

<b>Application Number</b>	09/0326/REM	<b>Agenda Item</b>	<b>10.4</b>
<b>Date Received</b>	30th April 2009	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	25th June 2009		
<b>Ward</b>	Trumpington		
<b>Site</b>	3 Rayleigh Close Cambridge Cambridgeshire CB2 8AZ		
<b>Proposal</b>	Reserved matters application for the erection of 3 residential units.		
<b>Applicant</b>	Mr And Mrs Clive Nicholson 3 Rayleigh Close Cambridge Cambridgeshire CB2 8AZ		

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

- 1.1 The application site is a residential plot in the north-western corner of Rayleigh Close – a leafy cul-de-sac of large detached dwellings set within generous curtilages. The site has an area of 1744 square metres (0.1744 hectares) and is presently occupied by a single, detached dwelling and garage. There are similar dwellings to the east and south of the site and school playing fields to the north. To the west is Meadowcroft, a former nursing home/hotel site which has recently been redeveloped to provide 19 dwellings.
- 1.2 There is a Tree Preservation Order protecting trees in the vicinity. The site falls outside the controlled parking zone and is not within a Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 In 2006, outline planning permission was granted for 3 two-storey dwellings. This outline permission approved the siting, number of dwellings and access to the site. In 2008, the reserved matters were approved by South Area Committee. This application is a subsequent submission of the reserved matters, which are identical to the previously approved application.

2.2 The Reserved Matters is submitted to address the design and external appearance of the dwellings and landscaping.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
77/0473/FUL	Erection of detached dwellinghouse	A/C
88/0471/FUL	Erection of granny annexe	W/D
06/0259/OUT	Outline application for the erection of 3 residential units	A/C
08/0257/REM	Reserved Matters submission for the erection of 3 residential units	A/C

3.1 The decision notice for the Outline permission (06/0259/OUT) is attached to this report as Appendix 1.

3.2 The decision notice for the Reserved Matters approval (08/0257/REM) is attached to this report as Appendix 2.

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

5.2 **PPS1 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.

- 5.3 **Planning Policy Statement 3 (PPS 3) Housing** : 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.
- 5.4 **PPS9: Biodiversity and Geological Conservation (2005):** Paragraph 1 states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- 5.5 **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.
- 5.6 **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.

## 5.7 East of England Plan 2008

SS1 Achieving sustainable development  
T14 Parking  
ENV7 Quality in the built environment  
WM8 Waste management in development

## 5.8 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

## 5.9 Cambridge Local Plan 2006

3/1 Sustainable development  
3/4 Responding to context  
3/7 Creating successful places  
3/11 The design of external spaces  
3/12 The design of new buildings  
4/4 Trees  
5/1 Housing provision  
8/2 Transport impact  
8/6 Cycle parking  
8/10 Off-street car parking  
8/16 Renewable energy in major new developments

Planning Obligation Related Policies

3/7 Creating successful places (*public art/public realm*)  
3/8 Open space and recreation provision through new development  
5/14 Provision of community facilities through new development  
8/3 Mitigating measures (*transport*)  
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

## 5.10 Supplementary Planning Documents

**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.

## 5.11 Material Considerations

**Cambridge City Council (2004) – Planning Obligation Strategy:** Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

**Cambridge City Council (2006) - Open Space and Recreation Strategy:** Gives guidance on the provision of open space and recreation facilities through development.

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

6.1 No objection

#### Head of Environmental Services

6.2 No objection subject to conditions to control working hours and noise during construction.

## 7.0 REPRESENTATIONS

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

Flat 2 Meadowcroft House, 16 Trumpington Road

7.2 The representations can be summarised as follows:

The proposal will damage protected trees.

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

## **8.0 ASSESSMENT**

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

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

8.2 This application follows on from a previous Reserved Matters permission (08/0257/FUL), which is identical to this application.

### **Principle of Development**

8.3 This application is for the consideration of the Reserved Matters of design and external appearance and landscaping, required by condition of the outline planning permission (06/0259/OUT). The application for the outline permission was considered and approved by South Area Committee in May 2006; in granting permission for the erection of three dwellings, including siting and access, the principle of the proposed development was established.

8.4 The area around the development site is characterised by large, family dwellings, predominantly of two-storey height, set in

generous gardens, many of which have established planting and trees. Rayleigh Close has an informal layout, which appears rather random, due to the irregular sizes and shapes of the individual plots and building footprints, as well as the siting and relationships of the different houses, one to another. There are no strongly defined building lines or patterns to suggest particular precedents for new development.

- 8.5 The proposed development has an informal site layout with the three proposed dwellings forming the points of a triangle and the shared access coming into the site from the south-east corner through what could be described as a small landscaped “corridor”. On entering the site, the access opens out into a shared turning area/front courtyard with landscaping, and the dwellings sited either side, and immediately ahead of this open area. The siting and layout of the development have already been approved through the outline consent.
- 8.6 The existing two-storey houses in Rayleigh Close are late C20th with pitched roofs and fairly simple, functional design. Constructed in light coloured brick with some areas of contrasting timber cladding and brown/grey tiles these buildings are typically ‘of their time’.
- 8.7 The proposed dwellings all have irregular plan forms, which reflects what is found in neighbouring dwellings, and the pitched roofs and simple unadorned elevations here proposed, in my view, reflect the character and style of these existing houses. Subject to agreeing the use of appropriate building materials, I am satisfied that in terms of design and appearance, the proposed dwellings are acceptable and in accordance with policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan 2006.

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

- 8.8 The application site and its surroundings are endowed with a number of mature trees, which are a defining part of the local character. A total of 10 trees (6 mature and 4 of less significance) will have to be removed to allow the proposed redevelopment of the site, and the applicant proposes replacement trees as indicated on drawing 06:1089/005. The Principal Arboricultural Officer for the Council does not object to the removal of these trees. While it has also been confirmed by the Principal Arboricultural Officer that none of the remaining trees are likely to

constitute a constraint to the development of this site, it is desirable to retain the existing trees, and therefore care must be exercised during construction in order to ensure their long-term survival, as well as protection of these trees in accordance with the recommendations of BS5837 'Trees in relation to Construction'. This can be secured by way of a condition requiring the developer to submit details of tree protection measures prior to the commencement of works on site and their implementation during construction.

- 8.9 In my view the proposal takes adequate account of the trees which are on and around the application site and therefore is in accordance with policy 4/4 of the Cambridge Local Plan 2006.

### **Residential Amenity**

- 8.10 House 1 – is sited 7 metres north of the existing neighbouring dwelling (4 Rayleigh Close) and, therefore, there will be no overshadowing or loss of daylight to that neighbour. There are no first floor windows in the south elevation, which faces 4 Rayleigh Close, and the privacy of adjoining occupiers will not be compromised.
- 8.11 House 2 – lies to the north of house 1 (its single-storey garage separating the two dwellings), and to the west of house 3. House 2 is oriented so that it faces away from house 1 and, with the exception of a single bedroom window in the south elevation that is some 17.5 metres from the boundary with house 1, all other first floor windows are in the north and west elevations. This will ensure that there will be no overlooking and loss of privacy to proposed houses 1 and 3.
- 8.12 House 3 – is positioned directly to the east of proposed house 2 and to the north-west of the existing neighbouring dwelling (2 Rayleigh Close). There are no principal windows in the east elevation of house 2 and I therefore consider that any overshadowing and loss of early morning light caused by house 3 is unlikely to have significant implications for the residential amenity of the occupiers. House 3 projects beyond the rear building line of its neighbour (2 Rayleigh Close), but is 1.6 metres from the common boundary, with 2 Rayleigh Close approximately 5 metres from that common boundary. While it is the case that some shadow will be cast across part of the rear garden of number 2 in the latter part of the day, given the combined distance



between the two dwellings and the relative size of the existing neighbouring plot, I am satisfied that there would be no overbearing or material impact from house 3 upon its neighbour. The first floor windows to house 3 are sited in the north and south elevations, which means that there will be no direct views into neighbouring garden or windows.

8.13 In my opinion the layout and design of the proposed development responds to its context and site constraints in a way that adequately respects the residential amenity of its neighbours I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

8.14 I am also of the view that the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and consider that in this respect it is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

8.15 The submitted application drawings indicate that each of the proposed dwellings has a covered area for the storage of bins and recycling containers tucked behind each garage/car lodge, which can be wheeled through to the front on collection days.

8.16 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

8.17 The Local Highway Authority has been consulted on this proposal with regard to highway safety and engineering matters. It raises no objection to the proposal. While there will of course be a small increase in the amount of traffic using Rayleigh Close, in my view it would not be of a level that would cause danger to other road users or harm to residential amenity.

8.18 In my opinion the proposal is compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.19 The proposed development makes provision for two off-street car parking spaces per dwelling. This is in accordance with the Local Plan Car and Cycle Parking Standards, which set a maximum of 2 car parking spaces per dwelling where there are 3 or more bedrooms.
- 8.20 The proposal drawings show a covered area to the rear of each garage or car lodge indicating that it is intended for storage of cycles along with waste bins, as is common practice in many new developments. While the drawings appear to show parking for 4 cycles per dwelling, it is also possible that cycles could be stored in garages or car lodges, which means that the requirement as set out in the adopted Car and Cycle Parking Standards of 1 cycle space per bedroom would be met.
- 8.21 In my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.22 The proposal will undoubtedly have some impact upon the trees, but as has been rehearsed above, the assessment made by the Arboricultural Officer is that the proposal is acceptable in terms of the impact on the trees. This matter was also considered previously, when the earlier reserved matters submission was considered and approved and there have not been changes of such moment since then that would, in my opinion, justify reversing that decision. The issues raised by third parties have also been addressed in the main body of the Committee report.

### **Planning Obligation Strategy**

- 8.23 The Planning Obligation Strategy (July 2004) provides a framework for expenditure of financial contributions collected through planning obligations. In accordance with the adopted strategy, the proposed development triggers the requirement for open space and community development. The applicant completed and submitted a Section 106 Agreement as part of the outline planning application, which will be triggered on implementation of the Reserved Matters. This was calculated on a formula basis as the number of bedrooms was unknown at the time. The details through the Reserved Matters submission are for a total of 16 bedrooms. Taking into account the existing 4

bedroom dwelling that will be removed to make way for the proposed development, it is possible to calculate the amount that is required based on a net increase of 12 bedrooms. Therefore the following contributions will be due:

Formal open space	£4320
Informal open space	£3672
Children's Play Space	£4788
Community facilities	£19500
Total	<b>£32,280</b>

## 9.0 CONCLUSION

9.1 In my view the proposed dwellings are designed such that they respond to their context in an appropriate fashion that is acceptable and in accordance with the relevant policies of the Development Plan.

## 10.0 RECOMMENDATION: APPROVE subject to the following conditions:

1. 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)

2. 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, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

3. 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 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. 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 demolition / 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 Noise and Vibration Control On Construction and Open Sites, especially Part 1: 1997 Code Of Practice (COP) for basic information and procedures for noise and vibration control, Part 2: Guide to noise and vibration control legislation for construction and demolition including road construction and maintenance and Part 4: COP for noise and vibration control applicable to piling operations, (if the construction process is to involve piling operations). Development shall be carried out in accordance with the approved details.

Reason: To protect the residential amenity of neighbouring residents (Cambridge Local Plan 2006 policy 3/4)

5. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 - Part 4: COP for noise and vibration control applicable to piling operations, development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the residential amenity of neighbouring residents (Cambridge Local Plan 2006 policy 3/4)

6. Prior to the commencement of development, a method statement for demolition (including details of any proposed on-site concrete crushing) and details of dust suppression measures shall be submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the details agreed.

Reason: To protect the amenity of adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 3/4)

7. Before the development hereby permitted is commenced, including any works of demolition, details of proposed wheel washing and other mitigation measures in relation to dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details.

Reason: In the interest of residential amenity (Cambridge Local Plan 2006 policy 3/4).

8. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:
  - a) A Tree Protection Plan, as defined in BS 5837:2005 'Trees in Relation to Construction - Recommendations', containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:  
Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;

and,

b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

Reason: To ensure the retention of existing trees on site. (Cambridge Local Plan 2006 policy 4/4)

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

**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).

### **Reasons for Approval**

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV7

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/4, 4/13, 4/16, 5/1, 5/10, 8/2,

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

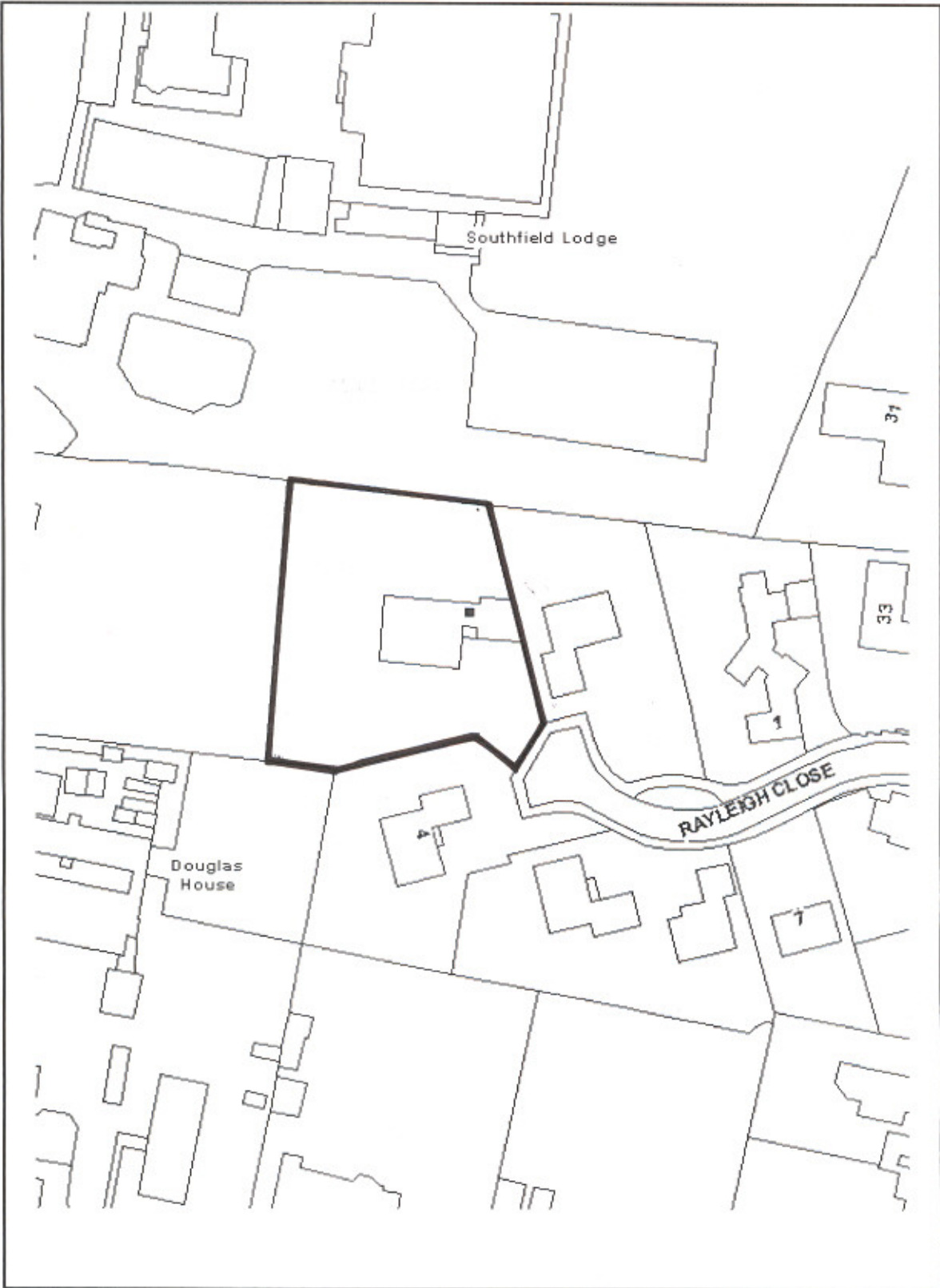
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

## **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.



09/0326/REM

3 Rayleigh Close Cambridge Cambridgeshire CB2 8AZ



Reference No: 06/0259/OUT

Date Received: 14.03.2006

Location: 3 Rayleigh Close Cambridge Cambridgeshire CB2 2AZ

Application: Outline application for the erection of 3 residential units.

Applicant: Mr And Mrs Nicholson

Contact Name/Address: Neale Associates  
The Tram Shed  
East Road  
Cambridge  
CB1 1BG

Date of Decision: 18.05.2006

Decision: PERM

1. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters shall be made to the local planning authority 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.

3. Approval of the details of the design and external appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure that all necessary details are acceptable. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2, BE4 and TR27)

4. Notwithstanding the layout plans of the development hereby approved, full details of the parking arrangements for the dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on site. The development shall be carried out in accordance with the approved plans.

Reason: To ensure that the development is in accordance with The Cambridge City Council Car and Cycle Parking Standards (2004) (Cambridge Local 1996: PolicyTR22).

5. No development, including demolition, shall commence on site until the following details have been submitted to and approved by the local planning authority:

- (a) A plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree. In addition any tree on neighbouring or nearby ground to the site that is likely to have an effect upon or be affected by the proposal e.g. by shade, overhang the boundary or intrusion of the Root Protection Area (sub-clause 5.2.2 of BS5837, 2005, Trees in relation to construction - Recommendations) must be shown;

- (b) details of each tree as required at sub-clause 4.2.6 of BS5837, 2005, Trees in relation to construction - Recommendations in a separate schedule;

- (c) a schedule of tree works for all the trees in paragraphs (a) and (b) above, specifying those to be removed, pruning and other remedial or preventative work;

- (d) the details of any proposed alterations in existing ground levels or the position of any proposed excavations within 5 metres of the Root Protection Area (sub-clause 5.2.2 of BS5837, 2005, Trees in relation to construction - Recommendations) of any retained tree, including those on neighbouring ground;

- (e) the details of all the appropriate tree protection measures for every retained tree before and for the entire duration of the course of the development;

- (f) a statement setting out the principles of arboricultural sustainability in terms of landscape, spatial integration and post development pressure.

In the condition retained tree means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To safeguard and ensure the protection of those existing trees which are to be retained on or adjacent to the site. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2 and BE4)

6. The plans and particulars submitted in accordance with condition 3 above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

Reason: To ensure the appropriate planting and establishment of new trees at the site. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2, BE4 and BE7)

7. **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).

8. **Reasons for Approval**

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P1/2, P1/3, P8/1;

Cambridge Local Plan (1996): NE16, NE17, BE1, BE2, BE4, TR18, TR22, TR27, HO5, CS3, RL3, RL4

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

Reference No: 08/0257/REM

Date Received: 02.06.2008

Location: 3 Rayleigh Close Cambridge Cambridgeshire CB2 8AZ  
Application: Reserved Matters application for the erection of 3 residential units.

Applicant: Mr & Mrs Nicholson

Contact Name/Address: Neale Associates  
The Tram Shed  
East Road  
Cambridge  
CB1 1BG

Date of Decision: 02.06.2008

Decision: PERM

1. 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)

2. 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, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

3. 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 0700 hrs and 1900 hrs on Monday to Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

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

4. 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 demolition / 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 Noise and Vibration Control On Construction and Open Sites, especially Part 1: 1997 Code Of Practice (COP) for basic information and procedures for noise and vibration control, Part 2: Guide to noise and vibration control legislation for construction and demolition including road construction and maintenance and Part 4: COP for noise and vibration control applicable to piling operations, (if the construction process is to involve piling operations). Development shall be carried out in accordance with the approved details.

Reason: To protect the residential amenity of neighbouring residents (Cambridge Local Plan 2006 policy 3/4)

5. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 - Part 4: COP for noise and vibration control applicable to piling operations, development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the residential amenity of neighbouring residents (Cambridge Local Plan 2006 policy 3/4)

6. Prior to the commencement of development, a method statement for demolition (including details of any proposed on-site concrete crushing) and details of dust suppression measures shall be submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the details agreed.

Reason: To protect the amenity of adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 3/4)

7. Before the development hereby permitted is commenced, including any works of demolition, details of proposed wheel washing and other mitigation measures in relation to dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details.

Reason: In the interest of residential amenity (Cambridge Local Plan 2006 policy 3/4).

8. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:

- a) A Tree Protection Plan, as defined in BS 5837:2005 'Trees in Relation to Construction - Recommendations', containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:

Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;

and,

- b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

Reason: To ensure the retention of existing trees on site. (Cambridge Local Plan 2006 policy 4/4)

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

10. Prior to occupation of the dwellings hereby approved, cycle parking in accordance with the Council adopted standards, namely at least 4 spaces per dwelling for the 2, five-bedroom houses (as illustrated) and 5 cycle parking spaces for the 6 bedroom house shall be provided on site; the cycle parking initially provided shall be retained thereafter.

Reason: To ensure adequate cycle provision is provided and retained (Cambridge Local Plan policy 8/6)

**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).

#### **Reasons for Approval**

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV 7

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/4, 4/13, 4/16, 5/1, 5/10, 8/2, 8/4, 8/6, 8/10, 8/18, 10/1

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

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