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| Application Number | 15/0757/FUL | Agenda Item | |
| Date Received | 24th April 2015 | Officer | Mr Sav Patel |
| Target Date | 19th June 2015 | | |
| Ward | Romsey | | |
| Site | 29 Cromwell Road Cambridge Cambridgeshire CB1 3EB | | |
| Proposal | Change of use from A1 commercial unit to A3 restaurant Change of use form A1 offices to residential and extension at 1st floor. 1No two bed unit to rear of site | | |
| Applicant | Ms Laura Chen c/o Cantab Design Ltd United Kingdom | | |

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| SUMMARY | <p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed change of use would bring back into use a vacant property; <input type="checkbox"/> The proposed development would not have any significant adverse impact on the residential amenity of the adjoining neighbours' <input type="checkbox"/> The proposed single storey residential to the rear would make efficient and effective use of a vacant parcel of land. |
| RECOMMENDATION | APPROVAL |

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site consists of a two storey vacant commercial property. This is located within a parade of commercial uses which is designated as a local centre in the Local Plan. To the rear of the property is a connected single storey flat roof

workshop. To north and east is housing and to the rear of the site is an access passage that serves the parade and houses to the north. Beyond the access is Ridgeon builders merchant site.

- 1.2 The site is located within a designated Local Centre. The site is not within a Conservation Area and there are no listed buildings or Buildings of Local Interest nearby.

2.0 THE PROPOSAL

- 2.1 The proposal as submitted has been through extensive pre-application discussion and involves the demolition and replacement of the existing single storey building to the rear.
- 2.2 The proposal has three elements to bring the vacant commercial unit back into use, create a separate residential flat at first level with external stair case and remodel the rear of the site to create a separate self-contained residential unit. The proposal also includes the creation of a 1.2 metre wide side passage to access the rear of the site from Cromwell Road. The side passage would be secured by a security gate.
- 2.3 The previous use of the property was as a motorcycle showroom (ground floor only) with workshop and MOT testing to the rear. The proposal is to change the use of the existing property from Sui Generis use to A3 use on the ground floor and ancillary residential use on the first floor. The proposal also includes a first floor extension which would project from the rear elevation by 2.5 metres with a pitched roof.
- 2.4 The proposal is also for the demolition of the rear outbuildings and subdivision of the site to create a two bed residential unit with garden space. The proposed residential unit would be 18.5 metres in depth and between 5.6 and 3.7 metres wide. The proposed dwelling would have access to a shared bin and cycle store which would be located in the middle of the site. The proposed side access is proposed to allow access to the unit from Cromwell Road. However, the site would also be accessible from the rear access which serves the parade of shops and some of the dwellings to the north of the site.
- 2.5 The northern and western boundary of the site is proposed to be defined by a new 1.8 metre high close boarded fence.

3.0 SITE HISTORY

| Reference | Description | Outcome |
|------------------|---|----------------|
| C/89/0466 | ERECTION OF NEW WORKSHOP (AND DEMOLITION OF OLD WORKSHOP). | APPROVED |
| 14/1923/FUL | Change of use for commercial unit to A3 restaurant and redevelopment of site with eco friendly units | WITHDRAWN |
| 15/0352/FUL | Change of use for commercial unit to A3 restaurant and redevelopment of site, including first floor rear extension and new entrance to create 4 dwelling units. | WITHDRAWN |

4.0 PUBLICITY

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| 4.1 | Advertisement: | No |
| | Adjoining Owners: | Yes |
| | Site Notice Displayed: | No |

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions
(Annex A)

5.2 Cambridge Local Plan 2006

3/4 Responding to context
3/7 Creating successful places
3/10 Subdivision of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
3/14 Extending buildings
4/13 Pollution and amenity
5/1 Housing provision

6/7 Shopping development and change of use in the District and Local Centres

6/10 Food and drink outlets.

8/4 Walking and Cycling accessibility

8/6 Cycle parking

5.5 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction

Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposed A3 use may introduce additional demand for short stay parking in the vicinity but this is unlikely to result in any significant adverse impact upon highway safety. The proposed residential unit is also unlikely to have any adverse impact on highway safety. Both elements are potentially likely to have an impact on the residential amenity of surrounding residents.

Head of Refuse and Environment

- 6.2 No objection to the proposal subject to conditions and informatives relating to construction hours; plant and building noise insulation, contaminated land, odour filtration/extraction and waste.
- 6.3 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:

- 31 Cromwell Road
- 33 Cromwell Road

- 1 unknown

7.2 The representations can be summarised as follows:

- Loss of privacy through overlooking;
- Car parking pressure on the area;
- Impact from noise and disturbance on this residential area particularly late at night;
- Increase in rubbish and littering ;
- Impact from smells on residential properties;
- Increase in vermin and litter;
- Side access would cause noise disturbance;
- The proposal would devalue property and living standard;
- The proposal is more suited to the city centre
- No planning notice was displayed to inform local residents;
- No evidence has been provided to demonstrate there is lack of A1 use;
- The proposal would reduce the amount of business space;
- New access at front would have a negative impact on the parade;
- The restrictive condition (planning permission C/89/0466) that tied to the property to the warehouses should be carried through;
- Inappropriate for bins to be collected from the front as currently no bins are collected from in front of the parade. Bins left at the front will reduce visual amenity of the parade and centre a nuisance for users of the parade. No location for bin storage provided;
- Side access passage would be too narrow for bikes and bins;
- Residential units would face fire safety risk;
- Inadequate living space for the residential units;
- Unclear over the proposed use; takeaway or restaurant;
- Ventilation of the kitchen has not been addressed;
- No staff or customer toilets provided for restaurant;
- Inaccurate to say there will be no increase in the number of cars and lorries compared the previous motorcycle showroom use.
- Roof plan of rear extension is incorrect.

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

Principle of Development

- 8.1 The existing site has been used as a motorcycle showroom with repair workshop to the rear and offices at first level. According to the applicant the property was used for this purpose for 37 years. There is not defined use for this use and is therefore considered to be Sui-Generis use. The applicant has advised that prior to the last use, the property was used as a fish and chip takeaway and then as a greengrocer.
- 8.2 The applicant has advised that since the motorcycle use ceased in July 2014, the property has been let on a short term lease as a pop-up artist studio use on reduced rent until a suitable alternative operator can be found.
- 8.3 Therefore, as the current use of the unit is not within A1 use and given that the proposed use (A3) is to revert the use of the property back into a Class A use, I am satisfied that the proposed use A3 would benefit the parade by bringing this vacant unit back into use and local area by provide a service that is not currently available.
- 8.4 The current parade has four shops; 23 to 29 Cromwell Road. No.23 is currently in A1 use (newsagents); no.25 is currently B1 (freight deliver use); no.27 is in A1 use (fancy dress shop) and no.29 is vacant but the last permanent use was as a motorcycle showroom. Therefore, the overall percentage of A1 use within the parade is currently 50%. The proposed use would not reduce this but would bring the number of A Class units up to three (75%).
- 8.5 The proposal includes the demolition of the existing single storey flat roof outbuilding and new single storey detached dwelling. The proposal would result in the subdivision of the curtilage to create two entitles; a commercial use and residential use. Policy 3/10 (sub-division of existing plots) states that residential development within the curtilage of existing properties will not be permitted if it will:
- a. Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light,

- an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
- b. Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c. Detract from the prevailing character and appearance of the area;

(I do not consider criteria d, e and f are relevant to this proposal as it would not affect a listed building or BLI, would not impact any trees and would not prejudice comprehensive redevelopment of the wider area).

- 8.6 I set out below my assessment of the proposal in relation to the above criteria.

Impact on residential amenity

- 8.7 The proposed dwelling would be detached from the commercial use and enclosed by a 1.8 metre high close boarded fence. The proposed dwelling would be single storey and contain two windows in the northern elevation that would face the northern boundary with no.31. However the boundary fence would restrict any overlooking of the neighbour's garden. I therefore do not consider the proposal dwelling would cause any overlooking issues.
- 8.8 The proposed single storey dwelling would be located approx. 16 metres from the rear elevation of no.31 and be approx. 2.7 metres in height. The dwelling would also occupy a similar footprint of part of the existing outbuilding. Therefore, I do not consider the proposed dwelling would cause any significant loss of light issues due to its height and level of separation and would also not create an overbearing sense of enclosure.
- 8.9 The proposed dwelling would not result in unreasonable levels of traffic. The site is located within reasonable walking and cycling distance of Mill Road, the city centre, railway line and bus stops. Therefore in this context, car free development would be acceptable due to the sustainable location of the site.
- 8.10 The proposed dwelling would be compatible with the existing residential use to the north and would not result in significant

noise nuisance over and above the previous workshop and MOT testing use of the outbuilding.

- 8.11 The proposed use of the first floor as a separate residential unit is considered to be acceptable. Access to the proposed flat would be via an external staircase that would be located adjacent to the northern boundary with no.31. The applicant has proposed to include a screen on the first floor platform to prevent overlooking from this level. Whilst this is acceptable, it does not mitigate the impact from the staircase itself. I have therefore recommended a condition (16) for the staircase to include a screen that sits above the handrail to mitigate overlooking. The recommended condition requires the material and colour of screen to be provided. There are also no windows in the side elevation of the first floor extension that would overlook. Therefore with the inclusion of the screen, I do not consider the proposed first floor extension or use of the first floor as a residential unit would have a significant adverse impact on the residential amenity of the adjacent neighbours.
- 8.12 In my opinion, the principle of the development is acceptable and in accordance with policies 3/10 and 5/1, and the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Context of site, design and external spaces

- 8.13 The main alterations to the property are to the rear. However the proposal does include the introduction of an undercroft side passage on the northern side of the property. The passage would be secured by double gates at the front. This would allow for more convenient access from the rear to the front without going through the property or around the rear of the site. In my view, the introduction of a side passage would not have a significant adverse impact on the appearance of the shop front or parade overall.
- 8.14 The proposed first floor extension with external stair case would be set off the northern boundary with no.31 by approx. 1.5 metres. The extension would project 2.5 metres from the rear and would be set off the boundary by approx. 2.3 metres. The extension would have a pitched roof and appear as an ancillary

addition. In this context, the proposed extension is considered to be acceptable as it would appear as a subservient addition.

- 8.15 The demolition of the outbuilding and replacement detached dwelling would break up the visual mass of the structure from the rear gardens of the dwellings to the north. The proposed dwelling would have a similar scale to the existing outbuildings and so would not appear as an alien form in this rear garden/yard location.
- 8.16 Basic information has been provided on the location of any flue for extraction to serve the proposed A3 use which would be located at the rear of the site. However, the Environmental Services team has recommended a condition for specific information to be provided including details of any flue/pipe for filtration/extraction. I am satisfied with this approach as there is enough space to the rear to accommodate such equipment without having an adverse impact on the visual appearance of the rear elevation.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.18 I have addressed this point in the above section.

Amenity for future occupiers of the site

- 8.19 In my view the proposed single storey dwelling to the rear of the site would provide a high quality living environment for a future resident as there would be a generous amount of private amenity space and the internal layout would provide a good standard of accommodation. The garden space would be between 21.6 metres and 16 metres in depth and between 5.2 and 10.8 metres wide.
- 8.20 The proposed first floor flat would provide a good amount of living accommodation. Whilst no formal outdoor space is proposed, other than the area around the cycle and bin store, which would provide enough space for a clothes airer, Romsey and Coldham Recreation Grounds are located a six minute walk

from the site. Therefore in this urban context, my view is that the living accommodation and living environment for any future resident would be acceptable.

- 8.21 The applicant has indicated the potential location for a flue to serve the proposed restaurant use which would be to the rear of the commercial unit. On the basis of the limited information provided to assess the potential impact from odour and noise from the ventilation/extraction system, the Environmental Services team have requested a plant noise condition and odour condition to ensure details can be submitted and agreed before the use is commenced. This would ensure the residential amenity of future and existing residents is reasonably protected.
- 8.22 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12

Refuse Arrangements

- 8.23 The location for the refuse storage arrangements has been provided to the between the proposed residential unit and commercial unit. There appears to be enough space to accommodate the necessary amount of receptacles for both uses. However, I have recommended a refuse storage condition to ensure details of the refuse storage arrangement are submitted for consideration.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.25 The County Highway Officer has advised that the proposed development is unlikely to raise any highway safety issues.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

8.27 The proposal does not include any new car parking provision. However, due to the size of the units and their location to local shops and services and public transport links, I do not consider car parking in this context is necessary to serve the proposed residential units or restaurant use.

Cycle Parking

8.28 The proposal does make provision for a covered cycle parking area to serve 8 cycles. However, no elevational details have been provided for this. I have therefore applied a cycle parking condition.

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

Third Party Representations

| Representations | Response |
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| Loss of privacy through overlooking | Para 8.11 |
| Car parking pressure | Para 8.24 |
| Impact from noise and disturbance | The proposal includes residential units which would be compatible with the surrounding area and would not in my view cause significant level of noise disturbance. The proposed restaurant use would bring the vacant unit back into use. I have recommended a condition to restrict the operation hours to mitigate impact on the neighbouring dwellings. I have also recommended plant noise and odour conditions to mitigate the impact from this on the future and existing residents. |
| Increase in rubbish and littering | The proposed restaurant is unlikely to result in any additional litter as the use would provide seated eating as well as takeaway. There is also a bin |

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| | close to the site. |
| Impact from smells on residential properties | I have recommended at the request of the Environmental Services team an odour condition to ensure smells from the use are mitigated. |
| Increase in vermin and litter | Vermin is controlled by separate legislation and cannot be mitigated through the planning process. Any litter would be cleaned by the Waste Team. There is a bin close to the site. |
| Side access would cause noise disturbance | The proposed undercroft side passage is unlikely to be used to such a degree that would cause significant adverse noise disturbance on the residential amenity of the adjoining occupier. |
| Reduce value of property | This is not a material planning consideration. |
| Inappropriate location for use | The proposed development consists of two residential units which are compatible with the local area. The proposed restaurant use would introduce an A class use into a local centre and bring back into use a vacant commercial unit. |
| Site Notice not displayed to inform local residents | The planning application does not warrant a site notice to be displayed. |
| No evidence to demonstrate there is a lack of A1 use | The last planning use of the property was as a motorcycle showroom with ancillary workshops. Therefore the use of the property was Sui-Generis. This use was operated from the site for 37 years until it ceased in July 2014. Therefore as property has not been in A1 for some time and the proposed use would not reduce the number of A1 units within the parade but would increase the number of A Class |

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| | <p>Uses that the proposed use would be acceptable. The owner has temporarily (6 months) let the vacant unit since the demise of the previous use to an artist studio on below the market rent.</p> |
| <p>Reduce the amount of business space</p> | <p>The proposal is for mixed use development. There is no policy protection against the loss of ancillary space.</p> |
| <p>The historic tie that links the use of the workshops to the shop should be carried through</p> | <p>The restrictive condition (2 of 89/0466) was applied to protect the residential amenity of the adjoining neighbour. However, I do not consider it necessary to carry through this tie as the subdivision of the plot is considered to be acceptable subject to conditions.</p> |
| <p>Inappropriate for bins to be collected from Cromwell Road.</p> | <p>The applicant has advised that waste can be collected from the front of the unit. I have recommended a management condition to ensure bins are collected and returned. I do not consider the visual appearance of bins in front of a parade of commercial units would have any adverse impact on the character of area and are unlikely to remain in position long enough to cause a nuisance to other users of the parade. There is an area in front of the unit that could be used to store bins.</p> |
| <p>Side passage too narrow for bikes and bins</p> | <p>According to the Cycle Parking Guide (2010) a side access way should be a minimum of 1.2 metres over a distance of no more than 10 metres. The length of the proposed side passage would be 8.4 metres. The side passage is therefore acceptable. Waste receptacle come in various</p> |

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| | sizes and most would fit through the side passage. The Environmental Services team have not raised any concerns in this regard. |
| Residents would face fire safety risk | This is not a material planning issue as it is covered under separate legislation (Building Regulations). |
| Inadequate living space | Para 8.19-8.20 |
| Unclear over the proposed use takeaway or restaurant | The proposal is for an A3 restaurant which would form the main use. The use would also provide a takeaway service. I do not consider this arrangement is any different from existing A3 uses. |
| Ventilation for the kitchen | The Environmental Services team has recommended a plant noise and odour filtration condition to ensure these details are agreed and implemented prior to the use commencing – see conditions 10 and 11. |
| No staff or customer toilets | This relates to the internal layout of the restaurant. The applicant has updated the layout plan of the restaurant use to show how a toilet and kitchen area could be provided. |
| Inaccurate to say no increase in number of cars and lorries compared to previous use | There is parking in front of the unit and there is a parking bay area on the highway for two vehicles. Nevertheless, the Local Plan seeks to encourage alternative modes of transport. |
| Roof plan incorrect | The applicant has amended the roof plan drawing. |

9.0 Conclusion:

9.1 The proposal seeks mixed use planning permission consisting of two self-contained residential units and an A3 use on the ground floor of the parade. The proposal has been carefully

assessed in terms of its impact on the residential amenity of the local area and living environment for future residents. I am satisfied that subject to the conditions recommended that the proposed development would not have a significantly adverse impact on the residential amenity of the local area.

- 9.2 The proposed A3 use would bring a vacant unit back into use and subject to conditions would not have a significant adverse impact on the local area.
- 9.3 The proposed residential unit and first extension are of an ancillary scale and subservient design to enable both to assimilate into the plot without appearing overbearing or as an alien form.

10. 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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

a) Include details of the volumes and types of material proposed to be imported or reused on site

b) Include details of the proposed source(s) of the imported or reused material

c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.

d) Include the results of the chemical testing which must show the material is suitable for use on the development

e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

10. Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the 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)

11. Prior to the occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced.

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

12. Before the development/use hereby permitted is occupied, a scheme for the insulation of the building in order to minimise the level of noise emanating from the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the building hereby permitted is occupied and shall be thereafter retained as such.

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

13. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

14. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed, type of enclosure and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. Cambridge Local Plan 2006 policies 3/12 and 4/13

15. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

16. Prior to occupation of the first floor residential unit hereby approved, details of the screen on the external staircase including handrail shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the type of screen, material of the screen, colour (RAL) or obscurity (Pilkington level) whichever is relevant, dimensions including details of how it will be applied to the staircase and maintenance. The development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

17. The hereby approved restaurant use including food preparation shall not operate outside the hours of 0900hrs to 2300hrs Monday to Saturday and 0900hrs to 1000hrs on Sundays & bank holidays.

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

INFORMATIVE: To satisfy the plant noise insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and 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 correction in accordance with BS4142:2014. This is to 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 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 Methods for rating and assessing industrial and commercial sound 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.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative. 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: To satisfy the Odour/Fume Filtration/Extraction condition, details should be provided in accordance with Annex B and C of the, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at:

<http://webarchive.nationalarchives.gov.uk/20130123162956/http://www.defra.gov.uk/environment/quality/noise/research/kitchenexhaust/documents/kitchenreport.pdf>

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,