

<b>Application Number</b>	18/0765/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	18th May 2018	<b>Officer</b>	Sav Patel
<b>Target Date</b>	13th July 2018		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	Garage Block Markham Close Cambridge		
<b>Proposal</b>	Demolition of existing garages and erection of 5 no. affordable apartments with associated car parking.		
<b>Applicant</b>	Cambridge Investment Partnership LLP CIP Offices Mill Road Depot Mill Road CB1 2AZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The development proposal make efficient use of a brownfield site to accommodate new affordable housing;</li> <li>- The design and scale of the proposed development is of high quality which responds to its context without appearing out of character, and</li> <li>- The development would not have any significant detrimental impact on the amenity of neighbouring residents.</li> </ul>
RECOMMENDATION	APPROVE

**0.0 BACKGROUND**

0.1 This planning application has been submitted by Cambridge Investment Partnership (CIP) which is a joint venture company set up by Cambridge City Council and Hill Investment Partnership. The purpose of the partnership is to help increase the amount of affordable housing within Cambridge. The target is to provide 500 new dwellings across the City using mainly council owned sites/assets. The City Council has received £70million grant funding from central government, as part of the Devolution Deal, to help achieve this target.

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is located within King's Hedges ward. The site consists of a block of 12 single storey garages including a hardstanding turning area. The garage site is located adjacent (south-east) to an existing three storey block of flats (Nos. 11-23 Markham Close) and accessed via a narrow side road off Markham Close. The site is also located to the rear of the two storey dwellings at 143 to 155 King's Hedges Road which are to the south-east of the site. To the north-east of the site is a footpath and just beyond this is a large two storey warehouse building located within Kings Court Business Park. To the south-west of the site is the two storey terraced row of dwellings consisting of nos. 5 to 10 Markham Close (no.10 being the nearest to the site).
- 1.2 The site is not allocated for any particular use in the adopted Local Plan (2006) and according to the adopted Proposals Map is not located within an area of development constraint such as a Conservation Area. There are also no Listed Buildings or Buildings of Local Interest or protected trees within close proximity to the site.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is to demolish the existing garage block and redevelop the site with a part three, part two and part single storey building consisting of 5no. 1bed apartments including cycle and bin storage and communal outdoor space. The proposal also includes five car parking spaces. Provision has also been made to ensure the occupiers of nos.145 to 155 King's Hedges Road retain access to the rear gardens from within the site.
- 2.2 The application is accompanied by the following supporting information:
1. Cover letter from agent;
  2. Plans;
  3. Design and Access Statement;
  4. Planning Statement.
  5. Phase 1 Contamination Assessment Report;
  6. Flood Risk Assessment & Drainage Strategy
  7. Aboricultural Impact Assessment;

- 8. Noise Assessment;
- 9. Preliminary Ecology Appraisal;

2.3 The proposal has been amended to address concerns raised by the Landscape Officer and Urban Design Officer. The following amendments have been made:

- Space for four visitor cycle parking spaces have been provided next to the main entrance of the building;
- The south-east footpath has been widened to improve access to the rear gardens of the dwellings in King's Hedges Road;
- The footpath to the west of the apartment building has been reduced to 1.5 metres in width and the green areas on both sides widened;

2.4 The Landscape Officer and Urban Design Officer have been reconsulted on the proposed amendments.

### **3.0 SITE HISTORY**

No relevant planning history.

### **4.0 PUBLICITY**

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed (Wider concern):	Yes

### **5.0 POLICY**

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

## 5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 4/3 4/4 4/13 4/15 5/1 8/2 8/6 8/10 8/18

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

Central Government Guidance	National Planning Policy Framework July 2018 National Planning Policy Framework – Planning Practice Guidance March 2014
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

## 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 Control)

- 6.1 The application removes existing off street parking provision which may well be displaced on streets which provide uncontrolled parking. The proposed development may therefore impose additional demand upon on street parking. Whilst this is unlikely to result in any significant adverse impact upon highway safety there is a potential impact on residential amenity that the Local Planning Authority may wish to consider.

### Urban Design

1<sup>st</sup> comments:

- 6.2 Overall the proposal responds well to the site context and constraints. The form and massing is sympathetic to the surrounding area and elements such as the angled windows add another level of modelling to the facades. Bike storage is well catered for and given the size and constraints of the site, it is considered acceptable to have a small number of bike spaces in a separate, covered lockable store. However, the scheme could benefit from the following refinement:
- The corner is a bit of a 'non-space' that cuts across a natural desire line;
  - The potential for a tree close to the entrance to the 'lane' that maintains access to the rear gardens of the existing properties;
  - The threshold to Flat 5 could be designed differently to emphasise the presence of a residential unit at the end of the lane;
  - No visitor cycle parking is proposed;
  - The shared surface paving is good and should be permeable;
  - There is an opportunity to use the flat roof areas as green/brown roofs;
  - Full height windows in the ground floor flat is likely to reduce privacy and result in future occupiers keeping curtains closed – suggest keeping full height glazing for the patio door and reducing the height of the other windows;

2<sup>nd</sup> comments following submission of amended plans:

- 6.3 The landscape strategy has been refined to better respond to pedestrian desire lines and visitor cycle parking introduced. The application is considered acceptable, subject to conditions regarding external materials.

### **Environmental Health**

- 6.4 The proposed development is acceptable subject to the following conditions and informative:

- Contaminated land (x6);
- Construction hours;
- Collection during construction;
- Construction/demolition noise/vibration and piling and informative;
- Dust and informative;
- External/artificial lighting assessment;
- Site investigation informative;
- Remediation works informative;
- Materials chemical testing informative;

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

1<sup>st</sup> comments:

- 6.5 No objections to the proposal but there are opportunities to refine the indicative landscape plan. The following amendments are recommended:

- Width of pedestrian access - The access footway is remarkably wide at 3 metre for a simple footway access path and we feel it can be reduced to as little as 1.5 metres. This would allow for additional tree planting and buffering between the development and the adjacent back gardens. It would also allow for additional soft landscape thresholds to differentiate the residential main access from the access to the bike and bin stores on the western elevation by way of railings, hedges, different planting types etc.
- Visitor cycle parking - The inclusion of visitor cycle parking stands on an under-performing and extraneous piece of landscape to the frontage.

- Access to back gardens - Gates for the existing houses on the south-east side by the car parking bays is inadequate. Use of the gates would be compromised by the presence of cars so close by and potentially overhanging the kerb. We recommend that the parking bays are shifted westerly as close to the boundary as possible allowing the access path to widen by that same increment.
- All pavement should be permeable paving;

6.6 Notwithstanding the above, the following conditions are recommended:

- Hard and soft landscaping;
- Boundary treatment;

2<sup>nd</sup> comments following submission of revised plans.

6.7 The amended plans address the previous concerns with the proposed landscape layout. The application can now be supported subject to the conditions below.

- Hard and soft landscaping;
- Boundary treatment;
- Landscape Maintenance and Management Plan;

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

1<sup>st</sup> comments:

6.8 The Flood Risk Assessment and Drainage Strategy and design are inadequate. The following information is requested:

- AW should be contacted regarding connecting to the surface water sewer.
- Topographical survey should be undertaken.
- More details/design of the proposed drainage system is required.
- Full drainage design calculations should be submitted to demonstrate that the system is designed such that there will be no surcharge in the 30 year storm and no flooding of property both on site and off site in the 100 year flood event with 40% climate change allowance.

- Maintenance plan and responsibilities for the proposed drainage system and exceedance flow paths are required.

2<sup>nd</sup> comments following submission of Site Specific Flood Risk Assessment:

- 6.9 The assessment confirms that there is a method for draining the site however there is limited information on the design of the drainage strategy and its management and maintenance. However, this information can be provided as part of a surface water drainage condition.

**Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.10 Content with the submitted survey subject to a bird and bat box condition and informative for nesting birds.

**Environment Agency**

- 6.11 No objections in principle to the proposed development. However the following recommendations and informatives are made:

- Further intrusive investigation should be undertaken to determine the extent of any contamination;
- All surface water from the roofs shall be piped direct to an approved surface water system;
- Only clean uncontaminated surface water should be discharged to any soakaway, watercourse or sewer;
- All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels;
- Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies;
- Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
- Foul water drainage should be discharged to the public foul sewer;
- Anglian Water should be consulted and requested to demonstrate there is sufficient capacity to accommodate additional flows;



## **Local Lead Flood Authority (County)**

6.12 Not a 'major development' and as such do not wish to make any comments.

## **Cadent Gas**

6.13 Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

6.14 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:

- Letter from 18 Markham Close signed by 13 individual local residents (11, 12x2, 14, 15x2, 16, 17x2, 20, 21 and 23 Markham Close);

7.2 The representations can be summarised as follows:

- Concerns with the potential daily disturbance to routines and lifestyle caused by construction vehicles movements;
- Concerns with the potential impact from air and noise pollution;
- Concerns with the potential affects and inconvenience on day to day access to homes/entrances, opening windows, sleep disturbance for night shift workers, and lack of privacy;
- Concerns that children within the existing flat block will not have access to outdoor play;
- Will the existing sheds/storage units be removed to accommodate the proposed development, if so will there be suitable replacement?
- Concerns with the potential impact on parking in this area from the loss of the garages and garage site which is also

used by visitors – residents will need to park further away from their houses;

- Concerns with the potential impact on turning in this location;
- What is the timescale of the project?
- There are issues with the condition of some of the existing flats re mould/damp etc... which has been raised with the Council but nothing is being done about it.

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

### **Principle of Development**

8.2 Policy 5/1 of the Local Plan (2006) supports the development of windfall sites for housing subject to land use compatibility. The surrounding properties to the east, south and west are residential and therefore the use is acceptable in principle in accordance with policy 5/1.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

### **Context of site, design and external spaces**

8.4 The site is located north-east of the existing three storey block of flats and at the end of a cul-de-sac making it mainly visible to the immediate neighbouring properties. The site is not visible from wider distances or angles and only visible from the public realm by standing in the access road to the site. Part of the site

is also visible from a gap between no.147 and no.149 King's Hedges Road. To the rear of the site (north) is a large two storey commercial building and so the only dwellings that directly face onto the site are those in Kings Hedges Road. Therefore, in terms of visibility the site is largely hidden from view and not within a prominent location.

- 8.5 In terms of context, the surrounding built form is characterised mainly by two storey pitched roof terraced housing which is intermittently punctuated by three storey pitched roof blocks of flats.
- 8.6 The proposed flat roof multi-level building has been designed with an 'L' shape footprint. The main three storey element would be located at the front of the site and set over part of the existing garage block. The depth of the building would be contained within the width of the gable end of the existing apartment block. The height would be 8.8 metres which would be 300mm below the ridge height of the existing apartment block. The existing 1.8 metre wide side access would be retained. The two storey and single storey elements would be set 5.8 metres back from the front of the three storey element and 6.2 metres away from the north-eastern (side) boundary and be located centrally within the site. The three storey element would drop down to 5.9 metres for the two storey element and 3.1 metres for the single storey element. This transition down in heights helps to reduce the mass and bulk of the building.
- 8.7 The design of the proposed building would introduce a contemporary addition to the area which would enhance the appearance of the site. The site is currently in an unsightly condition and, due to its hidden location perceived as being unsafe. The proposed building would be of a scale that would enable it to sympathetically integrate into the site without appearing out of keeping with the locality. The space around the building, particularly the space adjacent to the south-east boundary has been designed to give it purpose and place to the benefit of future occupiers and also those residents in King's Hedges Road that have access to it. The proposal would also create a better and safer living environment.

- 8.8 Therefore, in terms of design and scale the proposed development is acceptable and would make a positive contribution to the site and this location.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.9 Concerns have been raised by local residents regarding the potential noise and disturbance caused by construction work to the existing living conditions and local environment. The representations also raise concerns with the potential impact from loss of privacy. I set out below my response to the concerns raised.

#### Noise and disturbance during construction work

- 8.10 Demolition/construction work and associated traffic movements are an inevitable and temporary part of the development process. This therefore cannot be used as a reason to refuse a planning application, as the works are temporary and there are means to mitigate the impact on local residents. In order to mitigate the impact of any development work, particularly where it is located adjacent to other dwellings/residents, construction management conditions are generally applied such as restricting hours of work, hours of deliveries/collections, dust mitigation and submission of noise and vibration assessments. The Environmental Services team has recommended all of these conditions if the application is approved. The hours of work condition would prevent any Sunday or Bank Holiday working; the delivery/collection condition would limit when material is delivered and removed from the site; the dust condition would require the applicant to submit information to demonstrate how they will mitigate dust pollution, particularly from the demolition of the garages; and the noise and vibration assessment will require technical information to be submitted to demonstrate the equipment and plant to be used on site will not exceed noise and vibration levels set within British Standards. In addition to this, I have also recommended a contractor management plan condition (21) which will require details of contractor access arrangements, location of the storage area/compound, means of moving, storing and stacking all building materials, plant and equipment, and details of contractor parking arrangements. In view of this, I am satisfied

that subject to these recommended conditions, there would be sufficient safeguards in place to reasonably mitigate any significant impact from building works on existing residents.

### Loss of Privacy

- 8.11 The concerns raised regarding loss of privacy relate to children playing on the communal outdoor space and not being able to open windows during building works. The proposed construction work would not restrict access to the existing communal outdoor space to the rear of the existing block of flats. There may need to be a temporary closure of the area at the front of the block of flats for safety purposes. However, at this stage, the precise details of the demolition and construction phases are unknown. However, if there were to be any restriction of access to outdoor space it would be temporary and would not justify refusal of this application. The hours of work condition would ensure that outside the hours of 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays there would not be any demolition or construction activity. I am therefore satisfied that the harm caused by demolition and construction work would not have a significant detrimental impact on the residential amenity of local residents.

### Overlooking, overbearing and overshadowing

- 8.12 In terms of other potential impacts, I do not consider the proposed development would cause any direct overlooking or loss of privacy issues. The front elevation of the three storey block, which faces towards no.10 Markham Close, has been designed with angled windows at first and second floor level, which would direct views away from the rear garden area. The east elevation of the two storey element contains one bedroom window at first floor level which would be circa 4.9 metres from the eastern (site) boundary of the site and 17.4 metres from the rear elevation of the dwellings in King's Hedges Road. The bedroom window would also be high level. The bedroom would also be served by a secondary window which faces south west. The south-west facing window would be located circa 17.8 metres from the side boundary of no.10 Markham Close. At this level of separation I am satisfied that the window would not cause any additional overlooking over and above that which already exists.

- 8.13 With regards to the windows serving the communal stair-core, whilst this is not a habitable space, I have nevertheless recommended a condition to require the first and second floor windows in the south-east and south-west elevations to be obscure glazed up to a height of 1.7 metres from internal finished floor level. This would enable sufficient daylight to enter the stair-core whilst mitigating any overlooking impact. Overall I am satisfied that there are no habitable room windows at first and second floor that would cause an unreasonable and direct overlooking and loss of privacy issue to existing residents.
- 8.14 In terms of overbearing, the main three storey element has been designed to appear similar in scale to the existing three storey block of flats and would be located within the width of the side gable. The two and single storey elements would not have any adverse overbearing impact on the surrounding residents due to the scale of these elements and distance from the surrounding dwellings. The three storey element would not appear in direct views of the occupiers in the existing flats or from the rear elevation of no.10 Markham Close. The three storey element would also not conflict with the 25 and 45 degree rules from no.10 Markham Close or from the rear elevation of the dwellings in King's Hedges Road. Therefore, the scale of the development would not cause any adverse enclosure issues such that it would have a significant detrimental impact on the residential amenity of the surrounding occupiers.
- 8.15 In terms of overshadowing, the proposed development would not cause any significant levels of overshadowing to the surrounding properties such that it would have a significant adverse impact on the residential amenity of the surrounding occupiers. The proposed development would be located north of no.10 Markham Close so would not cause any overshadowing issue. The proposed development would not cause any adverse overshadowing impact on the occupiers in King Hedges Road due to the scale of the development and distance from the rear elevations (17.4 metres). The proposal would also not conflict with the 25 and 45 degree rules in the BRE guide.
- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

8.17 The proposed development would provide the following size flats:

<b>Unit</b>	<b>Size</b>	<b>Area (M<sup>2</sup>)</b>
1	1 bed flat	50.8
2	1 bed flat	50.8
3	1 bed flat	54.3
4	1 bed flat	50.8
5	1 bed flat	51.3

8.18 The size of the proposed flats would comply with the national minimum space standard which is 50m<sup>2</sup> for a 1bed 2 person flat. However, these standards are not adopted by the City Council as the Local Plan (2006) does not contain any similar standards. In my view, therefore, the proposed flats would provide generous living accommodation for future occupiers. All the flats would have access to the communal outdoor space. Each of the ground floor flats would have access to a small terrace area. Each occupier would also have access to a secure cycle store. I am therefore satisfied that the proposed development would provide high quality living accommodation for future occupiers.

### **Refuse Arrangements**

8.19 The proposal includes an internal bin store which can be accessed from the lobby area and externally from the eastern elevation. The bin store would also provide 5 receptacles for three waste streams and located within 30 metres drag distance of the pavement for collection.

8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

8.21 The County Highway Authority has not raised any highway safety issues with the proposed development. The proposal

includes the widening of a section of the access to the site from just over 3 metres to 4.8 metres to enable better vehicle access to the five car parking spaces for the future occupiers. The widening will enable a car leaving the site to pull over and let an oncoming vehicle pass to enter the site.

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

### **Car and Cycle Parking**

#### Car parking

- 8.23 The proposal includes five car parking spaces; 1 for each flat. This is compliant with the maximum standards in the Local Plan (2006). The car parking spaces have been laid out to ensure they are accessible and there is sufficient turning space to enable vehicles to leave the site in forward gear.

- 8.24 Concerns have been raised about the potential displacement of cars from the loss of the garages onto the surrounding streets and adding to the existing pressure of on street parking in this area. I understand from housing colleagues that only 6 of the 12 garages are let and the rest are empty. It is unclear as to whether the 6 garages are being used for car parking or for storage but they are clearly under-utilised in any case. In these terms, therefore, I do not consider the loss of the garages would result in any significant displacement of cars onto surrounding streets such that it would put increased pressure on existing on street car parking capacity. I also understand from the housing team that other garages are available on Crowland Way which is half a mile from the site. On this basis, I do not consider the loss of the garage block and displacement of cars would have a detrimental impact on the residential amenity of the surrounding residents. It should also be noted that the proposal includes off street car parking for future occupiers of the development.

#### Cycle parking

- 8.25 The proposal includes four cycle spaces within a cycle store contained in the footprint of the proposed building. A separate cycle shed is proposed adjacent to the rear boundary for two cycles. Four external visitor cycle spaces are located adjacent to the stair-core. Therefore, in total the proposal consists of 10



cycle parking spaces (6 private and 4 visitors). This is compliant with the Cycle Parking Standards in the Local Plan (2006).

8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

8.27 I set out below my response to the issues raised in the third party representations:

<b>Representation</b>	<b>Response</b>
Concerns with the potential daily disturbance to routines and lifestyle caused by construction vehicles movements;	I have addressed this point in paragraphs 8.10-8.11
Concerns with the potential impact from air and noise pollution;	See paragraph 8.10 – I have recommended a dust mitigation condition.
Concerns with the potential affects and inconvenience on day to day access to homes/entrances, opening windows, sleep disturbance for night shift workers, and lack of privacy;	See paragraphs 8.10-8.11.
Concerns that children within the existing flat block will not have access to outdoor play;	See paragraphs 8.10-8.11
Will the existing sheds/storage units be removed to accommodate the proposed development, if so will there is suitable replacement?	The proposal does not involve the removal of the existing storage units to the rear of the existing block of flats.
Concerns with the potential impact on parking in this area from the loss of the garages and garage site which is also used by visitors – residents will need to park further away from their houses;	See paragraph 8.24

Concerns with the potential impact on turning in this location;	The proposed development would meet its own car parking and turning needs and so is unlikely to impact the existing car parking situation/constraints.
What are the timescale of the project?	It is anticipated that this project will take 65 weeks to complete.
Will the existing outdoor storage sheds be demolished? If so will they be replaced?	At this stage the existing storage sheds are not proposed to be removed/demolished. However, if this changes in the future then the applicant has advised me that they will be replaced.
There are issues with the condition of some of the existing flats re mould/damp etc... which has been raised with the Council but nothing is being done about it.	This is not a material planning consideration but the applicant has been made aware of this and the issues have been reported to the Council's management and maintenance team.

## 9.0 CONCLUSION

- 9.1 The proposed redevelopment of the existing garage block site to provide 5 1bed flats with 5 car parking spaces, cycle and bin storage and communal space would improve the appearance of the site.
- 9.2 The proposed design and scale of the apartment building would respond to the site context and surrounding built form. The design is of a contemporary style which would improve the setting of the site and the scale would be sympathetic to the character of the surrounding built form.
- 9.3 The proposal has been designed to mitigate the impact on the residential amenity of the local residents. I am satisfied that the proposed development would not cause any adverse direct overlooking issues such that it would result in loss of privacy, appear overbearing or cause a sense of enclosure to the surrounding occupiers, or of a scale/height to cause unreasonable levels of overshadowing.

- 9.4 The proposed development would make a positive contribution to the area in terms of its visual appearance and make use of a brownfield site for additional housing within the City.
- 9.5 I am therefore satisfied that the proposal is acceptable in all regards and should be approved subject to the recommended conditions.

## **10.0 RECOMMENDATION**

**APPROVE** subject 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 the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5.

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

9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

10. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

11. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

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

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

12. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

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

13. Prior to the installation of any external lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include an artificial lighting impact assessment which shall horizontal AND vertical isolux contour plans, light levels into windows and predicted source intensity / luminaire intensity at receptors to demonstrate levels of glare. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded).

The approved lighting scheme shall be installed, operated and thereafter retained in accordance with the approved details / measures.

Reason: In the interests of amenity (Cambridge Local Plan 2006 policies 3/11 and 4/15) .

14. Prior to the commencement of works above ground full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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



15. Prior to the commencement of works above ground, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter. Development shall be carried out in accordance with the approved details.

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

16. 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).

17. No building hereby permitted shall be occupied until drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development. 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) Calculations to show the performance of the system (including all pipes and attenuation features) for a range of summer and winter storm durations for all durations up to the seven day storm event.
- c) 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.
- d) The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

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).

18. No development hereby permitted shall be commenced until details of proposed foul water drainage have been submitted to and approved in writing by the local planning authority. The works shall thereafter be implemented in accordance with the approved details.

Reason: To ensure appropriate foul water drainage (Cambridge Local Plan 2006 policy 8/18).

19. Prior to the commencement of works above ground the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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).

20. Prior to the commencement of works above ground, full details of the proposed specification, number and locations of internal and/or external bird and bat boxes on the new buildings shall be submitted to and approved in writing by the Local Planning Authority. The installation shall be carried out prior to first occupation and subsequently maintained in accordance with the approved plans.

Reason: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2006 policies 3/4 and 4/3).

21. The windows on the south-east and south-west elevations at first and second floor level of the stair-core element shall be obscure glazed up to a height of 1.7 metres from internal 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 be retained and maintained as such thereafter.

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

22. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

**INFORMATIVE:** The applicant is requested to take into consideration the informatives contained in the letter by the Environment Agency dated 24 May 2018. If you require further clarification on any of the comments in the letter or other ground water issues then please contact the Environment Agency: The Environment Agency, Brampton Environment District, Bromholme Lane, Brampton, Huntingdon, Cambs, PE28 4NE, Tel no: 01480414581. The waste produced on the site during demolition / construction will be subject to the general Duty Of Care under the Environmental Protection Act 1990 and is likely to be subject to control under the Waste Management Licensing Regulations 2011 and the Hazardous Waste Regulations 2005.

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

The noise and vibration report should include:

- a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.
- b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

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

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

- Agreed target levels are likely to exceeded
- Upon the receipt of substantiated complaints

- At the request of the Local Planning Authority / Environmental Health following any justified complaints.

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

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

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

**INFORMATIVE:** Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

- Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":  
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>
- Guidance on the assessment of dust from demolition and construction:  
[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)
- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012:  
[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)
- Control of dust and emissions during construction and demolition - supplementary planning guidance:

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**INFORMATIVE:** The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

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

**INFORMATIVE:** Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m<sup>3</sup> or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

**INFORMATIVE:** Before these details are submitted in relation to condition 17, 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.