

Application Number	15/2140/FUL	Agenda Item	
Date Received	16th November 2015	Officer	Michael Hammond
Target Date	11th January 2016		
Ward	Romsey		
Site	97 - 99 Burnside Cambridge Cambridgeshire CB1 3PA		
Proposal	Construction of 2 semi-detached dwellings following the demolition of existing garages		
Applicant	Mr & Mrs T Mullan Rivy Hill Barn Balsham Road Linton Cambridgeshire CB21 4LE United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is not considered to harm the character of the Conservation Area. - The proposal is not considered to harm the amenity of neighbouring occupiers. - The proposal is not considered to pose a threat to highway safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is comprised of land to the rear of nos.97-99 Burnside. There are currently two detached single-storey garages on the land and an access drive wraps around the application site to the rear of no.109 Burnside. The site is predominantly hard standing and is used for as parking by the existing dental practice which operates from nos.97-99 Burnside. The road of Burnside runs diagonally in a south-east

direction, parallel to the Cherry Hinton Brook. To the north and east of the site, properties are staggered in terms of their building line and distance from the road, whilst to the west of the site properties are orientated inwards facing onto the cul-de-sac of Natal Road. The surrounding area is predominantly residential in character with the majority of properties being two-storeys in height and semi-detached or terraced, although nos.57 and 58A Natal Road are distinctively different to this as they are single-storey bungalows.

- 1.2 The site falls within the Central Conservation Area
The site falls within Flood Zone 2.
The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the construction of two semi-detached dwellings following the demolition of the existing garages.
- 2.2 The proposed development would occupy a total footprint of approximately 84m². The proposed dwellings would be mirrored in terms of their internal layout and external appearance. The proposed dwellings would be designed on the north elevation with a steep sloping mono pitched roof, measuring 3.5m in height at its lowest point and 7m to the ridge. The south elevation would have a dual pitched roof measuring 4.8m to the eaves and 7m to the ridge.
- 2.3 The proposed north elevation would have ground floor kitchen windows and first-floor velux roof windows serving a bedroom/home office. The side elevations would act as the main entrances for each of the dwellings and there would be obscure glazed first-floor windows to serve each staircase. The south elevation would have French doors at ground floor level and French doors, incorporating Juliet balconies, at first-floor level.
- 2.4 The proposed dwellings would be designed in a combination of facing brickwork, cedar cladding and render. Each dwelling would have one dedicated parking space, cycle storage and bin storage. Each dwelling would have access to their own private garden measuring approximately 33m². An area of dedicated parking would be retained for the dental practice.

3.0 SITE HISTORY

Reference	Description	Outcome
15/1142/FUL	Construction of two semi-detached dwellings following the demolition of existing garages	Withdrawn.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 4/11 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	Sustainable Design and Construction (May 2007)

Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

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 access way is not wide enough at the entrance to allow two motor vehicles to pass and this may result in vehicles waiting upon the public highway, or being forced back onto the public highway to allow another vehicle to egress.
- 6.2 Ideally the developer should widen the entrance to provide a 5 metre width for the first 10 metres of the access way (and this would appear feasible), however the existing use of the access has potential to generate similar levels of traffic to that proposed.
- 6.3 The Highway Authority therefore does not consider that the proposal would result in demonstrable significant detriment to highway safety, subject to conditions.
- 6.4 However, the access arrangements are less than ideal and so the Planning Authority may wish to consider whether this has an impact upon the amenity of future residents.

Environmental Health

- 6.5 No objection, subject to conditions.

Urban Design and Conservation Team

- 6.6 The application is not supported.
- 6.7 The layout of the pair of semi-detached houses does not respond to the local context. The existing pattern of development is of two storey properties facing Burnside with long, thin plots of land to the rear. Where there are structures in those rear gardens, they are generally garages, sheds or extensions which are ancillary to the main house. The character of the eastern end of Natal Road, which is outside the conservation area but adjacent to the site, differs in character in that there are single storey dwellings which fan out from a turning head.

- 6.8 The proposal for these dwellings is for them to be sited in the garden of nos. 97-103 and face north. This does not conform to the pattern of development and therefore the character of the conservation area or Natal Road and is therefore not supported.
- 6.9 Conservation comments on the previous application stated that if we were to support anything in this location it would need to conform to the pattern of development in the area and be of modern design over one and a half storeys. The proposal for the site is now one and a half storeys on the north elevation, but rising to a full two storeys to the rear. In form and materials it does not have the character of an outbuilding/studio as suggested in previous Conservation comments and therefore is not supported.
- 6.10 The smooth render for the walls is not a feature of the conservation area and therefore is not considered to be part of its character. To achieve an out building/studio character, it is suggested that a suitably positioned building would be constructed from brick, possibly with timber cladding under a slate roof.

Drainage Officer

- 6.11 The application is supported, subject to condition.

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 in objection to the application:

- 75 Burnside
- 95 Burnside
- 58 Natal Road

- 7.2 The representations can be summarised as follows:

- Increase in noise pollution
- Concerns regarding management of construction traffic.
- Impact on Highway safety

- Overdevelopment
- Overshadowing
- Overlooking/ Loss of Privacy
- Increase in noise and disturbance from use of properties
- Light pollution
- Increase in noise and disturbance during construction phase.
- Increase in traffic pressure
- Access by emergency services
- Concerns regarding waste disposal/ arrangements.
- Increase in off-street parking from visitor parking
- The ownership of the access drive is not clear.
- The proposal is contrary to Cambridge Local Plan (2014) policies 56, 57, 59 and 82.
- The proposal is situated within the Cambridge Airport Public Safety Zone which does not permit development which will increase the number of people living in this zone.
- The proposal is contrary to Planning Policy Statement 1: Delivering Sustainable Development.

7.3 The owner/ occupier of the following address has made a representation in support to the application:

- 30 Park Road, Chesterfield
- 93 Burnside
- 91 Burnside

7.4 The representation can be summarised as follows:

- The garden of no.95 Burnside is already overshadowed by this neighbours large trees and fence.
- The extension of no.95 may not be permitted development.
- The proposal will not overshadow no.95.
- The proposal will not overlook no.95.
- The Conservation Team's comments are not reasonable.
- Cambridge is in need of additional housing.

7.5 Councillor Baigent has made a representation in objection to the application. The representation can be summarised as follows:

- The backland development is an overdevelopment of the site and is intrusive on the surrounding houses.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 states, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.

8.3 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.

8.4 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d) and would not prejudice the comprehensive development of the wider area (f).

8.5 The remaining criterion of policy 3/10 state that residential development within the garden area or curtilage of existing properties will not be permitted if it will:

a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;

b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;

c) detract from the prevailing character and appearance of the area;

E) adversely affect trees, wildlife features or architectural features of local importance within or close to the site.

8.6 I consider that the proposal complies with the four criteria set out above in policy 3/10 for the reasons set out in the relevant sections of this report.

Context of site, design and external spaces (and impact on heritage assets)

Movement and Access

8.7 The only route to and from the site would be through the private road which wraps around the rear of properties between nos.97 – 109 Burnside. The western-most dwelling proposed, hereafter referred to as property no.1, would be accessed from the west side with the front door situated immediately adjacent to the proposed parking space. The eastern-most dwelling proposed, hereafter referred to as property no.2, would be accessed along the east side. The parking space proposed for this dwelling would be in the south-west corner of the site but there would be a gate which allows a more direct access from this parking space into the garden of this property. This would avoid the need for future occupiers to walk all the way back around the site to access the property.

8.8 The two properties proposed would have clear and logical routes out to each respective rear garden and would have their

own distinctive private outdoor space, as is characteristic of properties in this area. Cycle parking would be provided in the rear garden of each property and there would be straightforward routes of access out to the road of Burnside.

Layout

8.9 In justifying their objection to the proposed scheme, the Conservation Team has stated:

“The layout of the pair of semi-detached houses does not respond to the local context. The existing pattern of development is of two storey properties facing Burnside with long, thin plots of land to the rear. Where there are structures in those rear gardens, they are generally garages, sheds or extensions which are ancillary to the main house. The character of the eastern end of Natal Road, which is outside the conservation area but adjacent to the site, differs in character in that there are single storey dwellings which fan out from a turning head.”

8.10 In studying the context of the site, I do not agree with the reasoning provided by the Conservation Team and consider the proposal acceptable from a layout perspective. I set out my reasoning below.

8.11 Firstly, in studying the existing properties along Burnside, whilst I accept that these properties are set facing towards the road, I do not consider the building line or positioning of these dwellings is uniform in these respects. For example nos. 89 – 95 are set within 2-4m of the face of the street, while further to the south at nos.101 – 109 these properties are set between 12-30m back from the edge of the road. As a result, I do not consider there is a defined character in determining how far properties should be set back from the road.

8.12 Secondly, the properties of nos.1-3 Budleigh Close to the south of the application site are set at a right angle to the street which demonstrates that there is not a consistent approach to the orientation of properties in this area.

8.13 Thirdly, immediately to the west of the application site lies no.58a Natal Road which is comprised of a single-storey bungalow which is set a considerable distance from the road

itself and is effectively in isolation from the street scene. Whilst I note that this adjacent backland development is not within the Conservation Area boundary, I do not believe that this adjacent dwelling can be looked at independently when assessing the proposed dwelling given its proximity to the site and presence when studying the context. It is not reasonable to only compare the application proposal to that of the other properties along Burnside and disregard the more divergent character immediately adjacent to the site.

8.14 Finally, the application site, similar to no.58a Natal Road, would be relatively discreet in terms of its visual presence when viewed from public viewpoints. Given that the majority of the views from Burnside would be screened by the existing two-storey mass of properties along Burnside, I am not persuaded that the backland development layout would be harmful to the character of the area due to its limited visibility from public viewpoints.

8.15 To summarise, while I acknowledge that the development is at odds with the general layout of properties along Burnside, I consider the pattern of development in this area to be mixed and lacking a defined character, and that therefore it would not be harmful to the character of the Conservation Area.

Scale and massing

8.16 The Conservation Team is also unsupportive of the overall scale and massing of the scheme:

“The proposal for the site is now one and a half storeys on the north elevation, but rising to a full two storeys to the rear. In form and materials it does not have the character of an outbuilding/studio as suggested in previous Conservation comments and therefore is not supported.”

8.17 I believe that the site is situated in a transitional position in relation to built-form, whereby it has single-storey buildings to the south and south-west, and two-storey buildings to the east and north-east. In my opinion, the approach taken by the applicant in this case is a sensitive and modulated attempt to respond to these two contrasts by providing a building which rises from one-and-a-half storeys up to a two-storey form. The one-and-a-half storey form would be set to the north of the site,

where the building would be most visible from oblique views next to the existing access drive from Burnside, whilst the two-storey form would culminate further to the south where it is more discreet and shielded by the two-storey mass of the existing properties along Burnside.

- 8.18 In consideration of the above, I am of the opinion that the proposed scale and mass would not appear out of character with the area, due to a combination of the overall design approach and the sites limited visibility from the public realm of the site.

Open Space and Landscape

- 8.19 The existing garage building and hard-standing/ gravel on-site is not considered to be a positive characteristic in the area. The proposal would replace a reasonable proportion of this hardstanding/ gravel with turfed gardens which I consider would be an improvement in terms of increasing the levels of greenery in this area. The drainage officer has recommended a condition relating to surface water drainage and this has been attached accordingly.

Elevations and Materials

- 8.20 The proposal has been deliberately designed to be subservient and conservative in its design with render brickwork and cladding. This has been done so as to reduce its visual prominence from the street and soften its impact on the character of the area. Consequently, the appearance of the building itself would not be conspicuous due also to its position at the rear of the site.
- 8.21 The proposed building does provide a degree of active frontage along the access road from the proposed north facing kitchen windows at ground-floor level. The velux windows serving the north-facing bedrooms would provide users of the access road with the perception of active surveillance, although in practical terms the views from these windows down below would be limited due to the position of these windows in the plane of the roof. The proposed building would have a pitched roof and does have the appearance of being residential in its function due to the rhythm of windows and position of entrance doors on the sides of the building.

8.22 The upper-floors of the dwellings would be designed in cedar cladding and would help reduce the visual massing of the proposal when viewed from the limited views along Burnside. It is acknowledged that the Conservation Team has raised concerns with the proposed use of smooth render which they consider to be out of keeping with the character of the area. In studying the materials in the surrounding area, I can confirm that there are no other instances of render in the general vicinity. However, for the reasons set out in the preceding paragraphs of this report, I do not consider the proposed dwellings need to necessarily conform to the buildings in the wider area. The proposal is clearly unique and detached from the defined character of the properties along Burnside and so I believe that there is scope to use alternative materials in this instance. If, however, the proposal was set facing the street and more prominent within the street scene then I think it would be expected for the proposal to take characteristics from those properties immediately adjacent. As this is not the case, I am of the opinion that the use of render combined with other materials is acceptable in this circumstance.

8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.24 From the third party representations and in the studying the site context, I consider that the properties most likely to be affected by the proposed development are nos.95 – 103 Burnside and 58a Natal Road. I have assessed the impact on each of these properties in turn below.

Impact on no.95 Burnside

8.25 No.95 Burnside is comprised of a two-storey semi-detached property situated immediately to the north-east of the application site. This neighbour has rear (west) facing windows at both ground and first-floor which all serve habitable rooms and need to be considered. This neighbour also has its garden immediately to the north of the site, with a separation distance of just under 6m between the north wall of the proposed

building and the boundary of this neighbour's garden. This neighbour has raised objections concerning loss of light and loss of privacy. Other concerns have been raised but these have been addressed later in this report.

8.26 Firstly, in terms of loss of privacy, I do not believe the proposed dwellings would harmfully overlook this neighbouring property. At ground-floor level, there would be kitchen windows which face out to the north towards this neighbour. However, the views from this window would be looking onto the fence of no.95 and would not have a clear view into the garden or rear ground-floor windows of this neighbour. The views from these windows out towards the first-floor window of no.95 would be oblique due to the position of this neighbour's first-floor window set away further to the east. The proposed velux rooflights in the roof would be set above 1.5m from the floor level of the first-floor bedrooms. Provided these rooflights are higher than 1.7m from floor level, the proposed bedrooms would not harmfully overlook the garden or rear windows of this neighbour. Therefore, I have recommended a condition to require that these windows are set 1.7m above finished floor level which, in my opinion, would prevent any direct overlooking of this neighbour.

8.27 Secondly, in terms of visual enclosure and dominance, I consider the proposal will not appear overbearing from the garden or rear windows of this neighbour. No.95 is orientated at a right angle to the proposed building and so the existing views directly out to the west from these windows will not be interrupted by the proposed development. There will be oblique views of the proposal from the ground-floor windows of no.95, but, given that the centre of these windows will be over 6m from the physical built form of this development, and face out away from the direction of the application site, I do not deem that the proposal will be visually dominant. The proposal would be visible from the peripheral view from the rear-first floor window of no.95. However, as the view out to the west of this window would remain as is, and the proposal is set over 11m at an angle away from this window, I do not consider the outlook would be harmfully enclosed. The view out to the west from the garden would not be affected by the proposed development. When looking out to the south from this neighbouring garden, the proposal would clearly be visible due to its one-and-a-half to two-storey form and distance from the boundary. Nevertheless,

the roof form would be at its lowest height of 3.5m closest to this neighbour's garden and would then gradually slope away to its peak height of 7m further away from the neighbour's garden. As a result, I do not consider the outlook from this garden would be significantly enclosed by the proposed development.

- 8.28 Finally, in consideration of overshadowing, the proposal is situated immediately to the south of this neighbour's garden and so an assessment as to the impact of overshadowing needs to be made. The applicant has provided shadow diagrams with the application to demonstrate the likely effect of overshadowing. I have assessed each equinox in turn below:

Winter equinox (December 21st)

- 8.29 In the winter, when the sun is at its lowest point, a fair amount of no.95's garden would already be in shadow due to a combination of the existing single-storey building on the site and the 1.9m high fence of this neighbour's boundary. There would be some increase in shadows cast over the latter half of the garden around 10:00hrs, as well as some overshadowing of the nearest rear ground-floor window between roughly 14:00 – 15:40hrs. At around 12:00hrs, the shadow cast over the garden is unlikely to be significantly different to that already caused by the garden fence along the boundary of this neighbour.

Vernal equinox (March 21st)

- 8.30 The levels of light reaching this neighbour during the vernal equinox would remain for the vast majority of the day largely unaffected. There may be a slight increase of overshadowing over the rear ground-floor window of this neighbour but this would not be significantly different to that of present.

Summer equinox (June 20th)

- 8.31 The levels of shadow cast during the summer months would not impact on the amenity of this neighbour due to the height of the sun's path during this equinox cycle.

Autumn equinox (September 22nd)

- 8.32 The levels of overshadowing predicted during the autumn equinox is anticipated to be similar to that of the vernal equinox.

8.33 In conclusion, I consider that the only noticeable difference that will likely be experienced at this neighbour would be during the winter equinox where there would likely be a degree of overshadowing of the main rear windows in the afternoon hours. Therefore, in assessing the impact on this neighbour, I do not believe the levels of light lost would be so significant as to warrant refusal of the application. The overshadowing caused by the proposed development would be limited to a relatively limited period of time and the amount of light received at this neighbouring property for the vast majority of the year would not be detrimentally impacted by the proposal.

Impact on nos.97-99 Burnside

8.34 Nos. 97-99 is comprised of a two-storey dental surgery practice situated immediately to the east of the application site.

8.35 In terms of overshadowing, I am confident that the proposal will not harmfully overshadow this neighbour. There would only be a very minor loss of light over the rear car park area in the late afternoon hours during the winter months.

8.36 There would be a separation distance of over 15m between the rear wall of this business and the proposed dwelling and so I am of the opinion that the proposal will not be perceived as visually enclosing from this adjacent business.

8.37 There would be no overlooking opportunities out towards this neighbour and so I do not consider there will be any loss of privacy experienced as a result of the proposed scheme.

Impact on nos.101-103 Burnside

8.38 Nos.101-103 Burnside are comprised of a semi-detached and terraced property situated to the south-east of the application site.

8.39 There would be a separation distance of over 18m from wall-to-wall between the proposed building and these neighbouring properties and I consider the proposal will not visually dominate outlooks from these neighbouring properties. In addition to this, as these neighbours are situated to the south-east of the site, I am also confident that there will not be any significant levels of light lost at either of these neighbours.

8.40 In terms of overlooking, there would be views facing out to the south at first-floor level from the Juliet balconies of the proposed bedrooms which would offer oblique outlooks of the latter part of these neighbours gardens. However, given the limited angle of these views, I do not believe the views across this garden would be any worse than the existing rear outlooks of nos. 101-103 where there is a mutual sense of overlooking between gardens.

Impact on no.58a Natal Road

8.41 No.58a Natal Road is formed by a single-storey bungalow situated directly to the west of the application site. The only windows on the side (east) elevation serve non-habitable rooms and do not have any meaningful outlook to the east due to the high fence which blocks views out in this direction. The main outlooks for this neighbour are situated on the south, west and north elevations. As a result, I do not believe the proposal will have any harmful impact on this neighbouring property.

Noise and disturbance

8.42 In terms of comings and goings, I do not consider that an additional two vehicles entering and leaving the site from Burnside would increase levels of noise and disturbance to such an extent as to adversely impact neighbour amenity. The site is situated in a residential area and the proposed gardens would back onto the existing gardens to the south along Burnside. Therefore, I do not consider that people using this outdoor space would be of a significantly greater noise than that of present.

8.43 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, 3/7, 3/10 and 3/12.

Amenity for future occupiers of the site

8.44 The proposal would provide 2no. two-bedroom dwellings each with approximately 33m² of garden space and all habitable rooms would have adequate outlooks. Each dwelling would have secure cycle storage and one car parking space. The site is situated in a sustainable location and is close to cycle routes

into the city and the nearby Mill Road District Centre to the west.

- 8.45 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, 3/10 and 3/12.

Refuse Arrangements

- 8.46 The application indicates that waste storage would be situated on the north side of the building with a relatively straightforward route out to Burnside on collection days. I consider this approach to refuse arrangements to be acceptable.
- 8.47 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.48 The existing access road is relatively narrow but is already in use by other properties along Burnside. I do not consider the additional two vehicles regularly using this would be significantly worse than the vehicle movements of present. The Highway Authority has not raised any objection to the application, subject to conditions, and I agree with this advice.
- 8.49 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.50 Each dwelling would have one car parking space which is in accordance with the maximum parking standards of the Local Plan (2006). There would still be space at the rear of nos.97-99 for staff parking for the dental surgery which could accommodate up to four car parking spaces, similar to that of present.
- 8.51 Each dwelling would have access to two cycle parking spaces which would be provided in a secure covered store in each of the gardens which is considered acceptable and in accordance with the minimum standards of the Local Plan (2006).

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

Third Party Representations

8.53 The table bellows provides a response to the relevant third party representations raised:

Point	Response
Increase in noise pollution Increase in noise and disturbance from use of properties Increase in traffic pressure	See paragraph 8.42. The site is situated in a residential area and would be used in a residential manner. I do not consider the movement of people going to and from the site, given the level of development proposed, to be so great as to be significantly worse than that of present. I do not consider an additional two-vehicular movements would drastically increase traffic pressure in the area.
Concerns regarding management of construction traffic.	The Highway Authority has recommended a traffic management plan condition to manage construction traffic.
Impact on Highway Safety	See paragraph 8.50
Overshadowing	See paragraphs 8.28 – 8.33
Overlooking/ Loss of Privacy	See paragraph 8.26
Increase in off-street parking from visitor parking	The level of car parking is in accordance with the maximum standards of the Local Plan (2006). The site is situated within close proximity to public transport and cycle routes and I do not believe the future occupiers will be dependent on private car as the sole means of transport to and from the site.
Light pollution	I do not believe that lighting

	from windows will be a significant threat to neighbour amenity due to the residential use of the site.
Access by emergency services	This is a building control matter and not a planning consideration. Given the distance from the public highway it is understood a sprinkler system would need to be installed in the rear garden.
Concerns regarding waste disposal/ arrangements.	A condition has been recommended to control the waste arrangements.
The ownership of the access drive is not clear.	This is not a planning consideration and is a legal/ civil matter.
The proposal is contrary to Cambridge Local Plan (2014) policies 56, 57, 59 and 82.	See paragraph 5.4.
The proposal is situated within the Cambridge Airport Public Safety Zone which does not permit development which will increase the number of people living in this zone.	The proposal is situated to the south of this zone and is therefore not within this zone. This is not applicable to this application.
The proposal is contrary to Planning Policy Statement 1: Delivering Sustainable Development.	This national policy is no longer used in the determination of planning applications and was superseded by the NPPF (2012).

Planning Obligations (s106 Agreement)

8.54 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. 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.

- 8.55 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.
- 8.56 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.

9.0 CONCLUSION

- 9.1 In conclusion, I consider the proposal would not harm the amenity of neighbouring occupiers and would not detrimentally impact on the character of the Conservation Area. Approval is recommended.

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 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)

4. 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)

5. 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)

6. 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

7. Prior to commencement of development details of flood resilient and resistant measures are to be supplied to and agreed in writing with the local planning authority and the finished flood level of the development shall be set no lower than 8.610m A.O.D. The development shall be carried out in accordance with the approved details and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To minimise flood risk.

8. 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

9. 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.

10. 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.

11. 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.

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

Reason: In the interests of highway safety.

13. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety.

14. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (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.

Reason: in the interests of highway safety

INFORMATIVE: Dust condition 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

-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