

<b>Application Number</b>	15/1858/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	19th October 2015	<b>Officer</b>	Ms Lorna Gilbert
<b>Target Date</b>	14th December 2015		
<b>Ward</b>	West Chesterton		
<b>Site</b>	Land At 3 Victoria Road Cambridge		
<b>Proposal</b>	The erection of a new dwelling, incorporating amendments to application 14/1754/FUL.		
<b>Applicant</b>	Mr Peter Shenton 3 Victoria Road Cambridge CB4 3BW		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed alterations to the previously-approved schemes would not result in a development which will have a significantly detrimental impact on the amenity of neighbours.</li> <li><input type="checkbox"/> The proposed development would not have a harmful impact on the appearance and character of the conservation area;</li> </ul>
RECOMMENDATION	APPROVAL

**INTRODUCTION**

- 0.1 Full planning permission was granted in November 2012 by North Area Committee for the demolition and rebuild of the existing mid terrace property at 3 Victoria Road. Demolition and redevelopment is well underway, including the formation of an enlarged basement as approved by the Planning Committee in January 2015.
- 0.2 Since the determination of the 2014 application the building works have been changed during the detailed design stage as works have progressed on site. Regrettably the applicant did not seek planning approval for these alterations in advance and

an application for non-material amendment has been refused under delegated powers.

- 0.3 As the new property is significantly progressed but not yet completed and inhabited, this application seeks permission for the erection of a new dwelling as approved under the previous approvals (12/1041/FUL and 14/1754/FUL) but featuring a range of amendments to the design. My report focuses on the changes to the scheme and the impacts that they have on the character of the area/Conservation Area and residential amenity.
- 0.4 The site has a complicated planning history and I have also referred to an earlier refusal of planning permission (reference 10/1163/FUL) in my report. This was subject to a planning appeal which was dismissed.

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site is located close to the junction of Victoria Road and Croft Holme Lane, which forms the western boundary of Mitcham's Corner. The area is largely residential in character containing a mixture of terraced and semi-detached properties although there are some ground floor retail units further west and north west of the subject property. Opposite the site is 'Victoria Homes', a sheltered housing scheme of terraced bungalows from the 1900's.
- 1.2 The application site is a mid-terrace house under construction. Originally, the site comprised of a two storey Victorian terrace property, which had a later single storey garden room extension added at the rear. At the southern end of the site there used to be a garage and link through to the rear garden, accessed from Croft Holme Lane. Both the neighbouring properties were taller than the original No.3.
- 1.3 The original property has since been demolished and a new terraced house is under construction in its place; the exterior front and rear of the house are superficially complete, and the rear of the site is secured with construction hoardings. The applicant is awaiting completion of the interior before a replacement garage can be rebuilt on the site of the former garage.

- 1.4 The house has been built to an approved ridge height which is taller than no. 1 but still below no.3. The street-facing elevation is almost identical to that already approved, and differs only in the shape of the lintels and dormers.
- 1.5 At the rear, the application site has a long rectangular rear garden facing south-west, in contrast to 1 Victoria Street which has a short, cropped garden following the line of the house's curved position wrapping around the street corner. The application site garden is now an almost full-length basement which terminates 6.5m from the rear boundary at which point the garage will be built. The rear elevation is extended at ground, first and second floor, similar in appearance from Croft Holme Lane to that already approved.
- 1.6 The site lies within the Victoria Road and Castle Conservation Area (2012), adjacent to the controlled parking zone and in an Air Quality Management Area.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks retrospective planning approval for the construction of a replacement dwelling which varies from the previous schemes approved under planning permission 14/1754/FUL, which itself was an amendment of the original permission for a replacement house (ref. 12/1041/FUL). The proposals retain the extended length basement and external escape staircase which were approved by 14/1754/FUL, and make the following additional changes:
- Raise the height of the first floor flat-roof rear extension walls by 0.2m by creating a parapet edge finish to this level, introduced in response to the rain water disposal strategy changing.
  - Change the plan form dimensions of the L-shape second floor loft extension, increasing the length of both arms by 0.15m and 0.50m.
  - Install an obscure glazed panel screen on the second floor boundary wall between no. 1 and 3.
  - Install angle-mounted solar panels on the second floor-level external flat roof and on the flat roof of the second floor extension.
  - Change a rear-facing window at second floor into a door for use for maintenance purposes only.

- Change the height and position of glass block 'window' panels.
- Erect a new replacement garage on the same footprint as the previous / original garage fronting the rear access drive. This would be the same floor plan dimensions and same roof profile, but at 4.20m high it has a 0.2m higher ridge height than the demolished garage, and has solar panels attached.
- Change the levels into the site from a stepped / flat entrance into a sloping drive from the rear, through the garage, across the garden.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans, elevations and sections.

### 3.0 SITE HISTORY

Reference	Description	Outcome
15/1327/NMA	Non material amendment of 14/1754/FUL for change to windows, walls, glass boxes and parapet wall.	Both proposals refused as being more than 'non-material'.
15/0401/NMA	Non material amendment of 12/1041/FUL for change to windows, walls, glass boxes and parapet wall.	
14/1754/FUL	Construction of a replacement dwelling as approved under 12/1041/FUL including an extension to the basement of 5.25 m.	Approved
12/1041/FUL	Erection of a dwelling (following demolition of existing dwelling).	Approved
12/1280/CAC	Demolition of existing 2 storey single dwelling.	Approved
10/1163/FUL	Erection of a dwelling (following demolition of existing dwelling).	Refused and appeal dismissed

09/0913/FUL	Replacement of existing dwelling house with a new three storey house (following demolition of existing residential building).	Withdrawn
04/1179/FUL	Single storey rear extension and a loft extension to existing dwellinghouse	Permitted
C/93/0838	Conversion of loft with dormer window to rear, erection of garage and rebuilding of conservatory.	Permitted

#### 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	Local	3/1, 3/4, 3/7, 3/11, 3/12, 3/14
Plan 2006		4/11 4/13 4/14
		5/1
		8/2, 8/4, 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)
	<u>Area Guidelines</u>  Castle and Victoria Road Conservation Area Appraisal (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.

### 5.5 In this case there are no policies that are of significance.

## **6.0 CONSULTATIONS**

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

- 6.1 The proposal should have no significant impact on the public highway, but details of the proposed basement structure should be provided to the Highway Authority, which should demonstrate compliance with the Highway Authority's requirements for structures supporting the public highway. The scheme will not be eligible for parking permits. Conditions should be imposed requiring basement details, keeping accesses free of obstruction, not allowing structures to overhang the highway, and requiring a traffic management plan.

### **Environmental Health**

- 6.2 The proposal is acceptable if it incorporates the approved piling strategy, air quality protection and mitigation measures, and traffic noise protection methods as have been previously agreed for former consents.

### **Drainage Officer**

- 6.3 The development proposed is acceptable.

### **Urban Design and Conservation team**

- 6.4 No objection - It is considered that there are no material Conservation issues with this proposal, and the addition of solar panels on the garage would not be detrimental to the character or appearance of the conservation area.
- 6.5 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 occupiers of the following addresses have made representations:

- 1 Victoria Road
- 5 Victoria Road

7.2 The representations can be summarised as follows:

- The building is much more imposing and overbearing than was originally perceived from the perspective from no. 1 Victoria Road.
- The change from a window on the upper rear floor (second floor) into a door is a concern and it should be just two windows to prevent easy access from property to property (No.1 & No.3) and therefore creating a security risk. If the new application continues to detail an obscure glass panel to separate the two properties this would give a degree of privacy and security and would be welcomed by no. 1 Victoria Road.
- The proposed solar panels on the flat roof of the second floor extension will cut across the windows serving the attic work room of 5 Victoria Road, blocking the main source of light for the room.
- The larger form of development and commencement of works without permissions in place contravenes the rights of neighbours and should not be accepted. The only just solution is to insist on adherence to the original plans, to avoid making a mockery of the planning laws.

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 my assessment of the site, its surroundings and the representations received I consider the main issues to be addressed are:

- Design and context and impact on the conservation area;
- Residential amenity;
- Security between premises; and,
- Ensuring provision of cycle, refuse and highways safety features.

### **Context of site, design and impact on the Conservation Area**

8.2 The design of the replacement dwelling was considered to be appropriate in the previous applications and the further changes

proposed are not widely visible from the conservation area, nor are they detrimental to the character of the streetscene. The slight increased height to the garage is only marginally different and not visually harmful. The shift from two windows at second floor level into a window and door is not perceptible from the street level, and is seen in the context of the regular arrangement of tall windows and doors at this height in the adjoining houses.

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

**Residential Amenity: Impact on amenity of neighbouring occupiers**

Scale and daylight impacts

- 8.4 When assessing the impacts from scale and daylight as experienced by the neighbours, it is worth doing so chronologically. The original terraced house had both ground and first floor rear extensions against the boundary of no. 1 Victoria Road, and formed the boundary wall, which measured front-to-back from the street:

**Table 1: Original house**

<b>Original house</b>	<b>Length to boundary of no. 1</b>	<b>Height from ground level within application site</b>
Ground floor	14.30 m long outer brick wall with 'sheer' monopitch gable end.	2.80 m high ridge on boundary.
First floor	10.60 m long with sheer gable.	6.60 m high.
Second floor	No second floor	No second floor.

- 8.5 All measurements for the subsequent redevelopment plans were then taken from the ground level at no. 3. The ground levels were then shown flush with 1 Victoria Road; on the plans but whilst actual ground levels are similar across no. 5 and no. 3, there is actually a lower ground level in 1 Victoria Road,

which is even greater than the 0.3m step down from its kitchen into the garden. The height of the new build proposals (reference 10/1163/FUL) should have been more accurately shown on the drawings and side elevations would have appeared larger from 1 Victoria Road. In practice, removing all the former extension therefore removed all the former boundary and effectively created a taller wall than had been proposed.

8.6 The following measurements describe the 2010 scheme:

**Table 2 – 2010 scheme**

<b>Refused scheme 10/1163/FUL</b>	<b>Length to boundary of no. 1</b>	<b>Height from ground level within application site</b>
Ground floor	14.80 m long flat roof brick wall with further 1.60 m long projecting eaves.	3.40 m high flat roof. 3.60 m high rising eaves.
First floor	12.50 m long. Included timber balcony screen.	5.50 m high.
Second floor	10.30 m long adj. 1 Victoria Rd. In continuous square box form against the boundary. Included store and timber balcony screen adjacent to no.1.	8.00 m high.

8.7 In the refused scheme 10/1163/FUL, a difference in ground levels between the two properties was noted but not quantified. This contributed to the assessment that all lengths and heights, and shape of the second floor, all combined to make the proposal unacceptable in its relationship with 1 Victoria Road. The application was refused on grounds of i) loss of light to both gardens, and (ii) overdominant flanking walls against no. 1, causing an unacceptable sense of enclosure.

- 8.8 The Inspector acknowledged the small and tight confines of the garden at 1 Victoria Road and the limited existing outlook and amenity in place, and considered it necessary to protect the courtyard and balcony from loss of light, and retain the outlook from both adjoining houses.
- 8.9 When approved in permission 12/1041/FUL the dimensions had been reduced, by removing the former roof balcony timber screens and revising the square form of the second floor. The 2012 scheme measured:

**Table 3 – 2012 scheme**

<b>Approved scheme 12/1041/FUL</b>	<b>Length to boundary of no. 1</b>	<b>Height from ground level within application site</b>
Ground floor	14.80 m long partially-flat roof brick wall. Further 1.60 m long projecting eaves.	3.20 m high flat roof with 3.60 m high projecting eaves. <u>(now 0.2m lower but only at closest point).</u>
First floor	10.50 m long. Removed balcony screens. <u>(Now 2.00m shorter than was proposed in the refused scheme)</u>	5.50 m high. (no change).
Second floor	New L-shape plan form. 7.70 m long adj. 5 Victoria Rd. 5.50 m long adj. 1 Victoria Rd. Removed balcony screen & store, with open-sided roof edge. <u>(4.80m shorter than was refused).</u>	8.10 m high. (0.1m taller than refused).

- 8.10 The 2014 scheme (14/1754/FUL) involved improvements to the fire escape from the basement and an extension to the basement and did not result in changes to the overall heights.

8.11 In preparing plans for the current retrospective submission the applicant undertook an accurate survey of the relationship to 1 Victoria Road. This identified the following changes: (i) internal level changes at no. 1 mean the ground floor interior floor level at the rear of the house was 0.3m lower than previously shown, and (ii) the garden level was 0.3m lower than that, so the overall garden level is 0.6m lower than the assumed floor level within the application site. The lengths and massing of the proposed new house itself have also now changed slightly, as currently proposed (and built) below:

**Table 4 – Current scheme (2015)**

<b>Retrospective proposal 15/1858/FUL</b>	<b>Length to boundary of no. 1</b>	<b>Height from ground level within application site</b>	<b>Actual height from ground level in adj. garden at no. 1, as built</b>
Ground floor	14.80 m long rising monopitch roof brick wall with further 1.60 m long projecting eaves.	3.20 m high lowest point. 3.50 m high eaves. (0.1m lower eaves).	3.80 m high lowest point. 4.10 m high eaves. (0.60 m increase).
First floor	10.50 m long. No balcony screens. (No change)	5.70 m high. (0.2m increase).	6.50 m high. (0.8m increase).
Second floor	L-shape plan form. 7.75 m long adj. 5 Victoria Rd. (now <u>0.15m longer</u> ). 6.00 m long adj. 1 Victoria Rd. (now <u>0.50m longer</u> ). New 3.0m long opaque glass screen barrier along open-sided roof edge.	8.10 m high. (no change).	8.7m high. (0.60m increase).

- 8.12 If 'scale' is taken to comprise height and length, the above 'as built' heights are no more than 0.20 m higher than was originally approved, and this is the increased height of the parapet wall. In all respects the building remains much lower and shorter than the refused scheme. Unfortunately the relative position to no. 1 Victoria Road has changed and the 'extensions' are much taller, because the change in levels has now been more accurately plotted. Had the previous approved scheme(s) been adhered to, the actual as-built heights would still have been 0.6m taller than shown on the approved plans.
- 8.13 Having visited the site and neighbour's garden at number 1 Victoria Road, I appreciate that the scale of the built form feels imposing and quite dominant. However, the difference between the approved plans and current plans is a 0.20m increase in first floor wall height over what was previously permitted and this would not be substantially different nor harmful in itself, given that the sun's presence would diminish on this part of its path trajectory (this is the north-west aspect) and to a large part would have been screened by the mass of the approved wall anyway. There is limited additional overshadowing and sense of outlook is not significantly altered from the closest first floor window. The ground floor rear-facing kitchen window may be overshadowed slightly but this was the case for the previous permission and I do not consider the small increase in height to create a disproportionately increased harmful impact. Notwithstanding that the as-built height is different to the previously predicted height because of inaccuracies in the survey drawings. The additional height of the parapet wall will not block light to the balcony or dormer windows.
- 8.14 In terms of the lengths of the extensions, only the second floor has changed, but despite being longer than approved, it is still acceptable because the accurate survey found the centre of the dormer window / door at no. 1 to be set 1.8m away from the boundary, rather than the 0.9m shown previously. As a result, both 'arms' of the L-shape dormer are behind the 45-degree line and impacts in terms of outlook, daylight and sense of enclosure are acceptable.
- 8.15 The glass block side 'windows' are now slightly taller, thinner and shorter, which removes some of the relief in the brick walls, I consider this only a very marginal change and the impact on

residential amenity is not significant. The bricks are high quality and mottled so give appropriate variety to reduce some sense of dominance.

- 8.16 The solar panels on the second floor flat roof do align across one of two narrow rectangular windows on this elevation serving the attic of no. 5, but they are set away from the wall so light is still received. This window is east facing and obscure glazed and the attic is served by a slightly taller south-facing casement-opening dormer window, which even if 'secondary' in nature to the internal use, is clearly designed as the 'primary' window for outlook and light. I consider that any light lost to this window would be minimal given its aspect and the separation distance, and find the outlook relationship acceptable given it is already obscure glazed.
- 8.17 The proposed garage is acceptable. It retains the shape of the previous garage and the 0.2m increased ridge height will be a small difference in views from neighbouring windows and gardens of properties on Croft Holme Lane (approximately two more brick courses of massing).

#### Disturbance, loss of privacy and security

- 8.18 No balconies are proposed, and the obscure glazed barrier screen at second floor level measuring 3m in length and 1.94m high from the neighbours balcony is only for security between properties. This is a pragmatic solution and its impact on outlook and daylight has been minimized as much as is possible to do so whilst providing appropriate security to no. 1 Victoria Rd. The applicant has acknowledged that they expect to be subject to the continued imposition of Condition 14 of permission 12/1041/FUL which prevents use of the roofs other than for maintenance.
- 8.19 Although the second floor window has been changed now to a door, having been on site I am satisfied this is only for maintenance. I am satisfied that a door in this position is acceptable in security and amenity terms, because the condition preventing general use of the flat roof as a balcony, and the lack of other balustrades around the roof edge (which can also be required by condition), and the presence of the opaque glazed security screen means there are sufficient other

mitigating measures in place which are reasonable and enforceable.

- 8.20 The development has not required piling to date but a precautionary condition can be applied in case the garage should require it. Construction hours should continue to be controlled.
- 8.21 As with the former consent, the proposed development can be conditioned to prevent the basement escape hatch from being open at any other time aside from an emergency to ensure that any noise from activities in the basement are not transferred outside where it may disturb neighbouring residents.
- 8.22 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 and 3/12.

**Residential Amenity: Amenity for future occupiers of the site**

- 8.23 As with the original permission the development should include measures to protect future residents of this development from exposure to high levels of air pollution and exhaust odours associated with the Victoria Road façade. The development should utilise the previously-agreed details in which the Mechanical Ventilation Heat Recovery system's supply air will be sourced from the rear of the building away from Victoria Road, which the 1<sup>st</sup> and 2<sup>nd</sup> floor plans indicate remains the case. A condition will require the same details to be used as have been agreed for Condition 10 of permission 12/1041/FUL.
- 8.24 It is necessary to ensure appropriate road traffic noise protection and air change circulation to bedrooms. The Environmental Protection Officer has confirmed the glazing specification is satisfactory for noise protection, and its use shall be conditioned.
- 8.25 The proposals allow bedrooms 2 and 3 to naturally ventilate to the rear away from the traffic noise source, but bedroom 1 on the first floor cannot ventilate to the rear and will therefore require a sufficient air change rate as recommended internal sound levels cannot be achieved with windows open. It is

proposed to require use of the same airflow system as already approved for Condition 11 of 12/1041/FUL.

- 8.26 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.

### **Renewable energy and sustainability**

- 8.27 The proposed dwelling is very energy efficient and with features such as mechanical heat recovery system will make a notable reduction in its carbon footprint. The amended proposals now include a solar panel array, on angled mounts on the 2<sup>nd</sup> floor flat roof and mounted on the garage. These are supported in principle, and I do not consider their locations detrimental in either appearance in the conservation area (had the garage not needed to be rebuilt these would have been permitted development anyway), or in amenity terms, as discussed above in this report.

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

### **Disabled access**

- 8.29 The site has an unavoidable step-up into the house from Victoria Road, which has remained since former consents found this to be acceptable. A level access is possible from the rear entrance via the garage.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

- 8.31 Appropriate refuse storage is possible within the garden or garage, with convenient collection points within or at the entrance to the rear drive. As with the former consents, a condition will require final refuse store details to be agreed.

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

### **Highway Safety**

8.33 The shape of the basement against the pavement has changed slightly in since that approved in both previous permissions, as the new proposal provides a new pavement skylight /lightwell. This is not an uncommon design so technologies exist to ensure a safe pavement arrangement, but the precise details should be agreed by condition in advance of occupation.

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

### **Car and Cycle Parking**

8.35 The garage will retain appropriate space for parking cars on-site, and there is no net-increase in dwellings so the demand for car travel should not increase. It is prudent to require the garage to be built prior to the first occupation of the house to ensure appropriate storage, and an appropriate design solution and security of the site. As with the former consents, a condition will require final cycle store details to be agreed. The occupants of the dwelling will not be eligible for residents parking permits.

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

### **Third Party Representations**

8.37 I have analysed and addressed the increased scale and massing of the development in comparison to previous approved drawings, and discussed above the consequences on daylight and enclosure from the alterations and new solar panels. Although the works do not follow the approved schemes, and have progressed towards completion without consent, appropriate procedure has been followed by allowing the applicant to authorise the situation. Given that I find the proposals acceptable I do not consider it necessary to recommend proceeding with any further action because of non-compliance to date. In the event that the Committee refuse the application against officer recommendation, officers have

delegated authority to pursue enforcement action as the application is retrospective.

## **Planning Obligations**

- 8.38 Neither the original permission for a replacement dwelling 12/1041/FUL or its amended version 14/1754/FUL required planning obligations / financial contributions because they did not create a net additional dwelling nor create additional impacts on infrastructure which the planning obligations would seek to address. This remains the case with this new proposal for a single dwelling.

## **9.0 RECOMMENDATION**

**A) 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. 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)

3. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hours and 1900 hours on Mondays to Saturdays and there should be no collections or deliveries on Sundays or Bank and Public Holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006).

4. 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: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan policy 8/2).

5. No part of the structure shall overhang or encroach under the public highway and no gate, door or ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2).

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

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2).

7. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/14 and 4/11)

8. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)

9. All new joinery [window frames and doorways] shall be recessed at least 75mm back from the face of the wall / façade. The means of finishing of the 'reveal' shall be submitted to and approved in writing by the local planning authority prior to installation of new joinery. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Building of Local Interest and the Conservation Area. (Cambridge Local Plan 2006, policies 4/11 and 4/12)

10. Prior to the commencement of the development a scheme to protect future residents of this development from exposure to high levels of air pollution and exhaust odours associated with the Victoria Road façade, shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: To safeguard amenity and health of future occupants of the residential unit (Cambridge Local Plan 2006 policies 3/12, 4/13 and 4/14)

11.
  - a. Prior to the occupation of the development a noise report that considers the impact of noise on the Victoria Road façade upon the proposed development shall be submitted in writing for consideration by the local planning authority.
  - b. Following the submission of the noise report and prior to the occupation of development, a noise insulation scheme for protecting the affected residential units from noise as a result of the proximity of the bedrooms and living rooms to high ambient noise levels on the Victoria Road façade (dominated by traffic and vehicle noise), shall be submitted to and approved in writing by the local planning authority.

The scheme shall detail the acoustic noise insulation performance specification of the external building envelope of the affected residential units (having regard to the building fabric, glazing and ventilation) and achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

Reason: To protect the amenity of future occupants of this property from the noise from the public highway (Cambridge Local Plan 2006 policy 4/13)

12. Before the development hereby permitted is occupied, a scheme for the insulation of the plant that is installed in order to ventilate the basement shall be submitted to and approved in writing by the local planning authority which specifies how the level of noise emanating from the said plant shall be minimised to ensure that neighbouring properties are not disturbed. The scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

13. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. 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 nearby properties. (Cambridge Local Plan 2006 policy 4/13).

14. 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 the adjoining properties (Cambridge Local Plan 2006 policy 4/13)

15. 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 wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. 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 4/11)

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

18. In no circumstances shall the green roofs be used by the occupiers for recreational or amenity purposes and nor shall any furniture such as tables and chairs be situated on these roofs.

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

19. The approved means of escape shall only be used in the case of an emergency such as fire and the door at the base of the external staircase shall not be left open for any other purpose and the flat roof shall not be used as a balcony area.

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

20. Prior to the commencement of development, details shall be submitted to and approved by the local planning authority which indicates how the external basement drainage proposals shall be incorporated to manage ground and surface water. Development shall be carried out in accordance with the approved details and retained in perpetuity.

Reason: To ensure that the approved development manages its own surface and ground water requirements (Cambridge Local Plan 2006 policy 8/18).

21. 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.

22. Prior to occupation the obscure glazed panels located at second floor level between No.1 and No.3 Victoria Road, Cambridge shall be installed.

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

**INFORMATIVE:** To satisfy the noise insulation condition for the building envelope as required above, the Council expects the scheme to achieve the good internal noise levels of British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria.

**INFORMATIVE:** The level of noise insulation between the proposed new dwelling and those existing must comply with Building Regulations approved document E to provide resistance to the transmission of sound. This will be particularly important in respect of the proposed basement home cinema. It is assumed that Building Control will deal with this matter.

**INFORMATIVE:** The air quality condition above is likely to be achieved by mechanical ventilation, complying with the requirements of approved document F (Ventilation) for both background and purge ventilation / summer cooling, sourcing air from the rear of the development away from the road. Such ventilation may also be required to achieve the internal noise levels required by PPG 24.

**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. 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.

**INFORMATIVE:** The applicant is advised that implementation of the application hereby approved will result in neither the existing residents of the site, nor future residents able to qualify for Residents' Parking Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

**INFORMATIVE:** Full details of the proposed basement structure shall be submitted to and approved in writing to the Highway Authority within 28 days of this permission or prior to occupation whichever is earlier or such other time as agreed in writing by the Local Planning Authority. Details of the proposed basement structure must be provided to the Highway Authority, and demonstrate compliance with the Highway Authority's requirements for structures supporting the public highway.

**B) If Planning Committee consider this application for retrospective planning permission should be refused, it is recommended that Authority be granted to instruct the Head of Legal Services to serve enforcement notices under section 171 of the Town and Country Planning Act 1990 to remedy the breach of planning control.**