

<b>Application Number</b>	14/1995/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	5th January 2015	<b>Officer</b>	Elizabeth Thomas
<b>Target Date</b>	6th April 2015		
<b>Ward</b>	Market		
<b>Site</b>	Land And Buildings To Rear Of 1 - 5 Napier Street And Adjacent To 1A Napier Street (Tredgold Lane) Cambridge Cambridgeshire		
<b>Proposal</b>	Conversion, extension and recladding of existing commercial buildings (comprising retail and office type uses and a basement bar/club) to use Class C3 residential to create 14 flats (following partial demolition), together with associated cycle parking, landscaping and infrastructure.		
<b>Applicant</b>	C/O Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The principle of change of use is acceptable</li> <li><input type="checkbox"/> The changes to the building and particularly the street frontage will enhance the conservation area</li> <li><input type="checkbox"/> The development will provide a reasonable amount of amenity for future occupiers and will not have adverse impact on residential amenity in the area.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 Napier Street is on the south side of Newmarket Road and Tredgold Lane which serves the site is located to the south of number 5 Napier Street.

- 1.2 The site is situated immediately behind existing modest terraced properties along Napier Street and larger terraced properties along Newmarket Road. The Cambridge Buddhist Centre is east of the site and immediately south of the site is Cobble Yard where there are some commercial units and the Grafton Post Office.
- 1.3 The majority of the site is hidden from public view as it sits behind other buildings apart from number 1 Tredgold Lane, which is the street frontage.
- 1.4 The site is situated within the Central Conservation Area and controlled parking zone. The Buddhist centre is a listed building (east of the site), number 26 Newmarket Road is a listed building and number 20 Newmarket Road is a Building of Local Interest (north of the site).
- 1.5 The current status of the site is derelict and vacant and has been for some period of time. A lot of the site is boarded up to prevent undesirable activity.
- 1.6 The former uses on site ranged from retail, office and nightclub/bar. However the proposed development is changing from these types of use to 14 self-contained residential flats. The proposal is also to accommodate cycle parking and landscaping.
- 1.7 The basement area of the site has formally been used as a nightclub, which has historically caused disturbance to surrounding buildings.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is to convert, extend and re-clad the existing buildings on site to accommodate 14 flats.
- 2.2 This application has been amended since the original submission to take account of urban design and conservation comments (UDC) team and landscape comments comments.
- 2.3 A meeting was held between the applicant/agent on the 10<sup>th</sup> March 2015 to help the agent address design concerns.

The following detailed amendments have been made:

- Glass blocks (obscured glazed) facing the passage
- Rearrangement of living spaces
- Increased landscape buffers
- Introduced screens
- Created deeper terraced areas
- Better reconfiguration of communal space to allow units privacy and better living space
- The reconfiguration of living space to allow better use and position of windows

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/86/0035	Change of use from craft units to retail shop.	A/C

### 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
Cambridge Plan 2006	Local	3/1 3/4 3/6 3/7 3/11 3/12 3/14 4/10 4/11 4/12 5/2 8/2 8/6 8/10 8/16 10/1

### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p> <p>Old Press/Mill Lane Supplementary Planning Document (January 2010)</p> <p>Eastern Gate Supplementary Planning Document (October 2011)</p>
	<p><u>City Wide Guidance</u></p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A</p>

	<p>Good Practice Guide (2006)</p> <p>Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006)</p> <p>A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006)</p> <p>Cambridge Sub-Region Culture and Arts Strategy (2006)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Roof Extensions Design Guide (2003)</p> <p>Buildings of Local Interest (2005)</p>
	<p><u>Area Guidelines</u></p> <p>Riverside and Stourbridge Common Conservation Area Appraisal (2012)</p>

## 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 that are of relevance.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

#### Application as submitted

- 6.1 Residents of the new dwellings will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. Therefore, an informative should be added to any permission granted.

#### Response to amendments:

- 6.2 Same as original comments

### **Refuse and Environment**

#### Application as submitted

- 6.3 Recommend refusal of the application due to waste concerns, which specifically regard.

- Distance that the bins needs to be moved from the site to the kerbside for waste collection

- It would not be possible for the collection vehicle to access the site due to Napier Street being narrow and narrow entrance to the site.
- Confirmation required that individual bins can be removed from the store independently of each other.
- The door way is required to be sufficiently wide enough for the larger bins to fit through with ease.
- It is unknown how the proposal to include the refuse and recycling from 1-3 Napier St will work. Further information needs to be provided. Also there is only an allocation of 6 people for these 3 premises which seems low. Further details are required on the current housing capacity for these properties.
- On page 10 of the Landscape plan in the D&A documents dated 14/12/14, the information relating to waste and recycling does not coincide with the information on page 12 (Waste and Recycling Provision).

Response to amendments:

- 6.4 Further waste details are required before determination of this application. The comments and conditions suggest by environmental health are recommended once the waste concerns have been addressed.
- 6.5 The environmental health officer has confirmed the two wheeled bins option is preferred to ensure the shared bins that will be placed at the kerbside for collection by a management company is required as residents will not take shared bins to kerbside.
- 6.6 The environment health officer has recommended conditions and an informative for the application.

**Urban Design and Conservation Team**

Application as submitted

- 6.7 Concern that the proposed scheme represents over development of the site and has given rise to a number of design issues including the provision and quality of amenity space, overlooking, privacy concerns and creates an unacceptable standard of living accommodation.

- 6.8 Further details required of the methodology used to undertake the sunlight and daylight assessment needs to be provided. Concerned that a number of the ADF results for the basement level bedrooms appear to be incorrect especially when taking into account the aspects of the Kitchen/Living/Dining room windows above.
- 6.9 The amenity spaces (roof terraces) associated with Units 4, 13 and 14 have not been assessed as part of the daylight and sunlight assessment. APSH tests for these spaces need to be provided.
- 6.10 The scheme is however considered to be satisfactory in terms of the conservation area and Policy 4/11 of the Cambridge Local Plan.

Response to amendments:

- 6.11 The submitted amendments have addressed previous concerns relating to overdevelopment overlooking, privacy concerns, sunlight to external amenity spaces and size of the proposed shared amenity space. The clarification provided at the meeting with the agent and the addendum to the Daylight and Sunlight Assessment has addressed concerns relating to the daylight levels in some of the habitable spaces, particularly with regards to the orientation and location of these spaces and impacts to No. 28 Newmarket Road.
- 6.12 The submitted scheme is acceptable in design terms. The proposed materials, opaque glazing, balcony screens and landscape treatment of the communal amenity space should be conditioned.

**Landscape Officer**

Application as submitted

- 6.13 The proposed development cannot be supported from a landscape and amenity perspective. The proposed development is considered an over development of the site and contrary to policy 3/11 of the Local Plan 2006 and policy 50 of the Draft Local Plan 2014.

Response to amendments:

6.14 Subject to detailed design, the proposed amendments address the concerns previously raised. The Landscape Team support the proposed scheme from a landscape and amenity perspective. Details of the proposed hard and soft landscape works should be conditioned.

### **Senior Sustainability Officer (Design and Construction)**

6.15 The overall approach to sustainable design and construction and renewable energy provision/carbon reduction is supported.

### **Access Officer**

6.16 The main gate should be asymmetrical with one leaf being a minimum 900mm. The garden could be made accessible for wheelchairs, prams etc.

### **Anglian Water**

6.17 No objection subject to informative/conditions

### **Environment Agency**

6.18 No objection in principle.

### **Sustainable Drainage Officer**

6.19 There is no increase the overall impermeable area and there is very little space that will not be occupied by buildings and therefore there is little scope for any meaningful SuDS or the provision of any form of attenuation.

### **Cambridgeshire Constabulary (Architectural Liaison Officer)**

6.20 The developers and architects have worked to provide scheme that is safe for occupants. I have no specific concerns or objection to what is proposed.

## **Cambridgeshire County Council (Archaeology)**

6.21 No objections or requirements for this development. County records indicate that it is in an area of high archaeological potential. However, extensive basement and services in existing buildings prohibit useful archaeological work.

## **Defence Infrastructure (Ministry of Defence)**

6.22 No safeguarding objections.

## **Cambridge Fire and Rescue Service**

6.23 Access for fire appliances may be inadequate. Access and facilities for the fire service should be provided in accordance with building regulations.

6.24 All 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, the representations can be summarised as follows:

### **7.2 1 Cobble Yard (Object)**

Objects to the change of use on the basis of loss of business use.

### **7.3 17 Christ Church (Object)**

Content for the nightclub to be removed, however concerns remain with the following:

- Loss of business that provides useful and pleasant alternative to chain store
- Need for housing that is affordable and concerned the development will end up as buy to let.
- The development will add to the pressure of on-street parking
- Comment on materials and scale of development and the request for a new street frontage.

#### 7.4 3 Willers Cottages (support with some concerns)

Happy with the proposed development, however one concern regarding provision of bins and their collection on refuse days.

#### 7.5 1A Napier Street (Support)

- Agrees the proposed development will improve the area.
- Has been in contact with the developer regarding roof garden, party wall material and is satisfied with the response.

7.6 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. Affordable Housing
3. Context of site, design and external spaces
4. Public Art
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 The site is not allocated in the Local Plan 2006 and the uses which are currently accommodated on the site are not protected by planning policies relating to change of use. Policy 5/2 of the Local Plan 2006 supports the conversion of non-residential dwellings into self-contained dwellings except where the likely impact on street parking is unacceptable. In assessing the proposal the highways officer has confirmed; residents of the new dwellings will not qualify for Residents' Permits (other

than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. Due to the sites location and layout it would be difficult for the proposed development to accommodate for car parking. Furthermore it is considered and expected for development such as this in a city central location not to encourage vehicle parking or use. Due to the proposed development not accommodating parking arrangements it is considered likely future occupiers would not keep vehicles and alternative sustainable modes of transport would be sought.

- 8.3 Now that amendments have been made to the proposed development including improvements to amenity, refuse and cycle storage the proposed living accommodation is considered acceptable. These amendments have been accepted by consultees including the UDC team, landscape team and environmental health officer.
- 8.4 The principle of development is considered acceptable. The site and buildings are proposed to be converted from commercial use to residential use. The immediate surrounding area north and west of the site is already in residential use and this site (Tredgold Lane) is interconnected with terraced houses in Napier Street. Residential use would be appropriate for this site and concerns raised by consultees have been addressed.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 5/2 Cambridge Local Plan (2006).

### **Affordable Housing**

- 8.6 The scheme does not trigger affordable housing requirements as there are 14 units are being proposed with a floor area of 958.0sqm. The threshold for affordable housing is for development of 15 or more units and a floor area on or above 0.5ha (equal to 5000 sqm).

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

#### Response to context

- 8.7 The proposal made to the front of the building will be a big improvement to that existing. The existing front overhang will

be removed and the facade of the building fronting Napier Street will sensitivity integrate within the street scene. The facade will comprise of traditional conventional window form and orientated in a traditional manor. This is a good response to existing surrounding context, taking inspiration from the adjacent surrounding modest properties.

- 8.8 The building south of the site will be reduced in size and pushed back to the existing rear terraced line to accommodate exterior amenity space for the development. This will help prevent bulk and enclosure impacts within the site.
- 8.9 The majority of the site will remain as existing. The main difference will be the third floor on proposed block three, which will change the roof form to the east of the site.
- 8.10 Overall, it is considered the proposed changes respond to existing context in a positive way by incorporating traditional characteristics (fronting Napier Street) with contemporary additions and alterations within the site. Therefore, it is considered the amended proposed siting, massing and design are acceptable.

#### Movement and Access

- 8.11 The majority of the buildings on site already exist. The removal of part of the south building will enable better movement and access to existing routes from Tredgold Lane through and into the site.
- 8.12 The site is designed for sustainable modes of transport such as walking, cycling and the use of public transport as there is no proposed parking for the dwellings. All cycle parking is proposed in the basement, which will be covered and accessed via the amenity space to the south of the site.

#### Layout

- 8.13 As previously explained the proposal for the front of the building will be a big improvement to that existing and with gates proposed at the front will provide a distinction between private and public spaces. The attractive built frontages will enhance the streetscape.

8.14 The layout of the proposed flats is considered acceptable because the existing buildings already good interrelations with existing and adjacent buildings. The amended external amenity space and landscaping provides better spacing between buildings.

#### Scale and massing

8.15 The overall scale mass and form of the proposed development is within keeping with the surrounding buildings. The highest part of the proposed development is the proposed third floor on block three, which will relate well with the Buddhist Centre in height and mass. Equally the buildings close to the modest terraced properties along Napier Street are also well related in height and scale.

8.16 The proposed form and mass of the development has taken account of the diverse mix of scales and density on and surrounding the site, which in turn has a positive impact on the setting of the site and enables Tredgold Lane to contribute to sense of place. This shows characteristics of the immediate locality have informed scale and massing in a positive way.

8.17 The new roof forms should relate well with surrounding as inspiration has been taken from existing and surrounding neighbouring buildings and incorporated within the existing and proposed roof. Detail such as hipped and gabled roof form can be found within the immediate area. The proposed third story element to the east of the site will be in line with the Buddhist Centre height and scale. Overall the height of the proposed roof forms relate well with surrounding context.

#### Open Space and Landscape

8.18 Urban Design colleagues previously raised concerns that the proposed shared amenity space (shared by 10 of the 14 units) measuring approximately 5m x 8m appeared too small for the number of units it serves. The close proximity of the amenity space to Unit 8 resulted in the space appearing visually associated with this unit and would have unlikely to have been perceived as communal.

- 8.19 The submitted amendments remove the bedroom located to the rear of Unit 1 at ground floor level (as a result Unit 1 now forms a 1 bed unit with the bedroom located at basement level). Subsequently the roof terrace to Unit 9 has been reduced in size and the external stairs leading to this unit have been relocated further west. The roof terrace to Unit 9 previously measured approximately 8.5m x 4.5m (including area of the roof light to Unit 1) and formed a similar size to the shared amenity space at ground floor level.
- 8.20 The subsequent space created by the removal of the ground floor bedroom to Unit 1 is an improvement and greatly increases the onsite amenity space provision. The amenity space now measures approximately 14.5m in length (measured from the edge of the threshold space in front of Unit 8) and ranges in width from approximately 5m at its widest point to 2.4m adjacent to the external stairs to Unit 9. It is likely that this space will be read in combination with the footpath, which further increases its perceived size. The location of the enlarged amenity space, adjacent to the main entrance and footpath improves the perception of this space as being communal.
- 8.21 The treatment of the shared amenity space can be conditioned to ensure boundary treatment between the amenity space and thresholds in front of Unit 8 and the rear of Unit 1.
- 8.22 The Daylight and Sunlight Assessment – Addendum (Issue 2 dated March 2015) indicates that the enlarged amenity space receives 2 hours of sunlight over 75.0% of its area on March 21<sup>st</sup>. The level of sunlight to this space is acceptable in design terms and accords with the minimum BRE requirements.
- 8.23 All of this shows the amended proposal has been designed to relate well to the character and function of the spaces and surrounding buildings.

#### Elevations and Materials

- 8.24 The materials proposed for the external appearance of the building are:

Walls - buff brick and engineering brick

Roof – Zinc

Windows – Single glazed timber frame and graphite

Doors – Timber and graphite  
Hard standing – concrete

- 8.25 To ensure the amended proposed development has a positive impact the proposed materials will need to be agreed by way of sample panel.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

### **Public Art**

- 8.27 All major developments are required to provide Public Art either on site, if appropriate, or as a commuted sum. This is a very constrained site. A strategy for Public Art will need to be agreed through the section 106 agreement. The applicants have proposed a commuted sum which is appropriate in my view.
- 8.28 In order to pass the Community Infrastructure Levy tests the provision of public art needs to be directly related to the development, reasonable in scale and kind and necessary to make the development acceptable in planning terms.
- 8.29 In this case the provision of commuted sums would facilitate the provision of public art in the vicinity of the site. The commuted sum is based on construction cost so has a direct relationship with the scale of development. The provision of public art is necessary to enable the development to be accordance with planning policy and would enhance the development.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

### **Disabled access**

- 8.31 The amendments made to the application have enlarged external amenity space and been designed so you can move through the site with ease, which creates better provision for disabled people. However, the access officer has raised concerns regarding the main gate, which could be problematic for disabled people. Therefore, I recommend condition to serve the details of the gate to ensure an appropriate gate is provided.

8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Renewable energy and sustainability**

8.33 The form of renewable energy proposed for the site is the use of Mechanical Ventilation with Heat Recovery (MVHR) to maintain high levels of internal comfort, with subsequent health and wellbeing benefits due to improvements in internal air quality; The re-use of buildings on site, which takes account of the embodied carbon locked in the materials of those buildings. This reduces the need for new construction materials, and for those that are required, the sustainability statement makes reference to the majority of these having low to moderate embodied energy. The Senior Sustainability Officer also encourage the applicant to utilise materials that are certified as having been sustainably sourced, for example the use of the FSC or PEFC schemes for timber. I have recommended this as an informative. Reference to the role of external balconies and terraces in providing additional comfort cooling during hot weather; The targeting of a water consumption level of 105 litres/head/day through the use of water efficient appliances and sanitary ware.

8.34 The Sustainability Officer has confirmed the overall approach to sustainable design and construction and renewable energy provision/carbon reduction is supported.

8.35 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

### **Residential Amenity**

8.36 The Tredgold Lane site and the terraced properties along Napier Street are interconnected through the front of the property (proposed unit 1) and proposed units 2 and 3. There is some separation distance between the boundaries of the terraced properties rear gardens and the Tredgold Lane site. It is the rear boundary line that separates the site.

### Impact on amenity of neighbouring occupiers

8.37 The houses in Napier Street have the potential to be affected by the development in terms of overlooking, overshadowing and enclosure. Amendments have been made to the detailed plans to reduce the potential for a harmful affect to arise. These are as follows:

- Some of the windows will comprise of obscured glazing to prevent loss of privacy.
- First floors and ground floors have been reconfigured so habitable space does not directly overlook neighbours.
- Slatted screens have been introduced to prevent overlooking on the proposed roof terraced areas.
- The lower part of the windows within the proposed kitchen, living and dining room areas have been amended to an opaque finish to prevent overlooking into the rear gardens of 1-3 Napier Street

8.38 There is a degree of mutual overlooking that already exists between the Tredgold Lane site and the terraced properties fronting Napier Street and in my view the changes to the building that are proposed will reduce this impact.

8.39 There is also potential for the occupiers of adjacent houses to experience noise and disturbance associated with the new use of the site. However given the tight knit residential nature of the wider area I do not consider such an impact to be harmful.

8.40 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.

#### Impact on amenity for future occupiers of the site

8.41 Officer initially had concerns about the amenities for future occupiers of the site but these have been overcome by alterations to the plans as follows:

- Privacy – reconfigured first floor and ground floors so habitable space does not directly overlook

- Lack of amenity – Increased landscape area and buffers to help prevent enclosure, lack of amenity and overlooking into other proposed units.
- Roof terraced too narrow – Increased balustrades to create deeper terraced to improve amenity
- Communal space – designed to provide privacy and increased space for occupiers to enjoy
- Poor outlook – windows have been changed through internal partition and moving windows to allow for open aspect
- Overlooking between proposed units 11 and 12 – windows have been moved further west within the living space to prevent conflict and the lower half of the windows are opaque.

8.42 I do have concerns regarding the level of daylight within the basement, however BRE standards are met. The basement is mainly to accommodate bathrooms and bedrooms and therefore not used so much as during the day. In my view such an arrangement is acceptable.

8.43 The scheme will need to comply with section 16 and 17 of the approved document B Volume 2 Building Regulations 2013 as amended to ensure emergency vehicle access and access to buildings for firefighting personnel are complied with. The building regulations process will ensure the proposed scheme addresses the fire and rescue services consultation response.

8.44 In my opinion the proposal will provide a reasonable level of residential amenity for future occupiers and is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

### **Refuse Arrangements**

8.45 The proposed bin provision is to be stored and located to the north of the site, where the bins will be wheeled from the site to Napier Street down the passageway in between the Surgery on Newmarket Road and 1 Napier Street.

8.46 A condition will be added to ensure the required detail is sought for a two wheeled bin system to allow the bins will be placed at the kerbside for collection by a management company as it is considered likely residents will not take shared bins to kerbside. I can confirm the agent of the application has confirmed in an email dated 22/04/2015 that they accept this method of bin collection and delivery.

8.47 Therefore, through the proposed development adopting this method in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

8.48 The Highways Officer has not identified any highways safety issues.

8.49 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.50 No car parking is provided for use in connection with the development. The highways officer has confirmed that residents would not qualify for permits under the residential parking scheme – they could still apply for visitor permits. Given the location of the site at some distance from uncontrolled street parking areas in my view residents would not rely on cars as their primary needs of transport. I have recommended and informative to highlight the availability of the car club facility.

8.51 The cycle standards in the Local Plan (2006) require 1 cycle space per bedroom and some level of visitor cycle parking.

8.52 The proposed development accommodates for adequate cycle parking within the basement, there are 12 bike spaces for visitor bikes, 16 bike spaces for residents and 10 bike spaces that are shared by both residents and visitors totaling 38 bike spaces overall.

8.53 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

8.54 The objections raised concerns regarding the following material considerations and I address each matter in turn.

- Change of use of the development from commercial to residential

8.55 There are no specific policy constraints effecting or protecting the site and its current use.

- Loss of business

8.56 I have already addressed this from paragraph 8.2 and section 1 (paras 1.5 and 1.6) of this report

- Need for affordable housing

8.57 I have already addressed this in paragraph 8.6 of this report.

- Pressure of on-street parking

8.58 I have already addressed this in paragraph 8.50 of this report.

- Materials and scale of development

8.59 I have already addressed this in paragraph 8.24 of this report.

- Bins and their collection

8.60 I have already addressed this in paragraph 8.45 of this report.

## **Planning Obligation Strategy**

### **Planning Obligations**

8.61 At the meeting of the Community Services Scrutiny Committee on 19 March 2015 the Executive Councillor for City Centre and Public Places agreed to delegate authority to the Head of Planning Services to finalise the city council's interim approach to seeking S106 contributions from 6 April 2015 until the local implementation of a Community Infrastructure Levy for Cambridge. The final details of this interim approach are to be agreed in consultation with the Executive Councillors for City Centre & Public Places and Planning Policy & Transport, their Opposition Spokes and the Chairs of the Community Services and Environment Scrutiny Committees.

8.62 Officers are working on the interim approach but the work has not been sufficiently advanced to allow it to apply as part of the determination of this application. It is anticipated that

applications that will be reported to the Planning Committee will be subject to the interim approach.

## **9.0 CONCLUSION**

- 9.1 The amendments made to the proposed development address the following previous issues raised by UDC team, landscape team and environmental Health officer original consultation comments the amended drawings address these issues. The scheme is improved and is considered acceptable.

## **10.0 RECOMMENDATION**

**APPROVE** 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. 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. 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)

4. Prior to commencement until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

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

5. Prior to commencement of development a management plan must be submitted to and approved in writing by the Local Planning Authority, which details the 2 wheeled bins method of collection and delivery of the bins to the kerbside on refuse collection days

Reason: to ensure all bins are collected and returned to the site.

6. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. 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 LPA 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 LPA and receipt of approval of the document/documents from the LPA. 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 LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. 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 nearby properties (Cambridge Local Plan 2006 policy 4/13)

7. 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

8. No development shall take place until samples of the opaque glazing 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

9. No development shall take place until details of the balcony screens 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

**INFORMATIVE:** Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

**INFORMATIVE:** To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

Council's Supplementary Planning Document ? ?Sustainable Design and Construction 2007?:

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

Control of dust and emissions during construction and demolition ? supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**INFORMATIVE:** The main gate should be asymmetrical with one leaf being a minimum 900mm. The garden could be made accessible for wheelchairs, prams etc.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. Or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

**INFORMATIVE:** If contamination is found this should be immediately reported to a suitable professional person.

**INFORMATIVE:** The fire and rescue service has stated based on the information given access for fire appliances may be considered inadequate.

Access and facilities for the fire service should be provided in accordance with the Building Regulations Approved Document B5, Section 17.