

Application Number	18/1058/FUL	Agenda Item	
Date Received	6th July 2018	Officer	Lewis Tomlinson
Target Date	31st August 2018		
Ward	Trumpington		
Site	60 Trumpington Road And 2 Nightingale Cottages Cambridge CB2 8EX		
Proposal	Demolition of the former Zahza Grill Restaurant and replacement with 4 terraced dwellings, along with access, parking and landscaping. First floor rear extension to No.2 Nightingale Cottages, with new front door and removal of existing lean-to element.		
Applicant	Mr Rupert Kirby c/o agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The design and scale of the proposed development would not have an adverse impact upon the character of the area; - The proposed development would not have any significant adverse impact on the residential amenity of the neighbouring occupiers; <p>The proposed development is unlikely to give rise to any significant adverse impact upon on street car parking capacity on the surrounding streets.</p>
RECOMMENDATION	APPROVAL

1.1 The application site comprises a former restaurant/ takeaway and associated car parking on the east side of Trumpington Road, close to the vehicular junction between Trumpington Road and Long Road. Also included within the application site is the dwelling and its curtilage at No 2 Nightingale Cottages. The

existing vacant former public house building on the site is two-storeys in scale, rendered and has a hipped roof.

- 1.2 The surrounding area is residential in character. To the north there is a pair of semi-detached properties known as Nightingale Cottages. The southern dwelling of this pair is included within the application site. To the south of the site runs the private lane that connects North Cottages to Trumpington Road. No.1 North Cottages is positioned to the south-west of the site and has a small garden on its eastern side. Beyond this garden, also to the south is the row of terraced properties that form Nos. 2–4 North Cottages. These properties are configured so that the majority of habitable rooms are single aspect and are served only by north-facing windows. To the east of the site are the remaining properties that form Nos. 5–17 North Cottages.
- 1.3 There is an article 4 direction on the site (which is carried over from when the site was last used as the Volunteer Public House) which prohibits the demolition of the building without planning permission being obtained. Planning permission was however granted to demolish the building under planning application reference 17/0548/FUL.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the demolition of the existing building and for the erection of 3 x 2.5 storey 4 bed dwellings and 1x 2.5 storey 3 bed dwelling. The plans describe a development laid out in a single “terrace” of four properties, running approximately parallel to Trumpington Road with the “front” elevation orientated towards the west. The built form of the proposed terrace incorporates moderation between ground, first and the second floor levels with a consistent roof treatment with feature gables facing the street. The front elevations of the properties are staggered back into the site when moving from the southern section to the northern section of the site. Parking places are positioned to the front of the proposed dwellings. Individual combined bin and cycle stores also sit to the front of the proposed dwellings. To the rear of the dwellings are deep gardens with a garden studio at the very rear of each garden. An existing hedge is retained on the southern boundary opposite 1 North Cottages. The development would be accessed via a shared driveway from Trumpington Road.

2.2 The proposal also seeks planning permission for a first floor rear extension, new front door and removal of existing lean-to element to 2 Nightingale Cottages.

2.3 Following representations received and discussion with officers, the scheme has been amended since submission to:

- Reduce the massing of Unit 4 opposite rear amenity area of 1 North Cottage
- Reduce the overall width of the terrace to increase the distance between the proposed flank wall of unit 4 and the nearest property in North Cottages so as to increase the unobstructed width of the access way serving homes in North Cottages.

2.4 A previous scheme under planning application reference 17/0548/FUL for 2 x 3 bed dwellings, 1 x 2 bed dwelling, 1 x 2 bedroom flat and 2 x 1 bedroom flats was approved by planning committee 6th December 2017. This previous scheme had a built form along the southern boundary of the site, running parallel with North Cottages.

3.0 SITE HISTORY

3.1 The relevant site history comprises:

Reference	Description	Outcome
17/0548/FUL	Demolition of former restaurant, with redevelopment of the site for the erection of 2x3 bedroom and 1x2 bedroom detached linked dwellings; 1x2 bedroom apartment; 2x1 bedroom apartments; associated cycle and car parking provision and landscaping.	Approved

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	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 Local Plan 2018	1, 3, 28, 29, 30, 31, 32, 33, 35, 36, 41, 50, 51, 55, 56, 57, 58, 59, 70, 71, 76, 80, 81, 82.

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 (Annex A) Manual for Streets
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Air Quality in Cambridge – Developers Guide (2008)

	<u>Trumpington Road suburbs and approaches</u>
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highway Authority)

- 6.1 No objection subject to the imposition of a traffic management plan condition.

Environmental Health

- 6.2 No objection. Recommends conditions regarding construction hours, collection during construction, construction/demolition noise/ vibration & piling, dust, contamination, ventilation scheme, low NOx boilers and EV charging points.

Nature Conservation Projects Officer

- 6.3 Content with the updated ecological survey. The report proposed the integration of hedgehog gaps in all boundary features and 6 swift nesting bricks. A condition is recommended requesting further details of the specification and location of bird and bat boxes, hedgehog access features and native planting.

Sustainable Drainage Engineer

- 6.4 No objection subject to the imposition of a surface water drainage condition and all new or altered external surfaces should be of permeable construction.

Tree Officer

- 6.5 No objection. The recommended landscape condition should cover details of tree removals and replacement.

Urban Design and Conservation Team

- 6.6 Support. Recommends a materials sample condition.

Landscape Officer

- 6.7 Support. Recommends landscaping and boundary treatment conditions.

Cambridgeshire Fire & Rescue Service

- 6.8 Cambridgeshire Fire & Rescue Service (CFRS) would like to pass the following observations: -
- Fire Service vehicle access should be provided in accordance with Table 8 of Approved Document B Volume 1 for the proposed new dwellings.
 - There should be vehicle access for a pump appliance to within 45m of all points within the proposed new dwelling-houses.
 - It's noted that the access road to existing North Cottages is proposed to be widened in areas and removes the existing pinch point.
 - CFRS is of the opinion that access to North Cottages is not affected by the proposed development and our operational response can still be met as existing.

Planning Policy Team

National Planning Policy Framework (NPPF)

- 6.9 The NPPF seeks to support sustainable communities. In this context, public houses may be valued for their role in supporting local economies, including those in outlying areas; in providing a local facility for social interaction; and in retaining an intrinsic part of the settlement's cultural and historic heritage. The NPPF states that local authorities should plan positively for the provision of community facilities such as public houses, guard against their unnecessary loss, and ensure that policies are flexible enough to allow such facilities to modernise and be retained for the benefit of the community (paragraphs 91 & 92).

The Cambridge Local Plan 2018

- 6.10 The Cambridge Local Plan 2018 adopted 18 October 2018 includes Policy 76 'Protection of public houses'. The former Volunteers public house at 60, Trumpington Road is listed on the list of safeguarded public house sites. The policy requires proposals involving the loss of a public house site to first demonstrate: the site has been marketed, diversification options including the retention of the public house use have been considered but are not feasible; and that the community no longer need the public house.

Trumpington

- 6.11 Trumpington is attached to the urban periphery of Cambridge, it is still considered as a separate village with its own centre and accompanying local facilities. Trumpington's population is set to increase from 9,000 in 2013 to 17,800 by 2021, nearly doubling in size. Commensurate capacity for social infrastructure is also planned to support this quantum of growth, although no specific proposals for new public houses have been proposed. As such the number of public house sites (open and closed) currently remains at four (The Green Man, Lord Byron Inn, Hudson's Ale House and at 60, Trumpington Road site).

Planning application 17/0548/FUL – Marketing & Local Consultation

- 6.12 As part of the planning process for the planning application 17/0548/FUL (60 Trumpington Road), the site was the subject of a pre-application marketing exercise the details of which were submitted as part of the planning application. From the evidence provided during the planning application public consultation, the site's viability relied on the site's ancillary takeaway business. This demonstrated that it had to diversify to retain any form of A4 use. Other diversification schemes including its use as a micro-brewery were also considered but found to be unsuitable. The limited number of objections to the loss of the public house site at the time during both the local consultation undertaken by the applicant and the application's public consultation indicated the community no longer needed by the community. No proposal to buy or take over the public house by the community was put forward at the time.
- 6.13 Further marketing of the site was considered but it would require a public house operator that included a significant takeaway food business which would permit the site to diversify to retain the public house use. No suitable public house operator was identified as fitting this model. No alternative proposals to take on the public house use by the community were received during this planning application.
- 6.14 It is the Council's strategy to safeguard public houses from development by ensuring they are no longer viable or able to diversify before they are lost to an alternative proposal. This approach reflects the Council's recognition that some public

house sites may no longer serve their local community and, or be economically viable to operate. No operator showed any interest in the site, it would therefore be unreasonable to require the applicant to undertake another marketing exercise. Unless an alternative proposal was forthcoming e.g. from the local community it is very difficult to conclude the public house site is viable for A4 use.

Planning application 18/1058/FUL

6.15 Since the previous planning application (17/0548/FUL), there has been no material change in circumstances, in terms of options presented by public house operators or the local community to retain the public house use. It is therefore considered unreasonable to require a further round of marketing of the public house for a similar use. However, if a credible proposal was submitted which involved the retention of the public house use, this would indicate the public house use was viable and should be retained.

Summary

6.16 Given the lack of interest from existing public house operators and any other alternative proposals to retain the public house use, it is reasonable to conclude that the development site is no longer viable for public house use. In the absence of any credible proposals which would retain the public house use, it is considered unreasonable to ask the applicant to market the site any further.

6.17 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:

- North Cottages (Residents submitted an 'Impact and Issues Statement')
- 1 North Cottages
- 2 North Cottages
- 3 North Cottages (Owner lives at 96 North End Meldreth)

- 4 North Cottages
- 5 North Cottages
- 6 North Cottages
- 8 North Cottages
- 12 North Cottages
- 13 North Cottages
- 14 North Cottages
- 15 North Cottages
- 16 North Cottages
- 1 Nightingale Cottages
- 21 Barrow Road
- 29 Barrow Road
- 30 Barrow Road
- 6 Eltisley Avenue
- 1 Brookside
- 13 Porson Road
- 16 Porson Road
- 36 Porson Road
- 53 Shelford Road
- 180 Shelford Road
- Landseer House, Trumpington Road
- Camcycle

7.2 The representations can be summarised as follows:

- There will be a loss of light, loss of outlook and overshadowing of North Cottages dwellings by the proposed development
- There is potential for overlooking by adjacent buildings onto the proposed development
- The proposed development would result in an intensification of use on North Cottages by foot and or vehicle unless the entirety of the development is solidly fenced off and self-contained within its TITLE boundary
- The proposed development is now 500mm closer laterally than the approved plan making it too close
- The proposed development is now 140mm taller than the approved plan making it too tall
- The proposed development is now 5500mm in front of 1 North Cottages making it over bearing on No1 North Cottages

- The window assessment is worse in the proposed development than the approved plan
- The overriding evidence is that the total effect of diminishing light into the North Cottages by this proposal 18/1058/FUL is far more detrimental compared to the approved plan 17/0548/FUL
- The existing right of way over 60 Trumpington for 2 Nightingale Cottages will be enforceable in the case of either proposal; then there will be no rear access in case of emergency for either property
- The Independent Complaints Investigator is reporting on four complainant cases regarding issues in 17/0548/FUL. Several of these issues are being repeated in 18/1058/FUL
- The daylight and sunlight reports are missing information and not complete. There is no assessment for the gardens of North Cottages
- There is a 50% decrease in the 'green space' when viewing from Trumpington Road; the 'hedge' is being reduced by 40% in length which is not consistent with 17/0548/FUL
- The initial 'setting back' of the building line in 18/1058/FUL compared to 17/0548/FUL has been lost by the December 2018 revision to bring the building, and 1st floor of unit 4 further forward again
- There are errors in the drawings and plans
- The overbearing nature of the development in scale compared to neighbouring houses
- Unit 4 does not conform to the other units design; unit 4 has parts that stick out, squash in, and not consistent with the rest of the development, it is out of character to neighbourhood
- The bin collection point needs revising as the new development would alter the existing arrangement and not meet the Recap standard
- The North Cottages lane is reduced by 1.2m, as a result of the usurping of land by the developer, at the entrance onto the Public Highway, therefore it will not meet Highway Standards
- The recent demolition work on site did not include Health and Safety requirements for safeguarding against Asbestos, there are concerns about the future demolition on site

- Archaeology report needs updating
- Wildlife report needs updating
- Breach of Policy 59, no boundary treatment has been agreed for 18/1058/FUL, and the boundary treatment agreed for 17/0548/FUL has been ignored in 18/1058/FUL
- Fails policy 27, the development causes an increase in carbon consumption for neighbouring houses due to dramatic loss of light
- Policy 76 needs to be addressed by a feasibility study being completed
- The residential amenity of the neighbourhood has dramatically decreased as a result of the developer acting in anti-social behaviour
- There are errors in the application form
- No certificate D has been produced for the land that the developer does not own
- The development is already having a negative effect on the health and wellbeing of the neighbourhood
- There are issues regarding the continual attempt by the developer to access North Cottages private lane for his development through placing walkways and gates on the boundary and disregarding North Cottages residents existing easements and Rights of Way over the whole lane.
- The scale and massing of the new dwellings are inappropriate
- First floor extension to 2 Nightingale Cottage will overshadow the rear garden and rooflights on ground floor of 1 Nightingale Cottage. Large windows will overlook the rear garden.
- Fire access is through the car park at 60 Trumpington Road, this will be lost. The pinch point would still not be wide enough to accommodate a fire engine.
- The studios will encroach onto 5 North Cottages property.
- The gate from unit 4 onto North cottages should be removed as no rights of access onto north cottages.
- cycles leaning against each other not compliant with cycle parking guide for new residential developments
- First floor windows and Juliet balconies of unit 1 will overlook 5 North Cottages garden.
- Loss of daylight to 2 North Cottages due to height of development.

- New dwellings are higher than surrounding buildings and existing building.
- Studios should not be used for habitation.
- 1 car parking space per dwelling and one visitor car parking space in total. Lack of parking will increase parking on nearby streets.
- Health issues with exhaust fumes entering 1 North Cottages ground floor windows from cars parking opposite
- Overdevelopment of the site.
- Balconies of all 4 new dwellings will overlook 2 - 5 North Cottages.
- Studios will create a loss of light for 3 - 5 North Cottages
- The size of the houses mean they will most likely have more than one vehicle and will contribute to the gridlocked traffic on Trumpington Road. The infrastructure cannot support this development.
- The proposed garden studios would be less than 6ft away from an existing Victorian clay sewer that runs below the footpath.
- The footpath alongside No.5 North Cottage must remain accessible at all times.
- The east most windows of 4 North Cottages are missing from the daylight and sunlight assessment.
- The daylight and sunlight assessment fails to address the 1st floor windows of No1 Nightingale Cottage. There will be significant impact upon these due to the increase in the first floor extension.
- Loss of character to both Nightingale Cottages due to the proposed extension.
- Vertical Sky Component should be recalculated now the dry storage shed has been removed. Height of property remains overbearing. Probable impacts on privacy.
- Skylights were not assessed on No.3 North Cottages.
- 2 Windows missing from No.4 North Cottages on the VSC and APSH assessments. No assessment has been done to the balcony window of No 4 North Cottages.
- Out of keeping. Will not enhance the city approach as set out in the Trumpington Road Suburbs and Approach Study. Overbearing and dominant in height compared to adjacent buildings affecting their light and privacy.
- 3.7m access width should be kerb to kerb not wall to wall.

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. Drainage
8. Ecology
9. Fire Safety
10. Land Ownership
11. Third party representations

Principle of Development

8.2 The existing building at 60 Trumpington Road is the former Volunteers public house. The building is listed on the list of safeguarded public house sites within policy 76 'Protection of public houses' of the Cambridge Local Plan 2018. The policy requires proposals involving the loss of a public house site to first demonstrate: the site has been marketed, diversification options including the retention of the public house use have been considered but are not feasible; and that the community no longer need the public house. Under planning application 17/0548/FUL and following consultation with the Council's Planning Policy Team, planning permission was granted to demolish the existing building. Since the previous planning application (17/0548/FUL), there has been no material change in circumstances, in terms of options presented by public house operators or the local community to retain the public house use. It is therefore considered unreasonable to require a further round of marketing of the public house for a similar use. Therefore, I consider the principle of the development is acceptable in this case subject to the material considerations discussed below.

Context of site, design and external spaces

- 8.3 The proposed dwellings would be 2.5 storeys with a height of 8.1m, with a 2nd floor level accommodated in the pitched roof space. The proposed development would be slightly taller than the surrounding existing dwellings to the north, south and east of the site. The applicants Design and Access statement argues that the pitched roof gable forms would provide a contemporary design which would be sympathetic to the street scene. The rear of the properties step down from the third floor level with a 2 storey flat roof element which would reflect the eaves height of the adjacent North Cottages terraced properties. The proposed development embodies a contemporary architectural style which replaces the more conventionally styled detached 2 storey building and will result in a distinct and clearly visible stepped terrace facing Trumpington Road.
- 8.4 The site will continue to be accessed from Trumpington Road and the proposed dwellings would use a short shared, centrally located entrance driveway. Each dwelling will have off-street car parking space plus an individual cycle and bin store located to the front of the property. The proposal includes private amenity areas to the rear of the proposed dwellings which are considered to be of an appropriate size for the amount of bedrooms proposed. The proposal proposes to replace the predominantly tarmac surfaced car park in front of the existing building with new car parking and access surfaces supplemented by soft landscaping and trees to the front of the site. An existing hedge alongside North Cottages and located in front of the existing building would be partly retained – the stepped terrace being set further forward in the site than the existing building.
- 8.5 Whilst the Urban Design Team and Landscape Officer are supportive of the scheme subject to the inclusion of the above conditions, representations received from neighbours have raised concerns about the style, form and treatment of the building. These are considered further below. In addition, neighbours have expressed concern that the proposed changes to 2 Nightingale Cottage would also result in a loss of character to Nightingale Cottages. The majority of the changes are to the rear of the property and accordingly would not be visible from within the street.

- 8.6 Having regard to the sites location on a main roadway into the City, where a range of contemporary and traditional building forms, differing building heights, boundary treatments and building lines can be observed, it is my opinion that the form, height and layout of the proposed development represents an acceptable response to the character of the area and the sites context and would not accordingly have an adverse impact upon the character of the area. Whilst the replacement of the existing detached building with a terrace of four homes represents an increase in the intensity of use of the site, along Trumpington Road there are a similar range of densities which reflect the significance of the route as a key route into the City. Whilst noting the representations made on this issue, it is not considered that the proposals constitute an overdevelopment of the site and accordingly, the proposal is considered to accord with Cambridge Local Plan (2018) policies 52, 55, 56 & 57.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 This is the second application for residential development on this site. The detailed design and orientation of the development and its “amenity spaces” has changed from the earlier permission and the application is accordingly also accompanied by new assessments of sunlight and daylight reflecting that the impacts upon neighbouring properties will also have changed. The majority of the surrounding neighbouring properties have objected to the proposal on grounds of overlooking, overshadowing or overbearing nature. I have assessed the impact upon each property.

1 North Cottages

- 8.8 1 North Cottage is a detached dwelling located to the south west of site and is the first property at the entrance to North Cottages. The cottage is principally orientated to face towards the site onto North Cottages. Planning permission exists for an extension to the property which extends the main 2 storey form of the property eastwards from the existing main 2 storey element of the house. The extension includes additional first floor windows facing towards the site and eastwards towards the garden area. The occupier of North Cottages has objected to the proposal on the grounds of loss of light/ overshadowing,

overlooking and visual enclosure, in addition to supporting wider concerns that are considered elsewhere in this report.

Private amenity space

- 8.9 The existing building varies in height along the boundary abutting the lane at North Cottages. Drawing no.SK19.04.10-01revA shows sections through the private amenity area, the lane and the nearest part of the proposed development - unit 4. Sections B and C indicate that unit 4 would be of similar height to the existing building on the site, where it falls immediately opposite the private amenity area of No.1. The height of unit 4 does nevertheless step up at the point opposite the single storey element. A revised Daylight and Sunlight Assessment has assessed the impact of the scheme upon No.1 North Cottage's private amenity area. 1 North Cottages lies south of the proposed development. Given the path of the sun through the day, the sunlight assessment indicates that the proposal would not result in overshadowing of the private amenity area of 1 North Cottages. The development would, depending upon the boundary treatment deployed by the owner of No 1 North Cottages, nevertheless be clearly visible from the garden area – and the views out from the garden would change materially as a result. Given the orientation, the change in the outlook would not be so significant as to erode the qualities of or prevent the use of the amenity space. For the above reasons, it is my view that the proposal would not have an unacceptable impact upon the rear amenity area of 1 North Cottages.

Windows

- 8.10 Working from east to west along the northern facing elevation of No.1, there are windows serving:
- A snug (this room is also served by glazed French doors facing the private amenity area)
 - A kitchen
 - A dining room
 - A lounge
- 8.11 The application is accompanied by a Daylight and Sunlight assessment which has been undertaken in accordance with BRE guidance. This indicates that all of the ground floor windows retain over 80% of current daylight levels, which

accords with an acceptable impact when considered against the BRE guidance.

- 8.12 The proposal was amended during the process to address concerns regarding the impact upon No.1's garden. This resulted in the built form of Unit 4 moving westwards towards Trumpington Road. This does mean that Unit 4 would be three storeys in height opposite the window serving the ground floor snug. This room is also served by glazed French doors in the east elevation (facing over the garden) and accordingly, it is considered that the impact of the proposal would not result in so significant a sense of enclosure within this room as to render the relationship unacceptable in policy terms. The built form at the front of Unit 4 would be 5.5m from the kitchen window at No.1. The first floor would be staggered back from the ground floor, and the second floor would also be staggered back from the first floor and ground floor. While the proposed Unit 4 would have an impact upon the outlook of the kitchen window due to the proximity and siting of Unit 4, having viewed the development from within the kitchen, it is my view that the kitchen window would retain a reasonable level of outlook due to the continued views/outlook to the north west (in front of the building). The outlook of the windows serving the dining room and lounge would change as a result of the development but would not be significantly affected due to the distance away from the built form of Unit 4 and the oblique angle from these windows. Unit 4 is not directly opposite these windows.
- 8.13 There is a bedroom window on the first floor approximately above the location of the ground floor kitchen window. Similar to the kitchen window, there would be a degree of impact upon this window. It is my view that the bedroom window would retain views/outlook to the north west especially due to its elevation above the ground. There would be no direct overlooking from the Juliet balconies on the proposed dwellings due to the oblique angle.
- 8.14 The planning permission for No 1 North Cottages provides for additional first floor windows facing northwards, and an application for a non-material amendment to no 1, also indicates proposals for roof lights to be inserted in the roof to serve these upper floor rooms. The Daylight and Sunlight assessment also takes into account the approved extension scheme at 1 North Cottages. Officers have considered the

impact of the proposals on these new first floor windows but having regard to the conclusions of the sunlight and daylight assessment on the ground floor windows below and the orientation of the new space created, which includes a window facing eastwards creating a dual aspect room, the impact of the proposal on this extension is also considered to be acceptable.

2 North Cottages

- 8.15 2 North Cottages is the first property in the line of terraced properties that make up 2 - 4 North Cottages. Drawing no.SK19.04.10-01revA demonstrates that the massing of the single storey and two storey elements of Unit 4 are comparable to the massing of the existing building on the site. The proposal would pull the ground floor element away from 2 North Cottages by 0.6m in comparison to the ground floor element of the existing building. The nearest element of the first floor element of Unit 4 would be circa 4.7m away from the ground floor and first floor windows at 2 North Cottages. The first floor element of unit 3 would be circa 8.1m away from the windows on No.2 North Cottage. Given the relationship between the existing building on the application site and properties in North Cottages, whilst the view out from these properties would change I do not consider that the change amounts to a significant overbearing impact upon 2 North Cottage. In regards to loss of light to the windows at No.2, the Daylight and Sunlight Assessment demonstrates that all the ground floor windows retain over 80% of current levels, therefore complying with the BRE guidance. The oblique outlook from the proposed Juliet balconies means that levels of overlooking between the proposed development and this property would not, in my view, be material.
- 8.16 It is noted that the Inspector's decision on the retrospective application for the now removed storage building (15/0152/FUL) stated that the storage building which measured approximately 2.6m to the ridge and 7m wide, had an overbearing impact on the windows of nos. 2-4 North Cottages. The proposed development would not have any built form in the same position as the now removed storage building. Notwithstanding this, I have assessed any potential overbearing impacts for 2 - 4 North Cottages above and below.

3 North Cottages

- 8.17 3 North Cottage is the second property in the line of terraced properties that make up 2-4 North Cottages. 3 North Cottage is set further to the east than No.2, and it is my view that given this separation and the relative orientation of the buildings, the impact of the built form of the proposed dwellings and the arrangement and relationship of windows in the existing and proposed dwellings, (and the proposed Juliet balconies) would not have a significant adverse impact upon the residential amenity of No.3 so as to render the proposal unacceptable. .

4 North Cottages

- 8.18 4 North Cottages is sited south east of the proposed dwellings. There are ground floor windows that are north facing. The nearest element of the development to 4 North Cottages is the proposed garden studio on Unit 4. Representations received have expressed concern about the impact and relationship of these buildings and their use. The pitched roof garden studios would have a ridge height of 3.85m and an eaves height of 2.3m. The Daylight and Sunlight Assessment and Addendum demonstrates that the 3 north facing ground floor windows and the east facing ground floor window on 4 North Cottages would all retain over 90% of the former daylight value which accords with the recommended levels of BRE guidance. The applicant was asked to consider an alternative flat roof design to the proposed ridged roof but advises that such an approach would result in a greater apparent eaves height which would increase their apparent scale when viewed from the street and surrounding properties. Officers are satisfied with this explanation. As the studios would be off set towards the east from these windows, and given the pitched roofs, I do not consider that the proposed studio at Unit 4 would have a significant overbearing impact upon any of the ground floor windows on 4 North Cottages. Due to the siting of the proposed dwellings, the first-floor terrace of no.4 would be unaffected in its outlook to the east or north. There would be no direct overlooking from the Juliet balconies on the proposed dwellings to No.4 due to the oblique angle.

5 North Cottage

- 8.19 The first floor windows on the rear elevation of Unit 1 and of the extended 2 Nightingale Cottage would be circa 14.5m away from the boundary of No.5 North Cottages and therefore would not significantly overlook the garden of No.5. The proposed sheds to the rear of 2 Nightingale Cottage and the proposed dwellings are separated by a private track from the boundary of No.5 North Cottage. A revised Daylight & Sunlight Assessment has assessed the impact of the proposed scheme upon the garden of No.5 North Cottage. The garden will retain 98% of current sunlight levels on March 21st which would comply with BRE guidance.

1 Nightingale Cottage

- 8.20 The proposed first floor element of the extension to 2 Nightingale Cottage would project 2.4m further than the existing rear elevation but would not project past the existing ground floor extension at 1 Nightingale Cottage. The first floor element would be set 0.6m off the boundary with 1 Nightingale Cottage. There is a first floor window on 1 Nightingale Cottage but this is set in from the boundary. The proposed extension would not protrude into the 45 degree rule of thumb when measured from the centre of this first floor window. The proposed extension to 2 Nightingale Cottage would result in a loss of light but given the orientation of the properties and as this rear elevation is east facing, I do not consider this to be a significant loss. No daylight/sunlight assessment was requested for 1 Nightingale Cottage for this reason. The proposed first floor window would be larger and set higher than the existing first floor window, and it would look towards the rear of the garden of 1 Nightingale Cottage. Therefore, it would not result in a significant adverse impact having regards to loss of light or loss of privacy to 1 Nightingale Cottage.

- Wider area

- 8.21 The properties further to the east along North Cottages have responded to the consultation with a range of comments, these include a concern about the impact of the proposals upon their amenity during the development phase and concerns associated with access (particularly emergency access) and refuse services which are considered further below. The

Environmental Health team has recommended conditions to mitigate the impact of construction on nearby residential properties. Noise and disturbance during the construction phase is recognised as an inevitable consequence of development and cannot on its own justify preventing development taking place. Rather the matter is appropriately addressed where relevant by the use of planning conditions. I accept the advice of consultees that the impact on the wider residential area is acceptable subject to the mitigation measures to be secured through the recommended conditions.

8.22 Based upon the material submitted by the applicants and officers assessment of the changes to and impact of the development upon the amenities of surrounding residential properties, 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 57 and 35.

Amenity for future occupiers of the site

8.23 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The proposed units would comply with and exceed the standards. In this regard, the units would provide appropriate quality internal living environment for the future occupants of the development. 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	4	6	3	112	160	+48
2	4	6	3	112	164	+52
3	4	6	3	112	167	+55
4	3	6	3	108	169	+61

8.24 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. All of the units would have large private rear east facing gardens. To ensure that adequate private amenity space is retained for the proposed dwelling, and the residential amenity of neighbouring properties along North

Cottages is protected I recommend that permitted developments rights are removed for extensions and outbuildings for Unit 4. I also recommend that permitted development rights for extensions on Units 1 – 3 are also removed.

- 8.25 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

- 8.26 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

Refuse Arrangements

- 8.27 The proposal provides bin storage in front of the buildings within a designed enclosure. Officers consider that the bin stores would be in a convenient location for the residents with easy access to Trumpington Road for collection. During the application phase, residents of properties on North Cottages raised concerns about the combined effect of bins from properties on North Cottages and the application site impeding the safe flow of pedestrians along the footway to Trumpington Road or compromising visibility splays at each access. Officers have engaged with the Shared Waste team to determine the parameters and practice surrounding refuse collection and the placement and management of bins by refuse personnel on collection days. The surfaced footway along the site frontage and to the south, in front of 1 North Cottages is significantly in excess of a standard footway width. This arises because it appears that the grass verge along much of this side of Trumpington Road has been tarmac'd. On collection days, the space along the footway occupied by existing bins from properties on North Cottages will be increased as a result of the additional four properties proposed. Officers are nevertheless satisfied that the substantial width of the footway along the site frontage and the access arrangements mean that these additional collections will not adversely impact upon footway space so as to displace pedestrians passing the site into the

main carriageway. Equally, subject to the considerate placement of bins by all residents, officers are satisfied that acceptable visibility can be maintained at all private and shared access on collection days so as not to create an additional unacceptable hazard. In my opinion the proposal is therefore compliant with Cambridge Local Plan 2018 policy 57 in this regard.

Highway Safety

8.28 The proposal would alter the existing access to the site. The Highway Authority has been consulted as part of the application and is satisfied that there would not be any adverse impact upon the highway. The Highway Authority recommends the inclusion of a traffic management plan condition for both the demolition and construction stage. I agree with this advice. I am accordingly satisfied that the proposal is compliant with Cambridge Local Plan 2018 policy 81.

Car and Cycle Parking

- *Car parking*

8.29 The proposal would include:

- 2 car parking spaces for 2 Nightingale Cottage
- 1 Car parking space for Unit 1
- 1 Car parking space for Unit 2
- 1 Car parking space for Unit 3
- 2 Car parking spaces for Unit 4
- 1 Visitor car parking

8.30 Neighbours have raised concerns that the proposed level of car parking for the development would not be adequate. However, this level of car parking is compliant with the Council's adopted maximum car parking standards which aim to promote reduced car travel and sustainable transport modes. The site lies on Trumpington Road in an area with on street parking controls and is also adjacent to a private road, North Cottages. The site is also located within a very sustainable location with good links to the city centre and train station. Given the proposed level of car parking provision and nearby parking controls, it is my view that the proposal is compliant with Cambridge Local Plan 2018 policy 82.

- *Cycle parking*

8.31 The proposal includes a cycle store at the front of each of the dwellings including 2 Nightingale Cottage. The cycle storage would mean that cycles would be stored side by side in a leaning style. During the consultation phase, some neighbouring properties have expressed a concern about the cycle parking arrangements and, in particular, the height of the stores and potential intrusion on North Cottages. In this particular case, the proposals are considered acceptable in order to moderate the size of the stores. In my opinion the proposal is compliant with Cambridge Local Plan 2018 policy 57 and 82.

Drainage

8.32 The Drainage Officer has not raised any objections subject to a surface water drainage condition. In my opinion, the condition would secure an adequate surface water drainage scheme for the proposed dwellings. Subject to this condition, the proposal is compliant with the National Planning Policy Framework (2019) and policy 31 of the Cambridge Local Plan (2018).

Ecology

8.33 The Ecology Officer has been consulted as part of the application and is content with the updated ecological survey. The report proposed the integration of hedgehog gaps in all boundary features and 6 swift nesting bricks. Therefore, a condition is recommended requesting further details of the specification and location of these features. Subject to this condition, the proposal would therefore be in accordance with Policy 70 of the Cambridge Local Plan (2018).

Fire Safety

8.34 Several neighbours have raised concerns about fire safety due to the removal of the existing car park and the access it provides the Fire Service to the properties further down North Cottages. North Cottages is an unadopted unsealed single carriageway road which narrows from its entrance onto Trumpington Road to a pinch point formed by the existing extension to the existing property at No 60 and No 2 North

Cottages. The previous planning permission provided for a slight increase in the clear width (between buildings) at the pinch point but the matter remained one of concern to residents.

- 8.35 Cambridge Fire Service have been consulted on the proposals and their comments have been summarised above. In particular, they have advised that in the event of Fire in North Cottages, they would not expect to drive down North Cottages but would expect to fight the fire from tenders in Trumpington Road. The Government's Publication "The Manual For Streets" provides guidance on access for emergency vehicles within new development. The document advises upon the need to consult with Local Fire Officers but states: "*The Association of Chief Fire Officers has expanded upon and clarified these requirements as follows:*
- *a 3.7 m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances;*
 - *if an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer;"*
- 8.36 In this case, following concern of residents, the Planning Service commissioned a survey of North Cottages to determine its actual width at present. This survey demonstrated that there is an existing pinch point between the existing building at 60 Trumpington Road and 2 North Cottages. This pinch point measures 3m from the wall at 60 Trumpington Road to the wall at 2 North Cottages and 2.62m from the wall at 60 Trumpington Road to the flower bed at 2 North Cottages. The application proposes the demolition of the existing building and extensions on the site and the construction of a new building on a new footprint. The amendments to the current application following residents' concerns have increased the width between buildings on North Cottages at its narrowest point from 3m to 3.7m. Whilst residents remain concerned that the camber and surface mean that the actual width may be less than 3.7m, the proposals therefore offer a material improvement to the "clear" width of North Cottages. Notwithstanding the views of the Fire Authority regarding fire fighting, this improved width will potentially allow for other delivery and emergency vehicles to access North Cottages beyond the existing pinch point at No 4

and amounts to an improvement in access. Residents have also suggested that the development of the application site removes the ability of the Fire Service to fight a fire in North Cottages from within the curtilage of No 60. The existing property and car park area are locked and enclosed and remain private land – and not part of the public highway. They cannot therefore be relied upon for access in an emergency.

- 8.37 Residents have sought further clarity on the length of fire hoses held by the Fire Service on its vehicles – so as to be reassured that fire hoses would reach all properties at North Cottages. Confirmation on this information is awaited from the fire Authority. Residents have also sought to highlight the greater enclosure of a length of North Cottages by the new building. The existing building however intrudes forward into North Cottages beyond the proposed side wall of the proposed development for a length of some 6m – and accordingly is considered to amount to a greater barrier to access than the proposed building which maintains a minimum distance significantly greater than the 2.75m referred to in the manual for streets advice above.
- 8.38 Whilst therefore information on hose capacity is awaited, the clear view of the Fire Authority and the positive impact of the proposals on the width of North Cottages mean that officers in the Planning and Building Control team are satisfied with the Fire Service response that the development would not have an adverse impact upon the ability of the emergency services to respond to a Fire in North Cottages.

Land Ownership

- 8.39 Neighbours have raised an issue that the certificate D has not been signed in the application form. The applicant submitted a completed certificate B of ownership with the application. The council must accept the submission of a signed certificate unless there is clear evidence that an incorrect certificate has been supplied. Whilst neighbouring parties have disputed the validity of the certificate, no clear evidence has been provided to the Council and therefore the Council must accept the certificate on face value.

Third Party Representations

8.40 I have addressed the third party representations as follows:

Comments	Response
There will be a loss of light, loss of outlook and overshadowing of properties in North Cottages by the proposed development	I have addressed this in paragraphs 8.7-8.22
There is potential for overlooking by adjacent buildings onto the proposed development	I have addressed this in paragraphs 8.7-8.22
The proposed development would result in an intensification of use on North Cottages by foot and or vehicle unless the entirety of the development is solidly fenced off and self-contained within its TITLE boundary	Original submission included a gate from North Cottages to Unit 4, this has since been removed within amendments. The proposed development would be accessed only from Trumpington Road.
The proposed development is now 500mm closer laterally than the approved plan making it too close	I have addressed this in paragraphs 8.7-8.22
The proposed development is now 140mm taller than the approved plan making it too tall	I have addressed this in paragraphs 8.7-8.22
The proposed development is now 5500mm in front of 1 North Cottages making it over bearing on No1 North Cottages	I have addressed this in paragraphs 8.7-8.22
The window assessment is worse in proposed development than approved plan	I have addressed this in paragraphs 8.7-8.22
The overriding evidence is that the total effect of diminishing light into the North Cottages by this proposal 18/1058/FUL is far more detrimental compared to the approved plan 17/0548/FUL	I have addressed this in paragraphs 8.7-8.22. The application has been assessed on its own merits.
The existing right of way over 60 Trumpington for 2 Nightingale Cottages will be enforceable in the case of either proposal; then there will be no rear access in case of emergency for either property	2 Nightingale Cottages is under ownership by the applicant and is part of the site edged red.

<p>The Independent Complaints Investigator is reporting on four complainant cases regarding issues in 17/0548/FUL. Several of these issues are being repeated in 18/1058/FUL</p> <p>The daylight and sunlight reports are missing information and not complete. There is no assessment for the gardens of North Cottages</p>	<p>This is separate from the planning application process. Officers have considered the recommendations of the ICI in preparing this report.</p> <p>The Daylight and Sunlight Assessment has been revised to address the missing information including an assessment for the gardens of 1 and 5 North Cottages.</p>
<p>There is a 50% decrease in the 'green space' when viewing from Trumpington Road; the 'hedge' is being reduced by 40% in length which is not consistent with 17/0548/FUL</p>	<p>I have addressed this in paragraphs 8.3-8.6. The hedge is being retained as part of the development. The proposal would increase the green space by reducing the amount of car parking and hard landscaping that currently dominates the site.</p>
<p>The initial 'setting back' of the building line in 18/1058/FUL compared to 17/0548/FUL has been lost by the December 2018 revision to bring the building, and 1st floor of unit 4 further forward again</p>	<p>I have addressed this in paragraphs 8.7-8.22</p>
<p>There are errors in the drawings and plans</p>	<p>The applicant claims that the inconsistencies in the drawings have been addressed through amendments.</p>
<p>The overbearing nature of the development in scale compared to neighbouring houses</p>	<p>I have addressed this in paragraphs 8.7-8.22</p>
<p>Unit 4 does not conform to the other units design; unit 4 has parts that stick out, squash in, and not consistent with the rest of the development, it is out of character to neighbourhood</p>	<p>Amendments have been made to Unit 4 to address residential amenity impacts upon 1 North Cottage. The report above considers the relationship of Unit 4 to neighbouring homes and the impact of the design upon the character of the area.</p>

<p>The bin collection point needs revising as the new development would alter the existing arrangement and not meet the Recap standard</p>	<p>This is a matter separate to the planning application due to an informal arrangement of storing bins upon private land. Officers have nevertheless liaised with the Waste Service to understand the process for assisted collections and the potential consequences of the development on the continuation of this service where provided.</p>
<p>The North Cottages lane is reduced by 1.2m, as a result of the usurping of land by the developer, at the entrance onto the Public Highway, therefore it will not meet Highway Standards</p>	<p>The Council has accepted the statements made concerning the application site ownership, in the absence of any evidence to the contrary. The land in question relates to a stretch of North Cottages which is not currently enclosed or defined on the ground by significant structures so as to impede movement along North Cottages. In the absence of any definitive evidence to contradict the applicant's declaration in the application, the LPA has accepted the application as valid. The Highway Authority has not raised any concerns with the application in regards to the proposed development or its impact upon the wider area.</p>
<p>The recent demolition work on site did not include Health and Safety requirements for safeguarding against Asbestos, there are concerns about the future demolition on site</p>	<p>Any demolition on the site that forms part of the application will need to be in accordance with approved details in a discharge of condition application and will also need to follow Health and Safety requirements.</p>
<p>Archaeology report needs updating</p>	<p>This information was sought by condition on 17/0548/FUL and it would be unreasonable not to apply this approach again.</p>

Wildlife report needs updating	A revised ecology report has been submitted with the application. Please see paragraph 8.33
Breach of Policy P59, no boundary treatment has been agreed for 18/1058/FUL, and the boundary treatment agreed for 17/0548/FUL has been ignored in 18/1058/FUL	It is common practice to condition further details of boundary treatment as long as there is an indication of siting and type.
Fails policy 27, the development causes an increase in carbon consumption for neighbouring houses due to dramatic loss of light	In the draft local plan, Policy 28 (Carbon reduction, community energy networks, sustainable design and construction, and water use) was previously policy 27. This policy relates to the construction methods and specifications of new developments and not the impact upon neighbouring properties. The impact upon residential amenity of neighbouring properties have been addressed in paragraphs 8.7-8.22
Policy 76 needs to be addressed by a feasibility study being completed	This has been addressed in paragraph 8.2
The residential amenity of the neighbourhood has dramatically decreased as a result of the developer acting in anti-social behaviour	This is not a planning issue.
There are errors in the application form	Officers are satisfied that the application submitted is valid and that the application can lawfully be determined.
No certificate D has been produced for the land that the developer does not own	The council must accept the submission of a signed certificate unless there is clear evidence that the incorrect certificate has been supplied. Whilst neighbouring parties have disputed the validity of the certificate, no evidence to disprove or respond to the applicants solicitors request for evidence has been forthcoming.

<p>The development is already having a negative effect on the health and wellbeing of the neighbourhood</p>	<p>Potential proposed changes in a locality and the impact upon the health of individuals participating in or commenting upon planning applications is not a matter that the LPA can have regard to in determining the “planning merits” of a planning application. .</p>
<p>There are issues regarding the continual attempt by the developer to access North Cottages private lane for his development through placing walkways and gates on the boundary and disregarding North Cottages residents existing easements and Rights of Way over the whole lane.</p>	<p>Original submission included a gate from North Cottages to Unit 4, this has since been removed from amendments. The proposed development would be accessed from Trumpington Road.</p>
<p>The scale and massing of the new dwellings are inappropriate</p>	<p>I have addressed this in paragraphs 8.3-8.6</p>
<p>First floor extension to 2 Nightingale Cottage will overshadow the rear garden and rooflights on ground floor. Large windows will overlook the rear garden.</p>	<p>I have addressed this in paragraphs 8.7-8.22</p>
<p>Fire access is through the car park at 60 Trumpington Road, this will be lost. The pinch point would still not be wide enough to accommodate a fire engine. 3.7m should be kerb to kerb not wall to wall.</p>	<p>I have addressed this in paragraphs above</p>
<p>The studios will encroach onto 5 North Cottages property.</p>	<p>This is a legal issue between land owners.</p>
<p>Cycles leaning against each other not compliant with cycle parking guide for new residential developments</p>	<p>I have addressed this in paragraphs 8.28-8.31</p>
<p>First floor windows and Juliet balconies of unit 1 will overlook 5 north cottages garden.</p>	<p>I have addressed this in paragraphs 8.7-8.22</p>
<p>Loss of daylight to 2 north cottages due to height of development.</p>	<p>I have addressed this in paragraphs 8.7-8.22</p>
<p>New dwellings are higher than surrounding buildings and existing building.</p>	<p>I have addressed this in paragraphs 8.7-8.22</p>

Studios should not be used for habitation.	A condition shall be recommended to ensure that the studios are not used for sleeping or let out as separate units.
1 car parking space per dwelling and one visitor car parking space in total. Lack of parking will increase parking on nearby streets.	I have addressed this in paragraphs 8.28-8.31.
Health issues with exhaust fumes entering 1 north cottages ground floor windows from cars parking opposite	Currently, there is a car park area in this area which served the former public house. The proposal would reduce the amount of space for car parking/cars parked in immediate proximity to no 1 North Cottages.
Overdevelopment of the site.	In consideration of the assessment within the main body of the report, it is my view that the proposal does not constitute an overdevelopment of the site.
Balconies of all 4 new dwellings will overlook 2 - 5 north cottages.	I have addressed this in paragraphs 8.7-8.22
Studios will create a loss of light for 3 - 5 north cottages	I have addressed this in paragraphs 8.7-8.22
The size of the houses mean they will most likely have more than one vehicle and will contribute to the gridlocked traffic on Trumpington Road. The infrastructure cannot support this development.	I have addressed this in paragraphs 8.28-8.31. The Highway Authority has not raised any concerns about the impact of the additional traffic that would be a result of the scheme.
The proposed garden studios would be less than 6ft away from an existing Victorian clay sewer that runs below the footpath.	This is a matter that relates to the construction phase of the development and will need to be addressed by the applicant
The footpath alongside No.5 North Cottages must remain accessible at all times.	This is a civil matter between the applicant and owner of No 5 North Cottages .
The east most windows of 4 North cottages are missing from the daylight and sunlight assessment.	The Daylight and Sunlight Addendum has assessed these windows.

The daylight and sunlight assessment fails to address the 1st floor windows of No1 Nightingale cottage. There will be significant impact upon these due to the increase in the first floor extension.	No Daylight and Sunlight assessment was considered necessary for 1 Nightingale Cottage. I have addressed this in paragraphs 8.7-8.22
Loss of character to both Nightingale Cottages due to the proposed extension.	I have addressed this in paragraphs 8.3-8.6
Vertical Sky Component should be recalculated now the dry storage shed has been removed.	Paragraph 1.7 of the Daylight and Sunlight Addendum explained that the dry storage shed was not included in the analysis as the applicant had instructed the consultants to assume the building had been demolished as it was subject to an enforcement notice.
Skylights were not assessed on No.3 North Cottages.	The Daylight and Sunlight Addendum has assessed these windows.
2 Windows missing from No.4 North Cottages on the VSC and APSH assessments. No assessment has been done to the balcony window of No 4 North Cottages.	The Daylight and Sunlight Addendum has assessed these windows.
Will not enhance the city approach as set out in the Trumpington Road Suburbs and Approach Study.	I have addressed this in paragraphs 8.3-8.6

9.0 CONCLUSION

9.1 This application seeks to re-develop an existing commercial property to provide for 4 new homes and to alter an existing residential property. The proposed dwellings, for the reasons set out above, are considered to be acceptable having regard to the development Plan and all material planning considerations. The application has prompted a wide range of comment from immediate neighbours and residents nearby concerning the physical impact of the development and its implications for safety and the amenity of adjoining properties, and upon the character and appearance of the area. The principle of development and redevelopment has been established by the earlier permission. Having regard to the balance of all the relevant planning considerations, for the reasons that are set

out in the report above, and subject to conditions, I have concluded that the proposals are acceptable and can be recommended for approval.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy 33.

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 2018 Policy 33.

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 2018 Policy 33.

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 2018 Policy 33.

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 2018 Policy 33.

8. 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, roof cladding, external metal work, rain water goods and coping shall be submitted to and approved in writing by the local planning authority.

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 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 appearance of the external surfaces is appropriate. (Cambridge Local Plan 2018 policies 52, 55, and 57)

9. 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 2018 Policy 33.

10. Prior to the commencement of development/construction, details of a ventilation scheme as an alternative to open windows for the terraced accommodation units 1 to 4 and No.2 Nightingale Cottages on the Trumpington Road façade shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at least 2 air changes per hour.
The scheme shall be installed before the use hereby permitted is commenced and shall not be altered.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area. (Cambridge Local Plan 2018 policy 35)

11. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800hours 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)

12. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

13. In the event of the foundations for the proposed development requiring piling, no such piling shall take place until a report / method statement detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration has been submitted to, and approved in writing by, the local planning authority. 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)

14. 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)

15. For Units 1 - 4, notwithstanding the provisions of Schedule 2, Part 1, Classes A, B E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouses, including insertion of new windows; loft conversion including rear dormers; and the provision within the curtilage of the dwellinghouses of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

16. Notwithstanding the approved plans, the dwellings, 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)

17. 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. This should also include a scheme of lighting for the public areas within the site. 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.

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)

18. 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.

This should include:

- Retention of the hedge opposite 1 North Cottages as shown P04revG
- Boundary treatment details of the fence for Unit 4 opposite the garden of 1 North Cottages and also the fence opposite 2 - 4 North Cottages
- Boundary treatment for dwelling units 1 - 4

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)

19. No development hereby permitted shall be commenced until surface water drainage details have been submitted to the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:
- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - b) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

c) 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 2018 policies 31 and 32)

20. No development shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and bat boxes on the new buildings, hedgehog access features and proposed native planting. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: To protect local wildlife (Policy 70 of the Cambridge Local Plan (2018)).

21. 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)

22. No development above ground level, other than demolition, shall commence until full details of green 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 once installed shall be maintained in perpetuity.

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

23. Prior to the occupation of the development, hereby permitted, the curtilages of units 1 - 4 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)

24. The garden studios hereby permitted shall be used only for purposes incidental to the enjoyment of the dwellinghouse. They shall at no time be used as sleeping accommodation, nor shall they be separately occupied or let, used to accommodate bed-and-breakfast guests or other short-term visitors paying rent or fees.

Reason: To avoid harm to the character of the area, to protect the amenity of neighbouring occupiers and because if the outbuilding were to be slept in or used as a separate unit of accommodation it would provide a poor level of amenity for its intended occupiers (Cambridge Local Plan 2018, policies 35, 50, 55, 52, and 57 and to ensure consistency with the Town and Country Planning (General Permitted Development Order 2015).

25. The dwellings hereby approved shall not be occupied until the cycle and bin storage has been provided in accordance with the details within drawing No. P20. The cycle and bin storage shall be retained in accordance with these details thereafter.

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

26. No development shall take place within the area indicated 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 which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To secure the preservation of the archaeological interest of the area either by record or in situ as appropriate. (Local Plan 2018 policy 61)

27. The development hereby approved shall utilise low NOx boilers, i.e., boilers that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality. Details of the boilers shall be submitted to the local planning authority for approval prior to installation.

The details shall include a manufacturers NOx emission test certificate or other evidence to demonstrate that every installed boiler meets the approved emissions standard shall be submitted to and approved by the local planning authority. The details shall demonstrate compliance with the agreed emissions limits. The scheme as approved shall be fully carried out in accordance with the approved details before first occupation and shall be thereafter retained.

Reason: To protect local air quality and human health by ensuring that the production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum during the lifetime of the development, to contribute toward National Air Quality Objectives and accords with the requirements of the National Planning Policy Framework (NPPF), policy 36 of the Cambridge Local Plan 2018 and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018)

28. Prior to occupation of the proposed development, a scheme for the installation of electric vehicle charging points within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with Policies 36 & 82 Cambridge Local Plan (2018); and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018)

29. For Unit 4, notwithstanding the provisions of Schedule 2, Part 2, Classes A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification): the erection of fence forward of the principal elevation , shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

30. Notwithstanding the approved plans, the first floor window on the south facing elevation of Unit 4 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. 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)

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:

Informative on wildlife access gaps within garden boundary treatments

The applicant is reminded that the National Planning Policy Framework (2018) seeks all developments to 'minimise impacts on and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures'. Residential gardens are increasingly important refuges for declining species such as hedgehogs and local enhancement can be achieved through provision of access gaps (minimum 130mm x 130mm) within boundary features to connect these habitats.

INFORMATIVE: Cambridge City Council recommends the use of low NOx boilers i.e. appliances that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality.