
Application Number	17/0489/FUL	Agenda Item	
Date Received	24th March 2017	Officer	Mairead O'Sullivan
Target Date	19th May 2017		
Ward	West Chesterton		
Site	Whichcote House Springfield Road Cambridge Cambridgeshire CB4 1HY		
Proposal	Proposed erection of 3No. terrace dwellings with associated parking, access and landscaping arrangements fronting Milton Road		
Applicant	Mr Dominic Anthony c/o agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed design is considered acceptable.- The proposal is not considered harmful to the amenity of the surrounding occupiers.- The revised proposal would provide adequately high-quality accommodation to future occupiers of the site and Whichcote House.- The revised parking arrangement is considered acceptable in terms of highway safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site relates to land to the west of Whichcote House. Whichcote House is in use as student accommodation. There is an extant permission on the site (15/1302/FUL) for the

demolition of the building and construction of a large block which occupies the majority of the site. This would accommodate graduate student accommodation. There is a further application which will also be heard at 30 August Planning Committee (16/1873/FUL). This application seeks to extend the existing building and change the use to provide 11 no. flats (C3 use class). The officer recommendation on this application is for approval subject to conditions.

- 1.2 The part of the site which forms this application fronts onto Milton Road. The site is in close proximity to the Mitchams Corner District Centre. To the west of the site on the opposite side of the road is the Cambridge Manor Care Home; a three storey timber clad building. Adjacent to this there are extant permissions on the former Milton Road County Primary School site (14/0052/FUL 7 16/1966/S73). If implemented, this will create a mixed use development including an Aparthotel, residential townhouse, a community space and cycle/car parking. To the south of the site are terraced residential properties which are marginally set back from the street. These are two storeys but do not have a regular height. The houses have a mixed character; some are rendered or painted whilst others are brick. To the north of the site is Mayfair Court; a three storey red brick residential building. This building is set on a large plot with off-street parking and planting along the boundary with Milton Road.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for the erection of 3 no. terraced dwellings with associated car parking, access and landscaping arrangements. The proposal has been amended since submission to remove turntable car parking and address comments from the Urban Design team. The building has also been moved further forward (west) on the plot to allow a greater amount of amenity space for the residents of Whichcote House in relation to application 16/1873/FUL.
- 2.2 The proposed terrace is three storeys and is to be finished in a light coloured brick with zinc cladding and grey composite doors and windows. The original proposal included a sawtooth roof element. This has been amended and a uniform roof line is now proposed. Additional detailing has been added including some perforated brickwork on the corners and zinc projecting bays at

first floor. The upper floors of the building overhang the ground floor. Three off-street car parking spaces are proposed to the front one of which would be located under the overhanging first floor.

- 2.3 Plots 1 and 2 would accommodate 6 no. bedrooms. Plot 3 would contain 5 no. bedrooms. Bike and bin storage is to be provided in the rear garden. The gardens can be accessed from a passage which runs along the northern end of the site. Many of the trees along the northern boundary are to be retained and some additional planting is proposed on the Milton Road frontage. None of the trees on site are protected by TPO.

3.0 SITE HISTORY

Reference	Description	Outcome
16/1873/FUL	Change of use and conversion of Whichcote House from student accommodation to provide 10 no. C3 (dwelling house) units. Addition of a third floor extension to provide a further 1 no. 3-bed flat. Associated cycle parking, bin store, car parking and landscaping.	Pending consideration
15/1302/FUL	Demolition of existing building and construction of a replacement graduate student accommodation building including creation of new/altered pedestrian and vehicular accesses and landscaping including works to trees.	Permitted

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 4/4 4/13 5/1 8/2 8/6 8/10 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 (Annexe 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> Cambridge and Milton Surface Water Management Plan (2011)

	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

Cambridgeshire County Council (Highways Development Management)

First comment

- 6.1 Objection: The proposal creates additional vehicular crossing of the footway and none of the space allow a vehicle to turn within the site. Milton Road is a busy primary route and therefore it is essential for vehicles to enter and leave in forward gear. The objection could be overcome by provision of turning facilities within the site.

Additional comment

- 6.2 No objection: The amended plan provides sufficient space to allow a vehicle to turn to enter and leave the site in forward gear, thus addressing the previous objection. A number of conditions are recommended.

Environmental Health

- 6.3 No Objection: The proposal is acceptable subject to conditions. These relate to contaminated land, construction hours, collections/deliveries during construction, piling, dust and building noise insulation.

Refuse and Recycling

- 6.4 No comments received.

Urban Design and Conservation Team

- 6.5 No objection: The principle of introducing three town houses to front Milton Road is acceptable subject to addressing a number of design concerns. Consider that the boundary wall should be retained. Recommend the roof form is amended to remove sawtooth detail. The roof form of plot 3 should also be mirrored. Also suggest amendments to downpipes and the brick piers. Suggest the use of roof cowls to add rhythm. There appears to be an under provision of cycle parking. Need to understand details of front bin structures. A condition regarding material details is recommended.

Head of Streets and Open Spaces (Landscape Team)

- 6.6 Additional secure cycle parking provision must be required. Concerned trees may interfere with vehicle turntables. Further information needed regarding turntables and bin stores. Question the removal of the northern boundary wall. Concerned that ground floor planting would not be viable and this space should be given over to the house.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.7 Further information is needed regarding surface water drainage.

Developer Contributions Monitoring Unit

- 6.8 Contributions are requested in conjunction with the application on the other part of the site (16/1873/FUL). Details of contributions are included in the paragraphs relating to planning obligations below (paragraph 8.32).

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

7.0 REPRESENTATIONS

7.1 The owners/occupier of the following address has made a representation:

- 4 Mayfair Court

7.2 The representation can be summarised as follows:

- Cramped/overdevelopment
- Wall fronting onto Milton Road has been partially demolished and trees were removed from the site prior to submission of the previous application (15/1302/FUL)
- Too tall and sawtooth roof profile is incongruous
- Zinc is inappropriate and out of keeping
- Rooms are small and likely to be used as micro-bedsits rather than family homes
- The turntables to the front will prevent any viable planting
- The demolition of the historic wall will result in loss of privacy to Whichcote House gardens
- The plans on the application for the conversion of Whichcote House to flats (16/1873/FUL) were amended to allow the full site as amenity spaces. The proposal sits on an area which was proposed as gardens to these residents.
- Request that this application and 16/1873/FUL are re-submitted as a single cohesive scheme as the current arrangement is not transparent for member of the public.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development of windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses. Therefore, the development of housing is acceptable, however, considerations should be taken into account e.g. impact on neighbour amenity and visual aesthetics.
- 8.3 Policy 3/10 of the 2006 Local Plan states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b) Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - c) Detract from the prevailing character and appearance of the area;
 - d) Adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
 - e) Adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
 - f) Prejudice the comprehensive development of the wider area.
- 8.4 Parts d and f are not of relevance to this application. Parts a, b, c and e are considered in further detail in this report.
- 8.5 There is an extant consent on the site for a graduate student scheme which would represent an increase in the number of

student rooms on the site from 30 no. beds to 48 no. beds (15/1302/FUL). This consent could be implemented subject to discharge of pre-commencement conditions, however there is no obligation for the applicant to complete the scheme. Should consent be granted for the current application, the applicant would have the option of which consent to implement. The potential lapsing of the student accommodation consent is not a material consideration that can be given weight in the assessment of the current application.

Context of site, design and external spaces

- 8.6 The proposal has been amended since submission. The building has been moved further forward on the site and the red edge of the site has been moved to allow a larger amount of space to the future residents of Whichcote House. The original proposal was set back from Milton Road with the turntable parking to the front. The turntable car parking spaces have been removed and the building has been moved forward. It now sits in a similar position to the previously approved graduate accommodation building (15/1302/FUL). Given the extant permission on the site, the revised siting is considered acceptable and is not considered to appear unduly prominent in the streetscene.
- 8.7 The Urban Design Officer raised concerns regarding the sawtooth roof profile which was originally proposed. There were also concerns regarding the bulk of the roof when viewed from the street and 46 Milton Road. Both of these elements have been amended. The revised roof form is uniform with two dormer windows on both front and rear elevations of each property. The amendments to the roof form are welcomed and considered to address the Urban Design Officer's concerns.
- 8.8 The building is to be finished in light coloured brick with zinc cladding to the roof and around protruding bays on the first floor. The area has a mixed character with a range of different materials being used in the surrounding area. The proposed palette is considered acceptable in principle. A condition is recommended requiring detail of materials to be agreed prior to construction.
- 8.9 There are concerns that the proposed planting to the front of the property would not be viable with the revised car parking layout.

However I am satisfied that a revised treatment such as a wall could be agreed through the recommended boundary treatment condition. Urban Design and Landscape Officers raised concerns regarding the loss of the boundary wall along the northern boundary of the site. The revised plans show a close boarded fence to replace the wall. I consider this to be an adequate solution in principle and am satisfied that details can be agreed through the boundary treatment condition.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 The closest residential dwelling is no.46 Milton Road which is located due south of the site. The impact of the proposal would be similar to that of the extant permission 15/1302/FUL. The site is located due north of no.46 and as a result I do not consider there would be any significant loss of light to this property. The previously approved scheme (15/1302/FUL) was somewhat set off the boundary whereas the current application has been moved further south and would sit hard on this boundary. Whilst this may result in some additional enclosure of the immediate garden of no. 46, I do not consider this would be significantly harmful. I consider that the benefit of having less of a built up area in comparison to the extant consent would outweigh any additional harm from moving the building closer to this boundary.
- 8.12 The proposal would result in upper floor windows which would look toward the garden of no.46 Milton Road. However, these would be set forward of the immediate garden area and would only result in views of the end of the rear garden. This space is already overlooked by Whichcote House and as a result I am satisfied that this impact would be acceptable.
- 8.13 The proposal is significantly set away from Mayfair Court with the passage leading to Springfield Road and the car park surrounding Mayfair Court providing a significant amount of separation distance. As a result I am satisfied that the proposal would not impact on the amenity of these occupiers.

- 8.14 The proposal would be built in former garden land of Whichcote House. There would be a distance of approx. 18m building to building between the proposal and Whichcote House. As a result I am satisfied that there would be no significant inter-looking between the properties. The windows would also look toward the private amenity space to the rear of the property. This is communal space which is already overlooked by Whichcote house and as a result this impact is considered to be acceptable. The additional building will result in some enclosure of the garden space however given the terrace would be set back approx. 9m from the boundary, I am satisfied that this impact would not be significant.
- 8.15 There is a large amount of glazing in both side elevations. This is shown to be obscured and as a result would not give rise to any overlooking. A condition is recommended to ensure that all windows shown as obscure glazed are provided prior to occupation of the units and maintained thereafter.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.17 When application 16/1873/FUL was submitted there were concerns that the outdoor amenity space proposed was not adequate for the number of occupiers of the site. As a result the site edged red was amended to include the whole of the site. This application was later submitted and, due to the amended site plan, was shown to be located on land proposed as amenity space for 16/1873/FUL. The case officers of both applications discussed the issue and the current application was revised to move the building further forward on the site. This allows a larger amenity space for the occupiers of Whichcote House which is considered acceptable and as a result this application is recommended for approval at 30 August Committee.
- 8.18 Plots 1 and 2 are to be 6 bedroom dwellings. Plot 3 accommodates 5 bedrooms. As the dwellings are quite large the proposed garden space is relatively small. Plots 2 and 3 have approx. 50sqm of outdoor amenity space. Plots 1 has a

marginally larger garden which is in the realms of 60sqm. This space also incorporates cycle and bin storage. Whilst the space provided is relatively small for such large houses I am satisfied that it would be acceptable given the proximity of the site to protected open space at Midsummer Common and Jesus Green; both of which are approx. a 5 minute walk from the site. A curtilage condition is recommended to ensure the plots are provided with the amenity space as shown.

- 8.19 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Refuse Arrangements

- 8.20 A bin store is to be provided in the rear garden and bins are to be moved along the passage to the north to the street for collection. This arrangement is considered acceptable. Details of secure structures for the bins are required via condition.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.22 The original proposal incorporated turntable car parking. The Highway Engineer did not support this approach as turntables may break and require maintenance. The application has been amended and the turntables have been replaced with three off street car parking spaces which run parallel to the road. One of the spaces to be provided is a disabled parking bay. The Highway Engineer is satisfied that the revised parking arrangement allows all vehicles to enter and leave the site in forward gear and as a result would not be harmful to highway safety. A number of conditions are requested and are recommended.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.24 Three off-street car parking spaces are to be provided; one of which is to be a disabled bay. This provision is considered acceptable given the sustainable location of the site.
- 8.25 Secure cycle parking is to be provided in the rear gardens. This would be accessed along the northern side of the site. I note that the Urban Design and Landscape Officers have raised that there is an under provision of secure cycle storage. Plot 3 has provided adequate secure cycle storage. Plots 1 & 2 require one additional space. Whilst the gardens are relatively small, I am satisfied that they are adequately large to provide an additional cycle parking space. Details of cycle parking, including elevations for the cycle stores, could be required via a recommended condition.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10, 8/6 and 8/10.

Drainage

- 8.27 The Sustainable Drainage Engineer has a holding objection as the applicant has not demonstrated that satisfactory surface water drainage measures for the proposal. I have recommended that this is submitted via a pre-commencement condition. However, I await confirmation from the Sustainable Drainage Engineer that this approach will be acceptable. If he is not satisfied with this result then the applicant will need to submit further information prior to determination. This may result in the need to change the recommendation slightly to include a request to deal with this drainage element under delegated powers. I will provide an update via the amendment sheet.

Third Party Representations

- 8.28 I have addressed the majority of the issues raised by the representation within the body of my report. Please see the below table for further detail and response to any outstanding matters.

Representation	Response
Cramped/overdevelopment	The proposal is considered acceptable in terms of design, is not considered to have any significant adverse impact on neighbouring amenity and is considered to provide adequately high-quality accommodation to future occupiers of the whole site. As a result the proposal is not considered overdevelopment of the site.
Wall fronting onto Milton Road has been partially demolished and trees were removed from the site prior to submission of the previous application (15/1302/FUL)	Noted.
Too tall and sawtooth roof profile is incongruous	This has been amended. Please see paragraph 8.7
Zinc is inappropriate and out of keeping	Please see paragraph 8.8
Rooms are small and likely to be used as micro-bedsits rather than family homes	I can only assess the application on the basis of what has been applied for. The rooms are considered to be of an adequate size to provide adequately high quality living accommodation to future occupiers.
The turntables to the front will prevent any viable planting	These have been removed. There are concerns regarding the viability of planting along the frontage at Milton road. Further detail is to be provided via boundary treatment condition. See paragraph 8.9 in relation to planting and 8.22 in relation to the turntables
The demolition of the historic wall will result in loss of privacy to Whichcote House gardens	The wall is proposed to be replaced by a fence. This will be controlled via boundary treatment condition. See paragraph 8.8

The plans on the application for the conversion of Whichcote House to flats (16/1873/FUL) were amended to allow the full site as amenity spaces. The proposal sits on an area which was proposed as gardens to these residents.	Please see paragraph 8.17
Request that this application and 16/1873/FUL are re-submitted as a single cohesive scheme as the current arrangement is not transparent for member of the public.	Both applications are to be heard consecutively at the 30 August planning committee. The Local Planning Authority cannot require that the proposal be submitted as a single application.

Planning Obligations (s106 Agreement)

8.29 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.

8.30 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.

8.31 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 application proposes 3 units so would fall below this threshold. However, when taken with the proposal on the other part of the site, which falls under the same ownership, there would be a total of 14 units. This would therefore trigger the requirement for infrastructure provision to be required via S106.

City Council Infrastructure (Open spaces and Community facilities)

8.32 The Developer Contribution Monitoring team has recommended that contributions be made to the following projects:

Community Facilities:

- The proposed development is within 1 mile of the Akeman Street Community House site. Given the scale of the proposed development on this site, and in line with the funding formula set out in the Councils Planning Obligations Strategy 2010, a specific S106 contribution of £5,646 (plus indexation) is requested towards the provision of and / or improvement of community facilities and equipment at part of the Akeman Street Community House redevelopment, Cambridge.

Indoor Sports:

- The proposed development is within 400m of the Chesterton Community College sporting facility, which is on the Councils 2016/17 target list of indoor sports facilities for which specific S106 contributions may be sought in order to mitigate the impact of development. This target list was agreed by the City Councils Executive Councillor for Communities in June 2016.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the Councils Planning Obligations Strategy 2010, a specific S106 contribution of £3,228 (plus indexation) is requested towards the provision of blackout blinds to the main hall to enable the provision of activities to include glow sports and beats fitness at Chesterton Community College, Gilbert Road, Cambridge CB4 3NY.

Outdoor Sports:

- This proposed development is within 700m of Chesterton Recreation Ground, which is on the councils 2016/17 target list of outdoor sports facilities for which specific S106 contributions may be sought.

Given the scale of the proposed development on this site, and in line with the funding formula set out in the councils Planning Obligations Strategy 2010, it is proposed that the council requests £2,856 (plus indexation) for the provision of and / or improvements with regard to the pavilion extension / pitch works at Chesterton Recreation Ground.

So far, the council has proposed only one specific contribution for this project (ref 14/0790/FUL former Cambridge City Football Ground) so there is still scope for this contribution (and up to three others) to be requested. The council has though proposed, but not formally agreed two further specific contributions for this project.

Informal Open Space:

- This proposed development is within 700m of Chesterton Recreation Ground. Based on the funding formula set out in the Council's Planning Obligations Strategy 2010, it is proposed that the council requests £2,904 (plus indexation) for the provision of and / or improvements to informal open space at Chesterton Recreation Ground. So far, the council has agreed only one specific contribution for this project, and proposed two further contributions, so there is still scope for this contribution (and one other) to be requested

Play provision for children and teenagers:

- This proposed development is within about 800m of Chesterton Recreation Ground play area. Chesterton Recreation Ground play area is on the councils target list of facilities for which specific S106 contributions will be sought. This highlights the scope for improving the play area equipment and facilities in order to mitigate the impact of local development.

Based on the funding formula set out in the Council's Planning Obligations Strategy 2010, it is proposed that the council requests £3,792 (plus indexation) for improving the play area equipment and facilities at Chesterton Recreation Ground play area.

So far, the council has not agreed any specific contributions for these projects so there is still scope for this contribution

(and up to four others) to be requested. The council has though proposed, but not formally agreed one further specific contribution for this project.

- 8.33 The above contributions should be read in conjunction with the contributions for the remaining part of the site (16/1873/FUL). The below table breaks down the recommended contributions between the sites:

Heading	16/1873/FUL	17/0489/FUL	Combined amount:
Outdoor Sports Facilities	£5,474	£2,856	£8,330
Indoor Sports Facilities	£6,187	£3,228	£9,415
Provision for Children and Teenagers	£6,320	£3,792	£10,112
Informal Open Space	£5,566	£2,904	£8,470
Community Facilities	£15,068	£5,646	£20,714

- 8.34 I agree with the reasoning put forward by the Developer Contributions Monitoring Unit and set out in the above paragraphs comments paragraphs, that contributions towards these projects meet the requirements of the CIL regulations. Subject to the completion of a S106 planning obligation to secure this infrastructure provision, 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.
- 8.35 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridge Local Plan (2006) policies 5/5 and 10/1.

Planning Obligations Conclusion

- 8.36 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 proposed new terrace is considered acceptable in design terms and is considered to positively contribute to the streetscene. The proposal would create adequately high-quality living accommodation for future occupiers. The proposal would not have an significant adverse impact on the amenity of the surrounding occupiers. The revision to the site of the building and boundary would allow adequate amenity space to future occupiers of Whichcote House.

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. 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.

4. 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.

5. 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.

6. 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

7. 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.

8. 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.

9. 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)

10. 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)

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

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

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

12. 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

13. Prior to the commencement of development/construction, a noise assessment of internal noise levels and a noise insulation / attenuation scheme as appropriate, 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) and other mitigation to reduce the level of noise experienced internally at the residential units as a result of high ambient noise levels in the area shall be submitted to and approved in writing by the local planning authority. The scheme shall have regard to the external and 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 be retained thereafter.

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

14. Prior to the commencement of development, full details of all materials including the proposed brick (bonding, coursing, type of jointing), windows and doors, non-masonry walling systems, cladding panels or other external screens, infill panels, edge, 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. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

Reason: In the interests of visual amenity and to ensure that the appearance of the external surfaces is appropriate to accord with Cambridge Local Plan 2006 policies 3/4, 3/12, 3/14.

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

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

16. 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied 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)

17. No development shall take place until full details of the bin stores, including elevations and details of materials, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

18. No development shall take place until full details of secure cycle storage, including elevations and materials, for the three dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

19. The curtilage (garden) of the proposed dwellings as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

20. The windows identified as having obscured glass on drawing number PL-3-01 A, shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwellings 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)

21. No building hereby permitted shall be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework (2012)

22. 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 in accordance with policy 8/2 of the Cambridge Local Plan (2006)

23. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) 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 in accordance with policy 8/2 of the Cambridge Local Plan (2006)

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

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

25. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

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

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

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

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

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

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

Reason: in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

INFORMATIVE: Before the details of the surface water drainage 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.

INFORMATIVE: The principle areas of concern that should be addressed by the traffic management plan 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: 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: 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.

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

INFORMATIVE: Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

INFORMATIVE: Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m³ or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

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

- 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

-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