

Application Number	17/1433/FUL	Agenda Item	
Date Received	20th September 2017	Officer	Michael Hammond
Target Date	15th November 2017		
Ward	Abbey		
Site	84 Ditton Walk Cambridge CB5 8QE		
Proposal	New three storey building containing two self-contained flats, bin and bike store to the rear of 84 Ditton Walk. Replacement of existing single storey extension, including 4 rooflights, bin and bike store, landscaping and fencing to 84 Ditton Walk.		
Applicant	Mr Alan Fitch Orchard House The Street Foxearth SUDBURY CO10 7JG		

SUMMARY	The development accords with the Development Plan for the following reasons: • The proposed development would not harm the character or appearance of the area. • The proposal would respect the amenities of neighbouring properties. • The proposal would provide an acceptable living environment for future and existing occupiers of the site.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 84 Ditton Walk is a two-storey building on the south-east side of the street, which is in use as a house in multiple occupation (HMO). It is set back significant from the street and is thereby an anomaly in a generally consistent row which stretches, with a few other exceptions, from No.14 to No.96.

- 1.2 No.84 is set 13m back from the highway boundary, whereas the otherwise consistent building line is only 2m from the footway. It is detached, whereas its neighbours are in terraces or semi-detached pairs, it is finished in cream-painted pebbledash render, with red clay tiles, contrasting with the buff brick of the rest of the street, its hipped roof with a forward-projecting bay differs from the consistent gable forms alongside it, and it is in a more 'suburban' idiom than its neighbours, which adhere to the typical floorplan and elevations of Edwardian villas.
- 1.3 The unusually extensive forecourt of No.84 is entirely paved. It contains a low lean-to timber shed in the north-east corner, and some builders' rubble, but is largely used for car parking.
- 1.4 The site is not within a conservation area, and there are no protected trees on the site. Although the opposite side of Ditton Walk was formerly largely in industrial and commercial use, recent developments have introduced considerable residential use on that side. The south-east side is entirely residential.
- 1.5 Like its neighbours, No.84 once had an extremely long narrow tapering garden. This was truncated by the changes in plot configuration and ownership which facilitated the development of Ferndale House, a block of flats located in what was once the rear part of these gardens, served by an access drive off Ferndale Rise. That access drive, which is within the applicant's ownership, forms part of the application site. The plot at No.84, which forms the remainder of the application site, stretches from the footway on Ditton Walk through to the Ferndale House access drive, a distance of almost 47m. It varies in width, from 5.7m at the centre point of the existing house to almost 10m at its widest point. It is 7.5m wide on the Ditton Walk frontage, and 8.5m wide where it meets the access drive at the rear.

2.0 THE PROPOSAL

- 2.1 As amended, the proposal is in three parts: reconfiguration of the forecourt, alterations to the existing building, and the creation of a new building containing two flats in the rear of the plot.

Forecourt

- 2.2 The application proposes to subdivide the forecourt with a 1.8 timber fence following a 'double dog-leg' route across the centre. The front section would remain paved, accommodating six cycle parking spaces beneath a corrugated plastic sheet roof supported on a timber frame, and a five-space covered bin store. The rear section would form an amenity space for the occupiers of the HMO at No. 84. It would be L-shaped, 9m x 6m, partly surfaced with timber decking and partly with artificial grass.

Existing HMO

- 2.3 The application proposes the demolition of the existing single-storey flat-roofed rear extension and its replacement with a shower room which would be the same height and width as the demolished section, but 2.6m deep, compared to the 6.2m depth of the existing extension. (A new internal staircase linking the first floor to a new bedroom within the roof space, obscure glazing to the two rear first-floor bedroom windows, and four new rooflights are also proposed, but none of these elements requires planning permission).

New building

- 2.4 At the rear of the site, a new building is proposed, which would contain two flats, one on the ground floor (49m²) and the other on the upper two floors (76m²). The building, which would be set back just over 5m from the Ferndale House access drive behind three paved car parking spaces, would have a rectangular footprint at ground floor level, 7.5 wide and 10m deep. There would be a small rectangular bay to the east side of the front elevation at ground floor level. At first floor level the depth of the building would be reduced to 7m. Second-floor accommodation would be within a steeply-pitched roof, with two pitched-roof gabled dormers on each of the main roof planes. Juliet balconies would be provided to both rear windows on the first and second floors.
- 2.5 Passageways to each side of the building would link the car parking spaces at the front with an amenity space to the rear. The west side passage would taper from 1.8m wide at the rear to 800mm at the front; the east side passage from 1.1m at the

front to 732mm at the rear. The rear amenity space would accommodate a three-space bin store, eight cycle parking spaces in a covered store, and a 4m x 3.5m grassed area for each flat, separated by 1.8m trellis to which evergreen vines would be planted.

3.0 SITE HISTORY

Reference	Description	Outcome
03/0879/FP	Outline application for residential development and demolition of No. 16 Ferndale Rise.	Refused
07/1026/FUL	Erection of a 3 storey unit for 8 flats with new access.	Withdrawn
07/1355/FUL	Erection of a 3 storey unit for 8 flats with new access.	Approved with conditions

4.0 PUBLICITY

4.1 Adjoining owners only.

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 3/14
		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 (Annex 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 South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011) 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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Proposal reallocates car parking within the site to additional development. This may impose additional demand on on-street parking in surrounding streets. This is unlikely to result in any significant adverse impact upon highway safety, but the planning authority may wish to consider the impact on residential amenity.

Environmental Health

- 6.2 Acceptable subject to conditions regarding contaminated land, construction hours and piling.

Urban Design and Conservation Team

- 6.3 Not supported. Upper level units in the proposed new building provide insufficient living space. Amenity space for occupiers of new units is compromised by its proximity to the ground floor unit. Privacy for those occupiers is similarly compromised. Dimensions of tapered side entrances are insufficient for access to cycle storage and waste bins. Arrangements for waste collection are not specified. 1.8m timber fence in front of No.84 would degrade the street scene and remove natural surveillance from car and cycle parking area.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.4 Acceptable subject to a surface water drainage condition.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

78 Ditton Walk

80 Ditton Walk

7.2 The representations can be summarised as follows:

- Increased pressure on on-street car parking
- Amenity space poorly located and of insufficient quality
- Unreasonable to install obscure glazing in existing house. Future removal of this would result in loss of privacy for occupiers of both buildings
- Paved amenity space would be unhelpful to sustainable drainage
- Overshadowing of neighbouring gardens

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

8.0 ASSESSMENT

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

1. Principle of development
2. 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 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be

permitted, subject to the existing land use and compatibility with adjoining uses.

- 8.3 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.
- 8.4 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d), would not adversely affect trees, wildlife features or architectural features of local importance e), and, would not prejudice the comprehensive development of the wider area (f).
- 8.5 Local Plan policy 3/10 states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
 - b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;
 - c) detract from the prevailing character and appearance of the area; and
- 8.6 I consider that the proposal complies with the four criteria set out in policy 3/10 for the reasons set out in the relevant sections of this report.

Context of site, design and external spaces

- 8.7 The proposed three-storey building would be visible from long views from Ditton Walk to the north-west and from Ferndale Rise to the east of the site. There are other backland developments and garden developments in the surrounding area, notably the Abbey Gardens cul-de-sac and Ferndale House which backs onto the application site from the south-east. I am of the opinion that the principle of a backland development in this location is acceptable due to the varied urban grain and layout of this area.
- 8.8 The proposed three-storey building would have a steep pitched roof with dormers in both the front and rear elevations. At approximately 9.5m to the ridge, the proposed development would be of a considerable height which would be noticeably higher than that of the original dwelling and the majority of the surrounding two-storey properties. However, Ferndale House immediately to the south-east of the site is of a comparable height of approximately 9.3m. In addition, Ferndale House has a fairly prominent upper barrelled roof form which would appear slightly more bulky in its appearance than that of the pitched roof with in-set traditional dormers as proposed as part of this application. The proposed development would predominantly been seen within the context of the adjacent Ferndale House development from Ferndale Rise and I am of the opinion that in this context the proposal would not appear harmfully dominant in the street scene.
- 8.9 The proposed typology and form of the building takes its cues from the adjacent development at Abbey Gardens to the south-west, with a traditional pitched slate roof and use of individual dormers set in centrally within the roof plane. The proposed building would be constructed in buff brick externally with a relatively orthodox front fenestration including a bay window. I have recommended a materials sample condition to ensure that the proposed development assimilates successfully into its surroundings.
- 8.10 However, the proposed rear elevation does appear somewhat alien in terms of the rhythm and style of windows and openings. This is particularly evident at the roof level where the proposed rear dormers and Juliet balconies mirror the dimensions of the first-floor opening below. In my opinion, the dormer elements

appear elongated and fail to create a successful window hierarchy. The dormer openings should be more compact in their appearance to improve the design quality of the development. This would likely necessitate the removal of the Juliet balconies also. Notwithstanding this concern, I consider that the dormers could be reduced in size by way of a dormer details condition and therefore would not recommend this as a reason for refusal.

8.11 In terms of the layout of the site, the proposal would not appear over developed within the constraints of the plot in my view. The density of development would not be dissimilar to that of other properties in the area, including properties along Ferndale Rise to the north-east. The proposed building would be set back from the rear boundary of the site, marginally in from the building and would be a comfortable distance from the host property. The proposal would also retain an adequate level of garden space for the host dwelling which would also benefit from a reconfigured front amenity space. I have recommended hard and soft landscaping conditions to ensure that the amenity areas for both the new and existing properties are acceptable. There are a couple of large trees at the rear of the site which would inevitably be felled as a result of the development. Nevertheless, these trees are not protected and could be felled without the need for any permission from the local planning authority and I do not consider it would be reasonable to resist the loss of these trees.

8.12 The proposed physical works to the existing property would be relatively minor and would not require planning permission to be undertaken. I therefore have no objection to these aspects of the scheme. The existing site is uncharacteristic along Ditton Walk due to the position of the building a significant distance back from the public highway. There is a large hardstanding area which currently has a high brick wall, car parking and a small outbuilding. The proposal seeks to reconfigure this space to make it more formal and provide amenity space for the existing property which would be lost as a result of the proposed development to the rear. A 1.8m high timber fence would be introduced behind the front building lines of neighbours, as well as a cycle store, bin store and artificial grass amenity area. In order to provide a better quality of amenity for existing occupiers, amended plans are in the process of being sought to pull this boundary line fall and

change it to a brick wall. Subject to this amendment being received, the proposed works would be set back a reasonable distance from the adjacent footpath and I do not consider the presence of these additions would appear prominent in the street scene. In addition, the proposed amenity space would not be exposed to comings and goings along the highway and would also not be harmfully overlooked by the two adjacent neighbours. In my opinion, the proposed works to the front of the site, once amended, would respect the character and appearance of the area.

8.13 Overall, whilst the proposed development would be of a relatively significant scale, I do not consider that within this context it would have a harmful impact on the character or appearance of the area. There is a transition in scales between the two-storey domestic houses along Ditton Walk and the three-storey development of Ferndale House. In my opinion, when viewed from Ferndale Rise the proposal would not appear cramped within its plot and would not appear overly dominant when compared to Ferndale House and the surrounding context.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

8.15 The main considerations are the impacts of the proposed works on nos.82 – 88 Ditton Walk.

Impact on no.82 Ditton Walk

8.16 No.82 Ditton Walk is a semi-detached property situated to the south-west of the application site.

8.17 In terms of overshadowing, I do not consider the proposed development would have a harmful impact on this neighbour. The proposed works would be a considerable distance from this neighbour's windows and to the east of their garden. Any loss of light experienced in this neighbour's garden, which extends

deeply beyond the application site, would be limited to the early - mid morning hours and would not be significant.

8.18 I do not consider the proposal would compromise the privacy of this neighbour. The proposed building would be orientated at a slight angle away from this neighbour and the distance from the proposed first-floor windows to the rear elevation of this neighbour would be over 22m. The views back over this neighbour's garden would be oblique and not harmful.

8.19 The most sensitive matter in my view is whether the proposed building would be perceived as visually enclosing on this neighbour given the proposed scale and closeness to this neighbour's boundary. Again, the two-storey wall-to-wall distance between the proposed building and no.82 would be in excess of 22m which I consider would be sufficient from an enclosure perspective. The proposal would be situated 0.8m away from this neighbour's garden at its closest point, although this would increase up to approximately 1.8m as the building slants away from the garden. Whilst I acknowledge that a three-storey form this close to a neighbour's boundary would ordinarily be unacceptable from an enclosure perspective, in this case, I consider the proposed works would not be harmful. This is because the neighbour benefits from an extremely long garden and the physical presence of the building would be limited to a small central section of this garden. In addition, the upper-floor would be contained within a pitched roof. This neighbour would still have a reasonable outlook and I do not consider, on balance, this impact would be significant enough to warrant refusal.

Impact on no.84 Ditton Walk

8.20 No.84 is a detached property currently used as a house in multiple occupation. The majority of this property's garden would be lost as a result of the proposed development.

8.21 The proposal would involve obscure glazing the existing rear first-floor windows of no.84 and installing roof lights to these rooms. This would retain an acceptable outlook for these rooms in my opinion. The proposed development would have views back towards the windows of the host property but as the rear windows of no.84 would be obscure glazed I do not consider any harmful loss of privacy would be experienced. Furthermore,

the amenity space for the existing property would be relocated to the front of the site and would not be visible from the proposed development.

8.22 There would be a separation distance of approximately 12.5m between the rear two-storey wall of no.84 and the proposed development. The upper-floor rooms of no.84 would have roof lights and I am confident these windows would not be visually enclosed. There is a ground-floor bedroom window which would be affected to a degree. However, as the upper-portion of the proposed development would have a pitched roof which slopes away from this window, I do not consider this relationship would be visually enclosing. The main amenity space of this neighbour would be relocated to the front and away from the proposed development.

8.23 In terms of loss of light, I consider the 12.5m separation distance from two-storey wall-to-wall would be adequate to ensure that any loss of light would be minimal and not significant enough to have an adverse effect on the rooms of no.84. Again, as the amenity space of no.84 would be re-positioned on the site, I do not consider there would be a harmful impact on the main garden of this host property.

Impact on no.86 Ditton Walk

8.24 No.86 Ditton Walk is an end-of-terrace property situated to the north of the site. This neighbour's garden is significantly smaller in size than that of its neighbours.

8.25 There would be over 22m between the nearest windows of no.86 and the two-storey wall of the proposed development. As a result, I am confident there would be no harmful overlooking, overshadowing or visual enclosure experienced within this neighbouring property.

8.26 There would be a separation distance of approximately 8.5m between the three-storey wall of the proposed building and the rear garden boundary of no.86. There may be some overshadowing of this neighbour's garden around the middle of the day but there would still be adequate light reaching this garden in the morning and late afternoon hours. In my opinion, the proposal would not harmfully overshadow this neighbour's garden.

- 8.27 The proposal includes tree planting along the boundary of this neighbour which would soften the impact of the proposed development to a degree and I consider this could be managed through appropriate landscaping conditions. Notwithstanding the tree planting, this neighbour would still have reasonable outlooks to the south and north-east and the physical mass of the upper-portion would consist of a pitched roof that slopes away from this garden. On balance, whilst I consider a degree of enclosure would be experienced, I am of the view that this impact would not be so great as to warrant refusal of the application.
- 8.28 The proposed views from the upper-floors back towards this neighbour's garden would be materially different to the views that this neighbour is currently the subject of. However, I consider that this could be mitigated through requiring the first-floor and second-floor rear windows to be obscure glazed up to a height of 1.7m to prevent this.

Impact on no.88 Ditton Walk

- 8.29 No.88 Ditton Walk is a terrace property situated to the north of the application site.
- 8.30 There would be a comfortable separation distance of approximately 22m between the two-storey wall of the proposed development and this neighbour and I am of the view that no harmful loss of light, loss of privacy or visual enclosure would be experienced from within this neighbouring property.
- 8.31 The proposed development would be situated within close proximity to this neighbour's garden. However, this neighbour's garden is relatively long and the proposed building would be sited towards the end of this neighbour's garden. Furthermore the upper-floor of the proposed development would be set within a pitched roof which reduces the level of mass perceived. Therefore, I am therefore of the opinion that there would still be a reasonable outlook from this neighbour's garden and that this outdoor space would not feel visually enclosed by the proposed works. The views of this neighbour's garden from the proposed flats would be oblique and I do not consider the garden would be harmfully overlooked.

- 8.32 In terms of loss of light, there may be some overshadowing over the latter part of this neighbour's garden in the late afternoon but I am of the view that the level of overshadowing would be minimal.
- 8.33 I have recommended a condition to prevent the flat roof of the single-storey element of the proposed building from being used as a terrace as this could infringe upon neighbour privacy.

Impact from use

- 8.34 The proposed flats would be situated in a residential context and I do not consider the use of the rear amenity space and general comings and goings would be harmful to neighbours. Vehicle movements would utilise the existing private driveway which is used frequently by occupiers of Ferndale House. I believe the movements of three additional vehicles would not be significantly worse than that of present.
- 8.35 The relocation of the private amenity space of the existing property to the front of the site would not introduce a harmful impact to neighbours in terms of noise and disturbance in my opinion.

Impact on on-street car parking

- 8.36 The impact on on-street car parking would not be significant in my opinion. The proposed two flats would have three car parking spaces which is more than adequate in respect of their two-bedroom sizes. However, for the reasons stated in paragraph 8.40 of this report, the number of parking spaces is anticipated to lower to two car parking spaces.
- 8.37 The proposal would remove the one existing car parking space for no.84 at the front of the site. However, in visiting the site and surrounding area, on-street car parking pressure is not at a significant level in my view and the City Council has maximum car parking standards. In addition, there are good public transport and cycle links into the City Centre nearby and sufficient cycle parking is proposed for the existing property.
- 8.38 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

- 8.39 The proposal would provide two two-bedroom flats, 49m² and 76m² in size respectively and both with private outdoor amenity space. Each flat would have its own parking space(s) and sufficient cycle storage. There would be a straightforward access out onto the private road for bin collections which would be similar to that of Ferndale House. I have recommended a curtilage condition to ensure that the amenity space is retained for the future use of these occupants. The existing property would retain a sufficient level of amenity space at the front of the site for existing occupants.
- 8.40 It is acknowledged that Urban Design has raised concerns regarding the bin and cycle storage arrangements for the proposed flats. The proposal, as amended, indicates cycles and bins being manoeuvred along the southern side boundary. However, the pinch point here appears too narrow and it is recommended that bin and cycles are instead moved through the wider passage along the northern side boundary. Provided that the third car parking space is removed, this would provide an acceptable functional layout. In addition, the quantity of amenity space for the existing property could be bettered by moving the front fence line forward and replacing this with a brick wall. I have requested amended drawings for these changes to be integrated and these will be reported on the amendment sheet when received.
- 8.41 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

- 8.42 There would be a dedicated bin store along the side boundary of the site which is acceptable in principle. However, the bin enclosure only appears to store three receptacles and it has not been made clear that this capacity would be adequate for two dwellings. Nonetheless there does appear room to extend the

size of the bin store to account for more bins if necessary and so I have recommended a condition accordingly.

- 8.43 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.44 The Highway Authority has raised no objection to the proposed works.

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

Car and Cycle Parking

- 8.46 Car parking has been addressed in paragraphs 8.36 – 8.37 of this report.

- 8.47 An enclosed cycle store with space for four Sheffield stands is proposed in the rear corner of the site for future occupants and this is acceptable. A new cycle store with three Sheffield stands is proposed at the front of the site for the existing property. I consider this level and type of storage acceptable and have recommended a compliance condition to ensure this is delivered prior to occupation of the proposed development.

- 8.48 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.49 The majority of the third party representations have been addressed in the main body of this report.

- 8.50 The obscure glazing of windows is considered to be an acceptable solution to overlooking. The safeguarding of this as a mitigation measure to prevent overlooking would be secured through condition.

- 8.51 The concern regarding the level of paving and drainage would be managed through the surface water drainage condition.

Planning Obligations (s106 Agreement)

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

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

9.0 CONCLUSION

9.1 The proposed development is, on balance, considered to be in keeping with the character and appearance of the area. The proposed works would not adversely harm the amenity of neighbouring properties. The proposal would provide an acceptable living environment for future and existing occupants of the site.

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 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. 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)

11. No development hereby permitted shall be commenced until surface water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
- a. 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
 - b. provide 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 to secure the operation of the scheme throughout its lifetime.

Reason: To minimise flood risk (Paragraph 103 of the National Planning Policy Framework (2012)).

12. 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)

13. No dormers shall be constructed until full details, at a scale of 1:50 or 1:100, showing the design and dimensions of the dormers have been submitted to and approved in writing by the local planning authority. Dormers shall thereafter be constructed only in accordance with the approved details.

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

14. The proposed private and communal amenity spaces for the flats and existing property shall be laid out in accordance with drawing no.1068/03 REV B prior to the occupation of the flats and property and shall thereafter be retained in the configuration as approved for the benefit of future and existing occupants of the scheme unless otherwise agreed in writing by the local planning authority.

Reason: In order to ensure an appropriate standard of residential amenity for future and existing occupants (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/11 and 3/12).

15. The windows identified as having obscured glass on the existing property on drawing no. 1169/02, and the first-floor and second-floor windows on the rear elevation of the proposed building on drawing no.1068/04 REV B. shall be obscure glazed to a minimum height of 1.7m above the finished floor level and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use 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, 3/10 and 3/12).

16. The flat roof area identified as 'Flat Roof' on drawing no.1068/04 REV B of the development hereby permitted shall not be used as an external terrace and shall only be accessed for maintenance purposes only.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12)

17. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans (including trees); 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, 3/10, 3/11 and 3/12)

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

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/10, 3/11 and 3/12)

19. A landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

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

20. Prior to occupation of the development hereby approved, the cycle parking shall be provided as shown on drawing numbers 1068/04 REV B and 1068/03 REV B and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policies, 3/10 and 8/6)

21. Prior to occupation of development, full details of the on-site storage facilities for waste including waste for recycling and composting shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. Details of the security/ access of the bin store shall also be provided. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained for their intended use thereafter.

Reason - To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/10, 3/12 and 4/13)