

<b>Application Number</b>	16/1299/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	14th July 2016	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	13th October 2016		
<b>Ward</b>	East Chesterton		
<b>Site Proposal</b>	1-4 Water Lane Cambridge CB4 1NY Erection of 13 flats (following the demolition of existing buildings 1-4 Water Lane), together with the provision of one disabled space, cycle parking, landscaping and associated infrastructure.		
<b>Applicant</b>	Water Street (Cambridge) LLP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The scale, massing, elevations, materials and landscaping would respect the character of the area and the street scene;</p> <p>The proposal would have an acceptable impact on neighbouring properties in terms of overbearing, overshadowing, overlooking or noise and disturbance;</p> <p>The proposal would comply with local planning policies and adopted standards for car and cycle parking and bin storage.</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site consists of Nos. 1-4 Water Lane which is a terrace of two-storey properties on the western side of the road. The terrace is set back from the street with a front garden and low wall. The properties have a red brick frontage and buff brick side and rear elevations. The roof is hipped. The properties

have a rear garden which is accessed via Waterhouse which is a private access.

- 1.2 The surrounding area is predominantly residential. To the north is the rear of Nos. 232-238 High Street which have long rear gardens. To the south is a block of flats known as 'Waterhouse', which is a two storey block plus an attic storey with dormer windows. The building fronts onto Water Lane and has a rear access via the shared access (also known as 'Waterhouse') from Water Street.
- 1.3 Within the vicinity is the residential development on the opposite side of the road which is currently under construction for 24 residential units, including 14 affordable units for over 55s. The units are split between two blocks and private houses. The units fronting Water Lane are two storey plus an attic storey with dormer windows, in buff brick.
- 1.4 The site is not within a conservation area, however to the west of the car park at the rear is the Ferry Lane Conservation Area. The existing building is not listed and is not a Building of Local Interest, nor are there any within the vicinity. The site is outside the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the erection of 13 no. flats following the demolition of existing terrace Nos. 1-4 Water Lane, together with the provision of one disabled space, cycle parking, landscaping and associated infrastructure. The mix of units would comprise 3 x 1-bed flats, 9 x 2-bed flats and 1 x 1-bed studio. The proposed building would be two-storeys plus a set-back third storey fronting Water Lane, with a two storey rear wing.
- 2.2 There would be an area of communal open space at the rear of the site, a bin store on the southern elevation of the building, and a bike store on the north western corner of the site. There would be one car parking space which would be marked out of disabled use. Access to the car parking space would be from Waterhouse. There would be pedestrian access to the site from Water Land and Waterhouse.

- 2.3 During the course of the application, revised plans were submitted which included an amended location plan showing the access to the car parking space from the public highway within the red line of the application site, and notice was served on the owners of the access. The revised plans also included the following amendments in response to comments from officers:
- amendments to the bin store and southern elevation;
  - dimensions of disabled/visitor parking space on proposed site plan;
  - detailed annotations of materials; and
  - amendments to the fenestration, balconies and glass screens of units F1, F2, F4 and F9.

### 3.0 SITE HISTORY

3.1 There is no site history.

### 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 Plan 2006	3/1 3/4 3/7 3/11 3/12 4/13 5/1 5/5 8/2 8/4 8/6 8/10 8/16 10/1

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Affordable Housing (January 2008)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

#### 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**

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

The proposal provides no off street car parking for residents of the development. Recent guidance contained within the National Planning Policy Framework and the IHT guidance on best practice in car parking provision advises that parking provision for new residential development is based upon levels of access to a private car for existing residential uses in the surrounding area. It is advised that the applicant reassess the proposed parking provision in regard to the new guidance. In its current form the development will therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Recommended condition/informative:

Traffic management plan and accompanying informative

## 6.2 Environmental Health

No objection.

Recommended conditions/informatives:

- Construction hours
- Collection during construction
- Construction/demolition noise/vibration & piling
- Construction/demolition noise/vibration assessment  
informative
- Dust condition
- Dust condition informative
- Contaminated land informative

## 6.3 Refuse and Recycling

Initial comment 19.08.2016

Bin store needs to be redesigned to fit the correct sized bins. There needs to be a dropped kerb where the bins will come out on to the pavement. There needs to be a keypad for the bin store.

Comment on revision 07.09.2016

The proposed arrangements are acceptable.

## 6.4 Urban Design and Conservation Team

Initial comment 19.08.2016

The submitted scheme is acceptable in design terms.

The proposed scale and massing is acceptable in design terms and relates well to the height of the consented flat block opposite and adjacent Waterhouse scheme. The scheme will relate well with the existing context in terms of its siting and massing. All materials should be conditioned and samples provided should the application be approved.

The following amendments are required to the treatment of the amenity spaces which should be provided as part of the discharge of conditions:

- The threshold spaces for unit F1 is small should be increased in size.
- The balcony for unit F9 should be increased in size. A 1.8m high screen should be introduced on the north face of the balcony to prevent overlooking to the rear gardens of Nos. 232-238 High Street.
- The threshold to unit F2 should have a change in level should be introduced to better define the threshold space.
- Low glass screens should be specified for the thresholds to units F2 and F4.

The north elevation includes small vertical slot windows which should be obscured glazed to prevent overlooking and provide privacy for the occupant.

The balcony to unit F9 at first floor level has the potential to result in overlooking. A 1.8m high screen panel is needed on the north face of this balcony to prevent overlooking.

The shadow study indicates the proposed scheme would result in a small increase in overshadowing to the rear gardens of Nos. 236 and 238 High Street. The level of overshadowing is considered acceptable in design terms given it is minor and limited to the early mornings.

Recommended conditions:

- Materials samples
- Non-masonry walling systems

Comments on revision 04.10.2016

No objection. The submitted amendments are supported in design terms and address all of our previous comments.

## 6.5 Senior Sustainability Officer (Design and Construction)

With regards to the overall approach to sustainable design and construction, a number of measures are proposed, including:

- Provision of sedums roofs on the cycle stores and also areas of the second floor.
- The use of large windows on the South elevation to maximise solar gain in winter months is supported, however it needs to be carefully balanced against the need to reduce summer time overheating. Further clarity is required as to

whether the thermal mass may lead to unwanted internal heat gains in the shoulder and summer months, contributing the overheating would be welcomed.

- The use of mechanical ventilation with heat recovery (MVHR) is welcomed, but it will be important to ensure that the MVHR is specified with a summer bypass mode so that use of the system does not lead to unwanted internal heat gains in the shoulder and summer months.
- I would encourage the applicant to give consideration to implementing additional measures to improve water efficiency.

With regards to renewable energy, the use of photovoltaic (pv) panels is supported. Carbon calculations have been included which demonstrate that the use of pv panels will lead to a reduction just above the 10% requirement. A roof plan showing the layout of the panels is required.

Recommended condition:

- Renewable energy

## 6.6 Access Officer

Car parking space needs to comply with the hatched markings in Part M Building Regulations in order to claim as a Blue Badge space.

## 6.7 Head of Streets and Open Spaces (Landscape Team)

Initial comment 29.07.2016

No objection.

There are areas where elements are squeezed, such as adjacent to the rear gate behind Flat F2. The access beside Flat F4 is squeezed between the wall at the site frontage and the oblique fence line to the adjacent properties. Neither of these elements constitutes grounds for an objection.

Recommended conditions:

- Hard and soft landscaping
- Landscape maintenance and management plan
- Boundary treatment

Comments on revision 28.09.2016

No objection.

**6.8 Head of Streets and Open Spaces (Walking and Cycling Officer)**

No comments received.

**6.9 Cambridgeshire County Council (Flood and Water Management)**

No objection.

Recommended conditions:

Surface water drainage scheme

Infiltration testing

Maintenance plan for surface water drainage scheme

**6.10 Head of Streets and Open Spaces (Sustainable Drainage Officer)**

No objection.

Recommended condition:

Surface water and a management and maintenance plan

**6.11 Anglian Water**

No assets affected. The sewerage system at present has available capacity for these flows. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).

Recommended condition:

Surface water management strategy

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

No objection.

Recommended condition:

Programme of archaeological work

## 6.13 **Consultations with Service Managers**

### Community facilities

£6,280.00 - Towards the provision and / or improvement of the facilities and equipment at Browns Field Youth & Community Centre.

This proposed development is within half a mile of the Browns Field Youth & Community Centre, which is on the councils 2016/17 target list of facilities for which specific S106 contributions will be sought. The Community Facilities audit (2016) highlights that the capacity of this facility needs to be improved to mitigate the impact of local development, like that proposed by this planning application. So far, the council has agreed only 1 specific contributions for this project (16/0617/FUL Hayling House) so there is still scope for this contribution (and up to 3 others) to be requested.

### Other

No contributions are sought towards Indoor sports, Outdoor sports, Informal open space, or Play provision for children and teenagers.

## 6.14 **Cambridgeshire County Council (Growth & Economy Cambridgeshire County Council)**

Contributions are not sought for developments with a net gain of less than 10 units.

6.15 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 objecting to the proposal:

- 33 Waterhouse
- 39 Water Street
- 41 Water Street
- 222 High Street, Chesterton
- 222A High Street, Chesterton
- 234 High Street, Chesterton

7.2 The representations can be summarised as follows:

### General

- Overdevelopment on the site.
- Unclear whether any of the houses would fall within social/low cost housing requirements.

### Residential amenity

- Overlooking from roof terraces towards the garden, rear bedrooms and kitchens of properties Nos. 232-238 High Street and Nos. 35-47 Water Street resulting in a loss of privacy.

### Car parking / impact on highways

- Ferry Lane and Water Street is a busy traffic route for cyclists, cars and lorries with no safe roadside parking available.
- Parking is already busy with shoppers and residents (many residents of Water Street have no off road parking) and cars are parked on the pavement.
- Demand for car parking from the development opposite the site and the new Chesterton rail station.
- Inadequate provision for car parking.
- Overspill parking on the public highway on the narrow Water Lane near the junction of High Street / Green End Road would be dangerous.
- Provision should be made for visitors car parking.
- Measures to control car ownership proposed by the applicant would be ineffective.

- Lack of car parking will mean future residents will attempt to park in the existing car park for Waterhouse residents which will cause significant problems for residents of Waterhouse.
- Applicants should put covenant in the leases for the new flats prohibiting residents from keeping car or motor vehicles in the area and future residents would not be eligible to join any residents parking scheme that may be introduced in the future.

### Cycle parking

- Cycle parking provision looks cramped and is not easily accessible to the public highway.

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. Affordable Housing
3. Context of site, design and external spaces
4. Residential amenity
5. Car parking
6. Highway safety
7. Cycle parking
8. Refuse arrangements
9. Renewable energy and sustainability
10. Public Art
11. Third party representations
12. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 The National Planning Policy Framework (NPPF) places strong emphasis on the need to deliver a wide choice of high quality homes. Paragraph 49 states that 'housing applications should be considered in the context of the presumption in favour of sustainable development'. For decision-taking, this

presumption means 'approving development proposals that accord with the development plan without delay' (para 14).

- 8.3 The proposal is for residential development on an unallocated site and therefore Cambridge Local Plan (2006) policy 5/1 applies. This supports residential development on windfall sites subject to the existing land use and the compatibility with adjoining uses. The proposal is for 13 no. new units following demolition of the existing 8 no. flats. Part of the site is in residential use as garden. For the reasons given in this report, I consider the proposal is compatible with adjoining uses. Therefore, in my opinion, the proposal is compliant with policy 5/1 and the principle of development is acceptable.

### **Affordable Housing**

- 8.4 Policy 5/5 states that on sites of 0.5 ha or more and all developments including an element of housing which have 15 or more dwellings, the Council will seek affordable housing of 40% or more of the dwellings or an equivalent site area. The proposal is for 13 units on a site area of 0.07 ha and therefore does not trigger the requirement for affordable housing. For this reason, the proposal does not conflict with policy 5/5.

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

- 8.5 The site is located on Water Lane which connects the Chesterton High Street to the river frontage and Fen Road. The wider context has a variety of building styles. While there are detached and attached dwellings along the southern side of the High Street to the north of the site and on the northern side of Water Street to the south, the immediate context along Water Lane is the Waterhouse flats to the south and the mixed development of houses and flats under development opposite the site. The commercial units along the High Street also form part of the wider context. There is a mixture of buff and red brick, and pitched and hipped roofs.

### **Site layout**

- 8.6 The proposed development consists of a main block fronting Water Lane with a rear subservient wing to form an 'L' shape floor plan. The building would cover the foot print of the existing

terrace, however would extend further forward and further backward than existing. The width along the frontage would be similar to the existing terrace. The existing terrace is set back from the frontage of the Waterhouse flats and by positioning the building further forward, the proposed building would form a consistent building line along the frontage. In my opinion, this layout follows the established pattern of development along this side of Water Lane.

- 8.7 There would be an area of open space at the rear of the site, a bike store in the north west corner and a bin store on the south-east elevation. In my opinion, this is a good response to the site context as it would provide some activity at the rear of the site which adjoins the Waterhouse car park, and therefore would provide some activity and natural surveillance of this area. Locating these facilities at the rear of the site also allows the frontage along Water Lane to be landscaped which contributes positively to the street scene.

#### Access and movement

- 8.8 The disabled car parking space, visitor cycle parking and communal bike store would be accessed via Waterhouse which is a private shared access. There is an existing right of access to the site along the Waterhouse access. This would be a convenient route for pedestrians, cyclists and Blue Badge holders to access the site, however pedestrians and cyclists could also use the two proposed accesses from Water Lane. In my opinion, the accesses from both the front and the rear of the site provide good access and movement through the site.
- 8.9 The ground floor units F1, F2 and F4 would have private accesses from Water Lane which would create an active frontage. There would be two 'cores' providing access to other units, including one from Water Lane and the other via Waterhouse. In my opinion, this would provide a good level of activity throughout the site including the rear of the site which adjoins the car parking on the neighbouring sites and currently feels relatively neglected. The units and cores would be well connected to the bin and bike stores for all users, as well as the visitor cycle parking spaces and the disabled car parking space.

## Scale and massing

- 8.10 The frontage along Water Lane would be two storeys plus an attic storey set back. The ridge height would be the same as the Waterhouse flats. The two storey height would be the same as the eaves height of the Waterhouse flats. The attic storey would be set back 0.8-1.0m from the front elevation so that it would not be prominent. The building would also step down to two storeys with a flat roof on the northern end closest to the High Street properties and on the rear two storey wing so that it would transition well to neighbouring properties. The Urban Design and Conservation Team are satisfied that the scale and massing responds well to the neighbouring properties and the new development on the opposite site of the road, and I would agree with their conclusion.

## Elevations and Materials

- 8.11 The scale and massing of the elevation fronting Water Lane would be broken up into two storey projecting/recessed bays. The elevation would be primarily constructed in grey brick which the Urban Design and Conservation Team are satisfied would have a tonal quality with the buff brick on the Waterhouse and High Street properties and the development opposite the site. The recessed bays on the front elevation would have zinc cladding and the main entrance from Water Lane would have glazed panels. The attic storey would have equitone cladding. In my opinion, the projecting bays would create rhythm and interest along the elevation, and the materials would break up the mass of the building and aid the legibility of the communal entrances.
- 8.12 The same palette of materials would be used on the rear elevations and would differentiate between the lower floors and the attic storey. The north west (side) elevation, which would be visible from the junction of the High Street and Water Lane, would feature a projecting bay and a zinc cladding panel with tall windows. This elevation would be deeper than the existing side wall of the terrace properties and would project further forward towards the front of the site. In my opinion, the projecting bay, cladding and windows would break up this elevation so that it would not result in a prominent blank frontage. The separate access to the ground floor unit F4 would add activity to this elevation.

8.13 The Urban Design and Conservation Team have recommended a condition for samples of the materials to be submitted for approval. Subject to this, I am satisfied the design of the elevations and the materials would not harm the character of the area and would be high quality.

#### Open Space and Landscape

8.14 The frontage along Water Lane has been set back to allow space for soft landscaping in front of the building with a low brick wall (0.9m high). This would be shallower than the existing front gardens, however it would be similar to the threshold of the Waterhouse flats and the development opposite which are set back behind a fence or low wall. This would provide a threshold between the public highway and the ground floor unit which would protect their amenity. It would also soften the appearance of the building and contribute positively to the street scene.

8.15 The landscaping scheme includes areas of planting around the patios and terraces serving the ground floor units. This would provide a separation between shared and private spaces. The communal open space at the rear of the site would have a good level of natural surveillance from the ground floor units and would include soft landscaping. While the open space would not be visible along the Waterhouse access, there would be some soft landscaping in front of the rear wing which would soften the appearance of the building when glimpsed from the public highway along the Waterhouse access

8.16 The Landscape Officer has recommended a condition for a hard and soft landscaping plan, a maintenance and management plan and details of boundary treatments to be submitted for approval. Subject to this, I am satisfied the landscaping scheme would be high quality and would contribute positively to the street scene.

8.17 For these reasons, in my opinion the proposal respects the character of the area and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

8.18 The nearest neighbouring properties are Nos. 232-238 High Street which have gardens adjoining the north western boundary of the application site; and Flats 16-24 Waterhouse to the south east. These are considered below. In my opinion, the proposal would not affect the residential amenity of the properties currently under development opposite the site due to the scale, massing and separation distance.

#### *High Street properties*

8.19 Nos. 232-238 High Street are two storey terraced properties with two storey outriggers and rear gardens between approximately 9 – 11m long from the rear outrigger to the boundary with the application site. No. 238 has a side garden which forms a triangle to the north of the application site. The side garden is relatively open with only a partial hedge boundary along Water Lane and appears to be used for parking. Nos. 232-238 have ground and first floor windows on the rear elevations facing towards the application site.

8.20 The proposed building would be at the front of the site and to the south of No. 238 and its side garden. The rear part of the site to the south of Nos. 232-234 would be open space and a single storey bike store on the boundary. The north west (side) elevation at the rear of No. 238 would be set back approximately 1.1m from the northern site boundary at the front of the building and 3.9m at the rear. The proposed side elevation would be set back approximately 0.3m from the side elevation of the existing terrace, albeit with a projecting bay. It would have a flat roof which would be lower than the existing hipped roof. The three storey element would be between 5m – 6m from the boundary at the front of the site; and over 9m from the boundary at the rear of the site. In my opinion, this would not have an unacceptable overbearing impact on No. 238 compared to the existing situation.

8.21 The applicant has submitted shadow diagrams that show:

- Some minor additional overshadowing of the rear part of the gardens in the mornings during the summer and winter solstices;

- Some minor additional overshadowing of the rear part of the gardens and a large part of the side garden of No. 238 in the mornings during the equinox.

8.22 The Urban Design and Conservation Team have commented that the level of overshadowing is acceptable in design terms given it is minor and limited to the early mornings. The proposal would not cause overshadowing of any windows on the rear elevations of the High Street properties compared to the existing situation. The only affected areas would be the rearmost part of the gardens and the side garden of No. 238. The rearmost parts of the gardens are typically used less frequently. The side garden of No. 238 is relatively open with partial boundaries and does not provide private amenity space for the occupants. In my opinion, the areas affected are less sensitive to overshadowing compared to other parts of the gardens which may offer more privacy and be more intensively used. These parts of the garden are less impacted by overshadowing.

8.23 In terms of overlooking, there would be no ground floor windows on the north west (side) elevation and the only first floor windows would be obscured glass serving a bathroom, or would be on the projecting bay looking towards the front or rear of the site rather than directly towards the rear of the High Street properties. I have recommended a condition requiring the bathroom windows to be obscure glass and fixed in order to protect the privacy of neighbours as well as the future occupants.

8.24 Several balconies and roof terraces are proposed and care has been taken to ensure there would be no overlooking from these by using screens. There would be a second floor roof terrace on the north western end of the building serving unit F13; and a first floor balcony on the north western corner serving unit F9. The floor plans show a 1.8m high screen along the north western sides of the balcony/roof terrace. This would prevent direct views towards the rear of No. 238 and the side garden. I have recommended a condition for these to be installed prior to occupation in accordance with details submitted for approval.

8.25 The south western sides of the balcony/roof terrace would not have an obscured treatment, however direct views from these would be towards the communal open space within the site.

Only oblique views towards the rear of the High Street property would be possible from standing at the edge of the balcony/roof terrace, and in my opinion this would not have an unacceptable overlooking impact. There would be views towards the rear of the High Street properties from the roof terrace serving unit F12 on the rear wing, however these would be long distance views over 17m to the boundary. In my opinion, this would not have an unacceptable overlooking impact.

### *Waterhouse flats*

- 8.26 The Waterhouse flats are to the south east of the application site with a passageway between. These are two storey in scale plus and attic storey. The ground floor units are accessed from Water Lane and the first floor units are accessed via an individual external staircases from Waterhouse shared access. There are small areas of landscaping at the rear.
- 8.27 On the northern elevation (side) elevation facing the application site, there are two small windows on each floor which look out onto the existing passageway. These are obscure glazed and appear to be fixed. The applicant has indicated on the floor plans that these serve bathrooms and ensuites. While I have not verified this, the windows are unlikely to be primary windows serving habitable rooms. The south east (side) elevation of the proposed building would be slightly closer to these windows than the existing terrace (approximately 0.2m), however in my opinion, there would not be an unacceptable overbearing impact on these windows or loss of light compared to the existing situation. The bin store would be located on the south east elevation near to the side elevation of the flats. In my opinion, this would not have an unacceptable noise, disturbance or odour impact on the Waterhouse flats, as they do not appear to be primary windows serving habitable rooms.
- 8.28 There would be a roof terrace on the rear wing serving unit F11, which would look south east across the rear of the Waterhouse flats and No. 45 Water Street. The drawings show a glass balustrade along the south western side of the roof terrace. I have recommended a condition for this to be obscure glazed to a height of 1.8m in order to prevent any overlooking towards the rear of No. 45 Water Street, as the roof terrace would be only 8m from the garden and there are windows on the rear elevations of this property. I am not concerned about

overlooking towards the rear of the Waterhouse flats as any views would be oblique and these properties do not have private outdoor amenity space.

#### *Wider area*

- 8.29 Third parties have raised concerns about the impact of demand for overspill car parking on the residential amenity of the surrounding area resulting from the limited car parking provision, which has also been highlighted by the Highways Authority as an issue requiring consideration. The representations from third parties refer to the cumulative impact of other development within the vicinity, including the residential development opposite the site. I cannot reconsider the impact of development that has already been granted. I can only take into account the impact of the additional demand for off-site parking from the current proposal on residential amenity, taking account of the existing situation.
- 8.30 The proposal complies with the adopted maximum car parking standards which does not require car parking to be provided, in order to promote the use of sustainable transport modes. In my opinion, the site is in a highly sustainable location close to the city centre, the bus stops and local services along Chesterton High Street, and the cycle links along the River Cam. This would promote the use of sustainable transport modes and future residents would be aware that there would be limited car parking provision. The future occupants are therefore less likely to need to use a car on a daily basis.
- 8.31 The applicants have provided a car parking survey which shows that there is an availability of on-street and private parking within the vicinity. While I accept that the proposed development may generate additional demand for car parking, on the basis of the information provided, in my opinion this could be accommodated within the existing lawful car parking spaces available. For this reason, in my opinion, the impact on the amenity of the wider area would be acceptable. Notwithstanding this, I have recommended an informative to encourage the applicant to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

- 8.32 Third parties have raised concerns about the use of the car parking at the rear of the property by future occupants. There is an existing right of access across the Waterhouse access to the rear of the existing terraced properties. The existing properties do not have a right to park in the car parking area at the rear. The future occupants would not therefore have a right to park in this area. This is controlled through covenants on the land and could be enforced through legal means outside of the planning system.
- 8.33 For these reasons, 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

- 8.34 The Council has no adopted space standards for the amount of internal and external space. The units would be dual aspect thereby providing an acceptable quality of internal accommodation.
- 8.35 The ground floor units, except for the studio, would have a patio which would provide some external amenity space. The landscaping scheme includes planting which would create a threshold between the communal areas and private patios. During the course of the application, amendments were submitted which have resolved concerns raised by the Urban Design and Conservation Team and the Landscape Officer by including low glass screens in order to define the patio spaces. The upper floor units F9, F11, F12 and F13 have balconies or roof terraces which provide a good amount of private amenity space. I have recommended a condition for the screen between the roof terraces of units F11 and F12 to be installed prior to occupation of these units in order to protect the privacy of future occupants.
- 8.36 The units would be served by a communal area of open space which would be approximately 117 sq m. This would be south west facing and would have a good amount of natural surveillance from the ground floor units. I have recommended a condition for a detailed landscaping scheme to be submitted. Subject to this, I am satisfied there would be an acceptable level of communal amenity space for the future occupants.

The bin and bike store would be located conveniently in relation to the accesses into the site and to the units.

- 8.37 In my opinion the proposal provides an acceptable 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.

### **Car Parking**

- 8.38 The proposal includes one car parking space which would be marked out for disabled users. The future occupants would not have permission to use the existing car parking spaces at the rear of the site which are used by the residents of the Waterhouse flats. The adopted car parking standards set the maximum number of car parking spaces that would be acceptable for the proposed development, so there is no requirement for development to provide car parking spaces under Cambridge Local Plan (2006) policy 8/10.
- 8.39 The Highways Authority has commented that there may be some additional demand for on street car parking, which would not impact on highway safety, but may impact on residential amenity. Third parties have commented on the existing pressure for on street car parking and the anticipated increase in demand from other developments currently under construction in the vicinity, including the site on the opposite side of the road.
- 8.40 I have considered the concerns of local residents, however in my opinion, there would be no policy grounds on which to recommend refusal on the basis of the lack of car parking spaces. The site is in a highly sustainable location close to the city centre, the bus stops and local services along Chesterton High Street, and the cycle links along the River Cam. I have recommended a condition informative encouraging the applicants to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space. In my opinion the proposal is compliant with policy 8/10.

## **Highway Safety**

- 8.41 The proposal would use an existing vehicle access to the disabled car parking space for which there is an existing right of access via Waterhouse. The Highways Authority is satisfied that the proposal would not have an unacceptable impact on highway safety, including the potential impact of overspill car parking on the public highway. I accept the advice of the Highways Authority, and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Cycle Parking**

- 8.42 The proposal provides 22 no. cycle parking spaces for residents within a secure covered shelter in the north-west corner of the site, and 3 no. visitor cycle parking spaces on the southern part of the site access via Waterhouse. The number of cycle parking spaces meets the adopted standards and I am satisfied that the proposed store would be secure, covered and convenient for future users. I have recommended a condition requiring the cycle parking to be provided prior to first occupation of the development. Subject to this condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

## **Refuse Arrangements**

- 8.43 The proposal provides a communal bin store on the southern elevation. The Refuse and Recycling Team have commented that the provision would be acceptable. I have recommended a condition for the bin store to be provided prior to first occupation. In my opinion the proposal is compliant with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) And Cambridge Local Plan (2006) policy 3/12.

## **Renewable energy and sustainability**

- 8.44 Cambridge Local Plan (2006) policy 8/16 requires all major proposals to demonstrate that at least 10% of their developments energy requirements will be met from onsite renewable energy sources. The proposal includes photovoltaic panels and the Senior Sustainability Officer is satisfied that this

will meet the policy requirements, subject to a condition requiring details of the photovoltaic panels to be submitted for approval. I accept this advice, and in my opinion, the proposal is compliant with policy 8/16 and the Sustainable Design and Construction SPD 2007.

### **Public Art**

- 8.45 The adopted Public Art SPD (2010) requires major development to make a contribution towards public art. A financial contribution is no longer secured via a planning obligation. Given the scale of the proposed development, I am satisfied that it would not be reasonable to recommend a condition requiring public art to be provided.

### **Third Party Representations**

- 8.46 The representations regarding residential amenity, car parking, impact on highways and cycle parking have been addressed in the relevant sections above. The other comments are considered below:

<b>Representation</b>	<b>Response</b>
Overdevelopment on the site.	The proposal would increase the number of units on the site. The scale and mass of the building, and the number of future occupants, is acceptable in terms of the response to the local context, and the impact on residential amenity, and highway safety, for the reasons provided in the relevant sections of this report.
Unclear whether any of the houses would fall within social/low cost housing requirements.	The proposal would be for market housing and no affordable housing is proposed. This is acceptable in accordance with Cambridge Local Plan (2006) policy 5/5 (see paragraph 8.5).

## Planning Obligations (s106 Agreement)

8.47 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.

8.48 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

8.49 The following table is a summary of the s106 contributions that will be requested in relation to this development:

Community Facilities	<b>£6,280.00</b> - Towards the provision and / or improvement of the facilities and equipment at Browns Field Youth & Community Centre.
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8.50 Subject to the completion of a S106 planning obligation I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

### Monitoring costs

- 8.51 There are no standard monitoring costs and no exceptional circumstances in this instance.

### Planning Obligations Conclusion

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

## **9.0 CONCLUSION**

- 9.1 The principle of development is acceptable in accordance with Cambridge Local Plan (2006) policy 5/1. I have assessed the application against the relevant development plan policies and have given full consideration to third party representations. I have been advised by other officers that there are no outstanding technical matters that cannot be resolved through conditions. On this basis, in my opinion, the proposal is compliant with all relevant development plan policies and therefore I must give weight to the 'presumption in favour of sustainable development' within the NPPF.

## **10.0 RECOMMENDATION**

**APPROVE** subject to completion of the s106 Agreement and 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. There should be no collections from 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)

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

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

5. 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)

6. 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 5228:2009 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)

7. 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

8. If previously unidentified contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the Local Planning Authority. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the Local Planning Authority for consideration.

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

9. Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Surface Water Drainage Statement (Project no 07074, Rev 01 dated: June 2016), and detailing the final drainage proposal, has been submitted to and approved in writing by the Local Planning Authority and Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

10. Infiltration testing should be undertaken across the site in accordance with BRE365 guidance (prior to any works commencing). Upon completion of infiltration testing, the results are to be provided to the Lead Local Flood Authority for review and approval.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

11. Details for the long term maintenance arrangements for any parts of the surface water drainage system which will not be adopted (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff subcatchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.

12. 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 (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. 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)

13. A landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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)

14. 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. 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)

15. No development should 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 and 3/12).

16. Prior to the commencement of the development, full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details.

Reason: To ensure that the materials selected are of a high quality and appropriate to the context of the building (Cambridge Local Plan 2006 policy 3/12).

17. The windows identified as having obscured glass on drawing number 'P-03 REV I' and the first floor window on the south east elevation serving the bathroom of unit F6 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to first occupation of the development hereby permitted, and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

18. The 1.8m high balcony/terrace screens as shown on drawing number ' P-02 Rev I' and the 1.2m high patio screens as shown on drawing number 'P-01 REV L' shall be erected prior to first occupation of the development hereby permitted, in accordance with details submitted to and approved in writing by the Local Planning Authority. The screens shall be retained as such thereafter.

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

19. Notwithstanding the approved drawings, the a 1.8m high obscure glazed screen shall be erected along the south west side of the roof terrace of unit F11 prior to first occupation of the development hereby permitted. The glazing shall a minimum level of obscurity to conform to Pilkington Glass level 3 and shall be retained thereafter.

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

20. Prior to the commencement of the installation of solar panels, full details of their location, design and a maintenance programme shall be submitted to and approved in writing by the Local Planning Authority. The solar panels shall remain fully operational in accordance with the approved maintenance programme.

In the event that the approved renewable energy technologies cannot be installed due to grid capacity issues, then the requirements of this condition will be relaxed. In such a case, written evidence in the form of correspondence with the District Network Operator confirming that connection is not possible will need to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16 and the Cambridge Sustainable Design and Construction SPD 2007).

21. The cycle parking shall be provided in accordance with the approved details prior to first occupation of the development hereby permitted, and shall be retained thereafter.

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

22. The bin store shall be provided in accordance with the approved details prior to first occupation of the development hereby permitted, and shall be retained thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 4/13).

23. No development shall take place within the area indicated until the applicant, or their agents 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: In the interests of archaeology.

**INFORMATIVE:** Traffic Management Plan:

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:** 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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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:** Construction/demolition noise/vibration assessment:

The noise and vibration report should include:

- a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in 5228-1:2009+A1:2014 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used or the 2-5 dBA change method in E.3.3.

b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228-2:2009+A1:2014 Annex B - Significance of vibration effects

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Vibration levels within nearby properties are not to exceed 0.3mm s<sup>-1</sup> in accordance with BS 5228-2:2009+A1:2014. Predicted vibration levels at nearby properties are required. Complaints of vibration will require vibration monitoring within the complainant's property in order to investigate and mitigate if required.

Monitoring, recording protocols:

Guidance on noise monitoring is given in 5228-1:2009+A1:2014 Section 8.4 - Noise Control Targets and in Annex G - noise monitoring.

Full details of monitoring are required. Whilst it may not be necessary to undertake continuous noise and vibration monitoring, agreement should be reached on when it will be undertaken. For example spot noise checks could be undertaken on a regular basis at site boundary locations closest to sensitive receptors.

Longer term continuous monitoring of noise and vibration needs to be undertaken when:-

- Agreed target levels are likely to be exceeded
- Upon the receipt of substantiated complaints
- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Ideally, contact details for monitoring personnel, site manager including out of hours emergency telephone numbers should be provided when available.

Consideration should be given to further measures, including communication such as giving notice to building owners/occupiers when noisiest operations, such as piling, are to be expected and implementation of a complaints procedure.

**INFORMATIVE:** In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365/CIRIA 156.
- d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 annual probability critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

**INFORMATIVE:** The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

**2. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**