
Application Number	18/0907/FUL	Agenda Item	
Date Received	6th June 2018	Officer	Lewis Tomlinson
Target Date	5th September 2018		
Ward	Castle		
Site	50 St Stephens Place And 51 Canterbury Street		
Proposal	The demolition of an office building and the erection of a development of nine flats.		
Applicant	Mr Jonathan Woods 92 High Street Barton		

SUMMARY	The development accords with the Development Plan for the following reasons: - The design and scale of the proposed development would respond sympathetically to the surrounding built form; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; - The proposed development is unlikely to give rise to any significant adverse impact upon on street car parking capacity on the surrounding streets. - The proposal would result in an acceptable level of amenity for future occupiers - The proposal overcomes the previous reasons for refusal on 17/2243/FUL
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises No. 50 St Stephen's Place and No. 51 Canterbury Street. This is a single building with frontages onto both streets. The frontage onto Canterbury Street is two storeys with space for parking in front accessed from the informal lane which runs to Westfield Lane. The building has been extended at the rear with a one-and-a-half storey building with an asymmetric pitched roof. There is a parking court in front with access via St Stephen's Place.
- 1.2 To the east is No. 55 which is a semi-detached two storey dwelling with the main entrance on the side elevation via a passageway alongside the application site. The property has a long narrow rear garden which extends the length of the application site. To the south-east is No. 53 Canterbury Street, which is a two storey detached property with a rear garden. To the south and west is St Stephen's Place which is a three storey flatted development of residential units with communal landscaped areas.
- 1.3 The site is within the Castle and Victoria Road Area of the Central Conservation Area. The building is not identified as important to the character of the conservation area within the adopted Castle and Victoria Road Conservation Area Appraisal (2012). Trees are protected by virtue of the conservation area and there is a tree preservation order covering a tree within St Stephen's Court to the west of the site.
- 1.4 The streets surrounding the site are inside the controlled parking zone. There are no other relevant site constraints.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for the demolition of the building and the erection of 9 residential units.
- 2.2 Following discussions, the applicant has amended the proposal:
- ☐ To decrease number of units from 10 to 9
 - ☐ To provide amenity areas for all units
 - ☐ Ensure compliance with the requirements of Part M4 (2) of the Building Regulations

2.3 A previous scheme for 11 units (under reference 17/2243/FUL) was refused under delegated powers for the following 7 reasons:

1. The proposal, by virtue of the height and length of the building and the proximity to the north-eastern boundary, would have a significant overbearing and enclosing impact on the rear garden of No. 55 Canterbury Street which would result in unacceptable harm to the residential amenity of the occupants of this property. As such, the proposal would be contrary to policies 3/4, 3/7, 3/12 and 5/1 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
2. The proposal fails to provide an acceptable amount and quality of external amenity space for the future occupants. The proposed balconies, by virtue of their size and/or shape, would fail to provide adequate useable private amenity space to meet the requirements of the future occupants which could include families. As such, the proposal would be contrary to policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
3. The bedrooms 1 and 2 of Flat 1, Flat 5 and Flat 9 would be served by one window which would be enclosed either within a 'niche' in the building or in close proximity to the protected Cherry Tree, which would limit the amount of natural light reaching these north-west or north facing windows. The future occupants would be dependent on artificial lighting which would provide a poor quality living environment and level of residential amenity. As such, the proposal would be contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
4. The access from St Stephen's Place to the main entrance to the building via a passageway between the cycle store and the bin store or car parking space, would provide a poorly legible, unappealing and inconvenient access to the units which would provide a poor level of residential amenity for the future occupants of those units. The access could be blocked by gates to the cycle store being left open. As such, the proposal would be contrary to

policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).

5. The proposal fails to provide convenient cycle parking for the occupants of Flat 4. The occupants would have to access the communal store at the rear of the site via Westfield Lane and St Stephen's Place which would be an inconvenient arrangement and fails to comply with the Cycle Parking Guide for New Residential Developments SPD (February 2010). As such, the proposal would be contrary to policies 3/4, 3/7, 3/11, 3/12 and 8/6 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
6. The proposal, by virtue of the over-development of the site, represents poor design which fails to preserve or enhance the character and appearance of the Conservation Area. In particular, the contrived angular form of the building, the relatively blank north eastern elevation, and reliance on louvered windows and balcony screens, which all arise from the need to mitigate the impact of the proposed development on the residential amenity of neighbouring properties; the cramped arrangements with the bin and bike stores in front of the main entrance creating a poor frontage to the scheme onto St Stephen's Place; the limited amount space for soft landscaping around the building; and the potential impact on trees within the site and offsite during construction and the pressure to prune from future occupants of the units. As such, the proposal would be contrary to policies 3/4, 3/7, 3/11, 3/12, 4/4 and 4/11 of the Cambridge Local Plan (2006) and paragraph 56 of the National Planning Policy Framework (2012).
7. The application fails to secure planning obligations towards infrastructure provision and improvements to mitigate the adverse impacts of the new development on local and community infrastructure of the City and the Cambridge sub-region. As such, the proposal would be contrary to policies 3/8, 5/14 and 10/1 of the Cambridge Local Plan (2006) and the Planning Obligation Strategy 2010.

3.0 SITE HISTORY

- 3.1 17/2243/FUL - The demolition of an office building and the erection of a development of eleven dwelling flats. (refused)

4.0 PUBLICITY

- 4.1 Advertisement: Yes
Adjoining Owners/Occupiers: Yes
Site Notice Displayed: Yes

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

- 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2018	Local	1, 3, 28, 29, 31, 32, 34, 35, 36, 41, 45, 50, 51, 55, 56, 57, 59, 61, 70, 71, 80, 81, 82, 85

- 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 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)

	Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (2012)

6.0 CONSULTATIONS

Cambridgeshire Airport

6.1 No objection.

Cambridgeshire County Council (Highways Development Management)

6.2 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

6.3 Recommends the inclusion of a condition regarding a traffic management plan and an informative regarding residents not qualifying for parking permits.

Conservation Officer

6.4 It is considered that there are no material Conservation issues with this proposal

Developer Contributions Monitoring Officer

- 6.5 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. 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.

Drainage Officer

- 6.6 No objection subject to surface water drainage condition.

Environmental Health Officer

- 6.7 No objection subject to the inclusion of conditions regarding construction hours, construction collections, piling, dust and an informative regarding dust.

Historic Environment Team

- 6.8 Our records indicate that the site is located in an area of high archaeological potential in the historic Castle area of the city. We have commented on this site recently. We would recommend that the same archaeological standard condition is placed on the development as was recommended for prior application 17/2243/FUL within the same bounds

Lead Local Flood Authority (LLFA)

- 6.9 Following the submission of further information, no objection subject to surface water drainage condition.

Landscape Officer

- 6.10 No objection subject to a hard and soft landscaping condition, green roof condition and boundary treatment condition.

Sustainability Officer

- 6.11 No objection subject to renewable energy and water efficiency conditions.
- 6.12 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 objections:

- ☐ 1 St Stephens Place
- ☐ 5 St Stephens Place
- ☐ 16 St Stephens Place
- ☐ 30 St Stephens Place
- ☐ 44 St Stephens Place
- ☐ Poolheath Residents Association

- 7.2 The representations can be summarised as follows:

- ☐ The 7 previous reasons for refusal still apply
- ☐ Lack of car parking would impact upon local traffic network
- ☐ Insufficient cycle parking
- ☐ Noise and disturbance from the potential increase in vehicular movements
- ☐ Construction and servicing traffic through St. Stephen's Place
- ☐ Access to proposed development through St. Stephen's Place
- ☐ Inadequate solutions to surface water drainage
- ☐ The proximity of the building to St Stephen's Place resulting in an overbearing impact and loss of light upon the windows of the south-east facing elevation and north-west facing elevation of flats No's. 28, 36 and 44 Stephen's Place
- ☐ Direct overlooking of the flats on St Stephen's Place
- ☐ The building is too close to the proposed retained trees and will have an adverse impact upon them.
- ☐ The loss of trees
- ☐ Overbearing impact and loss of light upon No.28, 36 and 44 St Stephen's Place

- 7.3 Camcycle have made neutral comments:

- ☐ Sliding door or an outward door for the cycle store for ease of access suggested
- ☐ Appreciate that the proposal provides the correct amount of cycle parking but is there scope to provide a cargo cycle parking? Replace one of the Sheffield stands with a low-profile ground anchor.

7.4 Councillor Cheney Payne has objected to the application for the following reason

- ☐ The proximity of the building to St Stephen's Place will impact upon light and outlook of the residents of St Stephen's Place
- ☐ Out of keeping with neighbouring properties within the Conservation Area
- ☐ Reduction in green space in the area
- ☐ Insufficient amount of car parking as only 2 car parking spaces are proposed and the site will not qualify for the residents parking scheme. This will disadvantage new residents.
- ☐ Previous application for 11 flats was refused, this application has not overcome the reasons for refusal

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

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. Integrated water management and flood risk
8. Trees
9. Archaeology
10. Affordable Housing/Planning Obligations
11. Third party representations

Principle of Development

- 8.2 The proposal is for the demolition of a building that is in use as offices (use class B1(a)). Policy 41 of the Cambridge Local Plan (2018) sets out how applications for the loss of floorspace or land within use class B will be resisted unless realistic marketing for a period of 12 months indicates that no future occupiers can be found. Policy 3 of the Cambridge Local Plan (2018) states that the majority of new development should be focused in and around the existing urban area, making the most effective use of previously developed land, and enabling the maximum number of people to access services and facilities locally.
- 8.3 The building could potentially be converted from office to residential under permitted development through a prior notification application. This is effectively a fall-back position for the applicant. Development under a prior notification application could result in a poor scheme as it would not be required to meet internal space standards, provide private amenity areas or meet Part M4 (2) of the Building Regulations. This application would meet and provide all three of the above and is therefore considered to be a high quality development. It is to be noted that the site sits within a predominantly residential area and would make effective use of previously developed land to provide 9 new dwellings to help meet the strategic housing aims of the Local Plan.
- 8.4 I recognise that the marketing has not been undertaken but in consideration of all the above points and on balance, I consider the principle of the development is acceptable in this case subject to material considerations discussed below.

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

- 8.5 The site is within the conservation area and has two frontages with different characters. The Canterbury Road frontage sits on a corner characterized by traditional dwellings, but is accessed from the green lane that runs between Canterbury Street and Westfield Lane. Thus, while visible from Canterbury Street, it has a recessed position relating to the green lane, rather than to the frontage onto the street. The existing building is set back from the frontage of No.55 so that it does not dominate the

corner. This creates a relatively open corner, albeit dominated by informal car parking. However this allows views towards the greenery along the lane, and the taller development at St Stephen's Court is only glimpsed through the trees.

8.6 While the previous scheme and this scheme do share similarities, the design has evolved to address previous officer concerns. The previous proposal has a more angled form in an attempt to deal with residential amenity constraints of the site. This proposal has significantly reduced the angled form while ensuring that the residential amenity of neighbors is protected. The built form has been pulled away from the boundary abutting St Stephens Place. The bin and cycle store are more suitably placed and therefore more accessible for the future occupants. The site is also more legible with the main entrance facing onto St Stephens Place. As the built form has been pulled off the boundary with St Stephens Place, there is an acceptable amount of landscaping towards St Stephens Place. There is also a large amount of landscaping towards Canterbury Street and also a shared amenity area. Boundary treatment, landscaping and materials conditions are recommended to ensure a high quality development. When viewed from the south east, the proposed building would act as a buffer between Canterbury Street and St Stephens Place given the proposed height. Through the use of different materials and glazing, the massing has been broken up.

8.7 It is my opinion the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area and would not constitute overdevelopment for the reasons outlined above. The proposal therefore overcomes the 4th and 6th reasons for refusal of 17/2243/FUL. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59 and 61.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.8 The neighbouring properties are the St Stephen's Place flats to the west, No. 55 Canterbury Street to the north-east and No.53 Canterbury Street to the south-east.

St Stephen's Place

- 8.9 St Stephen's Place to the south-west presents a 'T' shaped block facing towards the application site. There are no windows on the end elevation closest to the site. There are windows on the elevations of the wings, some of which have direct views towards the site approximately 8m from the boundary, and others that look out perpendicular to the site with oblique views. The areas around the blocks are communal open space. Flats No.28, 36 and 44 St Stephen's Place are the flats on the wing nearest to the proposed development and all have a bay window on the north-west facing elevation and a window on the south-east facing elevation. These two windows on each of the flats, No.28, 36 and 44, are of a large size and serve the same room which consists of a living/dining area. The side window element on the bay window on the North West facing elevation would be impacted by the front of the building as it would project beyond the west facing elevation of this element of St Stephen's Place. However, the front of the building has been angled so that it does not cut the 45 degree line taken from the main window element on the bay window.
- 8.10 The previous scheme was angled at the rear so the building did not cut the 45 degree line when taken from the window on the south-east facing elevation. The proposed balconies for units 4 & 7 on the current scheme would protrude into this 45 degree horizontal line but the protrusion is considered to be minimal. When taking the 45 degree vertical line test from the windows on the south-east facing elevation of No's. 28, 36 and 44, it would only fail for No's 28 & 36 but not No.44. There are large trees adjacent to the windows on south-east facing elevation of No.28 & 36 which have an existing detrimental impact upon these windows for No.28 and No.36. These trees are protected as they fall within the Conservation Area. I do not consider that a daylight/sunlight assessment for these flats is required. For the above reasons I do not consider that the proposal would have a significant overbearing impact upon these flats or result in a significant loss of light. There would be direct views from the balconies serving units 4 and 7 towards the opposite windows on St Stephen's Court approximately 10m apart. However, a condition regarding a 1.7m screen is recommended which would mitigate this.

55 Canterbury Street

8.11 The previous scheme (17/2243/FUL) was refused due to the overbearing impact upon No.55 Canterbury Street rear garden. Under the previous scheme, the entire built form including the balconies was right up to the edge of the North West boundary and the built form without the balconies was set 5m off the North West boundary. This proposal brings the entire built form including the balconies 3.5m off the North West boundary and brings the built form without the balconies 8.5m off the boundary. The proposal has also angled the north facing elevation to further mitigate the impact upon No.55. These reductions are considered to mitigate the impact upon the main rear amenity area of No.55 and therefore overcome the 1st reason for refusal on 17/2243/FUL. The proposal would also not significantly overlook or overshadow No.55.

53 Canterbury Street

8.12 This is a two storey property fronting onto Canterbury Street with a small ground floor window on the side elevation facing towards the application site, windows on the rear elevation and a small rear garden. Due to the orientation and separation distance, I consider the proposal would be acceptable in terms of overbearing and overshadowing. In order to ensure the proposal would not overlook No.53's rear garden, a condition obscure glazing the following windows is recommended:

- ☐ The first floor windows on the South East facing elevation of Unit 5 serving the bedroom.
- ☐ The southern first floor window on the South East facing elevation of Unit 6 serving bedroom 1.

Wider area

8.13 The Environmental Health Team has recommended various construction related conditions in order to protect the residential amenity of occupiers of properties in the wider area during construction. I accept this advice and have recommended the conditions accordingly. I have considered the impact of additional demand for car parking spaces on residential amenity in the 'car parking' section below. 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 (2018) policies 35, 55 and 56.

Amenity for future occupiers of the site

8.14 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. All the proposed units comply and some even exceed the standards. In this regard, the units would provide a high quality internal living environment for the future occupants in my opinion. The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m ²)	Proposed size of unit	Difference in size
1	3	6	1	95	105	+10
2	3	5	1	86	110	+24
3	1	2	1	50	59	+9
4	1	2	1	50	50	0
5	1	2	1	50	55	+5
6	2	3	1	61	61	0
7	2	4	1	70	97	+27
8	1	1	1	37	37	0
9	1	1	1	37	37	0

8.15 Policy 50 of Cambridge Local Plan (2018) states that all new residential units will be expected to have direct access to an area of private amenity space. The proposal includes private amenity areas for all units. The two 3 bed units (units 1 & 2) which are located on the ground floor have private gardens as well as a patio terrace. Units 3 – 6 would all have an adequate size balcony. Unit 7, which is one of the larger units, would have two balconies. Units 8 & 9 would have smaller balconies but in this case it is considered to be acceptable given that these two units are studio flats. Various conditions are recommended to ensure the amenity of the future occupiers is protected:

- ☐ Boundary treatment for Unit's 1 & 2 gardens
- ☐ The ground and first floor windows on the South West facing elevation of the stair core are obscure glazing.
- ☐ Bedroom 1 window obscure glazing 1.7m due to the large window

- 8.16 The proposal also includes an area of shared amenity space which would provide a garden area with seating. In my opinion, the proposal provides an acceptable amount of external amenity space for all units and provides an acceptable level of amenity for all bedrooms which overcomes the 2nd and 3rd reasons for refusal of 17/2243/FUL. 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 (2018) policy 50.

Accessible homes

- 8.17 The development has been assessed for compliance with Policy 51. The applicant has amended the scheme to comply with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Refuse Arrangements

- 8.18 The proposed refuse storage would be within a bin store attached to the cycle store. This would provide screening and storage for the required amount of waste. In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.19 The Highway Authority was consulted as part of the application and does not consider there would be any adverse impact upon highway safety. A traffic management plan condition is recommended which would address the logistics of construction especially in regards to the use of St Stephens car park. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

Car Parking

- 8.20 The proposal includes 1 disabled car parking space and 1 visitor car parking space. The site is located in a very sustainable location just off Huntingdon Road with the city

centre being within walking/cycling distance. There are also multiple bus stops and services in close proximity to the site.

- 8.21 The streets surrounding the site fall within the Controlled Parking Zone. The Highway Authority has advised that the residents of new developments that fall within controlled parking zones do not qualify for resident parking permits and an informative regarding this shall be added. Neighbours have raised concerns about the use of the right of way accross St Stephens car park during construction and the issue of the new residents of the development using the private land to park their cars. The Local Planning Authority cannot get involved in civil matters during the planning process. It falls upon the applicant to enter into legal agreements with neighbouring properties in relation to a right of way and the upkeep of it. In my view, the proposal would not increase parking pressures on nearby streets to an unacceptable degree and would not therefore be detrimental to the amenity of nearby residents.

Cycle Parking

- 8.22 The proposal includes 26 cycle parking spaces, 1 per resident which is policy compliant. A secure and convenient cycle store is provided next to the bin store. This would overcome the 5th reason for refusal of 17/2243/FUL. No elevations of the cycle store are provided, therefore further details of the cycle store are requested by condition. This would provide an opportunity to provide a sliding door as per Camcycles comments. Camcycle raises whether there is room to provide cargo bike storage. However, I do not consider this would be practicable given the proximity of the storage to the entrance of the site. It is also not a policy requirement.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Integrated water management and flood risk

- 8.24 Following the submission of supporting drainage information, The Drainage Team alongside the Lead Local Flood Authority has advised that a surface water drainage strategy can be secured by condition in this case. This condition is therefore recommended. In line with Policy 31, a condition regarding the provision of green or brown roofs on the flat roofs within the

development has been recommended. In my opinion, the proposal is compliant with the paragraph 163 of the National Planning Policy Framework (2018) and policy 31 of the Cambridge Local Plan (2018).

Trees

- 8.25 There a number of trees on the site and surrounding the site including a TPO'ed tree west of the site. Neighbours have raised concerns regarding the loss of existing trees on the site and also the proximity of the built form to the trees that are proposed to be retained. The Tree Officer has been consulted as part of the proposal and has not raised any objections subject to the imposition of conditions requiring further tree information to be submitted. The proposal would therefore be in accordance with policy 71 of the Cambridge Local Plan (2018).

Archaeology

- 8.26 The site is in an area of high archaeological potential and the County Historic Environment Team has recommended a condition for a programme of investigative work. I accept this advice. The proposal would therefore be in accordance with policy 61 of the Cambridge Local Plan (2018).

Affordable Housing/Planning Obligations

- 8.27 The proposed development is for a scheme of 9 units. As the proposed amount of units on the site would be below the threshold of 10, there is no policy basis to require affordable housing provision as part of this application. This also applies to planning obligations. Therefore the proposed scheme would overcome the 7th reason for refusal on 17/2243/FUL.
- 8.28 In my opinion the proposal is compliant with policies 45 & 85 of the Cambridge Local Plan (2018).

Third Party Representations

- 8.29 Neighbours have raised the concern that access to the development would be through St Stephen's Place. However, access across private land is a civil matter. Concerns about construction traffic have been address in the above highway safety section of the report. The rest of the third party

representations have been addressed in the preceding paragraphs.

9.0 CONCLUSION

- 9.1 The proposal overcomes the previous reasons for refusal on 17/2243/FUL and would provide a high quality development that respects the character of the area, would not have an adverse impact upon the occupiers of neighbouring properties and would provide an acceptable level of amenity for future occupiers.

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 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

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

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

3. No development hereby permitted shall be commenced until a surface water drainage scheme for the site, based on sustainable drainage principles and in accordance with Cambridge City Council local plan policies, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied and maintained thereafter in accordance with the approved details.

The scheme shall be based upon the principles within the agreed Surface Water Drainage Strategy prepared by prepared by AFP (ref: PLS/18/0410) dated 03/08/18 and shall also include:

a) Details of the existing surface water drainage arrangements including runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;

b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with a schematic of how the system has been represented within the hydraulic model;

c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;

d) A plan of the drained site area and which part of the proposed drainage system these will drain to;

e) Full details of the proposed attenuation and flow control measures;

f) The site Investigation and test results for the infiltration rates as outlined in the A F Howland report ref. JAH/18.404 7 November 2018;

g) Temporary storage facilities if the development is to be phased;

h) A timetable for implementation if the development is to be phased;

i) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;

j) Full details of the maintenance of the surface water drainage system;

k) Measures taken to prevent pollution of the receiving groundwater and/or surface water

l) Formal agreement from a third party if discharging into their system is proposed, including confirmation (and evidence where appropriate) that sufficient capacity is available.

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

Reason: To ensure appropriate surface water drainage.
(Cambridge Local Plan 2018 policies 31 and 32)

4. 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 2018 policy 35)

5. There shall 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 2018 policy 35)

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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 2018 policy 35)

7. 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 2018 policy 36.

8. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); 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.
9. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. 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, unless the Local Planning Authority gives its written consent to any variation.

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 2018 policies 55, 57 and 59)

10. Prior to first occupation or the bringing into use of the development, hereby permitted, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is maintained as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

11. No development above ground level, other than demolition, shall commence 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 in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59)

12. The approved renewable energy technologies shall be fully installed and operational prior to the first occupation of the development and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the site shall be in accordance with a revised scheme submitted to and approved in writing by, the local planning authority

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2018 policy 29).

12. Prior to the occupation of the first dwelling, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 policy 31 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

13. The dwellings hereby approved shall not be occupied until details of facilities for the covered, secured parking of bicycles and the storage of bins for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before dwellings are occupied.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policies 55, 56, and 82)

14. Notwithstanding the approved plans, the building, hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

15. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety (Cambridge Local Plan 2018 Policy 81)

16. The following windows shall be fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 in obscurity) and shall be non-opening unless the part of the window, door or opening is more than 1.7m above the finished floor level of the room in which it is installed. For the avoidance of doubt, these windows are:
- The first floor windows on the South East facing elevation of Unit 5 serving the bedroom.
 - The southern first floor window on the South East facing elevation of Unit 6 serving bedroom 1.
 - The ground and first floor windows on the South West facing elevation of the stair core.
 - The ground floor window on the South West facing elevation of Unit 2 serving bedroom 1.
- The development shall be retained as such thereafter.

Reason: In the interests of residential amenity and for the amenity of future occupiers (Cambridge Local Plan 2018 policies 55 and 58)

17. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of the 1.7m solid privacy screens to be erected on the balconies on the south west facing elevations of units 4 and 7 shall be submitted to and approved in writing by the local planning authority. The screens shall be erected prior to occupation of units 4 and 7 in accordance with the approved details and shall thereafter be retained and maintained.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 58)

18. Prior to the occupation of the development, hereby permitted, the curtilages of the approved units 1 and 2 shall be fully laid out and finished in accordance with the approved plans. The curtilages shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56)

19. No demolition/development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- a) the statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

Reason: To ensure that the significance of historic environment assets is conserved in line with NPPF section 12

20. Notwithstanding the approved plans, all flat roofed elements within the development shall be green or brown roofs. No development above ground level, other than demolition, shall commence until full details of these green or brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The green roofs shall be installed in accordance with the approved details and shall be maintained thereafter.

Reason: In the interests of responding suitably to climate change and water management (Cambridge Local Plan 2018; Policy 31)

21. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details including samples of the materials to be used in the construction of the external surfaces of buildings, which includes external features such as entrance doors, porch and canopies, projecting windows, recessed brick panels, roof cladding, external metal work, balconies, balconies screens and balustrades, rain water goods, coping, bike and bin stores shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings))

22. Brick sample panels of the facing materials to be used shall be erected on site and shall be 1m x 1m to establish the detailing of bonding, coursing, colour and type of jointing and any special brick patterning/articulation detailing (e.g. soldier coursing, hit and miss detail) shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings))

23. Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

24. The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

INFORMATIVE: Dust condition informative

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

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

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

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

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

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

INFORMATIVE: The residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.