

Application Number	15/0519/OUT	Agenda Item	
Date Received	23rd March 2015	Officer	Lorraine Casey
Target Date	22nd June 2015		
Ward	Arbury		
Site	295 - 301 Histon Road Cambridge Cambridgeshire CB4 3NF		
Proposal	Outline application with all matters reserved except for access for the demolition of all structures on site and development of 27 dwellings.		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan.</p> <p>The proposals would not be detrimental to the character of the area.</p> <p>The proposals would not be detrimental to highway safety.</p> <p>The proposals would not be detrimental to residential amenity.</p>
RECOMMENDATION	Delegated Approval

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, which is known as the 'Former Scotsdale Laundry and Nursery Site', extends to approximately 0.8 hectares in area and is located on the west side of Histon Road.
- 1.2 The site accommodates a number of buildings, Nos. 297-301 Histon Road located in the south-eastern corner of the site (used as offices, a dwelling and dance/martial arts studio) and a building previously used as a squash court facility located adjacent to the western boundary. The southern section of the site comprises hardstanding and parking whilst the northern

section is grassed/scrubland. The site is bounded by mature conifer trees along the majority of the southern and western site boundaries. There is an existing vehicular access to the site which is obtained to the south adjacent to No.303 Histon Road. Beyond the western edge of the site, this continues to form a pedestrian link to the Darwin Green development further to the west, although this is not a formal public right of way.

- 1.3 The site is surrounded by residential development on all sides. This consists of two-storey detached and semi-detached houses to the east (Histon Road) and west (Cavesson Court), two-storey detached houses to the north (Chancellors Walk) and bungalows and two-storey houses to the south (Carisbrooke Road and Tavistock Road).
- 1.4 The site comprises an allocated housing site (site 5.17) in the Cambridge Local Plan 2006 and part of the rear garden of No.309 Histon Road.
- 1.5 The squash courts have recently been added to the Council's list of Assets of Community Value.

2.0 THE PROPOSAL

- 2.1 Outline planning permission is sought for the demolition of all structures on site and the erection of 27 dwellings. All matters, other than the means of access, are reserved for further consideration under submission of 'reserved matters'.
- 2.2 An illustrative masterplan has been submitted as part of the application. This indicates that the development could range from 2-3 storeys in height, with a 3 storey block of flats in the position of the existing squash courts, 2 storey dwellings adjacent to the access and four lines of terraces providing a mix of 2, 3 and 4 bedroom houses.
- 2.3 The Design and Access Statement indicates the following mix of dwellings may be appropriate:
 - ☐ 9 x 4-bed houses
 - ☐ 3 x 3-bed houses
 - ☐ 5 x 2-bed houses
 - ☐ 1 x 2-bed bungalow
 - ☐ 6 x 2-bed flats

- ☐ 3 x 1-bed flats

2.4 It is anticipated that the established boundary planting would be retained and enhanced, whilst existing trees identified as being of poor quality in the Arboricultural Impact Assessment are proposed for removal. An area of public open space (405 square metres) is proposed to the rear of the proposed block of flats. It is intended that parking would be provided at a ratio of 1.59 spaces per unit.

2.5 Access to the site would be gained via the existing driveway, which would be modified and reoriented slightly to the north of its existing position. The submitted drawings show that the access would be 5 metres wide, with a 1.8 metre wide footpath to one side.

2.6 The application is accompanied by the following information:

- ☐ Design and Access Statement
- ☐ Planning Statement
- ☐ Arboricultural Survey and Implications Assessment
- ☐ Drainage and Utilities Report
- ☐ Archaeological Desk Based Assessment
- ☐ Ecology Survey
- ☐ Bat Survey
- ☐ Reptile Survey
- ☐ Transport Statement and Travel Plan
- ☐ Public Art Strategy
- ☐ Desk Top Contamination Assessment
- ☐ Sustainability Checklist

3.0 SITE HISTORY

Reference	Description	Outcome
14/0493/FUL	Temporary change of use from A1 (shop) to D2 (assembly and leisure) (No.297)	Approved subject to a condition requiring the use to be discontinued before 28 th February 2016.

13/1227/FUL	Change of use to D2 use class – assembly and leisure (No.297)	Refused
C/86/0226	Change of use from residential to offices (No.301)	Refused. Appeal allowed
C/81/0372	Change of use from laundry and dwelling house to retail sales shop and showroom with ancillary office and workshop (Nos. 297/299)	Approved

4.0 **PUBLICITY**

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

5.0 **POLICY**

5.1 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/8 3/11 3/12
		4/4 4/7 4/9 4/13 4/16
		5/1 5/5 5/9 5/10 5/12 5/14
		6/1
		8/2 8/3 8/4 8/5 8/6 8/10 8/11 8/16 8/18
		10/1

5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012
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	<p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p>
Supplementary Planning Guidance	<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>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Affordable housing</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

5.3 Status of Proposed Submission – Cambridge Local Plan 2014

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 submitted to the Secretary of State on 28 March 2014 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.

The Examination hearing sessions commenced in November 2014. Following an exchange of letters on 28 July 2015 the Inspectors agreed to formally suspend the Examination into the Local Plan until March 2016 while further work was carried out.

For the application considered in this report, the following Policy in the emerging Local Plan is of relevance.

Policy 26 Site specific development opportunities – Site R1

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 Accepts the conclusions of the Transport Statement. At the detailed design stage, it is recommended that a pedestrian and cycle link through the site to the NIAB development should be sought. The Highway Authority would be willing to adopt such a link if the main access is adopted. The access must have a minimum carriageway width of 5m for a distance of 15m back from Histon Road. Any permission must be subject to conditions requiring the following: no unbound material within 15m of highway boundary; no gates; provision of access before occupation; access drainage; provision and retention of manoeuvring; traffic management plan.

Head of Refuse and Environment

- 6.2 No objections subject to the following conditions being added to any consent:

- ☐ Construction management plan
- ☐ Contaminated land
- ☐ Plant noise insulation
- ☐ Waste and recycling for both the flats and houses

Policy Manager

Original comments

- 6.3 The site is an allocated site 5.17 for residential development in the 2006 Local Plan. Policy 5/1 states that:
- 6.4 “These sites and provision are safeguarded and development for alternative uses will not be permitted except: a. as provided for in Policies 9/4 to 9/9 of the Proposals Schedule; or b. for additional floorspace for established firms for their own occupation and use on their existing site.”
- 6.5 The supporting Proposals Schedule of the Local Plan does not list all the possible constraints of a site allocation as the plan is intended to be read as a whole, with relevant policies being applied on a case-by-case basis.”
- 6.6 Policy 6/1 only supports the loss of a leisure facility if: it can be replaced to at least its existing scale and quality within the new development; or the facility is to be relocated to another premises or site of similar or improved accessibility to its users.
- 6.7 The site is allocated as Site R1 for housing in the 2014 Local Plan with an indicative capacity of 32 dwellings. During the Consultation in Summer 2013, Sport England objected on the basis that the allocation would result in the loss of an existing sports facility (the squash club) without any replacement provision being required or an assessment being carried out that shows the facility to be surplus to requirements. The text for this allocation was amended accordingly to state that development was dependent on the re-provision/relocation of the squash courts or evidence to demonstrate lack of need now and in the future.
- 6.8 The Submission Local Plan was consulted upon from July – September 2013 and submitted to the Secretary of State in March 2014 but cannot be afforded considerable weight at this stage.

- 6.9 Whilst the proposal is compliant with the current housing allocation and Policy 5/1, albeit at a lower capacity than envisaged in the SHLAA assessments of 2012 and 2013, there is no evidence to explain how the proposal complies with Policy 6/1 which protects leisure facilities. Further information is required to assess the impact, if any, on Cambridge Squash Club and their ability to play squash at alternative locations.

Revised comments following further information submitted

- 6.10 The applicant has submitted a Counsel's Opinion from Simon Bird QC in respect of the interpretation of the 2006 Cambridge Local Plan and, in particular, the allocation of the site (site 5.17) for residential development under Policy 5/1 of the adopted Local Plan 2006 and the loss of the squash courts on the allocated site. Counsel for the City Council has given advice which in large measure concurs with that of Simon Bird QC as to the correct interpretation of the development plan.
- 6.11 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. The interpretation of the development plan is a matter of law. In the instance of this allocation, the site is specifically safeguarded by Policy 5/1 for the provision of residential development and the allocation does not make any express provision for the retention of or reintroduction of the leisure use. Policy 6/1 is a more general policy which is considered, as a matter of construction, to apply to unallocated or windfall sites, where there is a leisure use, rather than to allocated sites under Policy 5/1 where no provision is made as part of the allocation for retention of the leisure use. Moreover, in the instance of this site, Policy 6/1 is not identified specifically in the Proposals Schedule in relation to this site allocation and it must therefore follow that, in adopting the Local Plan 2006, the Council was content to see the loss of the leisure use as a result of the allocation of the site in that Plan. If its retention had been considered essential or appropriate, it would have been included in the Proposals Schedule as a key consideration.

Urban Design and Conservation Team

- 6.12 The proposed residential use and means of access to the site are acceptable in design terms although it is noted the development is not proposed to provide the number of units indicated in the Draft Local Plan.
- 6.13 The Illustrative Masterplan raises a number of concerns and is unlikely to be supported in its current form for the following reasons:
- ☐ Any Reserved Matters application should include details of the footpath link to the Darwin Green site.
 - ☐ The scale and massing of the units has been revised in response to concerns raised at the pre-application stage (including reducing the scale of plots 1-5 from 3-storeys to 2-storeys) and is considered acceptable and to have the potential to relate well to the scale of surrounding houses.
 - ☐ The layout raises a number of overlooking concerns – proximity of plots 16/17 to the site garden boundary and gable end of plot 20 results in a poor outlook and potential overlooking to the adjacent garden; plot 23 may be overlooked from plots 20-23; plots 5 and 15 may be overlooked by windows in the east side elevation of the flats.
 - ☐ Windows should be added to the gable walls of plots 5, 15, 20 and 23.
 - ☐ Planting required to the southern boundary to compensate for the loss of the leylandii and maintain the outlook from existing bungalows.
 - ☐ The parking spaces for plots 20-22 and 23-27 are poorly related to units.
 - ☐ Detailed cycle and refuse storage details would need to be provided as part of any reserved matters application.
- 6.14 With regard to the possibility of designating No.299 Histon Road as a Building of Local Interest (BLI). The building appears to be one of the few nursery owner's houses left and has more local historical value than architectural value. The house is not considered worthy of BLI status architecturally and its local history value is not sufficient to push it into that category.

Head of Streets and Open Spaces - Landscape Team

- 6.15 Supports the demolition of the buildings and proposed tree removal, including the removal of the leylandii along the southern boundary. However, there should be some form of reinstatement along the boundary to protect the outlook from houses in Tavistock Road. To achieve this, a planted buffer of not less than 1.5m is needed from the point where the access drive reaches the main part of the site. Given the outline nature of the application, it is not possible to provide further landscape comments at this stage.

Head of Streets and Open Spaces - Nature Conservation Officer

- 6.16 Supports the survey work that has been undertaken and the recommendations contained therein. Given the biodiversity value of the site, some thought should be given to the preservation of some of the mature fruit trees within public open space or private gardens. This could be complemented with a planting scheme of native wildlife species. The provision of a range of integral bird and bat boxes within the scheme is supported and this could be dealt with by condition. The building was identified as a roost for Common Pipistrelle and a Protected Species Licence would therefore be required and a suitable method statement for demolition and mitigation provided. The latter could be secured by way of condition whilst an Informative would need to be added advising of the need to obtain a Licence.

Sustainability Officer

- 6.17 Supports the overall approach to sustainable design. However, any Reserved Matters application will need to be accompanied by a more detailed Sustainability Report. Whilst renewable energy provision can be dealt with by condition, it is important that more information in relation to the range of technologies that are/have been considered is submitted as part of this outline application to provide confidence that 10% can be met on site.

Sustainable Drainage Engineer

- 6.18 Drainage from the existing site appears quite scarce and there appears to be no formal surface water drainage for the external areas. The proposal for a discharge rate of 16 l/s could potentially increase flood risk in the area. A more appropriate figure would be 5 l/s. This can be secured by way of a planning condition requiring the submission of a satisfactory surface water drainage scheme before occupation of any dwelling.

Access Officer

- 6.19 In order to assist blind people, the shared street scape needs a combination of route finding colouring, upstand, and change in texture.

Cambridgeshire County Council Education

- 6.20 The County Council would require the following contributions to be paid:
- ☐ Primary School - £36,450. The development falls within the Mayfield Primary School catchment area. However, the School is unable to expand. Therefore the County Council's proposed solution to mitigate this and other developments in the area is to expand Kings Hedges Primary School.
 - ☐ Secondary School – none. The development falls within the Chesterton Community College catchment for which there is currently insufficient capacity. The development would require a contribution of £41,040. However, as this School already has 5 S106 Contributions pooled, the County Council is unable to seek further contributions. Therefore no secondary education contributions are now required for this development.
 - ☐ Monitoring fees - £200

County Archaeology

- 6.21 Records indicate that the site lies in an area of high archaeological potential. A condition requiring a programme of archaeological investigation to be carried out before commencement of any development should be added to any permission.

Sport England

Original comments

- 6.22 The site currently contains Cambridge Squash Club and a martial arts/fitness centre. The site does not form part of a playing field and Sport England has therefore considered the proposal as a non-statutory consultation. However, Planning Practice Guidance for Open Space, Sports and Recreation Facilities states Sport England should be consulted on developments resulting in the loss of major sports facilities.
- 6.23 Sport England has consulted England Squash and Racketball (ESR), the national governing body for the sport in England. They oppose the redevelopment of Cambridge Squash Club as it is an important facility for squash in the Cambridge area that, if lost, would have a negative impact on the delivery of the sport in Cambridgeshire.
- 6.24 The club has played a key role in the development of squash in the Cambridge area and many players will be lost to the sport if the facility is lost. Provision for squash has improved with the addition of five courts at the University site, but these are not a direct replacement for the CSC facility as there will be many other competing users, and the club will not be able to hold its own events and will have to field a smaller number of teams in local competitions and leagues.
- 6.25 ESR would welcome the opportunity to be involved in a facilities needs assessment that should be carried out before a decision is made on the future of this site.
- 6.26 CSC contains 4 courts. It is the only dedicated squash facility in the city, with 195 members at the time of closure in April 2015. The courts at the University are limited to set times in the schedule, and capacity to allow members to play when they want has been severely reduced. There is no existing assessment of indoor sports facilities in the Cambridge area that fulfils this requirement, nor has any evidence been provided demonstrating a lack of need for the facility. Recent membership numbers indicate increased demand. No replacement facilities have been provided in the application or on an alternative site. The same concerns relate to the loss of

the martial arts/fitness centre on the site, which is also understood to have an active and growing membership.

6.27 Sport England objects to the application as the proposal would be contrary to para 74 of the NPPF and Local Plan Policy 6/1 as existing facilities would be lost without demonstrating that they are surplus to requirements and/or without suitable alternative provision being made to compensate for the loss.

6.28 Would consider the development if:

- ☐ Facilities are retained within the proposals; or
- ☐ An assessment of need for facilities within the Cambridge area demonstrates they are surplus to requirements; or
- ☐ Replacement facilities of equivalent quality and quantity are provided at a suitable site to meet the needs of existing members.

Comments regarding additional information

6.29 The applicants have submitted additional information that seeks to demonstrate that sufficient squash courts would remain in the Cambridge area to meet current and future needs.

6.30 The work submitted does not constitute a robust assessment of squash provision in the Cambridge area as it does not follow the recommended methodology for such an assessment set out in the Planning Practice Guidance. Sport England therefore maintains its objections to the proposal.

6.31 To be sufficiently robust, an assessment would need further work in the following areas:

- ☐ Audit – this is a basic quantitative audit of facilities rather than a full assessment of facilities in terms of quantity, quality, accessibility and availability.
- ☐ Demand – this needs to follow the methodology more closely in terms of data/tools used and assess demand at peak periods, latent/future demand, geographic spread etc.
- ☐ Consultation – there should have been full consultation with relevant bodies such as the club, national governing bodies etc
- ☐ Supply/Demand Assessment – a detailed assessment of the relationship between supply and demand would need to be

undertaken across the four elements of quantity, quality, accessibility and availability.

[Officer note: The further details referred to in the preceding paragraph 6.31 have not been sought by Officers in light of the additional legal advice that has been received since these comments were made]

Police Architectural Liaison Officer

- 6.32 Raises no objections to the proposal. Advises that crime levels in the vicinity of the site are relatively low. The entrance road is currently very narrow with dense foliage to the southern side and with no street lighting. The removal of the leylandii is welcomed as it would make the route feel safer whilst it is also noted that, in order to be adopted, street lighting would be necessary. The application refers to a cycle link through the site to Darwin Green. It is questioned whether this is necessary given the number of other links already proposed to Darwin Green. For this to be considered a link, it would need to be formalised, otherwise it would be unsafe.

Cambridgeshire Fire & Rescue

- 6.33 No objections subject to a fire hydrants condition being added to any permission.

7.0 REPRESENTATIONS

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

- ☐ 2 Carisbrooke Road
- ☐ 2a Carisbrooke Road
- ☐ 9 Cavesson Court
- ☐ 21 Chancellors Walk
- ☐ 296 Histon Road
- ☐ 305 Histon Road
- ☐ 311 Histon Road
- ☐ 313 Histon Road
- ☐ 33 Martingale Close
- ☐ 35 Martingale Close
- ☐ 156 Richmond Road

7.2 3 further representations have been received with no address supplied, whilst 88 members of the Squash Club (including the Squash Club itself) have also commented. The representations can be summarised as follows:

7.3 ***Loss of squash club***

- ☐ Cambridge Squash Club (CSC) has been going for over 30 years and is the only dedicated squash club in Cambridge. There has been a 70% increase in membership in the last 3 years and the club is now operating at close to maximum capacity.
- ☐ CSC has 6 men's and 2 ladies' teams catering for a wide range of standards. It has over 200 members, strong community links and provides award-winning coaching. It hosts local to international tournaments and has school outreach programmes. It is home of the national doubles tour and has a large internal league system of over 25 leagues. The club competes in every league and at every level in Cambs. It is a proper club environment with bar and catering facilities allowing for the social side of sport too. Team squash is a way of developing new players and improving performance and the loss of the club would be significant.
- ☐ Clubs such as CSC can have a huge impact on personal development. They are vital to ensuring we offer future generations the full range of opportunities to find sport they enjoy.
- ☐ Many people used the CSC facility at lunchtime, either living or working nearby.
- ☐ Loss of facility will have a negative impact on local businesses in the Science Park etc for whom the facility has been very popular.
- ☐ CSC is the only squash club of its kind in Cambridge. The only courts of comparable quality are at the University Sports Centre which is hard for local residents to access at lunchtime, has no available daytime parking, no online booking system, no viewing gallery, and means the community is tied to their regulations – eg – ban on daytime

use of courts during a 3-4 week exam period and priority booking for university members. This facility also has no bar area and cooking facilities.

- ☐ Courts at Cambridge University Press have recently been demolished and Abbotsley Squash Club has shut down resulting in a large-scale loss across the County.
- ☐ The closest site offering a similar squash club is Hunts County. They are already close to capacity and, due to the distance, this is not a realistic alternative.
- ☐ The proposal would conflict with the NPPF and Local Plan Policy 6/1 and emerging Local Plan Policy which states a sports facility must only be demolished in exceptional circumstances where there is no longer a need for the facility.
- ☐ A needs assessment should be carried out before any planning decision can be made about the loss of the facility.
- ☐ Cambridge is over-burdened with housing without the infrastructure and facilities to support it.
- ☐ A replacement facility could be incorporated into the new development.
- ☐ In February 2015, the site was added to the Council's List of Assets of Community Value

Impact on character of area

- ☐ The development is too dense for the site
- ☐ The development will result in a loss of trees that have at least 20 years of life left in them
- ☐ Landscaping incorporated into gardens should be required to be protected
- ☐ 299 Histon Road is an attractive building and should not be demolished. Can it be designated as a Building of Local Interest?

Residential Amenity

- ☐ Existing conifers on two of the boundaries provide some privacy to residents in Carisbrooke Road and Cavesson Court.
- ☐ Loss of light to and overlooking of 311 and 313 Histon Road, notably from plot 19.
- ☐ Plot 19 does not form part of the allocation and should be omitted. It is contrary to Policy 3/10. This plot would also look directly into No.305 Histon Road. If included, this dwelling should be single-storey only.
- ☐ The flats will result in a loss of privacy and light to 33 Martingale Close.
- ☐ Part of No.2 Carisbrooke Road has been omitted from the plans suggesting the impact has not been properly considered.
- ☐ Plot 1 is next to No.305 Histon Road's workshop. There should be no windows in the side elevation to prevent overlooking.
- ☐ Traffic calming measures would slow vehicle speeds but result in noise to local residents. This needs to be considered.
- ☐ Link to NIAB development would result in undue noise and disturbance to local residents.
- ☐ Construction vehicles may result in noise disturbance and damage to nearby property.
- ☐ Reiterate concerns expressed by Police about increased crime that would arise from the proposed link.
- ☐ Proposed street lighting would impact amenities of residents to the south in Tavistock Road.

Access/Highway Safety

- ☐ The access will be an increased hazard for bikes and pedestrians due to the proximity to the Carisbrooke Road junction.
- ☐ Increased traffic would give rise to highway safety problems.
- ☐ Fence adjoining 2a Carisbrooke Road reduces sightlines.
- ☐ Safety problems will be exacerbated by the traffic calming feature and narrowing.
- ☐ There appears to be insufficient space for the access improvements
- ☐ This is a busy route for children walking to school thereby exacerbating safety concerns.
- ☐ Access for the development is to join Histon Road, increasing the need for a pedestrian and cycle crossing in the vicinity of the Histon Road/Carisbrooke Road bus stop.
- ☐ Traffic studies have not taken account of the access link to Darwin Green and increased traffic that would result.

Affordable housing

- ☐ The site should provide for affordable housing

Infrastructure

- ☐ The school in the catchment area is over-subscribed

Other matters

- ☐ Measurements suggest there is insufficient space for the proposed access. Proof of ownership of the lane should be provided

- 7.4 English Squash and Racketball (ESR) – National governing body for squash oppose the development as it would result in the loss of an important facility that would have a negative impact on the sport in Cambridgeshire. CSC has played a vital

role in supporting and developing squash in Cambridge and the wider area in developing new players and providing a community focused facility. The club offer coaching, competitions and opportunities to play across the full range of abilities. It was the only facility with 24 hour access. Other facilities are not as flexible and this will have a negative impact on participation. Some players will be able to move to other facilities but many won't. There are no other suitable courts servicing the north part of the City and the loss of the facility close to the science park and A14 will result in a drop in participation, especially due to the loss of lunchtime leagues. As an ideal venue for events, CSC has held the County Championships for juniors and adults many times and has held other events. The USC courts do not make up for the loss of this facility due to limited capacity, limited opening times, no food and drink, parking problems.

- 7.5 Sustrans comments that the proposed location and accessibility of residents' cycle parking is poor. Cambridge's Cycle Parking Guide specifies minimum garage dimensions if garages are intended to provide cycle storage. The Guide does not support sheds in back gardens. The site should also be developed at a higher density.
- 7.6 A letter of support has been received from Abbey Homes. Abbey Homes comments that it is currently developing a mixed private/affordable scheme at Orchard Park and that the opportunity of a further development in the area to meet market needs is welcomed. The view is that there is an ever-increasing need to deliver more market and affordable homes to help with the housing/affordability shortage.
- 7.7 In response to the evidence submitted by the applicant's agent regarding squash demand and supply in Cambridge, 6 further objections have been received from members of CSC who comment as follows:
- ☐ The additional information misrepresents facts. It assumes that all squash court time bookings are equal. It uses national statistics for participation rates. It assumes participation at a rate of once per week. Demand for courts is therefore far higher than stated. Travel time is ignored so a sport previously accessible for lunchtime sessions is no longer available. It quotes national participation figures that

are counter to CSC's experience. It fails to consider accessibility of alternatives. It ignores quality of facilities. It quotes NHS exercise guidelines.

- ☐ The number of sessions quoted is disputed as the assessment ignores under 16's.
- ☐ Assessment should cover peak period need as clarified in para 73 of the 2014 Local Plan. The needs of peak/evening usage need to be taken into account.
- ☐ Some of the quoted alternative facilities (eg – David Lloyd) are expensive private gyms.
- ☐ At least 4 of the alternative facilities are well outside the Cambridge area.
- ☐ Kelsey Kerridge facility is poorly maintained and would not attract the level of players that participate at CSC.
- ☐ Frank Lee has 2 rather than 3 courts and members have to be nominated by Addenbrookes Hospital.
- ☐ Cambridge Science Park courts were demolished in 2010.
- ☐ Neither of the two nearby senior schools have squash courts.
- ☐ Assessment ignores importance of CSC as a club

7.8 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 the site design and external spaces
3. Residential amenity
4. Highway safety

5. Car and cycle parking
6. Refuse arrangements
7. Renewable energy
8. Affordable housing
9. Third party representations
10. Planning Obligation Strategy

Principle of Development

- 8.2 The site is allocated in the Cambridge Local Plan 2006 for residential development (site 5.17 of the Proposals Schedule). Policy 5/1 of the Local Plan states that the sites that are allocated in the plan are safeguarded and development for alternative uses will not be permitted except: as provided for in Policies 9/4 to 9/9 or the Proposals Schedule; or for additional floorspace for established firms for their own occupation and use on their existing site.
- 8.3 The site includes a building that, until March of this year, was used and occupied by the Cambridge Squash Club. Policy 6/1 of the 2006 Local Plan states that development leading to the loss of leisure facilities will be permitted if: the facility can be replaced to at least its existing scale and quality within the new development; or the facility is to be relocated to another appropriate premises or site of similar or improved accessibility for its users.
- 8.4 The application has been submitted following pre-application advice. At this stage, and during the course of this application, there has been a considerable amount of discussion regarding the significance of the squash club, and the weight that can be afforded to Policy 6/1 (protection of leisure facilities) in view of the fact that the site is allocated for residential development.
- 8.5 The accompanying text to this allocation does not make any reference to the existence of the squash club or suggest that the allocation is subject to the satisfactory re-location or re-provision of the facility. This is in contrast to other allocations in the plan that include leisure or community facilities, such as 9.03 which states the provision of housing is subject to the retention or re-provision of Christ's and Sidney Sussex Sports Ground. In response to this, the Planning Policy team's comments at the outset were that the supporting schedule of the Local Plan does not list all the possible constraints of a site

allocation, and that the plan is intended to be read as a whole, with relevant policies being applied on a case-by-case basis.

- 8.6 As a result, an objection was raised by the Policy team on the basis of a lack of evidence to demonstrate compliance with Policy 6/1. These objections were echoed by Sport England and the English Squash Federation, as well as by members of the Cambridge Squash Club.
- 8.7 Whilst the applicant's agent strongly disputed the stance being taken by the Council, additional information was submitted that sought to demonstrate that there is sufficient supply of squash courts in the Cambridge area to meet the needs of the members and that the loss of the facility from the site would not therefore be significant. Sport England raised strong objections to the methodology used in undertaking this assessment and, in the event that Policy 6/1 were to be afforded more weight than Policy 5/1, the application would have failed to satisfy the requirements of this policy.
- 8.8 At this stage, the applicant's agent sought Counsel advice on the policy 5/1-6/1 issue, which came to the following conclusions:
- ☐ It is not unusual to find that policies within a plan pull in different directions and, in such cases, a judgement has to be formed as to which is or are the principally relevant policies against which to determine whether or not the plan is accorded with.
 - ☐ S38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on applications to be made in accordance with the development plan unless material considerations indicate otherwise.
 - ☐ The wording of Policy 5/1 draws a distinction between allocated and windfall sites in relation to existing land uses. Where an allocated site has a land use that the Council is keen to protect or to encourage, that use is identified in the Proposals Schedule, thereby demonstrating that the principle of housing development is contingent on provision being made to preserve that use (either on site or elsewhere) or by retaining the use on site. Examples include sites 7.06 (allocated for mixed use), 9.03 (contingent on

retention or re-provision of an existing sports ground) and 9.12 (commuted sum required to compensate for loss of playing field). Save for these instances, the policy is clear that the allocated sites are to be developed for housing, must be safeguarded for that purpose, and that development for alternative uses will not be permitted.

- In contrast, for windfall sites, policy 5/1 states 'subject to existing land use', in which case other policies of the plan are relevant.
- As such, Policy 5/1 establishes the principle of housing on the site and, in the absence of any specific protection of an existing use in the schedule, the housing allocation 'trumps' the existing land use. In preparing the Plan, the Council weighed the merits of each of the identified sites and concluded that development outweighs any competing land use need. The argument that policy 6/1 applies is not tenable and inconsistent with the purpose of having allocations.
- When applying policy, it is essential to bear in mind that what matters is what the policy says, not what the person applying it wishes it had said. The Council's approach, if pursued, would not lead to a lawful application of the development plan to the proposal.

8.9 Officers have taken legal advice on the above. The advice given concurs with the conclusions drawn within the applicant's Counsel Opinion, and is summarised within the revised response received from the Policy Team (see paras 6.10 and 6.11 of this report). Officers have been advised that it would be very difficult for the Council to sustain any argument that the squash club should be re-provided. In providing this advice, Counsel has considered whether the allocation is consistent with the NPPF, which came into force after the adopted Local Plan and is therefore a relevant material consideration. Paragraph 76 of the NPPF resists development on existing recreation land. However, the 2006 Local Plan was framed against PPG17, the wording of which is consistent with the NPPF. The NPPF has not therefore introduced any new criteria compared to those in place at the time the current Local Plan was drawn up, and any argument that the proposal would be inconsistent with the NPPF could not therefore be sustained.

- 8.10 Whilst the loss of the squash facility from this site and its implications for the long-term future of the Cambridge Squash Club is very regrettable, the legal advice provided to both the applicant and the Council makes it abundantly clear that Policy 5/1 (within which the site is allocated for housing) outweighs any protection that would otherwise have been afforded to the facility by Policy 6/1, and that to argue otherwise would be untenable.
- 8.11 On this basis, my opinion is that the principle of the development is acceptable and compliant with Cambridge Local Plan (2006) Policy 5/1.
- 8.12 The density of the development equates to 38 dwellings per hectare. Background evidence to the emerging Development Plan suggests a potential for the provision of 32 units on the site, based on a general assumption of a density of 45 dwellings per hectare. In this instance, the Planning Statement argues that such a density could not be achieved without increasing heights of buildings or increasing the level of apartments. Given that the number of dwellings or minimum density requirement is not encompassed within the current adopted policy, my opinion is that an increase in the number of units cannot be insisted upon, and I consider the number and mix of dwellings indicated to be appropriate in principle.
- 8.13 The site includes a section of garden space that falls outside the allocation 5.17. Objections have been raised within a number of representations to this element being included, contending this is contrary to policy as it falls outside the area allocated for housing. Whilst it is the case that this parcel of land does not form part of the allocation, policy 3/10 permits the principle of the subdivision of existing residential gardens and I therefore have no objections to its inclusion within the site area in principle. Policy 3/10 requires issues such as neighbour amenity, highway safety and character to be taken into consideration, and these matters are assessed in further detail in the following sections of the report.

Context of site, design and external spaces

- 8.14 The site is located in a backland position to the rear of dwellings fronting Histon Road, and is surrounded by residential

development on all sides. These are predominantly two-storey dwellings, with a number of bungalows sited beyond the southern boundary. The application is in outline form only, with only the access details submitted at this stage. Issues relating to the scale, form, layout and design of the dwellings would therefore need to be considered in detail as part of any reserved matters application. Nevertheless, an illustrative Masterplan drawing has been provided to demonstrate how the development could be accommodated on the site.

- 8.15 The proposed accommodation is indicated to comprise a range of 2 storey (plots 1-5 and 23-27) and 2.5 storey houses (plots 15-18 and 20-22), a 1.5 storey bungalow (plot 19) and a 3-storey block of flats (plots 6-14). Following concerns raised by officers in pre-application discussions, 3-storey accommodation originally shown on the southern side of the site has been reduced in scale to 2-storeys, with the only 3-storey block indicated as being confined to the flats towards the western end of the site.
- 8.16 An illustrative section has been provided within the Design and Access Statement showing how the buildings towards the southern end of the site would relate to the dwellings and bungalows beyond to the south. In my opinion, this illustrative material satisfactorily indicates that a two-storey development form on this part of the site would have an acceptable relationship with the existing bungalows. The 3-storey block of flats towards the western end of the site would be similar in height to the existing Squash Club building, and I consider the location and scale would be broadly acceptable.
- 8.17 The indicative site layout consists of rows of terrace houses that responds to the form and orientation of houses in the surrounding area. The Urban Design Team has expressed some concerns regarding the layout in relation to: the relationship between dwellings on a number of plots, opportunities for providing increased animation to street frontages, and the poor relationship between some plots and their parking spaces. However, these are detailed matters that would be considered further at the reserved matters stage rather than as part of this outline application. The illustrative plans do not form part of the consent and do not tie the Council down to delivery in that format.

- 8.18 The application proposes to remove the leylandii that form part of the southern boundary of the site. Both the Landscape Officer and Police Architectural Liaison Officer have welcomed their removal. A scheme of replacement planting and landscaping for the entire development would be expected to be provided as part of any reserved matters submission.
- 8.19 An area of public open space is proposed to be provided to the rear of the block of flats to maximise its accessibility for users of the flats, but also in a location accessible to other dwellings within the scheme as a whole.
- 8.20 Some concerns have been raised that one of the buildings on the site (No.297 Histon Road) is of significant interest, and should be retained and protected as a Building of Local Interest. The Urban Design and Conservation Team has considered these concerns and advised that, whilst the building is of social interest, it is not of sufficient architectural historic interest to warrant designation as a BLI and, hence, to resist its demolition. This aspect of the proposal, as well as the demolition of all structures on the site, is therefore acceptable in my opinion.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

- 8.22 The site is surrounded by residential properties, and the development of this land for housing therefore has the potential to impact the amenities of adjoining residents in terms of overlooking, overshadowing and visual domination.
- 8.23 The layout shown within the illustrative masterplan indicates that a minimum distance of 20 metres can be achieved between proposed first floor windows and existing openings in the rear elevations of surrounding dwellings. This would ensure sufficient spacing to prevent a significant adverse impact in terms of overlooking and overshadowing of surrounding houses. Plot 19, which consists of part of the rear garden of No.307 Histon Road, has given rise to a significant cause of concern to adjacent residents. This plot has been revised, in response to concerns raised by Officers in pre-application discussions, from a two-storey to 1.5 storey property. Given the proximity of this building to the gardens of adjacent dwellings, care would need

to be taken over the height of the building and window positions to avoid harm to surrounding residents. This may need to be reduced in height to single storey only and is an issue that would need to be given further consideration at the reserved matters stage.

- 8.24 The owner of 33 Martingale Close has raised concerns regarding the potential impact of a 3-storey block of flats in the location indicated. I consider the principle of 3-storey flats in this location to be acceptable given that they are likely to be comparable in height to the existing squash club building. The illustrative drawing indicates that the flats could be oriented in an east-west direction, as opposed to the existing squash club building which is oriented in a north-south direction and has first-floor windows facing across the front gardens of the adjacent properties to the west. The indicative treatment to this part of the site therefore has the scope, in my opinion, to improve the outlook from the adjacent houses to the west. Careful control would obviously need to be exercised at the reserved matters stage to avoid significant harm to immediate neighbours from new window positions.
- 8.25 Concerns have been raised by a number of local residents regarding potential noise disturbance associated with the use of the access. The driveway is an existing means of access to the site, and has been used in association with the range of commercial and leisure uses on the site. The Transport Assessment explains that the proposed development would not be anticipated to give rise to additional vehicle movements compared to the former use, and I would not therefore expect the development to give rise to an undue level of noise disturbance to adjacent residents.
- 8.26 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) Policies 3/4 and 3/7.

Highway Safety

- 8.27 Detailed access arrangements have been submitted with the application. Access to the site would be obtained via the existing driveway, which it is proposed to alter to re-orientate it slightly to the north, to achieve adequate vehicle and pedestrian

visibility splays and to incorporate a 1.8m wide footpath on one side. To achieve the required improvements to the access, it is proposed to remove a number of poor quality trees and also to incorporate land presently within the curtilage of 303 Histon Road (which is under the applicant's ownership).

- 8.28 The Highways Authority considers the proposed access arrangement to be acceptable and has raised no objections to the highway safety implications of the development subject to conditions.
- 8.29 The Planning Statement refers to the fact that a connection to the Darwin Green development to the west is proposed to be retained as part of the application. This has historically been used as an informal footpath and is not a formal Right of Way. I note that, although referred to in the supporting documentation, the link has not been included within the site edged red and its provision has not therefore been assessed as part of this application. Whilst the Highways Authority has recommended this be provided, and whilst I concur that achieving a good level of connectivity through the site would be desirable, my opinion is that such a linkage is not necessitated by the scale of development (27 dwellings) encompassed within this application and cannot therefore be formally required by way of agreement/planning condition. The access position and illustrative layout maintain a link through to the existing formal footpath. As part of any reserved matters submission, Officers could seek to ensure the detailed layout also preserves this route and ensures its delivery would not be prejudiced from coming forward in the future.
- 8.30 A local resident has queried whether it is possible to achieve the full required width of highway on land under the applicant's ownership. I am aware that the applicant's agent and resident in question are discussing and investigating this issue separately. The Highways Authority has made it clear that any permission needs to be subject to a condition requiring the provision of a 5m wide access for 15m back from the highway boundary. If this cannot be achieved, then revised details would need to be provided and consulted on as a separate planning application.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.32 The illustrative masterplan indicates that a total of 43 spaces would be provided, which equates to a ratio of 1.59 spaces per dwelling. This broadly accords with the average ratio of 1.5 spaces per dwelling sought within the Local Plan.
- 8.33 The information accompanying the application includes a commitment to providing a level of cycle parking that accords with the policy requirements. This would need to be assessed and secured through any reserved matters application.
- 8.34 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Refuse Arrangements

- 8.35 It is intended that refuse storage would either be provided within rear gardens, or in stores at the front of units, whilst a separate dedicated bin and cycle store would be provided for the flats. Final details of the arrangements would need to be denoted within any reserved matters application and can be secured by way of planning condition.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Renewable energy and sustainability

- 8.37 The Council's Sustainability Officer has requested that further information be provided as part of this application as to how the 10% renewable energy requirement would be achieved. The Planning Statement includes a commitment towards meeting this requirement. However, in view of the outline nature of the application, with all matters other than access reserved for further consideration, I consider it would not be appropriate to the nature of the application to require such details at this stage, and I am satisfied that this issue can be satisfactorily dealt with by way of planning condition.
- 8.38 In my opinion, subject to the conditions recommended to secure the details and implementation of the renewable technologies and its maintenance, the proposal is in accordance with

Cambridge Local Plan Policy 8/16 and the Sustainable Design and Construction SPD 2007.

Affordable housing

- 8.39 The accompanying Planning Statement states that it is expected that the policy requirement for 40% affordable housing would not apply based on the application of vacant building credit. Given that vacant building credit no longer exists, exemption can no longer be claimed from affordable housing requirements, and the applicant's agent has therefore agreed that the scheme will provide 40% affordable housing. This would need to be secured through a Section 106 Legal Agreement.

Third Party Representations

- 8.40 I have addressed the issues raised in representations within the body of this report.

Planning Obligation Strategy

Planning Obligations

- 8.41 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.
- 8.42 I am in the process of liaising with service managers to establish whether there are deficiencies in the provision of indoor/outdoor sports facilities/open space/space for children and teenagers/community facilities in the local area. If this can be established then there would be grounds for seeking commuted payments to secure improvements to these facilities. This process will take some time to resolve therefore I would request delegated authority from Committee to conclude

discussions with service managers and to negotiate with the applicants and either:

- a) Secure commuted payments towards appropriate projects to mitigate the impacts of the development on local infrastructure; or
- b) Accept that it is not appropriate to seek commuted payments towards some or all of the local infrastructure categories in this case because such contributions would not be compliant with the CIL Regulations.

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 The site is allocated for housing within the Cambridge Local Plan, and the proposal is consistent with planning policy, in spite of the fact that it regrettably results in the loss of a valuable local leisure facility. This position has been confirmed following advice taken by Counsel.
- 9.2 The proposed means of access to the site does not give rise to any highway safety issues, whilst the impact of the use of the access upon the amenities of adjacent residents is also considered acceptable.
- 9.3 All other matters (layout, design, landscaping etc) would be the subject of a further reserved matters application. I consider the illustrative material provided with the application satisfactorily demonstrates that the number of dwellings proposed (27) can be accommodated on the site.

10.0 RECOMMENDATION

- ☐ **Approve** subject to the prior completion of a S106 Legal Agreement to secure the provision of 40% affordable housing

and contributions towards infrastructure provision, and the following conditions:

- ☐ Delegated authority to complete a Section 106 Agreement in accordance with paragraphs 6.20 and 8.41 – 8.43 of my report.
- 1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

10. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

11. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

12. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

13. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

14. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

15. Prior to the first occupation of any of the dwellings, hereby permitted, the vehicular access shall be laid out with a width of access of 5 metres for a minimum distance of 15 metres from the highway boundary in accordance with the details within the approved drawings, and shall thereafter be retained in accordance with these details.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

16. Prior to the commencement of development, a site wide Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
- d) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- e) Soil Management Strategy.

- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
- i) Maximum vibration levels.
- j) Dust management and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - supplementary planning guidance 2014
- k) Prohibition of the burning of waste on site during demolition/construction.
- l) Site lighting.
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- n) Screening and hoarding details.
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- q) External safety and information signing and notices.
- r) Consideration of sensitive receptors.
- s) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

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

17. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the individual flats shall be provided. The approved arrangements shall be retained 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

18. 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 and walk distances for residents including the specific arrangements to enable collection from the kerbside or within 5m 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 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

19. 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)

20. Prior to the commencement of development a scheme for surface water drainage works shall be submitted to and approved in writing by the local planning authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to 5 litres per second and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage.
(Cambridge Local Plan 2006 policy 4/16)

21. Prior to the commencement of development, a detailed ecological mitigation specification, including lighting strategy, shall be submitted to and approved in writing by the Local Planning. The scheme shall be implemented in accordance with the approved details.

Reason: To protect and enhance biodiversity interests
(Cambridge Local Plan 2006, Policy 4/3)

22. Prior to the commencement of development, a scheme for the provision of bird and bat boxes shall be submitted to and approved in writing by the Local Planning. The scheme shall be implemented in accordance with the approved details.

Reason: To secure the provision of ecological enhancements
(Cambridge Local Plan 2006, Policy 4/3)

23. Prior to the commencement of development, with the exception of the demolition of the existing buildings on the site, a renewable energy statement, which demonstrates that at least 10% of the development's total predicted energy requirements will be from on-site renewable energy sources, shall be submitted to and approved in writing by the local planning authority. The statement shall include the total predicted energy requirements of the development and shall set out a schedule of proposed on-site renewable energy technologies, their respective energy contributions, location, design and a maintenance programme. It shall also include an assessment of any air quality noise or odour impact and mitigation measures required to maintain amenity and prevent nuisance in accordance with the Council Sustainable Construction And Design Supplementary Planning Document to be submitted in writing and agreed with the LPA prior to installation. The approved renewable energy technologies shall be fully installed and operational prior to the occupation of any of the flats hereby approved and shall thereafter be maintained and remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policies 4/13 and 8/16).

24. Prior to the first occupation of any of the dwellings, hereby approved, a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the method of lighting (including details of the type of lights, orientation/angle of the luminaries, the headgear cowling, the spacing and height of lighting columns), the extent/levels of illumination over the site and on adjacent land and measures to be taken to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved details and shall thereafter be maintained as such.

Reason: In the interests of residential and visual amenity (Cambridge Local Plan 2006 policies 3/4, 4/13 and 4/15)

25. Prior to the commencement of development, excluding the demolition of the existing buildings on the site, a scheme for the provision of fire hydrants shall be submitted to and approved in writing by the local planning authority. The scheme shall be fully operational prior to occupation of any dwelling, or as agreed in writing with the local planning authority. No development shall take place other than in accordance with the approved scheme.

Reason: To ensure the provision of adequate water supply infrastructure to protect the safe living environment for all users and visitors (Cambridge Local Plan 2006 policies 3/7, 3/12 and 8/18)

26. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

27. 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)