parking provision usage to demonstrate the adequacy of

the proposal, which would seem to increase potential demand on parking provision whilst reducing actual on-site provision.

### **Cambridgeshire County Council (Transport)**

- 6.2 On the basis of 5.4 movements per one bedroom dwelling, there is no need for contributions, as the 50 additional movements threshold is not breached.

### **Head of Environmental Services**

- 6.3 No objections, but conditions and informatives are suggested.

### **Historic Environment Manager**

- 6.4 The proposed additional level on Bridgeacre will not have a detrimental impact on the preservation or enhancement of the adjacent De Freville Conservation Area as there will be no clear views across to it from the conservation area. The existing building is of no particular historic interest, and the additional storey may improve its aesthetics. Provided that the additional level is constructed from appropriate materials and is well detailed, it will not detract from the conservation area. This application is supported.

### **Environment Agency**

- 6.5 No Comment

### **Cambridge City Council Access Officer**

- 6.6 No objections.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:

113 Mayflower House  
7 Woodvale Lodge

6, and 18 Belvoir Road  
40 Midsummer Court  
20 Bridgeacre  
? Bridgeacre  
49 Cheyne Place, Royal Hospital Road, London

## 7.2 The representations can be summarised as follows:

- Only one respondent appears to be very concerned about the physical implications of the proposed development. The householder considers his property in Belvoir Road will be increasingly overshadowed and that there is an increased potential for overlooking and loss of privacy, especially as the property is a bungalow only 51 metres from Bridgeacre. Another resident of Belvoir Road also has reservations about overlooking to a rear, second-storey bedroom. Both are concerned that the trees round the edge of Midsummer Meadows are willow and being deciduous, shed their leaves in winter leaving the parties exposed. There is concern too that the trees could be removed altogether and a request is therefore made that they be made the subject of a Tree Preservation Order.
- More than one respondent has no objection in principle to the proposal (as the gardens are unchanged) and considers the design could improve the building.
- Concern about healthy and safety during construction and, in particular noise in what is a poorly insulated building. Will there be loss of services? Hours of working should be restricted to weekdays only 08.00 to 17.00.
- Recycling centre is a bonus and reasonably well sited for all, though sound baffling measures will be needed for the nearest residents (for one correspondent). Another resident is also concerned about noise from the re-cycling bin – and argues that a means of limiting noise disturbance by design should be examined and restrictions on hours of access (like the estate launderette - 08.00 to 21.00 hours) considered.
- The most common and main issue for correspondents is the wide ranging matter of traffic generation and access:
  - the issue is the poor access to Midsummer Meadows from Manhattan Drive; access to the estate is difficult and the parking in and around the access (some of it very poor) makes the access dangerous and prejudices safety at that point. Yellow lines must be installed before any more housing is allowed;

- there is ancillary concern that car parking which is adequate at present may be prejudiced by nine more units and the loss of two spaces to re-cycling, with any overflow pushed out onto the already heavily parked Manhattan Drive; it is argued that the present provision of 1 space per flat should be sustained across the estate;
- Belvoir Road so heavily parked as to have a single traffic lane only and the corner of Manhattan Drive/already blind and more dangerous with more traffic.
- Proposals to control parking in part of the De Freville is only likely to compound problems, as are other development such as that at the Fleur-de-Lys.

A slightly different view is that while the level of additional traffic proposed here cannot warrant refusal, the opportunity must not be missed to improve the access.

7.3 A representation has also been received from Mayflower Manhattan Limited. There are no concerns about the design, which is seen as being an improvement, and not detrimental to the Conservation Area. What is an issue is the access, which is seen as being a serious problem because of dangerous parking around the entrance, which restricts the width of the access and forces vehicles onto the wrong side of the road. In 2009 the company discussed the matter with the County Council, who agree to yellow lines in principle, and there are ongoing discussions, but concern that a solution will not be delivered shortly. Until it is, the Company objects.

7.4 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
3. Conservation Area
4. Renewable energy and sustainability
5. Disabled access

6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Third party representations
11. Planning Obligation Strategy

## **Principle of Development**

- 8.2 Policy SS2 of the East of England Plan (2008) provides an overall Spatial Strategy which seeks to direct strategically significant growth to the region's major urban areas. It looks to ensure that priority is given to the re-use of previously developed land and sets a target of 60% of such land.
- 8.3 Policy 5/1 of the Cambridge Local Plan (2006) sets a target of approximately 6,500 dwellings within the urban area in the period 1999-2016 in order to contribute to the need for more housing within the City, including affordable housing.
- 8.4 I am satisfied that the proposal accords with the aspirations of policies SS2 and 5/1. The site is part of a residential estate of 5 blocks of flats set in planted grounds and with a considerable quantity of parking. The principle of residential development in the immediate area goes back to the grant of permission for flats/bedsits in the 1960's and I see no reasonable case for arguing that further residential accommodation here, by raising the height of one of the buildings, would be unacceptable in principle. The density of the wider site which has a lot of small accommodation is about 160 dwellings/hectare, which would increase to about 166d/h were this approved.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with Policy SS2 of the East of England Plan (2008) or Policy 5/1 of the Cambridge Local Plan (2006)

## **Affordable Housing**

- 8.6 The applicants are social landlords and all the accommodation is to be affordable. As only 9 units are being proposed and the existing building is about 30 years old, I do not consider there to be a policy that would require these units to be affordable, were they not being provided as such anyway.

## **Context of site, design and external spaces**

### The Additional floor to Bridgeacre

- 8.7 Bridgeacre stands on what is pretty much a north-south axis at the northern end of the Midsummer Meadows site. To the east, about 22 metres away and at 90 degrees to Bridgeacre is Mayflower House, the tallest of the flat blocks on the site, which accommodates seven storeys of accommodation and has various boxes and antennae upon the top. To the south (and slightly west) across the access road at a distance of about 27 metres is Broadmeads a three-storey block of flats. The other blocks of flats, Woodvale and Midsummer Court, are more than 40 and 60 metres distant, respectively. There is a little defensible space around Bridgeacre and then the access road to the south, areas of car parking to the east and west, and Lovers Lane to the north. There is a strong row of trees of substantial height (but not completely solid or all of the same height) around the north and west boundaries of the site, just inside Lovers Lane, but the trees are predominantly willows that shed their leaves. Bridgeacre is about 50 metres from the end of the nearest house in Belvoir Road (about 70metres from most) and about 35 from the rear of the houses to the north in Humberstone Road.
- 8.8 The proposal seeks to add another floor to what is, architecturally, a rather poor building. It will not increase the maximum height which is to match the existing lift overrun (save for the renewable energy equipment), but will raise the eaves height by 2.65 metres, above which will be a very shallow roof and a clerestory 'spine' the same height as the lift overrun, meaning the overall mass of the building will unquestionably be larger. The new floor and roof is shown to be clad in pre-weathered zinc cladding, with lead cladding to the slightly projecting bay windows and in the flanks of the clerestory. The service area will remain brick and the emergency escape route in the southern end raised and capped. Although the building will be taller, it will still be lower than the parapet shoulder of Mayflower House (save for the renewable energy equipment) and I am of the opinion that the relatively low and lightweight appearance of the proposal has the opportunity to significantly improve and uplift, visually, what is a poor building.



- 8.9 I am of the opinion, given the distance from Mayflower House and that the two buildings are at ninety degrees to one another, that the relationship, one to another is appropriate and that this building will work well with but remain subservient to Mayflower House. Although the building will be yet taller than Broadmeadows, I am of the opinion that the distance and slightly offset relationship will again make the proposal sit comfortably with this neighbour. In a similar way I consider the distances from the nearest houses in Belvoir Road (No.6 at a distance just over 50 metres; others at about 70 metres) and Humberstone Road (35+metres), the scale of the trees between the buildings, and that the proposal is an enclave with other substantial buildings, means that contextually this proposal is appropriate and will create good interrelations between buildings. The proposed renewable structures on the roofs of the 'spine' and service area will in my view look in harmony with the modern roof proposed.

#### The Re-cycling Centre

- 8.10 There is no change to the external spaces of the estate, save for the loss of two car parking spaces, which will be addressed later in the report, in terms of capacity, and the proposed re-cycling centre. The proposed recycling centre is a low-slung U-shaped layout, with two of its three 'closed' external sides set against a substantial hedge that breaks up the car parking. I am of the opinion that it is well located to minimise its impact and that the materials proposed, timber walls and ply roofing will sit comfortably in its surroundings.
- 8.11 In my opinion the proposal is compliant with context, design and external spaces aspects of Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

#### **Conservation Area**

- 8.12. Although the site is not in the Conservation Area, the boundaries abut City of Cambridge Conservation Area No.11 (de Freville), which follows the line of Lovers lane. Having looked at the site carefully from the Conservation Area, I am firmly of the view that this relatively modest increase in height of the building will not adversely affect the character or appearance of Conservation Area, or views in and out of the conservation area, an opinion shared by the Conservation Officer. Photomontages have been used to demonstrate

prospective views from two positions. My view is the addition will be relatively little seen, even from nearby properties and what views there are will be enhanced.

- 8.13 In my opinion the proposal is compliant with East of England Plan 2008 policy ENV6, Cambridge Local Plan (2006) policies 4/11 and advice in PPS5 2010.

### **Renewable energy and sustainability**

- 8.14 The scale of the development means that there is no policy requirement for renewable energy, though the proposals made are nevertheless welcomed.

### **Disabled access**

- 8.15 The proposed access arrangements are an extension of the existing and do provide lift access to all floors.
- 8.16 In my opinion the proposal is, with regard to disabled access, compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Residential Amenity**

Impact on amenity of Neighbouring Occupiers

#### The Additional floor to Bridgeacre

##### Overlooking

- 8.17 The neighbours to the north in Humberstone Road will have no additional windows looking in their direction and given the trees and the distances involved I do not consider there will be any material impact on their amenity. The flats to the east, Mayflower House have only obscure glazed and common access windows in the west elevation and again there is no significant loss of amenity to the occupiers of that building. The south elevation, facing Broadmeadows, will only have two high level windows to bathrooms and, again, I do not consider there to be a material overlooking issue. The increased height of the escape stair should not prejudice amenity.
- 8.18 The most significant potential problem is in the west elevation, facing Belvoir Road, where 8 new residential windows are

proposed. There are already 32 windows in this elevation, but all obviously are lower than what is proposed. That said, the distances of the building from the neighbouring buildings is considerable, varying between 50 and about 70 metres and there are trees between the two. While there is criticism from local residents that the trees are willow and shed their leaves, leaving them exposed, there are also some poplars within the site and other planting in the rear gardens of some of those houses in Belvoir Road. The combination of the planting and the distances is such that I do not consider that the addition of one additional row of windows, albeit at a higher level, will so further prejudice the amenity of neighbours as to make the proposal unacceptable.

#### Overshadowing and dominance/enclosure

- 8.19 The applicant has submitted shadowing diagrams showing the implications of the development at the spring and autumn equinox, at 09.06, 13.06 and 18.06 hours. The shadows drawn are longer but not significantly different from the current position. What the diagram does not show is the picture on the 21 December solstice, the worst-case scenario. The shadows would undoubtedly be longer, but again the most obvious impact is to the west (the change is less significant to the north because the existing service block/lift overrun are at this end of the building and significantly taller than the existing parapet and to the east because of Mayflower House). While the shadows do not stretch materially across Love Lane in March and September they clearly would do in the months between, at the beginning of the day. That notwithstanding, given the planting in the site and across the Lane, I do not consider the proposal is going to so disadvantage any resident of Belvoir Road as to warrant refusal on the basis of overshadowing.

- 8.20 In a similar vein, and largely because of the distances involved, the limited additional height and the trees to the west, I do not consider that the scale of the building proposed would unduly dominate or be unreasonably overbearing in its relationship with any other property.

#### The Re-cycling Centre

- 8.21 While there is a broad welcome for this part of the proposal, there is also concern from some about potential noise and the consequent disturbance of nearby residents arising out of use

of this facility, especially at anti-social hours. There has been a suggestion that the centre should be designed to minimise noise and that it only be open for use at the same limited hours as the on-site launderette. The re-cycling centre is about 20 metres from Bridgeacre, 18 metres from Broadmeads and 40 metres from the nearest house in Belvoir Road. Noise does travel and there is a potential for noise disturbance, but I am of the opinion that the structure has been designed with its U-shape form to minimise the potential disturbance of neighbours; while this could be improved by a cover over the open area in the centre of the 'U', I do not think that essential. There is always the potential for late night noise especially through the discarding of bottles, and there is likely to be noise when the recyclable waste is collected. However, I consider that the former matter is a management issue for the estate and the latter will hopefully not be at anti-social hours. Restricting hours of use would in my view be better handled by a polite notice, in the first instance, and if problems do occur the management could consider further measures about restricting access to specific hours.

- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

#### Amenity for future occupiers of the site

- 8.23 This is a fairly centrally located residential estate that is clearly popular with occupiers. The application proposes 7 one-bed flats and 2 studios and I am of the opinion that given they should all provide appropriate amenity with good access for occupiers. Comments about car/cycle parking provision and refuse provision will be addressed later in the report. I note the comments of the housing team that the size of the studios is only appropriate for a single person, which can be relayed to the applicants.
- 8.24 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/14.

## **Refuse Arrangements**

- 8.25 The re-cycling provision being made is additional provision, allowing the existing arrangements for Bridgeacre to accommodate the needs of the additional flats. The Environmental Health Officer is concerned that the scale of the re-cycling provision made is grossly inadequate for the wider site, but the agent for the applicant has explained that they are trying to take a positive step on the limited area of land available to them, and that the expectation is that collections will be twice weekly. I do see this as a positive step, but the capacity is not enough for the whole site and in the absence of provision elsewhere could become a real problem. Again, however this is really a management issue which might be resolved by additional provision elsewhere in the wider site or by more frequent collections.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

## **Highway Safety**

- 8.27 Highway safety has not been commented on by the Local Highway Authority, but the movements of people/cycles/vehicles in and out of the estate onto the highway network is clearly an issue for residents and the owners/managers of the wider site. My view is that 9 additional one-bedroom units here are going to make very little difference to the overall traffic movements in and out of the estate; - on the basis of an additional 5.4 movements per unit per day, in a 16 hour day, there would be 3 additional movements per hour, of which only half are likely to be by car. On that basis I do not accept the argument that this is a step too far. There are ongoing discussions between Mayflower Manhattan and the County Council about the introduction of yellow lines at the Midsummer Meadows/Manhattan Drive corner, but those are matters outside the control of this authority. The only step this Council could take would be to grant permission subject to a Grampian Condition (a condition which precludes development proceeding in advance of works being carried out off-site), but I do not consider that to be warranted in this instance.

- 8.28 In a similar way, while recognising that Belvoir Road is often parked on both sides, which does slow movement of traffic along the road, I am again of the view that the amount of vehicular traffic likely to result from this proposal will not make a material difference to the current position.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.30 The applicants advise that 68 spaces are allocated to Bridgeacre, a development with only one-bed flats, though an on-site check and plans suggest that 60 spaces are available. A May 2009 survey suggested that current take up of the 68 spaces is only 53% (36 spaces), a figure visits to the site would suggest is not unreasonable. Even if all 9 apartments did bring cars to the site and the figure of 60 spaces is used (and reduced to 58, recognizing the loss of 2 spaces to the recycling centre) there would still only be a 77.5% take-up of the provision. On that basis, and even allowing for the fact that, in my view, some of the spaces are a bit small because they have been partially 'taken over' by planting, I consider there to be an adequate level of car-parking provided. Further information has been sought from the owners of the wider site and if that results in a different opinion being drawn or the County Council changing its perspective, a further report will be made to Committee.
- 8.31 The cycle parking provision in the May 2009 survey showed that 60 spaces were provided, and that the take up rate was 38 (63%). Visits to the site have suggested that the provision is used at a slightly higher rate than is suggested, but there is still capacity. I am of the view that there is adequate provision on the basis of demonstrated need.
- 8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.33 Most of the objections received from residents have been addressed above, but there remain issues about the trees and

loss of amenity to current occupiers, particularly during construction.

- 8.34 I am of the opinion that the trees need not be prejudiced by the development, but do nevertheless consider that it is important that proper tree protection measures are required by condition, before any development takes place. Though I am unaware of any threat to the trees, the Interim Arboricultural officer has been asked to assess whether the trees inside the site, along the Lover's Lane boundary should be made the subject of a Tree Preservation Order.
- 8.35 Given the age of the building, I can understand concerns about noise transfer and loss of amenity during the construction period. The Building Inspectors have advised informally that there should not be a need for a loss of services such as water and electricity for any significant period, but this is a construction management issue. The request for restricted hours of construction is understood, but I think the normal hours of 08.00am to 18.00hrs (rather than to 17.00hrs as suggested) should be appropriate. I also think that restricting the working week to Monday-Friday inclusive (save for public holidays) would be reasonable, but that would result in a longer construction period.

### **Planning Obligation Strategy**

- 8.36 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions

collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

### Open Space

8.37 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. In the absence of available space on site a financial contribution is required. The total contribution sought has been calculated as follows.

8.38 The application proposes the construction of seven, one bedroom flats and 2 studios so the net total of additional residential units is nine. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
Studio	1	238	238	2	476
1 bed	1.5	238	357	7	2499
<b>Total</b>					<b>2975</b>

### **Indoor sports facilities**



Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	2	538
1 bed	1.5	269	403.50	7	2824.5
<b>Total</b>					<b>3362.5</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	2	484
1 bed	1.5	242	363	7	2541
<b>Total</b>					<b>3025</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
<b>Total</b>					<b>0</b>

8.39 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

#### Community Development

8.40 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger

unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	9	11304
<b>Total</b>			<b>11304</b>

- 8.41 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

### Waste

- 8.42 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	9	1350
<b>Total</b>			<b>1350</b>

- 8.43 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

### Education

- 8.44 No contributions are required for one-bedroom accommodation.

### Affordable Housing

- 8.45 No affordable housing contributions are required as only 9 units are being provided.

### Transport

- 8.46 No contributions are required as the number of additional units will not generate in excess of 50 additional person trips to and from the site on a daily basis.

### Public Art

- 8.47 The development is not of a scale to require provision for public art.

### Monitoring

- 8.48 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

### Planning Obligations Conclusion

- 8.49 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

## **9.0 CONCLUSION**

- 9.1 The proposed development appears a good way of providing some further small-scale, affordable, accommodation and improving the appearance of a building without any demonstrable harm being caused to others. While I understand the issues and concerns about overlooking, dominance and overshadowing and other potential loss of amenity, I am not convinced given the distances involved, the scale of increase

and local planting (despite most trees being deciduous), that any of these matters are so acute that refusal of the application is justified.

- 9.2 While understanding the concerns about the access to the estate from Manhattan Drive, I do not consider that the relatively small number of additional movements would materially affect the issue or so increase danger as to lead me to a recommendation of refusal.
- 9.3 In all I consider the scheme to be beneficial and recommend approval.

## **10.0 RECOMMENDATION**

**That Delegated Authority to APPROVE is given to officers subject to no new grounds of objection related to the impact of the proposal on the Conservation Area are received before the 1<sup>st</sup> December 2011 and subject to the completion of the section 106 agreement by the 28<sup>th</sup> February 2012 and 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 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future.

Reason: To avoid adverse effects of pollution. (Cambridge Local Plan (2006) policy 4/13)

4. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday and at no time on Saturdays, Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hrs and 1800 hrs on Monday - Friday and there should be no collections or deliveries on Saturdays, Sundays or Bank and public holidays.

Reason: To protect the amenity of neighbours. (Cambridge Local Plan (2006) policy 4/13)

6. Prior to the commencement of the development hereby approved (including any pre-construction, demolition or enabling works), the applicant shall submit a report in writing, regarding the construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

This will be particularly important for the existing flats at the building but the assessment needs to take into account other nearby residential properties as well.

Reason: To protect the amenity of neighbours. (Cambridge Local Plan (2006) policies 4/13)

7. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

8. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenity of neighbours. (Cambridge Local Plan (2006) policies 4/13)

9. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

10. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
- i) contractors access arrangements for vehicles, plant and personnel,
  - ii) contractors site storage area/compound,
  - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
  - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

11. Prior to the commencement of development, full details of the on-site renewable technology equipment, the roof mounted thermal and voltaic cells shall be submitted to the local planning authority for approval, which is to be given in writing. Such details shall identify the specific positions of where the equipment is to be located and the height of the proposed structures. The approved facilities shall be implemented in accordance with that agreed and shall be retained thereafter unless alternative arrangements are first agreed, in writing, by the local planning authority.

Reason: To ensure that the scale and height of what is approved is appropriate and sympathetic to the building. (Cambridge Local Plan (2006) policies 3/14)

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

**INFORMATIVE:** This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

**INFORMATIVE:** The applicant is advised that the capacity of the recycling centre proposed is seen as inadequate to deal with the needs of the wider Midsummer Meadows estate and there is, therefore, likely to be a need for management regime, regarding frequency of collection and access, to safeguard the amenity of residents in accommodation nearby.

**INFORMATIVE:** The applicant is advised that having examined the proposed floor plans and checked them against the guidance used for bed-sit floor sizes, that the two studio flats, despite them showing double beds, are of a size where the rooms are more likely to be suitable as single occupancy rather than for a couple.

**Unless prior agreement has been obtained from the Head of Development Services, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 28 February 2012, it is recommended that the application be refused for the following reason:**



The proposed development does not make appropriate provision for open space/sports facilities and community development facilities, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/14, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, and the Open Space Standards Guidance for Interpretation and Implementation 2010.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.