

<b>Application Number</b>	13/1644/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	19th November 2013	<b>Officer</b>	Mr Amit Patel
<b>Target Date</b>	14th January 2014		
<b>Ward</b>	Petersfield		
<b>Site</b>	56 And 56A Mill Road Cambridge CB1 2AS		
<b>Proposal</b>	Two storey rear extension and associated works (including changes to shopfront) to combine retail units 56 and 56A Mill Road and to create 6 self contained studio flats, 4 of which are new, following demolition of existing extensions and outbuildings.		
<b>Applicant</b>	Mr A Sharma The Coach House Station Farm Fen Road, Lode Cambridge CB25 9HD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>Other extensions of a similar size and scale in the immediate area;</p> <p>No detrimental impact upon the character of the Conservation Area;</p> <p>No detrimental impact on the residential amenity of neighbouring occupiers</p>
RECOMMENDATION	APPROVAL

## 0.0 INTRODUCTION

- 0.1 This application is brought back to Committee to resolve errors in the wording of an earlier resolution of this Committee. When the application was first presented to East Area Committee on 20th February, a decision was deferred because of the inadequate bin and bike storage. When the application was brought back to East Area Committee on 10<sup>th</sup> April 2014, an oversight meant that the recommendation still had its original wording from February: to approve the application subject to

completion of the Section 106 agreement by 3rd March 2014, which had by then already passed.

To further complicate the situation, the second part of the resolution, recommending refusal if the 106 were not completed by the deadline set, had the words INSERT DATE HERE where the date should have been.

Legal Officers have given advice that, in order to regularise its decision on this application, this Committee, notwithstanding its earlier resolution, needs to vote on the application again, agreeing a future deadline date for the completion of the planning obligation agreement. Such a date is now proposed.

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

- 1.1 The application site is situated on the south-western side of Mill Road. It is a mid-terrace property, two-storey in height and has been extended with single storey extensions to the rear which are part of the retail unit on the ground floor.
- 1.2 The other properties within this block are two and three storey in height notably number 58 which is three-storey. The properties almost all have residential space above which is either accessed by a separate door off Mill Road or from the rear by the alley way. This property is different in the sense that the first floor is only accessed from within the shop and does not have a separate access.
- 1.3 The building itself is not listed or a building of local interest but the site is within a Conservation Area and within a restricted Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The original application sought approval for the creation of 4 new self-contained studio flats following the demolition of the existing outbuildings and the amalgamation of the two retail units on ground floor.
- 2.2 Following discussions with officers, the applicants have submitted revised drawings. The revision reduces the depth of the first floor element of the two-storey rear extension to

number 56 Mill Road, This eliminates one of the proposed units, so only 4 new units would be created.

2.3 Committee deferred this application in its previous meeting as there was concern about the number of bins and bike storage.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans

### 3.0 SITE HISTORY

3.1 None relevant to this application.

### 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011	CS16
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/14 4/11 4/13 5/1

	8/1 8/2 8/6 10/1
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### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012  Circular 11/95  Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction  Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide
Material Considerations	<u>Central Government:</u>  Letter from Secretary of State for Communities and Local Government (27 May 2010)  Written Ministerial Statement: Planning for Growth (23 March 2011)  National Planning Practice Consultation
	<u>Citywide:</u>  Open Space and Recreation Strategy  Cycle Parking Guide for New Residential Developments  Cambridge Shopfront Design Guide
	<u>Area Guidelines:</u>  Conservation Area Appraisal:  Mill Road Area

## 5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan of relevance:

## 6.0 **CONSULTATIONS** (Comments on the scheme originally submitted are shown first, followed by an additional comments following the revision)

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

- 6.1 The new residents will not qualify for Residents Permits other than visitors in the existing Residents Parking Schemes operating in the surrounding streets.

#### Additional comments on revised scheme

The highway have no additional comments to the amended scheme.

### **Sustainable Drainage**

- 6.2 The Design and Access statement proposes that a Sustainable Drainage system is to be employed but this is not shown on the plans. A condition is therefore required to show what SuDs techniques are to be employed.

#### Additional Comments on revised scheme

Original comments still stand.

## **Head of Refuse and Environment**

- 6.3 No objection in principle subject to conditions relating to construction hours, collection and deliveries during construction, noise insulation, plant and building noise insulation, residential and trade waste, contaminated land and informatives relating to dust, noise and plant insulation and the Housing Health and Safety Rating System.

### Additional comments on revised scheme

Original comments still valid.

### Addition comments following deferral

New block plan has been submitted to show the bins and bike storage. The Environment Health have assessed the additional information and have confirmed that the bins storage is now acceptable subject to a revised management plan confirming that the commercial storage is to be locked and labelled.

## **Urban Design and Conservation team**

- 6.4 The application is not supported. The proposal for the two storey extension will create an overly dominant form which will be detrimental to the character and setting of the Conservation Area and would also have a detrimental impact on the gardens of Mill Street and Mawson Road.

The new shop front is not supported as this has not gone far enough in design terms to enhance the Conservation Area as the positioning of the door is an anomaly to the way in which the other shop fronts integrate the door to the above flats.

### Additional comments on revised scheme

The concerns about the bulk and massing have been addressed by reducing the first floor element and subject to the finishing this element is now supported.

The replication of the original shop front is welcomed and subject to conditions the proposal is supported.

## **Landscape**

- 6.5 The cycle storage is not large enough to accommodate the appropriate cycle storage and access to the cycle storage is poor. The outdoor area is not adequate amenity space for 7 flats and the outlook is poor from the flats. This is all related to the overdevelopment of the site.

### Additional comments on revised scheme

The original concerns are still valid.

- 6.6 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:

- 11 Mill Street
- 13 Mill Street
- 57 Mill Road

- 7.2 The representations can be summarised as follows:

- Will erode the character of the area with the substantial foot print of development and reduce the space between the shops on Mill Road and houses in Mill Street;
- Lack of necessity;
- Overlooking to the gardens of Mill Street;
- Impact to future residents through noise and disturbance;
- The door entrance from Mill Road should reflect the current door of the pharmacy;
- Should replicate the Victorian corbels.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 Policy 5/1 supports additional residential accommodation on windfall sites subject to compatibility with existing uses. In my opinion, the principle of the development is acceptable and in accordance with this policy

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

### **Context of site, design and external spaces and impact on the Conservation Area**

#### Two-storey rear extensions

8.4 Policies 3/4 and 4/11 require that developments respond to their context and enhance the conservation area. This is done through design and use of materials (Condition 5) as well as looking at the site constraints. The current characteristic pattern of development for this block of properties is generally two- to three-storey dwellings with a mixture of single-storey extensions as well as some traditional two-storey Victorian projections to the rear. There are buildings of different ages but they mainly replicate the scale of the existing Victorian buildings.

8.5 The proposed extensions will be visible from Mawson Road and through the 'gap' in Mill Street but only at obscure angles. I do not consider it would have any degree of prominence in the



public realm. The extension will not project past the building line of number 58 and consequently remains in proportion with other extensions on the vicinity.

- 8.6 The two-storey element in the revised proposal is of more modest proportions than that originally submitted. There are other significant rear extensions at two-storey level in this block, and the proposal now does not conflict with this pattern. An appropriate proportion of the site is left undeveloped at second-storey level.
- 8.7 Concerns were raised by third parties about the scale of the extensions originally proposed. None of these parties has followed up with additional comments on the revised scheme. The Conservation Officer now supports the revised scheme subject to the use of appropriate materials (Conditions 3 to 5) and I agree with their advice.

#### Shop front

- 8.8 The revised shop front proposal is acceptable subject to conditions (Conditions 3 and 4) as it reflects the shop front of number 56.
- 8.9 The Conservation Officer has not raised the issue of corbelling, and I do not consider that the absence of this detail would cause any significant harm to the conservation area.
- 8.10 Subject to conditions, in my opinion the proposal is in accordance with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/11.

#### **Residential Amenity**

##### Impact on amenity of neighbouring occupiers

- 8.11 The Environmental Health team have commented that the proposal being in a residential area could have an impact upon the residential amenity of the neighbouring occupiers through construction activity. This can be mitigated by conditions (Conditions 6 and 7), if the application was to be approved.

- 8.12 The proposal is to create a additional 4 self-contained rooms. This will involve some intensification of use on the site. However, I consider that as the surrounding properties are used in a similar manner the impact will not be significant.
- 8.13 I note that the adjoining properties have single-storey extensions at ground floor level that serve the commercial businesses facing Mill Road. I do not consider there would be any adverse impact on these areas from the proposed extension. This is a tight urban site and the properties on Mill Street have relatively small gardens. However, the proposed two-storey extension is now 12m from the common boundary with properties in Mill Street, and 18m from the nearest building in that direction. In my opinion, it will not have a dominating impact in the rear garden areas of Mill Street. This relationship between first-floor buildings connected to the Mill Road frontage and rear gardens in Mill Street is replicated within this block of properties and I consider that the impact of the proposal is acceptable.
- 8.14 The property at number 54a has residential accommodation at first floor. I do not consider the proposal would have any detrimental impact upon this property through sense of enclosure.
- 8.15 With respect to number 58, the proposed first floor element that projects beyond the existing elevation is set away from the common boundary and therefore the impact will not be significant.
- 8.16 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 and 3/7.

#### Amenity for future occupiers of the site

- 8.17 The units would be small, and would have no functional or usable outdoor amenity space. Future occupiers of all three units on the ground floor would have other occupiers passing close to their windows to reach bin and cycle stores. The Environmental Health team have recommended conditions regarding the insulation (Conditions 8 and 9) of the flats against noise and the investigation of possible ground contamination

(Condition 11) to protect the amenity of future occupiers and I agree that this is appropriate. Subject to condition, I consider the proposed provision to be just within the limits of acceptability and compliant in this respect with Cambridge Local Plan (2006) policies 3/7 and 3/14.

### **Refuse Arrangements**

8.18 Additional information has been submitted showing the bin storage. This is acceptable subject to a revised management plan (Condition 10) confirming that the commercial bins are labelled and locked. I accept this advice and recommend a condition.

8.19 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/12 and 4/13.

### **Car and Cycle Parking**

8.20 No car parking provision is made. In my view, given the highly sustainable location and small size of the units this is acceptable and in accordance with the Car Parking Standards. Future occupiers would not have any permits to park cars except visitor parking. Information is shown regarding cycle parking. I consider that this is sufficient and in accordance with the Cycle Parking Standards.

8.21 Subject to conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

8.22 The concerns raised have been addressed in the report above.

### **Planning Obligation Strategy**

#### **Planning Obligations**

8.23 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 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

- 8.24 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. The total contribution sought has been calculated as follows.
- 8.25 The application proposes the erection of 6 one-bedroom flats, so the net total of additional residential units is 4. 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		
1 bed	1.5	238	357	4	1428
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>1428</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50	4	1614
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>1614</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		
1 bed	1.5	242	363	4	1452
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>1452</b>

8.26 The applicant's agent has confirmed that the applicant is willing to enter in to an agreement and negotiations are taking place with the Council's Legal Team. 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 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

8.27 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	4	5024
2-bed	1256		
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>5024</b>

8.28 The applicant's agent has confirmed that the applicant is willing to enter in to an agreement and negotiations are taking place with the Council's Legal Team. 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 Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

### Waste

8.29 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 J75 for each house and J150 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	4	600
<b>Total</b>			<b>600</b>

8.30 The applicants agent has confirmed that the applicant is willing to enter in to an agreement and negotiations are taking place with the Council's Legal Team. 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 Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

### Education

8.31 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.32 In this case, 4 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	4	640
2+- beds	2		160		

8.33 The applicants agent has confirmed that the applicant is willing to enter in to an agreement and negotiations are taking place with the Council's Legal Team. 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.

#### Household Recycling Centres

8.34 A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

8.35 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.36 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.





## Monitoring

- 8.38 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

- 8.39 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**

The revised scheme proposed an extension which reflects the general pattern of development in the area, and avoids harm to neighbour amenity or the character of the conservation area and is considered acceptable subject to conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the satisfactory completion of the s106 agreement by 31<sup>st</sup> August 2014 and subject to the following conditions and reasons for approval:

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

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

3. Full details, to a large scale, of all joinery and other elements of the shopfront are to be submitted to and approved in writing by the local planning authority before development commences. This includes timber and other mouldings, stallriser finishes, console and other brackets, doors, thresholds and fanlights. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

4. All new joinery in the shopfront is to be of timber and not metal or plastic.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

5. No brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

6. Except with the prior written agreement of the local planning authority 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)

7. Except with the prior written agreement of the local planning authority, 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)

8. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area (Mill Road façade dominated by traffic and vehicle noise), be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

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

9. 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)

10. Prior to the commencement of development a Waste Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Reason: To protect the amenity of nearby neighbours.  
(Cambridge Local Plan (2006) policies 3/7 and 4/13)

11. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the local planning authority and receipt of approval of the document/documents from the local planning authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the local planning authority prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the local planning authority and receipt of approval of the document/documents from the local planning authority. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the local planning authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

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

**INFORMATIVE:** The demolition phase may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from:

Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":  
[https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD\\_WEB.pdf](https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WEB.pdf)

Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils:  
[http://www.london.gov.uk/thelondonplan/guides/bpg/bpg\\_04.jsp](http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp)

**INFORMATIVE:** To satisfy the noise insulation condition for the building envelope as required above, the Council expects the scheme to achieve the 'good' internal noise levels of British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice". Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria.

**INFORMATIVE:** To satisfy standard condition C62 (Noise Insulation), the rating level (in accordance with BS4142:1997) from all plant and equipment, vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

**INFORMATIVE:** The Housing Act 2004 introduces the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact housing standards at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with 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 31<sup>st</sup> August 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):**

The proposed development does not make appropriate provision for public open space, community development facilities, life-long learning facilities, waste facilities, waste



management and monitoring accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 and the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development