

<b>Application Number</b>	09/0451/FUL	<b>Agenda Item</b>	<b>10.1</b>
<b>Date Received</b>	18th May 2009	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	13th July 2009		
<b>Ward</b>	Trumpington		
<b>Site</b>	5 Shaftesbury Road Cambridge Cambridgeshire CB2 8BW		
<b>Proposal</b>	Alterations and extensions of existing offices and alterations to the main parking and entrance areas.		
<b>Applicant</b>	Mr Peter Northmore C/O Agent Januarys Chartered Surveyors York House Dukes Court 54-62 Newmarket Road Cambridge CB5 8DZ		

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

- 1.1 5 Shaftesbury Road is situated on the north-east corner of the junction of Shaftesbury Road and Fitzwilliam Road. The plot is broadly rectangular in shape and is currently occupied by a detached nineteenth century property, number 5 Shaftesbury Road, situated at the northern end of the plot. This property has an established Class B1 office use and the applicant has occupied the premises since 2002.
- 1.2 This section of Brooklands Avenue Conservation Area is characterised by large detached residential properties set within generous rectangular plots. Mature trees along Shaftesbury Road contribute to what is a green, leafy vista through the street scene. The frontages to Shaftesbury Road and Fitzwilliam Road are formed by a brick wall approximately 1.8m in height, although there is a drop kerb and hard standing to the front of number 5.
- 1.3 The site falls within the Brooklands Avenue Conservation Area, but the building is not Listed. There is a Tree Preservation Order on the site protecting 6 trees. The site falls within the controlled parking zone.

## 2.0 THE PROPOSAL

- 2.1 This application seeks consent for the erection of a 2 storey extension, projecting 17m southwards to provide office accommodation. The extension takes the form of a 2 storey pavilion with a footprint of approximately 11m x 10m, which has a 6m x 4m stairway entrance link back into the existing building. The extension will stand 7m in height, broadly in line with eaves level of the existing property. and will also have a basement containing servicing and storage space. The extension will be clad with a mixture of glass and bricks and has an open sided balcony feature to the south eastern corner.
- 2.2 An existing single storey flat roof extension which bounds the southern flank elevation of the building, projecting 2.7m, will be demolished as a result of the proposals. This does not require a separate application for Conservation Area Consent.
- 2.3 The application also proposes a new cycle shelter to the rear of the building and new hard landscaping to the external spaces to the front of the existing building and extension.
- 2.4 The application is accompanied by the following supporting information:
1. Planning Statement
  2. Planning and Conservation Statement
  3. Design and Access Statement
  4. Landscape and Arboricultural Statement
  5. Transport Statement
  6. Foul and Surface water drainage
  7. Phase 1 Desk Study Report

## 3.0 SITE HISTORY

Reference	Description	Outcome
08/1355/FUL	Alterations and extension of existing offices and alterations to the main parking and entrance areas.	Withdrawn
C/00/0097	Application for Lawful Development Certificate (S191) for use of land for Class B1 (Business) purposes.	Development Lawful

## 4.0 PUBLICITY

- |                        |                |
|------------------------|----------------|
| 4.1 Advertisement:     | Yes            |
| Adjoining Owners:      | Yes            |
| Site Notice Displayed: | Yes, 2 notices |

## 5.0 POLICY

### 5.1 Central Government Advice

**5.2 PPS1 Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

**5.3 PPG13 Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

**5.4 PPG15 Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

**5.5 Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.6 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

5.7 **East of England Plan 2008**

ENV6 The historic environment

ENV7 Quality in the built environment

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.9 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

3/14 Extending buildings

4/4 Trees

4/11 Conservation Areas

4/15 Lighting

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/10 Off-street car parking

Planning Obligation Related Policies

8/3 Mitigating measures (*transport*)

10/1 Infrastructure improvements (*transport*)

5.10 **Supplementary Planning Documents**

**Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and

construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

## 5.11 Material Considerations

**Cambridge City Council (2004) – Planning Obligation Strategy:** Sets out the Council’s requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

**Cambridge City Council (2002)–Southern Corridor Area Transport Plan:**

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

**The Brooklands Avenue Area – Conservation Area Appraisal (2002):** Provides an appraisal of the Conservation Area including Shaftesbury Road. The Conservation Area Appraisal in itself does not have the same status as the Cambridge Local Plan 2006, although is a material consideration.

## 6.0 CONSULTATIONS

### Conservation

- 6.1 No objections in principle. Subject to conditions regarding window and other detailing.

The bulk and massing of the proposed structure has been vastly reduced from the previous application. However, any development on this site will still have a considerable impact upon the character and appearance of the Conservation Area. Therefore any proposals to develop this section of the site need to demonstrate how it will enhance the character and appearance of the Conservation Area. This is addressed within the 'Conservation Impact Assessment' document, contained within the application documentation, in that the proposed building is now subsidiary to the original building, whereas, in the previous application it was competing with the existing structure. There are therefore no conservation issues with this aspect of the application.

### **Arboriculture**

- 6.2 No objections in principle. The amended scheme is an improvement as there will be less of an impact upon the trees.

### **Cambridgeshire County Council (Transport)**

- 6.3 Southern Corridor Area Transport Plan (SCATP) contributions are triggered by the proposal. Given rigorous on street parking controls the site is unlikely to result in increased demand for parking on neighbouring streets.

### **Head of Environmental Services**

- 6.4 No objections subject to conditions relating to construction hours and further contaminated land investigations.

### **Design and Conservation Panel (Meeting of 11<sup>th</sup> February 2009)**

- 6.5 The applicant presented this revised scheme at the pre application stage, following the withdrawal of the initial proposal. The Design and Conservation Panel do not wish to comment further on this formal application.

The relevant section of the minutes of this panel meeting are set out below:

#### ***5 Shaftesbury Road – pre-application.***

*The proposal for a two-storey glass extension and alterations to*

offices within the Brooklands Avenue Conservation Area, was last seen at the October 08 Panel meeting, verdict RED (7), AMBER (2). The scheme has been significantly altered following the Panel's comments, with the fully glazed element now reduced to a 'link' between the existing building and a brick two-storey extension. Presentation by Mariano Cavaleri of Cavaleri Partnership and Paul Belton of Januarys.

The comments of the Panel are summarised as follows:

**Car parking.** The inherited arrangement of the six car parking bays across the entire frontage of an existing house is unfortunate – particularly so when one of the bays obstructs the approach to the entrance. The layout 'distracts' from rather than 'enhances' the Conservation Area.

**Cycle parking.** The location of the cycle sheds in front of the new extension is astonishing. These sheds obstruct the garden view from the offices and abut the balcony in a most uncomfortable way. Equally clumsy is the use of timber decking for the balcony, the sheds and the approach from the main entrance access path. There was an extended discussion about alternative locations for both open and covered cycle parking – including the space between the new extension and the eastern boundary wall (accessed through a new close-boarded gate from Fitzwilliam Road).

**The entrance.** The route to the entrance was seen as lacking in clarity. Both the street end of the path and the entrance doors in the glazed link should be clearly indicated. It was felt by some that the entrance to the existing building had far greater visual significance than that in the new link. Indeed, the CGI views – but not the plans – show a path to the former entrance. The location of the fence enclosing the garden should also be reconsidered – it abuts the new extension in an uncomfortable manner.

**Signage and lighting.** The Panel called for detail on these aspects, as a clean, uncluttered solution would be needed.

**The glazed entrance link.** Although the Panel has no remit to comment on internal planning, it nevertheless expressed concern about the planning of this link – the interior of which will be highly visible from outside. The entrance doors are positioned uncomfortably close to the staircase, which dominates this space. (The lack of any reception point – provision of which would help 'future-proof' the buildings – was questioned.) On the basis of experience of far smaller 'flat'

*glazed roofs elsewhere in Cambridge, the Panel commented that this large roof would require regular cleaning and a gutter system that could cope with autumn leaves. (Solar heat gain is also likely to be a major issue.)*

**The new extension.** *The Panel understands that this ‘pavilion’ is to be in brick to match the existing building. The following aspects are unresolved:*

**Wall/window relationship.** *There is no indication of the planar*

*relationship between the brick wall surface and the large glazed units. This will be crucial to the appearance of the building.*

- **West facing windows.** *These are likely to be particularly problematic, as light will cause glare on the computer monitors. Deciduous trees will not remedy this issue – which could become severe in winter. If these windows are to be shaded, the entire aesthetic of the extension will be affected.*
- **Windows generally.** *There was mention that some of the large windows could have opening sections. These are not shown on the drawings and will also affect the aesthetic.*
- **Balcony.** *The Panel felt that a different, less bulky balcony treatment would be worth exploring. What, indeed, is the function of this element?*
- **East elevation.** *This is unresolved*
- **North elevation.** *Not shown in the drawings passed to the Panel. How does the glazed link relate to it? (The same comment applies to the south elevation of the existing house.)*
- **The roof.** *The Panel thought the starkly flat roof did not relate well with the existing building and requires further thought.*

### **Summary.**

**The Panel agreed that the form and bulk of the new extension were acceptable. However, there were fundamental problems with the proposal that could only be resolved by a substantial re-design.**

### **OVERALL VERDICT – AMBER (3), RED (6)**

#### **Cambridge City Council Access Officer**

6.6 No objections.

6.7 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 Councillor Sheila Stuart has commented on this application. The representation is copied below:

*Dear Mr Evans,*

*I am e-mailing to request that in the event you are minded to recommend approval of this application, it be considered at Committee (South Area committee?) so that the issue of whether or not the proposed development preserves and enhances a conservation area (the Brooklands Avenue Area Conservation Area) may be debated in committee.*

*Kind regards*

*Sheila Stuart  
City Councillor for Trumpington*

- 7.2 The Brooklands Avenue Area Residents Association have made comments on this application; the main points are as follows:

There were 4 properties previously in commercial use prior to 2002, all of which have been converted to residential.

The policy of protecting gardens has been enforced in other areas of the Conservation Area.

The development would make it impossible for the premises to revert back to residential in the future.

It would be the first purpose built office anywhere on the block, setting a precedent.

There are other opportunities to relocate within Cambridge.

- 7.2 The owners/occupiers of the following addresses have made representations:

1, 3 and 4 Shaftesbury Road, 5, 9 and 17 Clarendon Road, Flat 1, number 5, 7, 11a and 15 Fitzwilliam Road, 18 Henslow Mews and 17 Brooklands Avenue.

- 7.3 The representations can be summarised as follows:

The proposed extension would be contrary to the Conservation

Area Appraisal policies which encourage the reversion of properties to residential.

It would represent the first purpose built office block in the area. Unconvinced that the property could be easily converted back to residential.

Not appropriate with the original Victorian Architecture.

There are numerous other opportunities to relocate within Cambridge.

There is a need to preserve existing gardens.

Requirement of air conditioning is not sustainable.

Overlooking of neighbouring gardens.

Negative impact upon views from the garden of number 11a Fitzwilliam Road.

Creation of car park regrettable.

Increased traffic flow along Shaftesbury Road

- 7.4 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. The Character and Appearance of the Conservation Area
3. Tree Issues
4. Residential amenity
5. Disabled access
6. Refuse arrangements
7. Car and cycle parking
8. Third party representations
9. Planning Obligation Strategy

The previous application (08/1355/FUL) was withdrawn due to the following concerns:

- 1) **Design:** The scheme provided insufficient rationale for the contrasting totally glazed appearance, which related poorly to the main dwelling. The main office space also did not have adequate definition in its own right with the link section being

disproportionately large.

- 2) **Amenity:** Some concerns regarding the impact on adjacent flats in terms of positioning of windows and light spillage.
- 3) **Loss of boundary wall.** This was considered to detract from the character of the street scene and would also have lead to a loss of public street parking.

### **Principle of Development**

- 8.2 Local plan policy 7/2 states that employment development proposals, including changes of use will only be permitted where they fall within certain prescribed categories. Part (a) of this policy refers to the provision of office or other development within Use B1a providing an essential service for Cambridge as a local or Sub-regional centre, where there is proven need for a regional function. In this instance however, there is no requirement upon the application to prove such a need, as this policy does not apply to development by established bodies for their own occupation and use. 'Reddie and Grose', a firm of Patent and Trade Mark Attorneys, (which would in any case be considered an essential service for the Sub-region as defined by policy 7/2) have occupied the unit for more than 5 years, and therefore there is no burden to prove the need for the office extension.
- 8.3 The Brooklands Avenue Conservation Area Appraisal seeks to protect the domestic character of the area. Advice within this supporting guidance states that the Council will not permit the change of use of dwellings to commercial premises, and will encourage the return to residential use. However, number 5 Shaftesbury has an established office use, therefore the proposal is not contrary to this objective. It is noted that other properties along Shaftesbury Road have reverted back to residential, in the spirit of the Conservation Area Appraisal; and the applicant has also demonstrated how the new extension could be converted into a residential use in the future.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 7/2.

### **The character and appearance of the Conservation Area**

- 8.5 The key issue with regard to the impact upon the Conservation Area relates to the detailed design and appearance of the proposed new extension in relation to the existing dwelling, and its

appearance within its wider setting.

- 8.6 In terms of Local Plan policy relevant to the design issues, policy 4/11 states that development within a Conservation Area should preserve or enhance its character and appearance and should retain buildings, spaces, gardens, trees, hedges, boundaries and other site features which contribute to its character. In addition, Local Plan policy 3/14 states that extensions to existing buildings should reflect or successfully contrast their form and architectural detailing, should not dominate neighbouring buildings, and, within a Conservation Area, should seek to preserve or enhance its character and appearance. The Brooklands Avenue Conservation Area Appraisal also provides supporting advice on considered proposals for extensions. Extensions must respect the scale, form, materials, emphasis and detailing of the original building.
- 8.7 The previous scheme was considered unacceptable as the glass structure did not relate, follow or draw inspiration from any of the other buildings or surroundings. Whilst this is not unacceptable in itself, it does need to be supported by a strong design appraisal informing this conclusion. The previous concept for the form of the extension, was for green tinted glass to provide a reflection of the garden (giving the sense of a bigger garden). In my view this did not justify such a strident form, with a disproportionate link section resulting in a composition which did not relate well to the existing property.
- 8.8 This proposed scheme however is much improved in terms of its design. The main square plan of the extension remains as a separate entity, being attached to the host property with a glazed link. This approach is still considered appropriate given the overall size of the plot, although its execution within this revised submission is considered much more successful.
- 8.9 The overall depth of the extension from the existing building to Fitzwilliam Road has been reduced from 19.8m to 17.4m. In addition, the glazed link section has been considerably reduced in size and overall presence. This results in an improved balance between the existing building and the appearance of the new extension. The main form of the extension will exercise a greater strength and presence in its own right (a previous concern of the Design and Conservation Panel) because of the reduced link section. The existing building and the new extension will be clearly distinct elements, although in much better proportion with

one another, which was not the case previously.

- 8.10 In terms of detailed design, in light of design guidance contained within the Brooklands Avenue Conservation Area Appraisal, the proposed development should in my view make appropriate references to the host building and the locality, in order to make a positive contribution to the character and appearance of the Conservation Area. The new extension is now predominantly brick which is consistent with the existing building and the character of the area. The completely glazed solution previously proposed was not considered to be successful in this location.
- 8.11 In addition, the extension mimics the soldier courses which are a feature of the existing building, which provides a further reference between old and new. However, following comments from the Council's Conservation Team, a stronger relationship would be achieved through removing the proposed anodised aluminum reveals to expose the brickwork reveals, which is consistent with the original property. This detail can however be secured through the imposition of a suitable planning condition. (Condition 4).
- 8.12 The proposal now features a recessed roof detailing which gives an improved definition to the edge of building and addresses concerns raised by the Design and Conservation Panel.
- 8.13 In terms of the external spaces of the development, this revised scheme now retains the wall which fronts Shaftesbury Road. This is welcomed as the boundary makes a positive contribution to the character and appearance of the Conservation Area. The character of the street scene of Shaftesbury Road will not in my view be degraded as a result of this proposal.
- 8.14 The arrangement of car parking is largely unchanged from the existing layout. However, the applicant proposes to improve the hard landscaping to the site frontage by replacing the tarmac with permeable block pavements and a high quality stone walkway. I feel this addresses those concerns of the Design and Conservation Panel.
- 8.15 Concerns have been raised regarding the protection of rear gardens within the Brooklands Avenue Conservation, which is considered in paragraph 7.08 of the Appraisal document. This policy states that proposals will be resisted where they would involve a significant loss of areas of garden or trees. However,

given the overall size of the plot and the high quality landscaping and tree protection measures that are proposed, the extension would not in my view harm the setting, or character and appearance of either number 5 or the wider Conservation Area. The front building line of the extension is set back from Shaftesbury Road by some 13m and the development would leave a generous garden area that is proportionate to the size of the overall building as extended.

#### Officer Comments on notes from the Design and Conservation Panel

- 8.16 This application has been presented to the Design and Conservation Panel on 2 occasions. The latest pre application presentation, the minutes of which are set out in this report, raise a number of issues which resulted in the scheme attracting a negative overall verdict.
- 8.17 However, the design panel minutes do not prioritise what in my view is the key issue: the form and bulk of the extension. This aspect of the proposal was considered acceptable by members of the panel within their overall conclusion. Each of the other issues raised by the panel has in my opinion been successfully addressed within this resubmitted scheme and is discussed within the relevant subsections.
- 8.18 In summary, this revised scheme has reached a stage whereby both Council Officers and the Design and Conservation Panel are happy with the form and bulk of the extension. Furthermore, the revised roof detailing, fenestration and cycle parking (all of which have been amended after the pre application comments of the Design and Conservation Panel), result in a development which will complement its surroundings and make a positive impact upon the character and appearance of the Conservation Area.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/11.

#### **Tree Issues**

- 8.20 The Council's Arboricultural Officer has considered this scheme and is content with the proposals. The scheme will result in the loss of 5 protected trees, a yew, 3 Sycamores and 1 thuja. Whilst these specimens do add amenity value to the street, this group

can be removed and the opportunity taken to renew the tree cover for the long term. They are in poor to average physical condition and will be replaced with 5 new specimens to the western Shaftsbury Road frontage.

- 8.21 In my view the proposal makes adequate provision for the retention of Protected Trees and suitable replacements for those which are to be lost. In my view the proposal is compliant with Cambridge Local Plan 2006 policy 4/4.

### **Residential Amenity**

- 8.22 The proposed extension will have greatest impact on the adjacent flats to the south east. Whilst the building will create some sense of enclosure for these residential properties, given the building is set 4m from the common boundary and the link section is also more recessed within this revised application, the harm is not considered to justify refusal. In addition, the rear outlook of the flats is north facing and there is unlikely to be a significant loss of light.
- 8.23 The proposed balcony feature would not result in any overlooking of the neighbouring windows. The window openings within the eastern rear elevation of the new extension can be also be ensured to be fitted with obscured glass through the imposition of a suitable planning condition, (condition 10). Whilst there may be some light spillage from the office, the elevation contains relatively few openings and this issue would be reduced through motion sensitive lighting.
- 8.24 The extension would be positioned some 30m to the west of number 11a Fitzwilliam Road. Whilst the development may be partially visible, given the angles and the overall distance there will not be any adverse impact.
- 8.25 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

### **Refuse Arrangements**

- 8.26 The refuse arrangements will remain as existing, being a single 1100 litre bin. The applicants monitor their production of waste

through their waste management system. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

### **Car and Cycle Parking**

8.27 The County Highways Authority have considered this proposal and do not object in principle. The maximum car parking provision for the office as extended would be 8 spaces. The development provides 6 spaces, one of which would be suitable for disabled users. Whilst this is below the maximum standard, given the rigorous parking controls in the vicinity and the excellent public transport and cycle options which exist, the lower parking provision is practicable and unlikely to result in increased demand for parking on neighbouring streets.

8.28 The application also proposes a new cycle shelter for 16 cycles and 8 additional Sheffield stands, which would be both convenient and secure. This issue received extensive debate at the Design and Conservation Panel, as cycle provision was previously proposed to the front of the building. This issue in my view is now resolved, as the cycle provision is to the rear of the building and not visible from the public domain. There would be no detrimental impact therefore on the character and appearance of the Conservation Area. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

8.29 The majority of the points raised in letters of representation received have been addressed in the above assessment. The following additional issues have also been raised:

*The use of air condition is not sustainable*

The building integrates natural ventilation and mechanical ventilation. There are no mechanical external units in the external areas or roof which might detract from the character and appearance of the Conservation Area.

### **Planning Obligation Strategy**

8.30 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning



obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The proposed development triggers the requirement for the following community infrastructure:

### Transport

- 8.31 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the Southern Corridor Area Transport Plan where the contribution sought per trip is £229.
- 8.32 The applicants have submitted a transport assessment on which the following assessment of additional trips and contributions is based. The application requires a contribution of £29,151.00 which has been agreed by the County Council.
- 8.33 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), I am satisfied that the proposal accords with East of England Plan policies T1 and T4, Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9 and Cambridge Local Plan (2006) policies 8/3 and 10/1.

## **9.0 CONCLUSION**

The revised extension is of an appropriate scale, form and massing in relation to both the host dwelling and the wider street scene and Conservation Area, and will make a positive contribution to its character and appearance. There is a clear rationale for the use of materials and detailing, and previous concerns regarding amenity, cycle parking and the external spaces have been addressed. Approval is therefore recommended.

## **10.0 RECOMMENDATION: APPROVE subject to the satisfactory completion of the s106 agreement by 30 August 2009 and 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. Prior to the commencement of development the choice of timber decking for the proposed 'loggia' and the brick, bond, mortar mix design and pointing technique is to be submitted to and approved in writing by the Local Planning Authority by means of sample panels prepared on site. The approved panel is to be retained on site for the duration of the works for comparative purposes. The development shall be implemented in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area, Cambridge Local Plan policy 4/11.

3. Prior to the commencement of development, full details of the capping material proposed for the roof are to be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area, Cambridge Local Plan policy 4/11.

4. Prior to the commencement of development full details of the glass types (for all doors/screens/roofs or other glazed features), the anodised aluminium dressing and the window reveal finish shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area, Cambridge Local Plan policy 4/11.

5. Prior to the commencement of development, full details of the 'making good' of exposed areas revealed by the demolition to form the glazed link to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the Conservation Area, Cambridge Local Plan policy 4/11.

6. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

7. 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: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

8. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

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

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: In the interests of the amenity for future occupiers of the building, Cambridge Local Plan 2006 policy 4/13.

9. 1. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:
- a) A Tree Protection Plan, as defined in BS 5837:2005 'Trees in Relation to Construction' Recommendations:, containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:
- Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, including the demolition of the existing building and the existing patio, in order to establish Root Protection Areas and construction exclusion zones;

Arboricultural method statements for any special engineering operations within Root Protection Areas;  
Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;  
Arboricultural method statements for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air-spade technology; irrigation; and mulching where appropriate;  
Arboricultural method statement for any development facilitation pruning.  
and

b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - 'The construction exclusion zone: barriers and ground protection'

The developer shall appoint a competent arboriculturalist to oversee the project. The arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

Reason: In order that the proposal makes adequate provision for the retention of protected trees, Cambridge Local Plan 2006 policy 4/4.

10. The 4 windows within the eastern rear elevation shall be fitted with obscured glass and permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 3/14.

### **Reasons for Approval**

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV6 and ENV7

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 3/14, 4/4, 4/11, 4/15, 8/2, 8/3,

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

Unless prior agreement has been obtained from the Head of Development Services, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 30 August 2009 it is recommended that the application be refused for the following reasons.

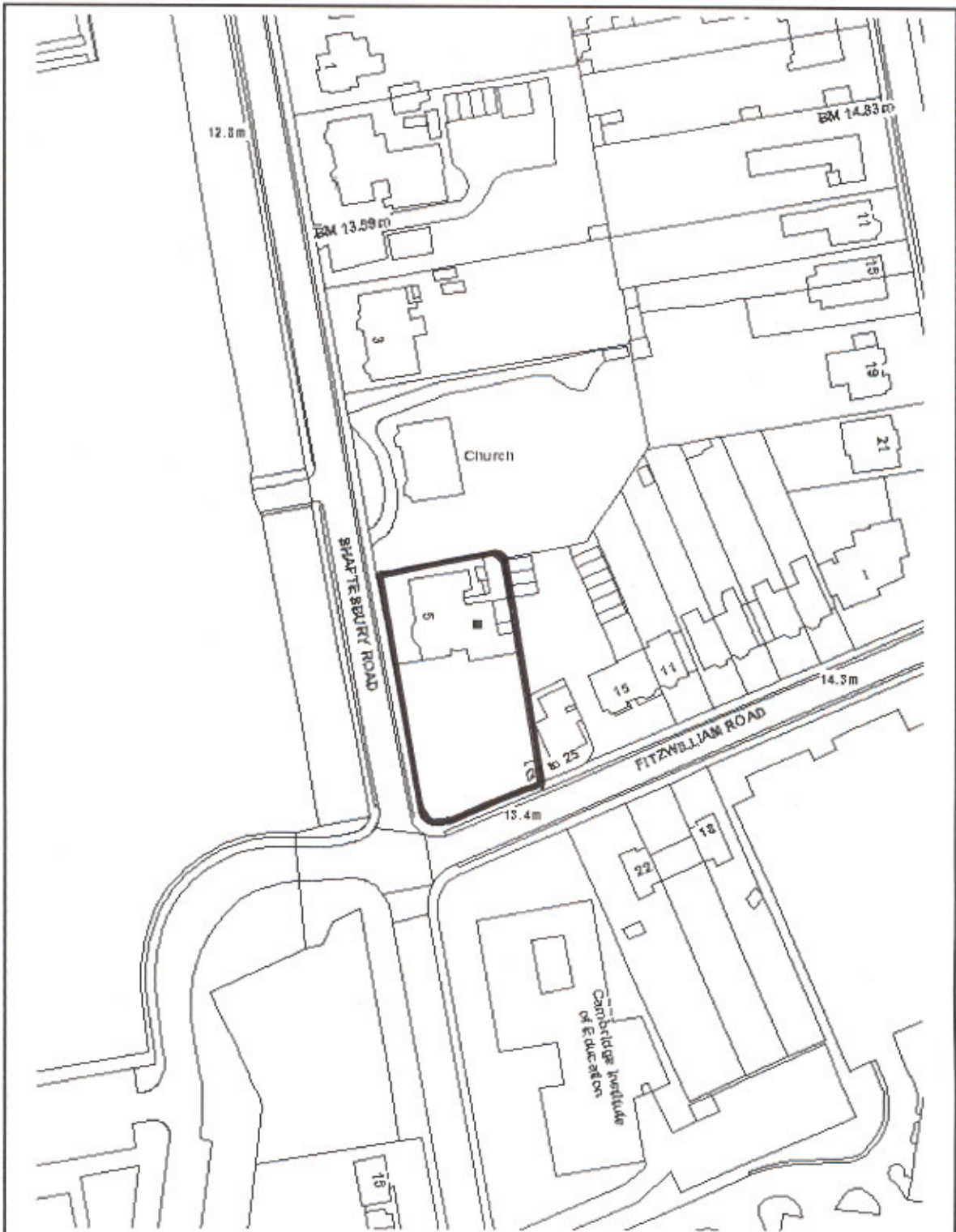
The proposed development does not make appropriate provision for transport mitigation measures in accordance with the following policies of the Cambridge Local Plan 2006: 8/3 and 10/1; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004 and Southern Corridor Area Transport Plan 2002.

### **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



**09/0451/FUL**  
**5 Shaftesbury Road Cambridge Cambridgeshire CB2 8BW**