

<b>Application Number</b>	15/1865/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6th October 2015	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	1st December 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	317 Hills Road Cambridge CB2 0QT		
<b>Proposal</b>	Erection of 8 No. flats following demolition of existing dwelling at 317 Hills Road, Cambridge		
<b>Applicant</b>	Mr Hossein Majidi 3 Alwyne Close Cambridge CB1 8RR		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal will not negatively impact on the amenity of the surrounding occupiers</p> <p>The proposed development is in keeping with the character of the area</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site is a two storey 1930s detached residential property on Hills Road. The property is located adjacent to the Addenbrookes Roundabout
- 1.2 The prevailing pattern of development in this area is detached family homes.
- 1.3 The site is not located within a Conservation Area or Controlled Parking Zone
- 1.4 The site falls within Character Area 2 of The Cambridge Suburbs and Approaches Hills Road (including Babraham Road) 2012.
- 1.5 There are 8 TPOs to the front of the property. There are a further two TPOs in 317a Hills Road which run close to the boundary with No. 317.

## 2.0 THE PROPOSAL

- 2.1 The proposal is to demolish the existing dwelling and erect a new property consisting of 8 No. flats.
- 2.2 The proposed development is a 2.5 storey property with basement.
- 2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Tree Survey
3. Cambridge Speed Survey
4. Arboricultural Method Statement
5. Arboricultural Impact Assessment
6. Root Protection Plan
7. Topographical Survey
8. Plans
9. Elevations
10. Shadow study
11. Further information – Urban Design Team
12. Further information – Walking and cycling officer

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/00/0867	Erection of single storey rear extension.	Approved with conditions
C/02/0815	Erection of two storey side extension, front fence and gate.	Approved with conditions
C/63/0091	Erection of dwelling house and garage.	Approved with conditions
C/66/0137	Erection of flatlet	Refused
C/89/0536	CHANGE OF USE FROM RESIDENTIAL TO GUEST HOUSE.	Refused
C/90/0931	CHANGE OF USE FROM RESIDENTIAL HOME FOR THE ELDERLY. (AMENDED BY	Refused

C/91/0561	CHANGE OF USE OF EXISTING DWELLING TO RESIDENTIAL HOME FOR THE ELDERLY AND ERECTION OF A TWO STOREY SIDE AND REAR EXTENSION.	Refused
C/91/0562	THINNING OF THE LIME TREES TO HILLS ROAD FRONTAGE.	Approved with conditions
C/99/0903	Erection of a detached double garage.	Approved with conditions

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

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

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

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u>  Cycle Parking Guide for New Residential Developments (2010)  Arboricultural Strategy (2004)
	<u>Area Guidelines</u>  Hills Road Suburbs and Approaches Study (March 2012)

### 5.4 Status of Proposed Submission – Cambridge Local Plan

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

will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

## **6.0 CONSULTATIONS**

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

- 6.1 The Highway Officer notes the removal of one of the access points to the site but has no objection. The officer also notes that there may be an increase in the demand for on-street parking as there are so few parking spaces provided as part of the application. The Highway Officer supports the proposal subject to the inclusion of a number of conditions and informatives.

### **Environmental Health**

- 6.2 The Environmental Health Officer considers that the proposal is acceptable subject to a number of conditions.

### **Urban Design and Conservation Team**

- 6.3 The Urban Design Team requested further information in relation to the proposed bin store. Once this information was provided the Urban Design Officer supported the proposal subject to condition.

### **Landscape**

- 6.4 The Landscape Officer supports the proposal subject to the imposition of two conditions.

### **Streets and Open Spaces (Tree Team)**

- 6.5 The Officer has no objections to the development proposed subject to the imposition of conditions.

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

- 6.6 The Historic Environment Team have recommended the inclusion of a condition. This is to ensure that the site is subject to a programme of archaeological investigation before development begins.

### **Cycling and Walking Officer**

- 6.7 The Walking and Cycling Officer notes that the access to the cycle parking uses the space which could potentially be blocked by a wheelchair user getting in and out of their vehicle. She recommends that something be put in place which keeps the vehicles either side within the space. The Walking and Cycling Officer also recommends moving the two angled cycle racks back 150 – 200mm as the space here is tight.
- 6.8 Further information was provided in relation the Walking and Cycling Officers comments. She has stated that the amended plans are satisfactory.
- 6.9 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:

- 319 Hills Road
- 317A Hills Road
- 45A Nightingale Avenue

- 7.2 The representations can be summarised as follows:

### **Highway safety/ Parking**

- The development will enhance traffic congestion. There are an inadequate number of car parking spaces.
- The proximity of the development to Addenbrookes could hinder the movement of emergency vehicle/doctors/nurses.

- The development is on a blind corner which has a high volume of traffic. Traffic generation and the manoeuvring of vehicles will have an adverse effect on highway safety. The proximity of the development to the roundabout is hazardous. The speed survey shows speed of over 30MPH. The highway officer has also stated that the speed surveys are substandard.
- Cyclist lanes are on the footpaths which are under pressure from parking. There has been an increase in cyclist and pedestrian traffic from hospital staff/visitors/patients and students to the language school and MRC.
- The development is said to be accessible but none of the parking bays are wide enough for wheelchair access. There are also no pathways to accommodate wheelchair use in the garden.
- Page 5 of the Design and Access Statement misrepresents the distance between the development and the roundabout.
- The grass verge outside the property is likely to be used as parking by trade vehicles. This is a safety hazard given the proximity to the busy roundabout. Also concerned about damage to the grass verges.
- There is not sufficient manoeuvring space on site which may lead to vehicles trying to reverse out of the site.
- The footpath entrance bays are to be gravel. This may be pulled onto the road and is a hazard.

### **Residential amenity**

- There are windows which open onto the side and back of 317A which will impact on privacy
- The proposed balconies will overlook the garden of 319 Hills Road. They will result in a loss of privacy through overlooking.
- There is potential for a great increase in noise from 8 flats in a quiet neighbourhood of private family homes.

- There have been 10 applications proposed for the property over the past 30 years. A number of these have been refused due to adverse effect on amenities such as disturbance, increased noise, overlooking and loss of privacy.
- The shadow survey does not go past 1500 hours. 319 gets sun in the rear garden up to 1900 hours in the summer.
- It appears that flat F5 and F8 do not have a kitchen.
- Concerned about air flow and extraction.
- Concerned about roof height and the height of the PVs panels which will sit on the roof.
- Two chimneys are shown. Presume these are aesthetic rather than functional.

### **Design and context**

- Properties around major entry points to the city should preserve the character of Cambridge. The properties shown in the character examples are all family homes
- The proposal is massively oversized.
- Concerned about the height and appearance of the bin store.

### **Trees**

- The plans do not suggest any form of mature tree screening. This could help screen the surrounding properties from view. The trees and shrubs shown in many of the drawings are a misrepresentation. The conifers shown along the boundary of 319/317 were removed approx. 3 years ago.
- Concerned about Cherry Tree which is in close proximity to the entrance as 317. This may be damaged by large machinery entering the site.

### **Civil matters**

- Concerned about the excavation to form the basement. This may lead to subsidence.



## **Drainage**

- Have the sewers been upgraded to cope with the new development. A previous application in 1966 was rejected on this basis.

## **Construction process**

- Concerned about the coordination of the project and interested in the management plan
- Concerned about management of the dust environment as there are young children and elderly people living next door.

## **Other**

- A lamp post is currently positioned where the proposed driveway is to be. Where will this be repositioned? Concerned that if it is moved it will obstruct vision from the drive of 319.
- Not opposed to a building on the site but something of a reduced scale. 4 luxury flats would be more appropriate.

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

## **8.0 ASSESSMENT**

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

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

### **Principle of Development**

8.2 The site is currently occupied by a single dwellinghouse. The proposal involves the demolition of this property and the

replacement with 8 no. flats. The site is in a sustainable location that is close to Addenbrookes Hospital, which is a large source of employment, and is well connected by bus and cycle infrastructure. There are no policies which resist the demolition of the dwellinghouse and replacement with 8 no. flats. I therefore consider the development to be acceptable in principle.

- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1, of the Cambridge Local Plan 2006.

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

- 8.4 The proposed development is of a larger scale than the existing 1930s property which occupied the site. However the style of the proposed new building picks up on a number of the characteristics of the area, such as, bay windows and a hipped roof form. While the proposal is large in style it mimics the proportions of the surrounding buildings. I therefore consider that the proposal is acceptable in terms of design as it will be in keeping with the Hills Road area.
- 8.5 The proposal is of a larger scale than the existing building. The 1930s property which currently occupies the site is 2 storeys while the proposed new development is to be 2.5 storeys over a half basement. However the proposal property is set down below the level of the surrounding road and footpath which lessens the impact of the increased height on the streetscene.
- 8.6 The proposed materials are brown/red brick with a dark red tile and timber boarding or rendered panels to be used on some of the detailing such as the bay windows and car port. No. 319 Hills road and the existing dwelling at 317 Hills Road are currently rendered. However a number of properties on Hills Road have a brick finish including No. 317A. I therefore consider that the materials used are likely to be acceptable subject to condition (conditions 3 and 4).
- 8.7 The proposed garden space is to be shared and open plan. No details of pathways and few details in relation to planting are provided. The Landscape Officer is however satisfied with the proposed landscaping subject to condition (conditions 6 & 7). I concur with this view.

8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Residential Amenity**

8.9 The proposed development is of a larger scale than the existing property on the site. However as the proposal has been moved forward in line with No. 319 Hills Road this mitigates much of the increase in length to the property. The existing property is 13.8m in length while the proposal is 20m. However as the proposal is set forward of the original building line by 2.5m the proposal will only extend 3.7m further into the rear garden space.

8.10 The proposed development is taller than the existing dwelling. However the proposed new development is broken down with the height dropping down at both sides. The existing property is 8.25m tall while the central gable of the proposal is to be 9.5m but this will drop down to 8.7m at either side. A shadow study has been submitted as part of the application which shows that the proposed development will not result in any significant overshadowing of either of the neighbouring dwellings

8.11 Both neighbouring properties have made representations which express concern over amenity issues. One of the concerns relates to windows on the side elevations of the property. All windows on the side elevation are to be obscure glazed. There are also roof lights provided. These can be conditioned to be at least 1.8m above floor level. There is also a dormer in the roof which faces onto No.317A. However I do not consider that this will cause any significant overlooking as it is facing corner or the front garden which is not usable garden space given the noise disturbance from passing traffic.

8.12 The representations have raised concerns in relation to overlooking from the proposed balconies. The proposed balconies are to be recessed with lapping oak timber screens which will mitigate much of the overlooking issues. A condition will be imposed to control the material to be used (condition 25). The existing dwellinghouse has large upper floor windows. While the balconies will result in a more significant amount of overlooking than the existing windows they are set away from

the sides of the property and set back into the building which will mitigate much of the impacts.

8.13 The representations make reference to an increase in noise from the proposal. As mentioned above the balconies are recessed and screened. This will help reduce some of the impact of noise from the use of balconies. The environmental health officer has stated that the noise insulation scheme submitted is satisfactory. There may however be an increase in noise from the use of the garden which is to be shared by all 8 flats. However I do not consider that this will significantly impact on the amenity of the surrounding properties.

8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

8.15 The proposed development provides good quality living accommodation with satisfactory outlook. Four of the eight apartments have access to private amenity space; F3, F6 and F8 have access to private balconies while F1, the basement unit has access to a patio. There is also a large shared private garden which will provide quality private amenity space to the occupiers.

8.16 One of the representations notes that unit F5 and F8 do not appear to have a kitchen. I consider that as these are small units it is likely that the kitchen is to be part of an open plan living space which I consider to be acceptable.

8.17 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**

8.18 The proposal provides a bin store to the front of the property. Further information was submitted in relation to the bin store.

The Urban Design Team were satisfied with the details provided but requested the imposition of a condition to control materials to be used in the proposed store (condition 5). The bin store will not be visible from the public realm. It is adequately placed to allow for the dragging of bins for collection. I therefore consider that the proposal adequately addresses refuse arrangements.

8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

8.20 The Highway Officer has notes that visibility splays to the north are marginally sub-standard but on balance considers them to be acceptable and does not consider that these will have a significant adverse effect on the public highway.

8.21 The Officer notes that due to the lack of parking there may be additional demand for parking on the surrounding street. The Officer does not consider that this will result in any significant impacts to the public highway.

8.22 The Highway Officer considers that the proposal is acceptable subject to the imposition of a number of conditions and informatives. I agree with this advice.

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

### **Car and Cycle Parking**

8.24 The Highway Officer and a number of the representations make reference to the lack of car parking spaces provided. There are only 5 spaces provided for 8 apartment units. The Car Parking Standards do not set any minimum car parking requirements. The site is located within close walking distance of the Addenbrookes bus stop and is well served by cycling infrastructure. Given that the development is linked to the city by cycles and public transport links I consider that an adequate number of parking spaces are provided.

8.25 13 Cycles spaces are to be provided as part of the development. These are designed in accordance with Cycle Parking Guide for New Residential Developments. Additional

visitor cycle parking is also to be provided. 13 spaces will allow for 1 cycle space per bedroom. This accords with the Cycle Parking Guide for New Residential Developments. Further visitor parking is provided to the front of the development in line with the above mentioned guidance.

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

### **Trees**

8.27 There are a number of protected trees to the front of the site. An arboricultural study was submitted with the proposal. The trees officer is satisfied with the proposal subject to conditions (conditions 22, 23 & 24).

8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4

### **Third Party Representations**

8.29 Please see the below table for my responses to the representations made.

<b>Comment</b>	<b>Response</b>
<b>Highway safety</b>	
The development will enhance traffic congestion. There are an inadequate number of car parking spaces. There is the possibility of there being up to 26 residents but only 5 parking bays; less than 1 bay per unit. This will lead to an encroachment onto green spaces in the area. The local side roads are already congested with parking from Addenbrookes staff and visitors. There is no visitor parking provided.	The Highway Officer is satisfied that on balance the proposal is acceptable and has no objection to the proposal on highway safety grounds.
The proximity of the development to Addenbrookes could hinder the movement of emergency vehicle/doctors/nurses.	The Highway Officer notes that demand for on-street parking may have a potential impact on residential amenity. There is an existing demand for on-street parking in the area and I do not consider that the proposed development will significantly add to this demand.

<p>The development is on a blind corner which has a high volume of traffic. Traffic generation and the manoeuvring of vehicles will have an adverse effect on highway safety. The proximity of the development to the roundabout is hazardous. The speed survey shows speed of over 30MPH. This translates to 1 second travel time between the roundabout and the proposed development. The highway officer has also stated that the speed surveys are substandard.</p>	
<p>Cyclist lanes are on the footpaths which are under pressure from parking. There has been an increase in cyclist and pedestrian traffic from hospital staff/visitors/patients and students to the language school and MRC.</p>	
<p>The grass verge outside the property is likely to be used as parking by trade vehicles. This is a safety hazard given the proximity to the busy roundabout. Also concerned about damage to the grass verges.</p>	
<p>Page 5 of the Design and Access Statement misrepresents the distance between the development and the roundabout.</p>	<p>It is the plans which are to be approved rather than the Design and Access Statement. I consider the plans to be acceptable.</p>
<p>The development is said to be accessible but none of the parking bays are wide enough for wheelchair access. There are also no pathways to accommodate wheelchair use in the garden.</p>	<p>The Access Officer did not comment on the application.</p>
<p>There is not sufficient manoeuvring space on site which may lead to vehicles trying to reverse out of the site.</p>	<p>The Highway Officer considers the manoeuvring space on site to be acceptable. A condition (condition 17) is recommended to ensure the manoeuvring space is</p>

	laid out according to the approved plans.
The footpath entrance bays are to be gravel. This may be pulled onto the road and is a hazard.	The highway officer has recommended a condition to control this element (condition 13)
<b>Residential amenity</b>	
There are windows which open onto the side and back of 317A which will impact on privacy	This is covered in par. 8.12
The proposed balconies will overlook the garden of 319 Hills Road. They will result in a loss of privacy through overlooking.	This is covered in par. 8.13
There is potential for a great increase in noise from 8 flats in a quiet neighbourhood of private family homes.	This is covered in par. 8.14
There have been 10 applications proposed for the property over the past 30 years. A number of these have been refused due to adverse effect on amenities such as disturbance, increased noise, overlooking and loss of privacy.	Each application is assessed individually. From my assessment of the site above I do not consider that the proposed development will negatively impact on the amenity of the adjoining properties.
The shadow survey does not go past 1500 hours. 319 gets sun in the rear garden up to 1900 hours in the summer.	An amended shadow study has been provided which I consider to be acceptable.
It appears that flat F5 and F8 do not have a kitchen.	This is covered in par. 8.17
Concerned about air flow and extraction.	The Environmental Health Officer is satisfied with the proposal.
<b>Design and context</b>	
Properties around major entry points to the city should preserve the character of Cambridge. The properties shown in the character examples are all family homes	While the proposed development is of a larger scale than the surrounding properties it picks up on many of the features that are characteristic in the area such as bay windows, chimneys and dormer.
The proposal is massively oversized.	This is covered in par. 8.4 & 8.5



<p>Concerned about the height and appearance of the bin store.</p>	<p>Further information was requested by the Urban Design Team in connection with the bin store. The Urban Design Team are satisfied with this element subject to a condition to control the materials (condition 5)</p>
<p>Concerned about roof height and the height of the PVs panels which will sit on the roof.</p>	<p>I do not consider that the PV panels will significantly add to the height of the building.</p>
<p>Two chimneys are shown. Presume these are aesthetic rather than functional.</p>	<p>As no fireplaces are included in the floor plans I consider that this element is purely decorative. Chimneys are a characteristic of the area and this element helps tie in the design of the new development with existing properties in the area.</p>
<p><b>Trees</b></p>	
<p>The plans do not suggest any form of mature tree screening. This could help screen the surrounding properties from view. The trees and shrubs shown in many of the drawings are a misrepresentation. The conifers shown along the boundary of 319/317 were removed approx. 3 years ago.</p>	<p>The Tree Officer is satisfied with the proposal subject to the inclusion of a number of conditions (conditions 22, 23 &amp; 24).</p>
<p>Concerned about Cherry Tree which is in close proximity to the entrance as 317. This may be damaged by large machinery entering the site.</p>	
<p><b>Civil matters</b></p>	
<p>Concerned about the excavation to form the basement. This may lead to subsidence.</p>	<p>This is a civil matter and not a material planning consideration. As a result this cannot be assessed as part of this application.</p>

<b>Drainage</b>	
Have the sewers been upgraded to cope with the new development. A previous application in 1966 was rejected on this basis.	The drainage Team have not commented on the application
<b>Construction process</b>	
Concerned about the coordination of the project and interested in the management plan	Condition 8, 9 & 20 relate to the management of the construction process
Concerned about management of the dust environment as there are young children and elderly people living next door.	The Environmental Health Officer has recommended a condition to control dust (condition11)
<b>Other</b>	
A lamp post is currently positioned where the proposed driveway is to be. Where will this be repositioned? Concerned that if it is moved it will obstruct vision from the drive of 319.	This does not form part of the application and cannot be assessed here as a result.
Not opposed to a building on the site but something of a reduced scale. 4 luxury flats would be more appropriate.	I can only assess the application at hand.

### **Planning Obligations**

8.30 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests.

8.31 Each planning obligation needs to pass three statutory tests to make sure that it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements.

8.32 This application was received prior to the High Court ruling of 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account

8.33 Given the Council's previous approach to S106 contributions (based on broad infrastructure types within the City of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

8.34 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at [www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106).

## **9.0 CONCLUSION**

9.1 I consider that the proposed development will not negatively impact on the amenity of the surrounding occupiers as it will not result in any significant overlooking, overshadowing or be visually dominant. I consider the proposal to be in keeping with the character of the Hills Road suburbs area. I consider that the

proposed development would provide good quality accommodation with private amenity space in a well-connected location. As a result I consider the proposal to be acceptable subject to conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

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

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

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14).

4. Full details of all windows and doors, as identified on the approved drawings, including design, materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

5. No development shall take place until samples of the materials to be used in the construction of the bin store hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policy 3/4)

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

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

7. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. 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)

9. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

10. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

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

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

11. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

12. The noise insulation scheme and ventilation requirements as stated within the dpa architects design and access statement dated September 2015 shall be fully implemented, maintained and not altered.

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

13. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006 policy 8/10)

14. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (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 (Cambridge Local Plan 2006 policy 8/10)

15. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site (Cambridge Local Plan 2006 policy 8/10)

16. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway (Cambridge Local Plan policy 8/10)

17. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety (Cambridge Local Plan policy 8/10)

18. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway (Cambridge Local Plan policy 8/10)

19. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/10)

20. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

Reason: in the interests of highway safety (Cambridge Local Plan policy 8/2)

21. 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)

22. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

Reason: To protect the trees on site (Cambridge Local Plan policy 4/4)

23. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection. These locations and specifications will then be agreed in writing by the Local Planning Authority.

Reason: To protect the trees on site (Cambridge Local Plan policy 4/4)

24. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the trees on site (Cambridge Local Plan policy 4/4)

25. Full details of the balcony screens, as identified on the approved drawings, including design, materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

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

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

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

-Guidance on the assessment of dust from demolition and construction

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

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

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

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

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

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

**INFORMATIVE:** The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

**INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

**INFORMATIVE:** Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.