

<b>Application Number</b>	16/1371/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	25th July 2016	<b>Officer</b>	Charlotte Burton
<b>Target Date</b>	19th September 2016		
<b>Ward</b>	Trumpington		
<b>Site</b>	77 And 77A Shelford Road Cambridge Cambridgeshire CB2 9NB		
<b>Proposal</b>	Proposed Demolition of Existing Dwelling and Workshops and Erection of 9 Dwellings		
<b>Applicant</b>	Mr Peter Wedd c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The loss of the industrial use is acceptable in principle and the proposal would reuse a brownfield site.</p> <p style="padding-left: 40px;">The proposal would have an acceptable impact on residential amenity and would provide a good quality of amenity for future residents.</p> <p style="padding-left: 40px;">The proposal would not harm the character of the area and the street scene.</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site is comprised of the curtilage of No. 77 Shelford Road; the industrial site behind it, referred to as No. 77a; and part of the garden of No. 75. There is an existing vehicular access into the site from Shelford Road.

- 1.2 No. 77 is a 3-bedroom bungalow with rear garden and a detached single storey garage at the rear. The bungalow is set back from the road and is rendered with a concrete tile hipped roof. The rear part of the garden of No. 75 is comprised of greenhouses and sheds.
- 1.3 The industrial units comprise a complex of single storey industrial workshops. The buildings are a mixture of brick, block work and metal. The front buildings are flat-roof and the rear part has a pitched roof. There is an area of hardstanding and gravel in front of the building.
- 1.4 To the rear (north east) of the site are Nos. 41-45 Royal Way which form part of the Clay Farm development. These are two storey properties with shallow rear gardens which back onto the application site.
- 1.5 To the north is No. 75 and the garden of No. 73. No. 73 is a detached property with a long rear garden which runs along part of the length of the application site and backs onto the Royal Way properties. The part of the garden adjacent to the application site is used as an orchard. There are several mature trees along the boundary.
- 1.6 To the south is the garden of Nos. 79 and 81. These are detached properties. No. 79 has a shallower rear garden. No. 81 has a long rear garden which runs along the length of the application site. The garden is formally laid out and appears to be well used amenity space.
- 1.7 The site is not within the conservation area. The existing buildings are not Listed and are not Buildings of Local Interest. There are no tree preservation orders on the site or within the vicinity. The site is not a protected industrial site on the proposals map and is not part of an allocation on the draft Local Plan. There are no other site constraints.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the erection of 9 four-bedroom residential units following demolition of the existing bungalow and workshops, including access, car parking, bin and cycle stores, and landscaping. Access would be via the existing access from Shelford Road.

- 2.2 The site would be laid out with 6 semi-detached units at the rear of the site (Plots 4-9); a pair of semi-detached properties in the centre of the site (Plots 2-3); and a replacement dwelling on the street frontage (Plot 1). The materials would be dark brown and weather grey brickwork with grey or 'rustic coloured' plain tiled roof.
- 2.3 During the course of the application, revised plans were submitted which included the following amendments:
- Amended the tree species to the rear of Plots 4-9 to native hornbeam and beech trees.
  - Revised the planting on the edge of the site with Royal Way and the positioning of the cycle sheds now set back from the rear boundary with landscaping on the rear boundary.
  - Extended the roof over the bay of Plot 1 to form an entrance canopy.
  - Details of the refuse storage enclosures for Plots 4-9.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/65/0626	Demolition of existing dilapidated sheds and erection of new concrete frame workshop	Approved
C/65/0347	Erection of new pre-fab concrete workshop to replace derelict buildings	Approved
C/70/0072	Erection of offices and alteration of existing storage buildings	Approved
C/82/0077	Installation of oil storage tank	Approved
C/90/0530	Use of workshop for high technology firm B1 (section S53 application)	Unknown

### 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, 3/8, 3/10, 3/11, 3/12 4/4, 4/13, 4/14 5/1, 5/5, 5/14 7/3 8/2, 8/3, 8/4, 8/6, 8/10, 8/11, 8/16 10/1

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 (Appendix A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential

	Developments (2010)
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#### 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)**

##### Comment 1 August 2016

Normally for this level of development the Highway Authority would seek adoption of the street within the site to safeguard residential amenity, however the layout as proposed would not comply with the Highway Authority's requirements for an adoptable street and so we would be unable to do so. This should be brought to the attention of the applicant and an appropriate informative added to any permission that the Planning Authority is minded to issue in regard to this proposal.

The information provided is insufficient to verify the manoeuvring characteristics of a delivery vehicle or refuse vehicle visiting the site. A tracking plot from a recognised vehicle manoeuvre simulation package must be provided. The applicant must show the dimensions for the proposed car

parking spaces, which should measure 2.5m x 5m with a 6m reversing space. The access onto Shelford Road should provide a splayed surface to allow vehicles turning left to do so without excessive swinging out into the carriageway. Please provide this information and amended drawings to the Highway Authority for comment prior to determination of this application.

Recommended conditions:

- No unbound material
- No gates across the access
- Vehicle access to be laid out
- Vehicle access drainage
- Visibility splays
- Manoeuvring area
- Access to be provided

Comment on 7 October 2016 referring to additional drawings showing visibility splay, access, vehicle tracking and parking spaces

Acceptable.

## 6.2 Environmental Health

No objection.

Recommended conditions/informatives:

- Preliminary Contamination Assessment
- Site Investigation Report and Remediation Strategy
- Implementation of remediation
- Completion Report
- Material Management Plan
- Unexpected contamination
- Demolition and construction hours
- Collections and deliveries during demolition and construction
- Demolition/construction noise and vibration (including piling)
- Dust
- Building noise insulation
- Dust condition informative
- Demolition/construction noise and vibration informative

## 6.3 Refuse and Recycling

No objection.

Recommended informative:

- Unadopted road construction standard

## 6.4 Urban Design and Conservation Team

### Comments 5 September 2016

This section of Shelford Road is characterised by 2 storey and the occasional 2.5 storey pitched roof detached and semi-detached houses. The houses are set back from the road and include driveways and front gardens. The gardens to the rear of the houses are typically 65-75m in length and back on to the rear gardens of houses in Royal Way (part of the Great Kneighton growth site).

#### *Scale and massing*

The proposed units are all 2.5 storeys with rooms located within the pitched roof space. The pitched roof form relates to the existing neighbouring houses and the ridge and eaves heights align with those of the No. 79 Shelford Road to the southeast (as shown in the street elevation – DAS page 11). The site sections referred to on the submitted site plan (Sections A and B) should be provided and extended to show the scale relationship with the houses in Royal Way. However given that Plots 4-9 are 2 storey with pitched roofs (with roof windows) from the rear, it is likely the scale of the units will be comparable to the existing houses in Royal Way and will therefore be acceptable in design terms.

#### *Elevations and materials*

A contemporary approach has been taken to the proposed elevations and materials. The submitted materials pallet is acceptable in design terms and will relate well with the contemporary design of dwellings on Great Kneighton. The extent of the roof on the aluminium clad bay to Plot 1 should be extended to form a porch canopy over the front entrance. Proposed materials should be conditioned should the application be approved. Further details of the projecting brickwork, window reveals, rainwater goods and flue/vent extracts need to be provided and should be conditioned.

### *Residential amenity*

During pre-application discussions we raised concerns that the number of units represented over development of the site and resulted in adverse amenity impacts to neighbouring houses. We previously raised concerns that the number and arrangement of units adjacent to the garden boundary of No. 81 Shelford Road had the potential to result in an overbearing impact (as a result of the proposed small garden depth and proximity of units to the neighbouring garden) and overlooking due to the arrangement of windows are first floor level. The submitted scheme reduces the number of units from 11 to 9 and reduces the number of units adjacent to the side garden boundary of No. 81 Shelford Road from 4 to 2. We support this arrangement, the rear gardens of these units (Plots 2 and 3) have increased in depth from approximately 7.7m to 10.4m.

The accommodation at first floor level has also been reconfigured so that obscured bathroom and en-suite windows are located on the rear elevation and projecting timber louvered screens introduced for the bedroom windows which will direct views away from the rear gardens of No. 79 and 81 Shelford Road. The second floor bedroom windows on the gable ends have been arranged so that they are angled away from the rear garden of Plot 1 and No. 79 Shelford Road to the southwest and the front elevations of Plots 7 and 8 to the northeast. These changes are supported in design terms and address previous concerns.

Following pre-application discussions, the rear gardens of Plots 4-9 have increased in depth from 9 to 13m and the back to back distance between the existing houses on Royal Way and the proposed units have increased from 17m to almost 20m. The increased garden depths allows for tree planting which will help soften and filter views of the proposed units from the neighbouring gardens in Royal Way.

The City Council do not have any minimum back to back distances. However the proposed 19-20m back-to-back distance between the existing and proposed units, the

introduction of tree planting in the proposed rear gardens and the limited number of first floor windows on the rear elevation of houses in Royal Way (limited to 1 bedroom window, 1 home office window and a obscure bathroom and en-suite window), it is likely that the proposal will not result in significant inter-looking impacts between the existing and proposed units.

The full height windows shown on the front elevations of Plots 4-9 have been reduced in size and obscured glazing introduced on the lower section of the 1<sup>st</sup> and 2<sup>nd</sup> floor level windows. This approach is supported and reduces the sense of overlooking to the rear gardens of No. 75 and 79 Shelford Road and improves the privacy for future occupants.

The submitted cast shadow diagrams (DAS page 17-22) shows that the proposed scheme will result in additional overshadowing to the rear garden of No. 73 Shelford Road in the morning and early afternoon (9:00am-1:00pm on the 20<sup>th</sup> March). Overshadowing to the rear gardens of No. 41-45 Royal Way is limited to the late evenings (5:00pm onwards on the 20<sup>th</sup> March) and is no worse than the existing situation (and forms a moderate improvement). The level of overshadowing to neighbouring houses is acceptable in design terms.

### *Cycle storage*

The proposed treatment (design and materials) of the cycle stores needs to be provided and should be conditioned should the application be approved. Covered storage should also be provided for the refuse storage within the rear gardens and details of these stores needs to be provided.

### Recommended conditions

- Materials samples
- Details of non-masonry walling systems
- Details of windows and doors
- Details of cycle and refuse store treatment
- Details of projecting brickwork, window reveals, rainwater goods and flue/vent extracts

### Comments on 17 October on revised plans

The proposed amendments are acceptable in design terms and have addressed all of the concerns raised in our previous application comments.

#### **6.5 Access Officer**

The roadway should have some form of kerb/upstand for a visually impaired person to use to way-find down the drive.

#### **6.6 Head of Streets and Open Spaces (Landscape Team)**

Comments 10 August 2016

No objection.

Recommended conditions:

- Hard and soft landscaping
- Boundary treatment

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

No objection.

Recommended condition:

- Implementation of surface water drainage scheme

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

Records indicate that the site is situated in an area of high archaeological potential. Archaeological investigations adjacent to application area at Clay Farm revealed evidence of Late Bronze Age / Early Iron Age settlement and Roman enclosures and settlement. Archaeological investigations to the south west at Glebe Farm revealed evidence of Early Middle Iron Age settlement, which may have been superseded by a later Iron Age settlement enclosure. A single inhumation was also recovered. In addition, to the south east are designated site revealed by aerial photography.

Recommended condition:

- Implementation of a programme of archaeological work

## 6.9 Policy Team

No objection.

The property was marketed for a period of two years between 2012 and 2014, however no occupier was found. The marketing exercise described and the length of time the property was marketed demonstrates that Policy 7/3 criterion a) has been met.

Criterion e) states that loss of floorspace within Use Classes B1(c), B2 and B8 will be permitted if redevelopment for mixed use or residential development would be more appropriate. The site, which is not particularly large, is surrounded on all sides by residential properties. The noise and disturbance likely to be caused by an industrial use in this location will impact on these properties. These expected impacts mean that redevelopment for residential use would be more appropriate and criterion e) is met.

The proposal is therefore compliant with policy 7/3 and acceptable in policy terms.

## 7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

- 73 Shelford Road
- 79 Shelford Road
- 81 Shelford Road
- 41 Royal Way
- 43 Royal Way
- 45 Royal Way
- 1 Glanville Road
- 44 Fairfax Road

7.2 The representations can be summarised as follows:

### Principle

- Not opposed to the principle of development.
- Support the need for housing.
- Support the demolition of existing industrial building.

## Context

- Over-development on the site. The number and size of the buildings are too large.
- Ambiguity around current borders, trees and shrubbery, and plans for refuse storage and collection.
- Not in keeping with the context of the surrounding area.

## Residential amenity

- Loss of privacy to Nos. 79 and 81 Shelford Road, and the Royal Way properties. The proposed timber louvres do little to prevent overlooking the garden of No. 81.
- Impact of construction noise, disturbance, dust and potentially asbestos. The developer should pay to re-clean the houses along Royal Way following demolition.
- Noise impact from vehicle movements using the access.
- Noise and disturbance impact on neighbouring properties.
- Overshadowing impact on No. 79.
- Overbearing and overshadowing impact on No. 81 Shelford Road and the Royal Way properties. The shadow plans do not include the impact of trees along the boundary.
- Trees along the boundary should be retained for privacy purposes
- Light pollution from the second and third storeys and skylights
- Concern that renewal of this access to the rear of Royal Way would reduce security. Would like to retain this path to increase privacy, but request that access is not given to it from Shelford Road.
- Unclear about boundary treatments

## Highway safety

- Safety of pedestrians and cyclists using the existing foot path and cycle way along Shelford Road to local services.
- Limited visibility along the pavement.
- Poor access for emergency vehicles and refuse vehicles
- Poor turning area for vehicles.
- Not enough car parking spaces will lead to demand for on street parking.
- Impact of additional traffic generated on Shelford Road.

## Bin and bike stores

- Lack of bin stores.
- Bike stores should be located away from the boundary to prevent loss of trees.

## Drainage

- Hard surfacing will lead to surface water run-off

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. Refuse arrangements
6. Highway safety
7. Access
8. Car parking
9. Cycle parking
10. Drainage
11. Third party representations
12. Planning obligations

### **Principle of Development**

8.2 The Government's planning policy – 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'. The Government encourages the 'effective use of land by reusing land that has been previously developed (brownfield land)' as one of the core planning principles

(paragraph 17). Weight must be given to the 'presumption in favour of sustainable development' which for decision-taking means 'approving development proposals that accord with the development plan without delay' (paragraph 14).

- 8.3 The site is mixed use including a residential unit and curtilage, and light industrial use. Policy 7/3 aims to protect industrial and storage space. This site does not lie within a protected industrial site. The policy states that development where there is a change of use will only be permitted if:
- a) There is a sufficient supply of industrial/storage within the City to meet the demand and/or vacancy rates are high; and either
  - d) The continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or
  - e) Redevelopment for mixed use or residential development would be more appropriate.
- 8.4 The applicant has submitted information regarding the current use of the industrial units and recent marketing efforts. The property was marketed for a period of two years between 2012 and 2014, however no occupier was found. The Policy Team has commented that the marketing exercise and the length of time the property was marketed demonstrates that criterion a) has been met.
- 8.5 The industrial site is located within a residential area. Following the Clay Farm development on land to the rear, the site is now surrounded on all sides by residential properties. The noise and disturbance that could be generated by industrial use in this location is likely to have an impact on the residential amenity of the neighbouring properties. In my opinion, the redevelopment for mixed use or residential development would be more appropriate than continued use of the site for industrial purposes. The Policy Team agrees with this view and comment that criterion e) is met. The principle of the loss of industrial use is compliant with policy 7/3.
- 8.6 The proposal is for residential development on an unallocated site. Policy 5/1 for residential development in windfall sites applies. The policy supports such development subject to the existing land use and the compatibility with adjoining uses. As stated above, the loss of the existing land use is acceptable. The site is surrounded by residential properties. For the

reasons given in this report, I consider the proposal is compatible with adjoining uses. In my opinion, the proposal is compliant with policy 5/1 and the principle of development is acceptable.

### **Affordable Housing**

- 8.7 Policy 5/5 states that on sites of 0.5ha 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 9 units on a site area of 0.25 ha and therefore does not trigger the requirement for affordable housing. Given the site constraints, I am content that the proposal does not represent low density development. For these reasons, in my opinion, the current application for 9 units is acceptable and does not conflict with policy 5/5.

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

- 8.8 This part of Shelford Road is characterised by detached properties with long rear gardens. The character of the area has been substantially altered in recent years following the Clay Farm development. The Great Kneighton development at the rear of the site has a different character to the more traditional properties along Shelford Road, in terms of the scale of units, their design and materials palette, and the limited amount of amenity space compared to the traditional properties. In my opinion, the Great Kneighton development has introduced an important change to the character of the area compared to other examples of backland development.
- 8.9 The site has a backland position with a narrow frontage onto Shelford Road. There is existing development on the site, although the proposal includes part of the rear garden of No. 75. In my opinion, this sets a precedent for some development on the site. There are examples nearby of dwellings erected in backland positions, including Nos.87a and 88a Shelford Road. While the current proposal is for more units, and a larger scale and massing than these examples, in my opinion, the principle of development on the site would not be contrary to the character of the area.

## Layout

- 8.10 The site would be laid out in a 'T' shape around the existing access, which would have turning heads on either side. Plots 4-9 would be laid out at the rear of the site. Plots 2-3 would be on the southern side of the access road. The replacement of the bungalow would be at the front of the site. In my opinion, this is a good layout which responds to the constraints of the site. In particular, the private amenity space backs onto the gardens of neighbouring properties; there is good surveillance of communal areas and car parking spaces; and there is space to retain and enhance landscaping on the site.
- 8.11 The proposed development would be well connected to existing vehicle, pedestrian and cycle routes along Shelford Road. The access would provide a shared surface for all users. The Highways Authority has stated that the layout would not comply with its requirements for an adoptable street but is nevertheless satisfied with the access arrangements and I accept its advice. In my opinion, the proposed shared surface would provide safe access for all users taking into account the volume of traffic likely to be generated by the proposed development.
- 8.12 On-plot parking would be provided for all units and visitor parking bays would be provided within the turning heads. Cycle and bin storage would be provided either in separate stores in the rear garden or within a private garage. In my opinion, the car and cycle parking and bin storage would be convenient for all users.

## Scale and massing

- 8.13 During the course of the application, sections were provided which show the relationships between the proposed units and neighbouring properties on Shelford Road and Royal Way. The Urban Design Team commented that the overall scale and massing is acceptable in design terms and is comparable with nearby houses, and I agree with this advice. The ridge height of the units would be 8.5m which would be similar to the Royal Way properties (8.3m), No. 79 (8.4m) and No. 75 (7.5m). While I accept that the units would be slightly taller than surrounding development, in my opinion, the scale would be similar enough

so that it would not be out of character with the surrounding area.

### Open Space and Landscape

- 8.14 The units would all have private amenity space. The gardens would be a similar size to the Royal Way properties. The proposal includes landscaping along the access and frontage which in my opinion would make a positive contribution to the street scene compared to the existing situation. The proposal also includes landscaping in front of and around the units to contribute towards defining defensible space and the separation between communal and private areas.
- 8.15 The applicants have submitted an Arboricultural Implications Assessment. The proposal would require the loss of two trees within the garden of No. 75 which are close to the boundary with No. 77. Replacement planting is proposed in this location. The proposal would also require the loss of the hedge at the rear of the site near to the boundary with the Royal Way properties, which would be replaced by tree planting.
- 8.16 During the course of the application, the bin stores in the rear gardens of Plots 4-9 were relocated further from the rear boundary of the site to allow for planting within the curtilages of the proposed units against the boundary with the Royal Way properties. The tree species were also amended to native Hornbeam and Beech trees to form year round screening.
- 8.17 The Landscape Officer supports the proposal subject to conditions requiring details of a hard and soft landscaping scheme and boundary treatments, and I accept this advice. In my opinion, the landscaping scheme would contribute positively to the appearance of the site and the street scene.

### Elevations and Materials

- 8.18 The materials for Plots 1 (house type A), and Plots 6 and 7 (house type C) would be multi-brown brickwork and rustic red roof tiles. Plots 2, 3 (house type B), 4, 5 and 8 and 9 (house type C) would be grey weathered brickwork with grey plain roof tiles. The elevations include projecting brickwork detailing. The Urban Design Team has commented that the materials palette is acceptable in design terms and will relate well with the

contemporary design of the dwellings on Great Kneighton. It has recommended conditions for materials samples, details of non-masonry walling systems and details of windows and doors to be submitted for approval, and I accept this advice.

### Street scene

- 8.19 There is a mix of building styles along Shelford Road. The existing bungalow has a hipped roof and is white render. In my opinion, the existing bungalow does not make a positive contribution to the street scene. The proposed replacement dwelling would be two storeys with a pitched roof, and would be multi-brown brickwork and rustic red roof tiles. The dwelling would have a contemporary appearance and, in my opinion, would be similar to the recent developments that are part of Clay Farm. The street scene would be enhanced through new landscaping in front of the dwelling and along the access.
- 8.20 The Urban Design Team has recommended approval, subject to conditions. I accept this advice, and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.21 The nearest neighbouring residential properties are Nos. 73-75 Shelford Road to the north of the site; Nos. 79 and 81 Shelford Road to the south of the site; and Nos. 39-45 Royal Way to the rear (east) of the site. The impact on the residential amenity of these properties in terms of overlooking, overbearing and overshadowing is considered below.
- 8.22 Third parties have raised concerns about the impact of noise, disturbance and dust during construction. The Environmental Health Team is satisfied with the proposal subject to conditions to restrict construction and delivery hours, and to control noise, vibration and dust during construction. I accept this advice and in my opinion, subject to these conditions, the proposal would not have an unacceptable impact on residential amenity in this regard. In my opinion, it would not be reasonable to require the developer to pay for the neighbouring properties to be cleaned

following the development. The disposal of asbestos is addressed through other legislation.

*Royal Way properties*

- 8.23 I have visited No. 41 Royal Way. These properties are two storeys with shallow rear gardens. There are some windows on the ground and first floor rear elevations facing the application site.
- 8.24 Plots 4-9 would be approximately 11-12m from the site boundary and 19–20m from the rear elevation of the Royal Way properties. The rear elevations would be two storeys plus an attic storey, and approximately 5.4m high to the eaves and 8.8m high to the ridge. There would be one first floor window on the rear elevation of each unit which would serve a bedroom. A 1.8m high close boarded fence is proposed along the rear boundary. During the course of the application, the bin and bike stores in the rear gardens were relocated away from the boundary and planting proposed within the curtilages along the boundary.
- 8.25 The only views from Plots 4-9 towards the Royal Way properties would be from one bedroom window on the first floor rear elevation. There would be rooflights on the rear roof slope, however the base of these would be 1.7m above the internal floor level, as shown on the sections. Bedrooms are generally considered to have a lesser overlooking impact than living rooms and kitchens. In my opinion, the 19m minimum separation distance from the window to the rear elevation of the Royal Way properties would have an acceptable overlooking impact into existing windows. In my view, the 11m minimum separation distance to the boundary would have an acceptable overlooking impact on the rear gardens. Views would be partially obscured by a 1.8m high close-boarded fence and planting along the boundary. I have recommended a condition requiring this landscaping to be planted prior to first occupation of the units.
- 8.26 The existing industrial buildings have a single storey element that abuts the boundary with No. 43 Royal Way. There is a taller element with a pitched roof which is within 2.3m of the boundary. In my opinion, these buildings have a strong enclosing impact on No. 43. At the rear of Nos. 39-41 and 45

the site is open, however there is mature vegetation along the boundary which, in my opinion, has an enclosing impact on the rear gardens.

- 8.27 The proposal would remove the existing building on the boundary with No. 43 and there would be no buildings along this boundary. Plots 4-9 would introduce built form at the rear of the Royal Way properties where there currently is open space on the site, however these would be set back at least 11m from the boundary. The eaves height of the proposed units would be 5.5m compared to 4.5m for the Royal Way properties as shown on the sections. The ridge height would be 8.9m compared to 8.3m respectively. In my opinion, the scale of the units and the set back from the boundary would not result in an unacceptable overbearing impact compared to the existing situation.
- 8.28 The applicant has provided shadow diagrams which show that the additional overshadowing of the Royal Way properties is limited to:
- Overshadowing of rear garden of No. 39 Royal Way in the evening at the March/September equinox; and
  - Overshadowing of rear garden of No. 45 Royal Way in the afternoon in December solstice.
- 8.29 The Urban Design and Conservation Team has commented that the level of overshadowing to neighbouring houses is acceptable in design terms and in some cases forms a moderate improvement compared to the existing situation. In my opinion, while I accept that there would be additional overshadowing of two properties, this would be at the end of the day and, in my opinion, would not have an unacceptable impact on residential amenity.

*Nos. 73 and 75 Shelford Road*

- 8.30 I have visited No. 73 Shelford Road. These are two storey properties set back from Shelford Road. No. 73 has a long rear garden which extends the length of the application site. The rear part of the garden is used as an orchard. No. 75 would lose part of its garden as a result of the development, however would retain a garden that is approximately 24m long from the rear elevation.

- 8.31 The side elevation of Plot 9 would be set back 1.2m from the boundary with No. 73. This would be a gable end elevation with an eaves height of 5.5m and a maximum height of 8.9m to the ridge. There would be no windows on this elevation. There would be two first floor windows on the front elevation (one would be obscured) and one second floor dormer window. The elevations have been handed so that the un-obscured windows are furthest away from the site boundary. I have recommended a condition for the windows identified on the drawings as being obscured to be implemented prior to first occupation.
- 8.32 There would be direct views from un-obscured windows on the first and second floor towards No. 75. These windows would be approximately 44m from the rear elevations of No. 75 and approximately 20m from the rear garden boundary. As such, in my opinion, there would not be unacceptable overlooking into windows on the rear elevation of No. 75 or this property's garden.
- 8.33 There would be oblique views from these windows towards No. 73. The distance to the rear elevation of No. 73 would be approximately 49m and as such in my opinion, there would not be any overlooking into windows of No. 73. There would be some oblique views of the middle part of the garden which is currently used as an orchard. As previously stated, bedrooms are generally considered to have a lesser overlooking impact than living rooms and kitchens. The middle part of the garden is less sensitive than areas closer to the house which are generally more intensively used for private amenity space. For these reasons, in my opinion, there would not be an unacceptable loss of privacy for No. 73.
- 8.34 I am not concerned about any overbearing impact on No. 75 due to the separation distance and the set back of Plots 8-9 from the rear garden boundary. There would be some visual impact from the side gable end of Plot 9 on the garden of No. 73 which would be set back by 1.2m but in my opinion this would not appear overbearing. In my opinion, as previously stated, the rear part of the garden is generally considered to be less intensively used for private amenity space. As such, the visual impact of the proposal would not have an unacceptable impact on the residential amenity of this property.

- 8.35 The shadow diagrams show that the existing buildings have some overshadowing impact on the rear part of the garden of No. 73. In comparison, the proposal would result in:
- Some additional overshadowing of the rear part of the garden of No. 73 in the mornings at the June summer solstice
  - Some additional overshadowing of the rear part of the gardens of Nos. 71 and 73 in the mornings at the March and September equinoxes;
  - Some additional overshadowing of the rear part of the gardens of Nos. 69, 71 and 73 in the late morning and early afternoon at the December winter solstice.

8.36 The Urban Design and Conservation Team has commented that the level of overshadowing to neighbouring houses is acceptable in design terms. I accept that there would be additional overshadowing, however, these properties have long rear gardens which provide plenty of amenity space. In my opinion, the limited amount of additional overshadowing of the rear part of the gardens would not have an unacceptable impact on residential amenity.

*Nos. 79 and 81 Shelford Road*

8.37 I have visited No. 79 Shelford Road and gained a view into the rear garden of No. 81. These are two storey properties set back from Shelford Road. The rear garden of No. 79 is approximately 15m from the rear elevation to the application site. No. 81 has a long rear garden which extends the length of the application site. There is an outbuilding in the middle part of the garden which is well-used private amenity space. There are some windows on the rear elevations of the properties.

8.38 There is an existing single storey garage at the rear of No. 77 which abuts the boundary of the rear part of the garden of No. 79. The existing industrial buildings are approximately 10m away from the boundary with the rear garden of No. 81.

8.39 The south west corner of Plot 2 would adjoin the corner of the garden of No. 79. There would be a single storey element along approximately half of the rear boundary of the garden. This would be 3m high with a flat roof. There would be a single storey garage at the rear of Plot 1 which would be set back approximately 1m from the side boundary of the garden. This

would have an eaves height of approximately 2.6m and a ridge height of approximately 4m. The rear elevation of Plots 2 and 3 would be approximately 10m from the boundary of the application site with the rear garden of No. 81. The rear elevation would have three first floor windows each, two of these would be obscured and serve ensuites/bathrooms. There would be one un-obscured window in each dwelling serving a bedroom which would have a projecting timber panel on one side. There would be a second floor window in the side gable elevation serving a bedroom which would have oblique panels to restrict views. A 1.8m high close boarded fence and planting in the rear gardens is proposed.

- 8.40 The projecting timber panel on the first floor bedroom windows of Plots 2-3 would, in my opinion, prevent obscure views to the rear elevations of Nos. 79 and 81 and parts of the garden closest to the house which are generally considered to be more sensitive to overlooking. I have recommended a condition for the timber panels to be installed prior to first occupation of these units and to be retained thereafter.
- 8.41 There would be some direct views from these windows towards the middle part of the garden of No. 81 which is well-used private amenity space. In my opinion, the set back of 10m from the boundary and there only being one un-obscured window serving each bedroom, means that the overlooking would not result in an unacceptable loss of privacy. I have recommended a condition for the obscure glazing of the other windows on the rear elevation identified on the drawings to be implemented prior to first occupation of these units.
- 8.42 Views from the second floor window on the gable end of Plot 2 would be directed away from the gardens of Nos. 79 and 81 through the use of angled timber panels. In my opinion, this would be effective in avoiding overlooking of the gardens. The Urban Design and Conservation Team has recommended a condition for window details to be submitted for approval, and I accept this advice.
- 8.43 There would be some oblique views from the first floor window and second floor dormer window of Plot 4 towards the middle part of the garden of No. 81. These have been handed so that the windows are furthest away from the boundary. Similar to the impact on No. 73, in my opinion, the oblique views from a

bedroom window – mitigated by existing mature trees within the curtilage of No. 73 – towards the middle part of the garden would not have an unacceptable impact on the residential amenity of the occupiers of this property.

8.44 The rear elevation of Plots 2-3 would be 5.8m high to the eaves and 8.6m high to the ridge. In my opinion, due to the length of the rear gardens of the Shelford Road properties and the set back of 10m from the boundary, this would not have an unacceptable overbearing impact on these gardens. The garage for Plot 1 would be single storey and would not have an overbearing impact on the garden of No. 79.

8.45 There would be some visual impact from the side gable end of Plot 4 on the garden of No. 81 which would be set back by 1.2m but in my opinion this would not appear overbearing. In my opinion, as previously stated, the rear part of the garden is generally considered to be less intensively used for private amenity space. As such, the visual impact of the proposal would not have an unacceptable overbearing impact on the residential amenity of this property.

8.46 As the proposed units would be to the north of Nos. 79 and 81, the proposal would not overshadow Nos. 79 and 81, as demonstrated by the shadow diagrams.

#### *Impact of Plot 1*

8.47 Plot 1 would replace the existing bungalow with a two storey dwelling with a rear single storey element. The nearest neighbour is No. 79 to the south. No. 75 to the north is separated by the access. The two storey element would not project beyond the front or rear elevations of No. 79. The single storey rear element would have a flat roof with a maximum height of 2.9m. It would not cut the 45 degree line taken from the centre of any windows on the rear elevation of No. 79. There are no windows on the side elevation. In my opinion, Plot 1 would have an acceptable impact on the residential amenity of the neighbouring properties.

#### Amenity of future occupiers

8.48 The properties would have private amenity space. In my opinion, the amount and quality of this amenity space is

acceptable. In my opinion, the layout of the site means there would be acceptable levels of privacy and the proposal would not result in overbearing or overshadowing impacts. As such the future occupiers would have a good level of amenity. The timber panels on the second floor window on the gable ends of Plots 2-3 would prevent direct views into the rear garden of Plot 1 and the windows on the front elevation of Plots 4-5.

- 8.49 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 5/2, 3/7 and 3/12.

### **Trees**

- 8.50 There are no tree preservation orders on the site or within the vicinity. The Tree Survey and Arboricultural Implications Assessment submitted by the applicant identifies three Ash trees, mixed conifers, a Cherry tree and a privet hedge within the application site that would be lost for construction. These trees have been identified by the applicant's qualified arboriculturalist as category C or U trees of low quality. Moreover, as they are not protected, they could be removed by the site owner at any time. The landscaping proposal includes replacement of these trees and the Landscape Officer supports the proposed landscaping scheme, subject to conditions.
- 8.51 There are several trees within the gardens of the neighbouring properties that would be protected during construction. Some would require some minor works to parts of the tree within the application site. In my opinion, as the trees are not protected, the proposed works are reasonable as they could be done by the site owner without the need for permission from the Local Planning Authority. Nonetheless, I have recommended a condition requiring the tree protection measures to be implemented in accordance with the details submitted. Subject to this, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

### **Refuse Arrangements**

- 8.52 The proposal includes bin stores in the rear gardens of Plots 4-9, and in the garages of Plots 2 and 3. I have recommended a

condition for these the bin stores to be provided prior to first occupation. The Refuse and Recycling Team is satisfied with the site layout for refuse vehicles to enter the site for collections. I have recommended conditions to ensure the access is suitable for refuse vehicles and to control its on-going maintenance. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.53 The proposal uses an existing access into Shelford Road and there would be an intensification of the use of this access. During the course of the application, additional information was submitted regarding the visibility of the access point and maneuvering within the site. The Highways Authority is satisfied with the proposed arrangements, subject to conditions, and I accept their advice. I have also recommended conditions to control the construction of the access and to ensure its on-going maintenance.
- 8.54 Third parties have raised concern about the impact of the access on the safety of pedestrians and cyclists using the footpath and cycle way along Shelford Road which is used to access local services. This is an existing access. Although there would be some intensification of the use of the access, the number of traffic movements generated by the 9 units is likely to be low. The Highways Authority has not objected to the proposal and, in my opinion, this would not have an unacceptable impact on highway safety.
- 8.55 For these reasons, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Access**

- 8.56 The Access Officer has commented that the roadway should have some form of kerb/upstand for a visually impaired person to use to way-find down the drive. The Landscape Officer has recommended a condition for a hard and soft landscaping scheme, and details of the curb would be provided as part of this.

### **Car Parking**

8.57 The proposal is for one on-plot car parking space per unit and 3 visitor spaces. While the number of visitor car parking spaces exceeds the maximum standard, the number of spaces per unit is less than the maximum. Third parties have raised concern about the lack of car parking leading to demand for on-street car parking, however in my opinion, as the site is well connected to public transport and cycle path links along Shelford Road, the site is in a sustainable location and the proposed provision is acceptable. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

### **Cycle Parking**

8.58 The proposal includes cycle stores to be provided in the rear gardens of Plots 4-9 and with the garages of Plots 1–3. This provides secure and covered cycle parking which meets the adopted standards. During the course of the application, details of the cycle stores were submitted. I have recommended a condition for the cycle stores to be provided prior to occupation of the units and thereafter retained. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

### **Drainage**

8.59 The Sustainable Drainage Officer has recommended a condition for a detailed surface water drainage scheme to be submitted for approval. I accept this advice.

### **Third Party Representations**

8.60 I have addressed the third party representations in the relevant sections above.

### **Planning obligations**

8.60 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the [Written Ministerial Statement of 28 November 2014](#) and should be taken into account.

8.61 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.

## **9.0 CONCLUSION**

9.1 In my opinion, the principle of development is acceptable in accordance with Cambridge Local Plan (2006) policies 7/3 and 5/1. I have assessed the application against the relevant development plan policies and have given full consideration to third party representations. The revisions submitted during the course of the application have addressed the initial concerns raised by officers. In my opinion, the proposal would not have an unacceptable impact on residential amenity. I have been advised through the consultation process 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 the following conditions:

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

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

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

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

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

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

4. No development (other than demolition) shall take place until 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 have been 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 accord with policies 3/4 and 3/12 of the Cambridge Local Plan (2006).

5. Full details of all windows, doors and rainwater goods, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the local planning authority prior to their installation. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details.

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

6. No boiler flues, soil pipes, waste pipes or air extract trunking, etc. shall be installed until the means of providing egress for all such items from the new or altered bathrooms, kitchens and plant rooms has been submitted to and approved in writing by the local planning authority. Flues, pipes and trunking, etc. shall be installed thereafter only in accordance with the approved details.

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

7. 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)

8. The bin stores 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).

9. The windows identified as having obscured glass on the approved drawings 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 windows 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).

10. The timber panels on the first floor windows on the rear elevations of Plots 2 and 3 as shown on drawing number 'PI(21)02' shall be installed 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).

11. Prior to the commencement of above ground development, further details of the projecting brickwork detailing and window reveals as shown in the approved drawings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development should be implemented in accordance with the approved details.

Reason: In order to enhance the appearance of the building (Cambridge Local Plan 2006 policy 3/4).

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan 2006 policy 8/2).

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

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

14. Prior to the first occupation of the development hereby permitted, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site (Cambridge Local Plan 2006 policy 8/2).

15. Prior to first use of the development hereby permitted, the access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway (Cambridge Local Plan 2006 policy 8/2).

16. Prior to first occupation of the development hereby permitted, two 2.0 x 2.0 metres visibility splays shall be provided as shown on the approved drawings. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

17. Prior to first occupation of the development hereby permitted, the manoeuvring area shall be provided as shown on the drawings and retained free of obstruction thereafter.

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

18. Prior to first occupation of the development hereby permitted, the access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

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

19. No development shall commence until details of the construction of the hardstanding for the access have been submitted to and approved in writing by the local planning authority. The hardstanding shall, as a minimum, be capable of supporting vehicles of 26 tonne weight and shall be constructed in accordance with the approved details.

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

20. No development shall commence until details of the proposed arrangements for future management and maintenance of the streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard. (Cambridge Local Plan 2006 policy 8/2)

21. Prior to occupation of the development hereby permitted, surface water drainage works shall be implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
  - ii. provide a management and maintenance plan for the lifetime of the development.
  - iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

Reason: In the interests of surface water drainage and flood management.

22. No development (other than demolition) 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)

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

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

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

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

25. The specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be implemented in accordance with the Arboricultural Implications Assessment dated July 2016 and the Tree Protection Plan drawings 'TIP 16 210', 'TIP 16 210 1', 'TIP 16 210 2' and 'TIP 16 210 3' before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the Local Planning Authority.

Reason: To ensure the retention of the trees on the neighbouring sites. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

26. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

27. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

28. Implementation of remediation.

Prior to the first occupation of the development (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

29. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

30. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

a) Include details of the volumes and types of material proposed to be imported or reused on site

b) Include details of the proposed source(s) of the imported or reused material

c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.

d) Include the results of the chemical testing which must show the material is suitable for use on the development

e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

31. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

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

32. 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)

33. 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)

34. 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)

35. 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

36. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area.  
(Cambridge Local Plan 2006 policy 4/13)

**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 applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

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

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:** 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:** Demolition/Construction noise/vibration report

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 BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.
- 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 5228:2009 Part 2 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.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

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

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

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 3839.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.