

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
SUBJECT TO CONDITIONS

**Decision Date: 21 February 2018**

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Mr Dipen Shah  
45 Howberry Road  
HA8 6SX

The Council hereby grants permission for redevelopment of current site to create two 2-bedroom flats and new dental surgery

At: 66 - 68, Station Road, Histon, Cambridge, Cambridgeshire, CB24 9LF  
For: Mr Dipen Shah

In accordance with your application dated 31 July 2017 and the plans, drawings and documents which form part of the application, subject to conditions set out below.

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

Reason: To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.

2. The development hereby permitted shall be carried out in accordance with the approved documents and drawings:

- 1) Site Location Plan with red line boundary – OS MasterMap 1:1250 @ A4 (07 March 2016)
- 2) Block Plan – OS MasterMap 1:1500 @ A4 (07 March 2016)
- 3) Existing Plans and Elevations – Drawing no. 66-68/HIST/01 (April 2016)
- 4) Proposed Plans and Elevations - Drawing no. 66-68/HIST/02 Rev A (Dec 2017)
- 5) Sustainability Report/Specification (July 2017 Version 3)
- 6) Transport and Parking Statement
- 7) Histon Staff Current and Post Expansion Car Parking Position

Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development above course level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the 'SCDC LDF Development Control Policies DPD' (2007).

4. 4. No demolition or construction works shall commence on site until a Traffic Management Plan has been agreed with the Local Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are:

- 1) Movements and control of muck away lorries (all loading and unloading shall be undertaken off the adopted highway)
- 2) Contractor parking, for both phases all such parking shall be within the curtilage of the site and not on the street.
- 3) Movements and control of all deliveries (all loading and unloading shall be undertaken off the

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
SUBJECT TO CONDITIONS

**Decision Date: 21 February 2018**

---

adopted public highway.

4) Control of dust, mud and debris, in relationship to the functioning of the adopted public highway.

Reason: In the interests of highway safety.

5. The proposed driveway should 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.

Reason: For the safe and effective operation of the highway.

6. The proposed drive should be constructed using a bound material, for the first five metres from the boundary of the adopted public highway into the site, to prevent debris spreading onto the adopted Public Highway.

Reason: In the interests of highway safety.

7. No construction site machinery or plant shall be operated and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy DP/3 of the 'SCDC LDF Development Control Policies DPD' (2007).

8. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the LPA.

Reason: To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the 'SCDC LDF Development Control Policies DPD' (2007).

9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the LPA.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the 'SCDC LDF Development Control Policies DPD' (2007).

10. The development hereby permitted shall not commence until a detailed cycle parking layout has been submitted to and approved in writing by the Local Planning Authority. The approved cycle

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
SUBJECT TO CONDITIONS

**Decision Date: 21 February 2018**

---

parking layout shall be implemented as such thereafter.

Reason: To ensure the provision of secure cycle parking in accordance with Policies DP/1, DP/2, DP/3 and TR/2 of the 'SCDC LDF Development Control Policies DPD' (2007).

11. All windows proposed to the single-storey rear building shall have a recess of no less than 200mm.

Reason: To ensure high quality design in accordance with Policy DP/2 of the 'SCDC LDF Development Control Policies DPD' (2007).

12. All the sash windows proposed to first floor side elevations of the development, i.e. the kitchen and bathroom window to the south elevation of Flat A and the window to the stairwell to the north elevation of Flat B, as indicated on Drawing no. 66-68/HIST/02 Rev A (Dec 2017) hereby permitted, shall be fitted with obscured glazing (meeting as a minimum Pilkington Standards Level 3 in obscurity). The development shall be retained as such thereafter.

Reason: To protect the residential amenity of residents in accordance with Policy DP/3 of the 'SCDC LDF Development Control Policies DPD' (2007).

13. No development shall take place until a plan showing the detailed layout of residential and commercial waste bins has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented as such thereafter.

Reason: To ensure the design of the residential and commercial waste facility is of a high quality to address the public realm and has regard to residential amenity in accordance with Policies DP/2 and DP/3 of the 'SCDC LDF Development Control Policies DPD' (2007).

14. No external lighting shall be provided or installed within the site boundary other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall be implemented and retained as such thereafter.

Reason: To help create a safe and secure environment and to minimise the effects of light pollution on the neighbouring area in accordance with Policies DP/3 and NE/14 of the 'SCDC LDF Development Control Policies DPD' (2007).

15. No part of the development hereby approved shall not be occupied until a scheme showing the details of external Closed-Circuit Television (CCTV) has been submitted to and approved in writing by the Local Planning Authority. The approved external CCTV scheme shall be implemented and retained as such thereafter.

Reason: To help create a safe and secure environment in accordance with Policy DP/3 of the 'SCDC LDF Development Control Policies DPD' (2007).

16. The development hereby approved shall not be occupied until details of the design of the gate proposed to vehicular access has been submitted to and approved in writing by the Local

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
**SUBJECT TO CONDITIONS**

**Decision Date: 21 February 2018**

---

Planning Authority. The approved gate details shall be implemented as such thereafter.

Reason: To ensure the appearance of the gate does not detract from the character of the area in accordance with Policy DP/2 of the 'SCDC LDF Development Control Policies DPD' (2007).

**Informatives**

1. There shall be no burning of waste or other materials on the site, without prior consent from the Local Planning Authority.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction works. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information, please contact the Council's Environmental Health Service Team.
3. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the Council's Environmental Health Officer so that noise and vibration can be controlled.
4. The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
5. The applicant should have regard to Part E of 'The Building Regulations' (2010) – Resistance to the passage of sound. Section 4 of the document sets out the sound insulation treatment requirements between floors for dwellings-houses and flats formed by material change of use.
6. The applicant should ensure the use of permeable paving materials for all external areas.
7. Before any existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which the property will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working operation. This should be brought to the attention of the applicant to ensure the protection of the residential environment of the area.
8. If during the development contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved to the satisfaction of the Local Planning Authority.

**General**

1. **Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
**SUBJECT TO CONDITIONS**

**Decision Date: 21 February 2018**

---

The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website [www.scambs.gov.uk](http://www.scambs.gov.uk). If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995 [now superseded by Article 30 of the Town and Country Planning (Development Management Procedure)(England) Order 2010], a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission (or reserved matter consent).

The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of a dwellinghouse. The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website [www.scambs.gov.uk](http://www.scambs.gov.uk) (application forms - 1app forms-application for the approval of details - pack 25.)

3. 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.
4. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them. The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act 1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.
5. In order to obtain an official postal address, any new buildings should be formally registered with South Cambridgeshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at [www.scambs.gov.uk/snn](http://www.scambs.gov.uk/snn). Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email [address.management@scambs.gov.uk](mailto:address.management@scambs.gov.uk). Please note new addresses cannot be assigned by the Council until the footings of any new buildings are in place.

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
SUBJECT TO CONDITIONS

**Decision Date: 21 February 2018**

---

6. The applicant's attention is drawn to the requirements of the Party Wall etc. Act 1996 if works are proposed to a party wall.
7. If you wish to amend the permitted scheme, and you consider the revisions raise no material issues, you should make an application for a Non Material Amendment. If agreed, the development can go ahead in accordance with this amendment although the revised details will not replace the original plans and any conditions attached to the originally approved development will still apply. If, however, you or the Council consider the revisions raise material issues you may be able to make an application for a Minor Material Amendment. If approved, this will result in a new planning permission and new conditions as necessary may be applied. Details for both procedures are available on the Council's website or on request.
8. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from Building Control Services at South Cambridgeshire District Council. Their contact details are: tel. 03450 450 500 or [building.control@scambs.gov.uk](mailto:building.control@scambs.gov.uk) or via the website [www.scambs.gov.uk](http://www.scambs.gov.uk).
9. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: [www.surveymonkey.com/s/2S522FZ](http://www.surveymonkey.com/s/2S522FZ)

*SS Kelly*

**Stephen Kelly**

Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

**THIS PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT 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.**

**SEE NOTES OVERLEAF**

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
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**Decision Date: 21 February 2018**

---

**NOTES**

**Appeals to the Secretary of State**

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 for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice except where the property is subject to an enforcement notice, where an appeal must be received within 28 days.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it 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 its decision on a direction given by him.

**Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable 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 District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING PERMISSION**  
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**Decision Date: 21 February 2018**

---

**IMPORTANT INFORMATION REGARDING CONDITIONS**

If you have been granted Planning Permission and/or Listed Building Consent you may wish to get started immediately, however it is always important to carefully read the decision notice in full before any work begins.

The majority of Planning Permissions and Listed Building Consents have conditions attached. Some conditions request further information that requires approval by the Local Planning Authority before any development takes place ('pre-commencement'). All conditions are set out on the decision notice.

Under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out unauthorised works to a listed building. Under Section 9 of the Act, a person shall be guilty of an offence should they fail to comply with any condition attached to the consent.

**HOW DO I DISCHARGE THE CONDITIONS**

Please note that the process takes up to eight weeks from the date the Local Planning Authority receives a valid application. Therefore it is important to plan ahead and allow plenty of time before work is due to commence.

You need to fill in a form to submit your request to discharge conditions, and accompany the relevant details/samples. You can download the necessary form by using the following link: <https://www.scambs.gov.uk/content/apply-planning-permission>. This form can be emailed directly to [planning@scambs.gov.uk](mailto:planning@scambs.gov.uk) or submitted by post to South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

When the required information has been submitted you will receive a reference and an acknowledgement letter. Once the Local Planning Authority is satisfied that the requirement of the condition have been met you will receive a formal notification that the conditions have been discharged.

**FEES**

£0 – for all Listed Building Consent 'Discharge of Conditions' applications;

£34 – for all householder 'Discharge of Conditions' applications;

£116 – for all other types 'Discharge of Conditions' applications.

Please contact your Case Officer with any queries.