

Application Number	17/0675/FUL	Agenda Item	
Date Received	26th April 2017	Officer	Sav Patel
Target Date	21st June 2017		
Ward	East Chesterton		
Site	Land To The Rear Of 1 Fen Road And Rear Of 179 - 183 Water Street Cambridge CB4 1PB		
Proposal	Demolition of existing garages and erection of three 2bed dwellings with associated landscaping and access arrangements.		
Applicant	Fallowfield Property Ltd c/o Unit F1 4 Station Road Swavesey Cambridgeshire CB24 4QJ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none">1. The principle of residential development on the site is acceptable2. The proposal would not materially harm the character and appearance of the area3. The proposed development would not have a significant impact on neighbour amenity
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site lies on the west side of Fallowfield and comprises a block of eleven concrete garages that are accessed via Fallowfield, as well as part of the rear gardens of Nos. 179, 181 & 183 Water Street. The access from Fallowfield serves a further four garages that lie outside the site area adjacent to the road.

- 1.2 On the south-east side of the site, and directly abutting Fallowfield, is a recently constructed detached 2-bedroom dwelling for which consent was granted in 2015 (Ref: 15/0818/FUL). Further to the south is No. 1 Fen Road, a semi-detached Victorian dwelling that lies at the eastern end of a row of similar Victorian properties. To the north is Hodge House, a modern two-storey development of seven flats, beyond which is an estate of predominantly semi-detached and terraced two-storey houses. Opposite the site are the gardens of 3 and 5 Fen Road, another pair of semi-detached Victorian properties.

2.0 THE PROPOSAL

- 2.1 The application proposes to demolish the existing garages and to erect three no. 2-bedroom detached dwellings on the site.
- 2.2 The dwellings would be 1.5 storeys in scale, standing 5.7m high to the ridge and 4.1m high to the eaves. They would be contemporary in design, incorporating brick walls and zinc roofs to match the recently constructed house at the rear of No.1 Fen Road. The dwelling on Plot 1 would be located at the northern end of the site and positioned gable end to the road. The other two properties (Plots 2 and 3) would be located in the southern part of the site, in a staggered formation relative to the recently constructed dwelling adjoining Fallowfield. The central area between Plots 1 and 2/3 would be predominantly block paved and laid out to provide three off-street car parking spaces for the dwellings. Some landscaping is proposed to the side of Plot 1 and front of Plots 2 and 3.
- 2.3 The application has been amended since submission and following a Development Control Forum, to increase the height of the rear boundary treatment and to add an evergreen tree to the south-west corner of the site.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Design Report Rev A
 3. Flood Risk Assessment
 4. Shadow study

3.0 SITE HISTORY

Reference	Description	Outcome
16/1573/FUL	Demolition of existing garages and erection of three 2 bed dwellings with associated landscaping and access arrangements	Withdrawn
16/0573/FUL	Demolition of existing garages and erection of four 2 bed dwellings with associated landscaping and access arrangements	Withdrawn
15/0881/FUL	Erection of a dwelling and associated works on land to the rear of 1 Fen Road, fronting Fallowfields	Approved
10/0532/FUL	Erection of 2 three bed dwellings	Refused. Appeal dismissed
09/1132/FUL	Erection of 5 new 1 bedroom apartments	Refused
09/0847/FUL	Erection of 5 new 1 bedroom apartments	Withdrawn
C/72/0385	Erection of 5 new 1 bedroom apartments	Approved
	Erection of two garages	

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 3/10 3/11 3/12 4/13 5/1 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning 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)

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 are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 The proposal should have no significant impact on the public highway subject to the following conditions being included within any planning permission:

- No unbound material within 6m of the highway boundary
- Removal of permitted development rights for gates
- Access to be laid out to County specification before commencement of first use of the access
- Provision of adequate drainage for the access
- Retention of access free of obstruction

Head of Environment

6.2 No objections providing the following conditions are added to any planning permission:

- Plant noise insulation
- Construction hours
- Collection during construction
- Piling
- Dust

- Contaminated land

Urban Design and Conservation Team

- 6.3 No objections providing conditions requiring samples of materials and details of cycle parking are added to any consent.

Movement and access

Access into the site utilises and extends the access approved as part of the adjacent scheme. The proposal can adequately accommodate all the requirements of the development with regards to bikes, bins and car parking, although further details of the bin and bike stores would need to be secured by condition, and details of the location of the refuse collection point confirmed.

Layout

The overall layout is compatible with the finer grain of the surrounding context. The staggered layout of plots 2 and 3 along the southern boundary provides south facing gardens for future occupiers and creates a sense of distance between the proposal and existing properties that back onto the site. Plot 1 defines and overlooks the landscaped parking court. However, the shadow study suggests Plot 1 would overshadow the garden space for an apartment to the north and a minor adjustment to this plot by moving the dwelling to the east and relocating the entrance to the southern façade.

Scale and massing

The 1.5 storey scale mirrors the height of the barrel roof of the adjacent consented scheme, and is appropriate to the site's context. The staggered layout and shallow pitched roofs provides a pleasing broken form along the southern boundary and is unlikely to be overbearing to houses along Water Street.

Elevations and materials

The architectural language is similar to the adjacent consented scheme. Projecting, angled windows provide articulation and visual interest to the elevations, and the use of matching materials, as confirmed in the Design and Access Statement, would ensure the development would be compatible with the adjacent site.

Sustainable Drainage Engineer

Original comments

- 6.4 Sufficient surface water drainage details proving the principle of draining the site have not been provided. An assessment should be carried out of the potential for disposing of surface water by means of a sustainable drainage system. Based on the estimated flood level identified in the submitted Flood Risk Assessment (FRA), the access from Fallowfield will actually suffer approximately 360mm of flooding rather than the 100mm suggested in the report. As such, this would be classified as a 'Danger for some', namely a danger to vulnerable individuals such as children, the elderly and infirm. An alternative emergency access/egress route should be considered or a Flood Action Plan where appropriate.

Comments following additional information from the applicant

- 6.5 The proposed development is acceptable subject to the following conditions:
- ☐ Finished ground level no lower than 5.85 metres AOD;
 - ☐ Surface water drainage details prior to development
 - ☐ No development until infiltration testing results have been submitted;
 - ☐ Drainage details in case test result show unfeasible to connect to adopted sewers.

Environment Agency

- 6.6 This application falls within Flood Risk Standing Advice and, in line with current government guidance, the Council would be required to respond on behalf of the Environment Agency in respect of flood risk and/or surface water drainage issues.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations objecting to the application:

- 1 Hodge House, 80 Fallowfield
- 3 Hodge House, 80 Fallowfield
- 7 Hodge House, Fallowfield
- 1 Fen Road
- 3 Fen Road
- 5 Fen Road
- 169 Water Street
- 171 Water Street
- 173 Water Street
- 177 Water Street

7.2 Their concerns can be summarised as follows:

- The problems with the previously withdrawn applications have not been addressed.
- If approved, this would set a precedent for similar developments in rear gardens of Water Street properties.
- The proposal represents an overly dense form of development for the site.
- Three dwellings of this height and scale in a backland location would be harmful to the character of the area.
- The grey roofing would be drab and detract from the area. The adjacent house could be considered to create an interesting contrast but a cluster of four would look like an industrial complex.
- Any development should be restricted to the location of the garages and no higher than nearby backland/infill precedents at 163/165 Water Street and 23a Fen Road.
- It would result in overshadowing/loss of light to flats at Hodge House, including the deck of No.1.
- Overlooking of flats at Hodge House, and of the gardens and rear windows of properties in Fen Road and Water Street, resulting in a loss of privacy to these neighbouring residents.

- Similarly, the rear windows and gardens of Plots 2 and 3 would be overlooked by properties in Fen Road and Water Street.
- The plans are inconsistent and unclear as to whether adjacent properties will be overlooked.
- Overlooking from ground floor kitchen to first and second floor bedrooms in 177 – 183 Water Street.
- The trees denoted as 'existing' along the fence line rear of No.183 Water Street do not exist.
- Unacceptable loss of garden to properties fronting Water Street, with only 20% of their plot length remaining.
- Unlike the approved house to the rear of 1 Fen Road, there are no established trees along the boundary of the proposed site to soften the views from properties in Water Street.
- The impact of the development on surrounding properties should be shown within visuals. These should also show 177 Water Street's rear extension, which is missing on many drawings.
- The proposed dwellings would benefit from little light and future occupiers would have a poor level of amenity.
- The garages currently on site provide valuable off-road parking space for residents. Their loss will increase on-street parking in the area where there are already significant issues due to the popularity of the river/tow-path in this location. There is also inadequate parking provision for the proposed new properties, and this will further exacerbate on-street parking problems in the area.
- The resultant increase in on-street parking in Fen Road would make it more dangerous for pedestrians to cross the road. Residents' off-road parking bays and a pedestrian crossing on Fen Road or Water Street should be provided to mitigate the impact.
- Would result in noise problems to Hodge House.

- The ratio of hard to soft landscaping would exacerbate existing flood risk issues. Local drains already overflow into back gardens of Water Street properties during heavy rain.
- If the development would be dug down, as per the recently constructed adjacent house, the reduced level will be very close to the water table which lies just 2.3m below the ground surface.
- The FRA is incorrect as the underlying geology is actually gault clay, which is impermeable, and not chalk.
- There is no mains sewer in Fallowfield and, as with the adjacent new house, the dwellings are likely to have tanks installed and to require regular emptying. This would result in more noise, smell and disturbance to local residents.
- The dark roofs would absorb solar radiation and contribute to global warming.

7.3 The owners/occupiers of the following addresses have made representations objecting to the application:

- 56 Metcalfe Road (owner of 2 of 179-183 Water Street)

7.4 Their comments can be summarised as follows:

- The design of the houses would be in-keeping with the design of the barrel house at the end.
- The development would improve the appearance of the area.
- The garages are underused, and some are used purely for storage purposes.

7.5 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.

Development Control Forum

- 7.6 Residents from the following addresses signed a petition requesting that the application be considered at a Development Control Forum (DCF) due to issues relating to: a lack of privacy; overbearing sense of enclosure; noise nuisance; loss of parking; and impact on character of area, all conflicting with adopted Policy 3/10.

- ☐ 78 Fallowfield
- ☐ 1, 2, 3 Hodge House, 80 Fallowfield
- ☐ 1, 3, 5, 11, 17, 27 Fen Road
- ☐ 11 Kimberley Road
- ☐ 11 Storeys House
- ☐ 167, 173, 177, 179, 183 Water Street

The following changes were requested:

- ☐ There should be fewer, lower dwellings restricted to the site of the garages only.
- ☐ Alternative parking arrangements should be provided for the local residents that currently store cars in their garages.
- ☐ The properties should be constructed using materials in sympathy with neighbouring properties.

- 7.7 The DCF was held on 14 June 2017 and the minutes of this meeting are attached as an Appendix.

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. Flood risk and drainage
7. Third party representations

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses.
- 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 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. The site is not near a listed building or BLI, would not affect protected trees/wildlife features and would not prejudice the comprehensive development of the area. Issues relating to residential amenity impacts and the character of the area, as set out in Policy 3/10, are assessed in further detail below.

Context of site, design and external spaces

- 8.5 Policy 3/10, part c, of the 2006 Local Plan states that residential development within the garden area of existing properties will not be permitted if it will detract from the prevailing character and appearance of the area.

- 8.6 The prevailing character of the area is of mainly low density housing in the form of two storey semi-detached and detached dwellings that are set back from the road and with deep rear gardens. There are also examples of two and three storey blocks of flats nearby. Many of the gardens contain ancillary structures in the form of single storey sheds and outbuildings. There are also three examples (including to the rear of 1 Fallowfield) of back-land development nearby.
- 8.7 The proposed site consists of two main areas; the lock up garage blocks and parts of the rear gardens of nos.179 to 183 Water Street. The garage blocks consist of 11 single storey flat roof garages and an open parking space. The gardens of the properties in Water Street are laid to lawn and circa 25 metres deep. The character of this part of the Fallowfield has been changed by the introduction of a two storey new detached dwelling which faces onto Fallowfield. The dwelling is located to the rear of no. 1 Fen Road and is known as no. 79 Fallowfield.
- 8.8 The two storey dwelling to the rear of no.1 Fallowfield has established a new character and appearance to Fallowfield. It has done this by introducing a new type and appearance of dwelling, which contrasts with the more traditional forms of dwellings in the locality. The contrasting features consist of the use of a barrel roof, metal cladding and bay window. The proposed dwellings have been designed as a composition of the existing dwelling at no.79. However, the barrel roof form has not been continued across. Instead the proposed dwellings have been designed with a traditional pitched roof but maintain the metal clad roof. The first floor accommodation would be located within the roofscape to keep the height low and in keeping with no. 79. The use of metal cladding and modern design features such as the projecting angled bays, gives the overall scheme an ancillary appearance. In these terms and in my view, the proposed dwellings would make a positive contribution to the street scene.
- 8.9 In terms of layout, the P1 is proposed to be located on the footprint of one of the garage blocks adjacent to the gable end of Hodge House. P2 and P3 would be located adjacent to the new dwelling and in a stepped arrangement. This stepped arrangement is important for two reasons. 1; It allows P2 and P3 to address Fallowfield with the introduction of angled bay windows at first floor, and 2; Increases the level of separation

between the existing host dwellings on Water Street. The proposal also includes general spacing between each dwelling of approx. 2 metres, the side boundary with no.177 of 2 metres and no. 79 of 2.3 metres

- 8.10 Therefore the proposed development due to its contrasting and modern design, low height, general spacing and stepped layout would enhance the existing garage site and make a positive contribution to the character and appearance of Fallowfield.
- 8.11 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Residential Amenity

- 8.12 Impact on amenity of neighbouring occupiers
- 8.13 The proposed scheme has received several objections concerning issues such as overlooking/loss of privacy, overshadowing and poor living conditions for future occupiers. I set out below my response to each issue below.

Overlooking/loss of privacy

Water Street

- 8.14 The proposed dwellings have been designed with most of the glazing on the ground floor. The first floors would be served by an obscure panel window in the southern elevation and an angled bay window, to address Fallowfield, on the north elevation. There would also be a small flat roof dormer in the side of the roof which would serve the en-suite and living room. Therefore, no windows are proposed that would cause direct overlooking of neighbouring gardens. Furthermore, the rear elevations of the proposed units would be located between 17.7 metres and 24 metres from the rear elevation of the properties directly adjacent (nos.179 to 183). Therefore, the combination of no clear pane windows at first floor in the southern elevation and level of separation to adjacent properties would mean the proposed dwellings would not cause any adverse levels of overlooking over neighbouring gardens. There is currently a mutual sense of overlooking between neighbours over the rear gardens and the proposed dwellings would not in my view make this situation any worse. However, the proposal would introduce

dwellings in a location that would enable future occupiers to look towards the rear elevations of existing dwellings. In this urban context and level of separation I do not consider this inter-visibility relationship would cause significant harm to privacy. The applicant has proposed to plant two trees along the rear gardens of P2 and P3 in order to mitigate the impact inter-visibility. This was a matter that was discussed at the Development Control Forum. The planting of trees rather than a physical structure attached to the fence or increasing the height of the rear fence is in my opinion a much more sympathetic option.

- 8.15 P1 would be located adjacent to the side gable end of Hodge House and the rear elevation would be set off the side boundary with no.177 by 5 metres. The dwelling would not have any overlooking impact on the occupiers of no.177 or neighbouring occupiers due to not having any clear pane windows at first floor and its location at the bottom of the garden (over 40 metres away).
- 8.16 P2 and P3 would be located approx. 25 metres from no.177. P2 would be located 2 metres off the side boundary. I do not consider the form of P2 would have any adverse overbearing impact on the residential amenity of no.177. Also due to the distance from the host dwellings and main gardens, I do not consider P2 and P3 would result in an unacceptable degree of enclosure to these properties.

Overshadowing

- 8.17 The site is located north of the dwellings within Water Street and therefore would not cause any adverse levels of overshadowing. Furthermore, the proposed dwellings would be set off the boundary by between 6.9 and 9.6 metres and have a consistent ridge height of 5.7 metres. This would match the height of no.79 Fallowfield. Therefore the proposal would also not in my opinion appear overbearing on the residents in Water Street.
- 8.18 The applicant has produced a shadow study to demonstrate the existing and potential shadowing during December (winter solstice), March/Sept (Equinox) and June (Summer solstice). These are the times that are accepted in the BRE guidance. Having compared the differences between the existing and

potential overshadowing, I am satisfied that the proposal due to its height and layout would not cause any adverse levels of overshadowing.

- 8.19 There is a small terrace/deck area serving a flat in Hodge House that is located close to the northern boundary of the site. The terrace area is largely set behind (north) of a two storey rear extension, which links to a smaller hipped roof element. Both elements are adjacent to the boundary of the application site. In terms of impact, P1 is proposed to be located along the blank gable end of Hodge House and would project approx. 700mm beyond the rear elevation of the main two storey extension. P1 would not cause any adverse levels of overshadowing over this external terrace area. Also P1 would not have any adverse impact on the outlook of the two storey rear extension as it would fall behind the 45 degree line.
- 8.20 The proposed development would not have any adverse impact on the residential amenity of the surrounding neighbours in terms of overlooking/loss of privacy and overshadowing. The proposal also would not appear overbearing on any of the surrounding neighbours.

Living conditions of future occupiers

- 8.21 The proposed development would provide private amenity space, cycle parking and bin storage for each unit. Each unit would also include an off street car parking space. I am satisfied that the external arrangement of the proposed development would provide future occupiers with a high quality living environment. In terms of internal space, the proposed dwelling would provide on the ground floor a spiral staircase in the kitchen/diner area, the main bathroom and a bed/study. On the first floor would be a separate living room and main bedroom within en-suite. The proposal would also include a vaulted ceiling, which sets the living room area 1.8 metres away from the panel window in the rear elevation. The panel window is proposed to be obscure glazed to mitigate overlooking of the gardens/properties to the south but also to protect the privacy of future occupiers. The ground floor is proposed to include bi-fold doors and combined with the floor to ceiling panel window would allow natural light to flood into the main living areas. Therefore, in my opinion the future occupiers of the proposed dwellings would be provided with a high quality living conditions.

- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and would secure an appropriate level of amenity for future residents, and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Refuse Arrangements

- 8.23 Adequate bin storage has been shown within the drawings and, in my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.24 No specific concerns have been raised by the Highway Authority regarding highway safety. However, concerns have been raised locally regarding the loss of the garages and potential increase of on street parking.
- 8.25 The garages are mostly used for storage as they are not of a sufficient size to accommodate a family car. Therefore they are unlikely to materially increase levels of on street parking. The garage blocks are also in poor condition such that they have a detrimental impact on the character and appearance of the street scene. Therefore, the redevelopment of the site to accommodate a small housing development such as that proposed would outweigh the harm from the loss of the garages.
- 8.26 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.27 Adequate car and cycle parking is shown for both the existing and proposed dwellings and, in my opinion, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Flood Risk and Surface Water Drainage

- 8.28 The applicant has submitted a Flood Risk Assessment which has been assessed by the City Council's Drainage Officer. The Drainage Officer initially raised concerns regarding site

drainage and the flood action plan. The applicant responded to this through their drainage consultant and submitted additional information. This additional information was considered acceptable subject to conditions.

- 8.29 Some concerns have been raised locally as to the nature of the underlying geology and water table levels. According to the applicant drainage consultant, the underlying ground is based upon British Geological Survey Mapping shows that the site is underlain by chalk. Although no intrusive testing has been carried out, the mapping survey is accurate. In terms of the water table and potential impact caused by reducing the levels, the Drainage Officer has recommended a condition on the external ground level not being raised below a level of 5.55 metre AOD and the finished ground floor level of the proposed development not being lower than 5.85 metres.

Foul Water Drainage

- 8.30 Concerns have been raised about the lack of foul sewer in the area and the potential impact caused by on-site tanks such as noise/smell associated with regularly emptying tanks. I have requested comments from the Drainage Officer on this specific matter which I have not received to date. I will update the amendment sheet with the Officer's comments or orally report them to members in my presentation.

Third Party Representations

- 8.31 The majority of third party representations have been addressed in the main body of this report.
- 8.32 In terms of the external materials, I have recommended a materials condition so that samples of the external materials are submitted for consideration and approval.
- 8.33 The proposed development is unlikely to cause adverse levels of noise disturbance mainly due to the amount of the development and size of the units.

9.0 CONCLUSION

- 9.1 In conclusion, I consider that the proposed development is acceptable and would comply with the provisions of the relevant

Development Plan Policies. As such, approval subject to conditions is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. 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 development 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 and 3/14)

10. 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)

11. 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)

12. 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)

13. 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)

14. No air source heat pumps shall be installed unless a scheme for insulation in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use of any air source heat pumps commences.

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

15. 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)

16. 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 policy 4/13

17. The finished ground floor level of the proposed development should be no lower than 5.85m AOD and there should be no raising of any existing external ground below a level of 5.55m AOD, as identified in the submitted FRA (MTC Engineering Aug 2016).

Reason: To mitigate against flood risk. (Cambridge Local Plan 2006 policy 4/16)

18. Prior to the commencement of development a scheme for surface water drainage works shall be submitted to and approved in writing by the local planning authority. The details shall include an assessment 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 the National Planning Policy 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 + an allowance for climate change. The submitted details shall include the following:

1) 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;

2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2006 policy 4/16)

19. No development hereby permitted shall be commenced until infiltration testing results and hydraulic calculations in accordance with BRE Digest 365 have been undertaken and submitted in writing to the local planning authority.

If infiltration is demonstrated unfeasible and a connection to the adopted surface water sewer is proposed, the drainage details should also be submitted to Anglian Water and their written acceptance of the scheme submitted to the local planning authority. A maximum discharge of 2l/s will be accepted unless justification is provided to and accepted by the local planning authority. The development shall be carried out in accordance with the approved drainage details.

Reason: To ensure adequate surface water drainage of the site.

20. The driveway hereby approved shall be constructed using a bound material for the first 6m from the back of the adopted public highway, to prevent debris spreading onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: In the interests of highway safety in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

21. 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.

22. 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 approved drawing and retained free of obstruction thereafter.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

23. Prior to occupation of the development hereby approved, the cycle parking and bin storage provision shall be implemented in accordance with the details shown on drawing no.PL-1-01 Rev P5 unless otherwise agreed in writing. The provision shall be retained in accordance with the approved details thereafter.

Reason: To ensure sufficient cycle and bin storage provision for the development (Cambridge Local Plan 2006 policies 3/7, 3/10 and 8/6).

24. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s), including the insertion of any dormer windows, shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties and to preserve the character of the area (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

25. 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

INFORMATIVE: To satisfy the plant sound insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive sound frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; sound sources and measurement / prediction points marked on plan; a list of sound sources; details of proposed sound sources / type of plant such as: number, location, sound power levels, sound frequency spectrums, sound directionality of plant, sound levels from duct intake or discharge points; details of sound mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full sound calculation procedures; sound levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: Asbestos containing materials (cement sheeting) may be present at the site. The agent/applicant should ensure that these materials are dismantled and disposed of in the appropriate manner to a licensed disposal site. Further information regarding safety issues can be obtained from the H.S.E.

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: 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.