

CAMBRIDGE CITY COUNCIL
The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

FULL PLANNING PERMISSION

SUBJECT TO CONDITIONS

Ref: **18/1193/FUL**



Mr Paul Watson
Phillips Planning Services Limited
Kingsbrook House
7 Kingsway
Bedford
MK42 9BA

The Council hereby grant full planning permission for

Construction of five dwellings on land behind 43-59 Elizabeth Way following demolition of no. 57 Elizabeth Way
at
57 Elizabeth Way and Land To The Rear Of 43-59 Elizabeth Way Cambridge Cambridgeshire CB4 1DB

in accordance with your application received 3rd August 2018 and the plans, drawings and documents which form part of the application, subject to the conditions set out below:

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 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)

4.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)

5. 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)

6. 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.

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. The development hereby approved shall utilise low NO_x boilers, i.e., boilers that meet a dry NO_x 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 2018), policy 36 of the Cambridge Local Plan 2018 and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018)

9. Prior to occupation of the proposed development information demonstrating that one slow electric vehicle charge point has been installed in one of the allocated parking spaces for each of the five dwellings 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 the National Planning Policy Framework (NPPF 2018), Policy 36 of the Cambridge Local Plan (2018) and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018)

10. No development shall take place above ground level, other than demolition, until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter 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) and/or 58 (for extensions))

11. 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.

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)

12. 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)

13. 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)

14. Prior to commencement of above ground works, details of the making good to the flank elevation of no 59 Elizabeth Way, shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be in accordance with the approved details.

Reason: In the interest of maintaining the character and appearance of the street scene (Cambridge Local Plan 2018 policy 55)

15. Prior to the occupation of the development, hereby permitted, or the commencement of the use, the arrangements for the disposal of waste detailed on the approved plans shall be provided and information shall be provided on the management arrangements for the receptacles to facilitate their collection from a kerbside collection point. The approved arrangements shall be implemented prior to the occupation of the development or the commencement of the use and retained thereafter.

Reason - To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2018 policies 35, 36 and 57)

16. Prior to occupation of the dwellings, details of facilities for the covered, secure parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure satisfactory provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policy 82)

17. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

18. Prior to the commencement of development, other than demolition, a scheme for surface water drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and the National Planning Policy Guidance, and the results of the assessment provided to the Local Planning Authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + an allowance for climate change. The submitted details shall include the following:

- 1) Information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- 2) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

19. Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) 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)

20. 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)

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

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

22. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

23. Prior to the first occupation or bringing into use of the development, hereby permitted, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of highway safety and to ensure satisfactory access into the site (Cambridge Local Plan 2018 policy 81)

24. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.

Reason: To prevent surface water discharging to the highway, in the interests of highway safety (Cambridge Local Plan 2018 policy 81).

25. No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a Private Management and Maintenance Company has been established).

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard (Policy 82 of the Cambridge Local Plan 2018).

26. Prior to the first occupation or bringing into use of the development, hereby permitted, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan No CS/900/184/010 Rev B. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

27. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

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

28. 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)

INFORMATIVE: The principle areas of concern that should be addressed by the traffic management plan are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

INFORMATIVE: The applicant is advised that to discharge the street management condition the Local Planning Authority requires the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

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

[content/uploads/guidance/monitoring_construction_sites_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

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

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

This decision notice relates to the following drawings: **01 REV C , 06 , 07 , 02 REV D , 03 REV C , 04 REV C , 05 REV C , 09 , 08 , CS/900/184/010 REV B**

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

It is important that all conditions particularly pre-commencement conditions are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Your attention is specifically drawn to the requirements of the Equality Act 2010 and the Equality Act (Disability) regulations 2010, the British Standards Institution BS8300:2009 "Design of Buildings and their approaches to meet the needs of disabled people – Code of Practice" and to Approved Document 'M' "Access to and use of buildings", volumes 1 and 2 of the Building Regulations 2010 and to Approved Document 'B' "Fire Safety", volumes 1 and 2 of the Building Regulations 2010, in request of guidance on means of escape for disabled people. The development should comply with these requirements as applicable

Informative: Compliance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Part 6 Paragraph 35.

In reaching this decision the City Council has worked in a positive and proactive manner with the applicant and sought to find solutions to problems arising in relation to dealing with the planning application. In general the Council will seek to approve applications for sustainable development and work proactively with applicants that will improve the economic, social and environmental conditions of the area. The Council provides a pre-application advice service, the details of which are set out on our website. When an application is received the Council will add such planning conditions as are necessary to allow the application to be approved or will provide detailed reasons for refusal where planning issues are not capable of resolution.

Please note: On-street parking controls, including residents' parking schemes, are in operation in several parts of the City of Cambridge. There are restrictions on eligibility for residents' parking permits, even for residents within the areas covered by schemes. Implementing a planning consent can remove eligibility for a permit. The County Council

can advise whether or not properties qualify for a Residents' Parking Permit. If in doubt, please contact Cambridgeshire County Council, Cambridgeshire Parking Services by telephoning (01223) 727900 or by e-mailing parkingpermits@cambridgeshire.gov.uk, mentioning this planning consent. Please also be aware that the criteria for granting parking permits may change from time to time.

Informative: In order to obtain an official postal address, any new buildings should be formally registered with Cambridge City Council. Unregistered addresses cannot be passed to Royal Mail for allocation of post codes. Applicants can find additional information, a scale of charges and application form at www.cambridge.gov.uk/street-naming-and-property-numbering.

For further information please go to www.cambridge.gov.uk/planning.

We value your feedback and would like to know your views about the planning process you experienced, including the service you received from us. Your views are important to us and they will help us improve the experience we can offer you. The link below takes you to a survey which will take a couple of minutes to complete. <https://tinyurl.com/CCCplanningsurvey>

Dated: 4 February 2019

A handwritten signature in blue ink that reads "SJ Kelly". The signature is written in a cursive, flowing style.

Director of Planning and Economic Development

SEE NOTES ATTACHED

Planning Applications

Appeals (refusal of planning permission or grant subject to condition)

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder or minor commercial appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application or minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Other than householder appeals or enforcement notice appeals, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at: <https://www.gov.uk/planning-inspectorate>
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.

Listed Building Consent Applications

Appeals (refusal of listed building consent or grant subject to condition)

- If the applicant is aggrieved by the decision of the local planning authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the [Secretary of State for Communities and Local Government] [Secretary of State for Wales] in accordance with sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 six months from the date of this notice. (Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office]). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Purchase Notices

-If listed building consent is refused, or granted subject to conditions, whether by the local planning authority or by the [Secretary of State for Communities and Local Government] [Secretary of State for Wales], and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the council of the (a) district, or London borough in which the land is situated (or, where appropriate, on the Common Council of the City of London) a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Compensation

-In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals (Refusal to vary or discharge conditions)

If the applicant is aggrieved by the decision of the local planning authority–

- (a) to refuse to vary or discharge the conditions attached to a listed building consent; or
- (b) to add new conditions consequential upon any such variation or discharge,

They may appeal to the [Secretary of State for Communities and Local Government] [Secretary of State for Wales] in accordance with sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the [Department of the Environment] [Welsh Office]). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Advertisement Consent Applications

Appeals (refusal of an application for express consent or grant it subject to conditions)

If you are aggrieved by the decision of the local planning authority to refuse advertisement consent or to grant subject to conditions then you may appeal to the Secretary of State for Communities and Local Government. Notice of appeal to the Secretary of State should be made within 8 weeks from the date of receipt of the local planning authority's decision or such longer period as the Secretary of State may, at any time, allow (see notes under section 1 above).