

Application Number	08/0461/FUL	Agenda Item	8.2
Date Received	31st March 2008	Officer	Mr Tony Collins
Target Date	26th May 2008		
Ward	Castle		
Site	Masons's Court St Peter's Street Cambridge Cambridgeshire CB3 0BQ		
Proposal Applicant	Erection of a three storey dwelling. Mr N Hellowell Masons's Court St Peter's Street Cambridge Cambridgeshire CB3 0BQ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Mason's Court is a narrow curtilage on the south-west side of St Peter's Street. It extends 28m back from the street frontage, and is close to 6.5m wide through most of its depth, widening to 7.5m as it meets the St Peter's Street footway.
- 1.2 To the south-east is the Castle End Mission, a two-storey red-brick building, with a pitched roof and some gothic details, dating from the 1880's. To the north-west is a recent development of houses and flats, 18-24 Albion Row (built on the site of the former Cow and Calf public house), and adjoining terraced or near-terraced houses facing Albion Row. To the south-west, the property abuts the rear garden of Mason's Garden, a detached house facing Haymarket Road. With the exception of the Mission, the area is almost entirely residential, but there is a very small commercial building to the east of Mason's Garden.
- 1.3 The site is at present entirely covered with gravel. It is not separated from the Mission curtilage by any physical boundary marker. The application site and the rear part of the Mission site appear to be used together as a single car parking area serving the Mission, the commercial use, and Mason's Garden. A strip of land in the eastern corner of the site, 13m deep and 2.5m wide, is the subject of a right of access for the Mission.

- 1.4 The site falls within the City of Cambridge Conservation Area No.1 (Central), but no adjacent buildings are listed. The site falls within the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application proposes the erection of a single three-storey dwelling. The building would stand at the rear of the St Peter's Street footway, and immediately adjacent to the common boundary with 18-24 Albion Row. It would measure 17m from SW to NE and 4m from SE to NW.
- 2.2 On the NE (front), SE and SW elevations, the building would be clad largely in smooth render and timber boarding, with a brick plinth. The NW elevation, facing towards 18-24 Albion Row, would be finished entirely in brick. The building would have eaves at 8m above ground level, with a shallow metal-clad, monopitch roof, rising to a ridge 8.7m above ground along the NW edge of the building and hipped at both ends. From the roof would project a narrow 1.2m high flue from a wood-burning stove, and a 2m high lightwell.
- 2.3 At the front of the building, there would be a single window on each floor. All would wrap round the corner to extend along the wall facing the Castle End Mission, for 2.8m in the case of the ground and second floor windows, and for 0.6m in the case of that on the first floor. The second floor glazing would open on to a 1m x 2.5m balcony cantilevered out over the access drive to the SE.
- 2.4 In the centre of the SE elevation, a glazed section 3m wide, incorporating the main entrance to the house, would extend the full height of the building. This glazing would be clear on the lower two floors, but obscure on the second floor. At the rear of the building, on the ground and first floors, windows would wrap round the corner on ground and first floors in a similar manner to those at the front corner. On the second floor, a living area would be cantilevered out over the access drive and rear yard. This area would jut out 1m from the main wall of the building, and would extend 3.6m along the side elevation and 2.8m along the rear elevation. This space would be enclosed by full-height glazed folding doors, with a brise-soleil above, and a shelf with a louvred screen on the SW and NW sides to protect the privacy of properties in Albion Row.

2.5 To the rear of the house, a small area 8m x 3.5m would be enclosed by a low brick wall with trellis above. This rear yard area would include a store for cycles and bins. A single car parking space would be provided.

2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

3.1 Application site

Reference	Description	Outcome
98/0751	Three-storey house	Refused. Appeal dismissed
99/0337	Three-storey house	Approved with conditions

3.2 Adjacent site (now 18-24 Albion Row)

Reference	Description	Outcome
00/0045	Demolition of existing public house	Withdrawn
00/0046	Erection of eight dwellings	Withdrawn
00/0310	Total demolition of existing buildings	Approved with conditions
00/0311	Erection of six dwellings with underground car parking cycle and waste storage	Approved with conditions
02/1079	Erection of three houses and three flats/maisonettes	Approved with conditions

3.3 The application made under 98/0751 was for a dwelling similar to the present application. The most marked difference from this application was that a cantilevered second-floor bay at the front of the building would have projected out over the street as well as over the access driveway at the side. The appeal was dismissed for two reasons: the harm caused to the character

and appearance of the conservation area by the design, especially that of the front bay; and the absence of any on-site parking space. A copy of the Inspector's decision on this application is attached to this report.

3.4 The application made under 99/0337 has been implemented by the insertion of 22 piles, which are visible on the ground surface. The extant status of that application is a material consideration in the determination of the present application, because the building permitted by 99/0337 could be erected in its entirety without the need for further permission, and regardless of whether the present application is approved or refused.

3.5 It is therefore important to be clear about the very limited differences between the building permitted by 99/0337 and that sought under the present application. I set them out below.

	C/99/0337/FP	08/0461/FUL
1	Two chimneys on roof, each measuring 500mm x 1m, and rising 2.2m above roof ridge.	Single flue from wood-burning stove towards rear of roof, 150mm in diameter and rising 1.1m above roof ridge
2	Ground and first floors pulled back 1.1m-1.3m from street frontage on NW side, stepping forward to 0.5m from footway on SE side. Plinth slopes outward beneath windows on ground floor.	Ground and first floors pulled back 0.7m-1.0m from street frontage on NW side, stepping forward adjacent to footway on SE side
3	On ground and first floor, bays project to side (SE) on ground and first floors: 0.5m at front corner, 0.9m at rear corner.	No side bays on ground or first floors.
4	Spiral staircase within building, central, on NW side.	Conventional staircase in same position.

5	No lift.	Lift.
6	No fenestration on NW elevation.	Single small, high-level, obscure-glazed window on NW elevation on each of ground and first floors.
7	Rear door in SW elevation of house.	Rear door in NW elevation of rear ground floor bay.
8	Front end of second floor set back 2.5m from first floor. No balcony to front or side.	Front end of second floor aligned with first floor on NW side, set back 0.5m on SE side. No balcony over footway to front, but side balcony cantilevered 1m out over access drive.

3.6 Other than these differences, the present application is identical to C/99/0337/FP. There is no difference in the height of the building, nor in the depth.

4.0 PUBLICITY

4.1 Advertisement: No
 Adjoining Owners: Yes
 Site Notice Displayed: No

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 **Planning Policy Statement 3 (PPS 3) Housing** : Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.
- 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 **PPG16: Archaeology and Planning (1990)**: Provides policy advice with regard to archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.
- 5.6 **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.
- 5.7 **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.

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

P1/3 Sustainable design in built development

Planning Obligation Related Policies

P6/1 Development-related Provision

P8/3 Area Transport Plans

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

3/12 The design of new buildings

3/13 Tall buildings and the skyline

4/11 Conservation Areas

5/1 Housing provision

8/2 Transport impact

8/6 Cycle parking

8/10 Off-street car parking

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development

5/14 Provision of community facilities through new development

10/1 Infrastructure improvements

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 (2006) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development.

Cambridge Historic Core – Conservation Area Appraisal (2005): Provides an appraisal of the Historic Core of Cambridge.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 There appears to be insufficient space to turn a vehicle to enable it to leave in forward gear. Informatives recommended.

Environmental Health

- 6.2 Recommend approval. Although a wood-burning stove is potentially contrary to local plan policy, anticipated emissions would be minimal. Condition recommended to ensure waste storage provision is adequate.

Cambridgeshire County Council (Archaeology)

- 6.3 The site lies in an area of high archaeological potential. A condition should be imposed requiring a programme of archaeological work to be agreed before development.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

16 Albion Row
17 Albion Row
18 Albion Row
19 Albion Row
20 Albion Row

- 7.2 I have also received representations from a group of seven residents of 18-24 Albion Row which includes those who have made individual representations listed above.
- 7.3 I have also received representations from the Castle End Mission.
- 7.4 The representations can be summarised as follows:

Principle of development

Overdevelopment

Context of site, design and external spaces

Full height on the street frontage is obtrusive, as ruled by Inspector
Negative impact on setting of listed buildings
Balcony too close to Mission
'watchtower' design inappropriate

Residential amenity

Overshadowing
Restriction of views
Overlooking
Waste store would create smells
Wood-burning stove creates health hazard
Light and fumes from car parking would cause disturbance to 16 Albion Row
Attaching steel gate to the Mission is unacceptable

Car and cycle parking

Insufficient car parking

Operation of the planning process

Reliance on a 1999 planning permission because development has commenced is unfair
Residents had no knowledge of existing permission
Applicant has not shown due diligence in progressing the project
Section 97 of the Town and Country Planning Act 1990 gives the council the right to revoke planning permission, which should be used

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

- 8.2 This is a windfall site, whose use for residential purposes would be in accordance with policy 5.1 of the Cambridge Local Plan (2006). I do not consider that the erection of a single dwelling here would constitute over-development.

Context of site, design and external spaces

- 8.3 The context of this site has been significantly altered since the previous approval by the erection of the development at 18-24 Albion Row. In my view, the proposed building would respond well to the Albion Row block when seen from the street, not only in terms of height, but also in elevational form and materials. The proposed building is of unorthodox design, but the street scene is heterogeneous, and the house would make reference to its immediate neighbour by means of a very similar height, render and metal roofing, and a balcony overlooking the street.
- 8.4 The Inspector, in ruling on C/98/0751/FP considered that a balcony cantilevered out over the pavement would offer an opportunity to look down without a reciprocal facility, and would be like a watchtower, creating an alien form in the street. He was silent on whether a balcony to the side of the building would have a similar impact. In my view, this judgement would be much more difficult to sustain in the present context with first- and second-floor balconies on the building immediately adjacent, but I consider the position of a side balcony to be different in any case. I do not consider that the present proposal would have the appearance of a watchtower, or that it would seem alien in the street scene. I acknowledge that the side balcony would bring the building close to the Mission (2.2m), but in my view that is acceptable in an urban context, and would add visual interest to the building.
- 8.5 Although neighbour representations state that adjacent buildings are listed, this is not in fact the case, and in my view the issue of the impact of the proposed building on the setting of listed buildings does not apply.
- 8.6 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2 and P1/3, Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

- 8.7 I do not consider that there are any issues of residential amenity to the south-east or south-west of the site. The buildings to the south-east and south are not dwellings, and in any case, there are only two small obscure-glazed windows in the north-east gable end of the Mission, serving a room which has other windows. The house at Mason's Gardens is more than 20m from the proposed building, and shielded by trees.
- 8.8 On the north-east side, the proposed building would be in the same relationship to houses opposite as are the existing flats to the north-west. St Peter's Street is quite wide at this point, and the proposed building would be 18m from the front windows of No. 15 opposite. I do not consider that issues of privacy, sunlight or visual domination in this direction would support refusal of permission.
- 8.9 On the north-west side the impact of the proposed building on the amenity of the occupiers of 18-24 Albion Row would be very significant. The blank north-west wall of the proposed house would be between 3m and 4.5m from the edge of the first-floor balconies which form the rear gardens of 18, 19 and 20 Albion Row, and between 6.5m and 8m from their rear elevations. I do not consider there would be any loss of privacy, as the only windows proposed in this elevation are high-level and obscure-glazed. Planning control does not guarantee the maintenance of particular views enjoyed by residents. However, the unrelieved elevation would be an overwhelming visual presence in the rear outlook of all the properties in this development and would give rise to a very strong sense of enclosure. The proposed building, lying to the south-east of these properties, would result in considerable overshadowing of the rear balconies and rear windows of all of the units in the block.
- 8.10 When assessing the application for the Albion Row site made under 00/0311, the case officer considered the implications for the living conditions of future occupiers of 18-14 Albion Row of the extant permission on this application site. She noted that the blank rear wall of the permitted building would overshadow the proposed courtyard gardens of the Albion Row houses, but stated that she did not consider that this would give rise to unacceptable living conditions. I concur with this view; had the permitted building already been in place at Mason's Court, I do

not consider that this overshadowing would have provided justification for the refusal of the application at 18-24 Albion Row.

- 8.11 Nonetheless, in the absence of any existing permission on the application site, I would consider that these detrimental impacts of the proposed building on the residential amenity of the occupants of 18-24 Albion Row (overshadowing, visual domination, sense of enclosure) to be sufficient reason to refuse planning permission for the building proposed here.
- 8.12 The impact of this proposal in these respects must be assessed however, in the context of the existing permission on the site, C/99/0337/FP. Although there are differences in detail between this proposal and the approved building, its height, extent, roof form and north-west elevation are all virtually identical. The only differences in these elements would be a slight change in the roof profile at the St Peter's Street end (which would have no impact because it would be hidden from the relevant windows and balconies by the upper storeys of the Albion Row building), the insertion of two small high-level, obscure-glazed windows, and the replacement of two substantial chimneys by a single, shorter, and much more slender, flue. Hence the impact of the proposed building on the occupants of 18-24 Albion Row would be no different from that of the building approved by the extant permission C/99/0337/FP, and it would therefore not be reasonable to refuse permission on these grounds.
- 8.13 I do not consider that odours from the proposed waste store are likely to be detrimental to the amenity of neighbours. In the light of the advice from the Environmental Health department about the anticipated level of emissions, I do not consider that the flue from the wood-burning stove is likely to be a health hazard to neighbours. I do not consider that the impact of lights and fumes from manoeuvring cars on neighbours is likely to be any different from the present situation. The issue of the attachment of a gate to the Mission building is a legal, rather than a planning question.
- 8.14 In my opinion the proposal respects the residential amenity of its neighbours and the constraints of the site to the same degree as the existing extant permission on the site. If that permission did not exist, the impact of the proposed building on neighbouring occupiers in terms of visual domination, sense of

enclosure, and overshadowing would conflict with Cambridge Local Plan (2006) policy 3/4 to such a degree as to warrant refusal, but the impact of the proposal would be no different in these respects from the extant permission and I do not therefore consider that it would be reasonable to refuse permission on these grounds.

Highway Safety

- 8.15 The highway authority has not objected on highway safety grounds, but has sought clarification of the arrangements for turning vehicles, implying that it would be concerned if vehicles were to emerge from the access drive on to St Peter's Street in reverse gear. I accept that the site layout shown does not include space for a vehicle to turn within the application site. In fact, however, there is no physical boundary between the curtilages of Mason's Court and Mason's Gardens and that of the Castle End Mission, and I think it most unlikely that such a barrier would be erected in the foreseeable future. Turning a vehicle is therefore possible within the Mission car park, and I do not consider that it would be reasonable to refuse planning permission because of the possibility that at some future date, the ability to turn vehicles on the site might be compromised.
- 8.16 I accept that the proposed building would make it impossible for any vehicle over 5m in height to access the rear of the proposed building or the rear of the Mission. The highway authority has raised no objection to this, and I do not consider that in planning terms, this is unacceptable.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.18 The maximum level of on site car parking permitted for this development under the City Council Car Parking Standards is one parking space. Such a space is provided. The City Council's Cycle Parking Standards require the provision of two cycle parking spaces. Two such spaces are provided
- 8.19 In my opinion, notwithstanding neighbour objections under this heading, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.20 I have addressed all the issues raised regarding the principle of development, the context and design, residential amenity and car parking under those headings.
- 8.21 Section 56 of the Town and Country Planning Act 1990 makes it clear that the installation of foundations constitutes commencement of development, and under Section 91 of the Town and Country Planning Act 1990, the duration of planning permission is only limited by the condition requiring commencement within the period specified in the permission. This means that the permission granted under C/99/0337/FP remains extant. I am at a loss to understand how property searches at the time of purchase failed to reveal the existence of the permission to the current occupiers of 18-24 Albion Row. I understand the dismay which this discovery has caused to those occupiers, but this does not alter the validity of the permission.
- 8.22 Although the applicant has taken no further action to progress the approved development since the installation of piles in the summer of 2003, I do not believe that the situation offers any justification to the Council to revoke planning permission under Section 97 of the Town and Country Planning Act 1990.

Planning Obligation Strategy

- 8.23 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to the provision or improvement of public open space and community facilities, and 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.
- 8.24 The total contribution sought has been calculated as follows:

Formal open space

£360 per person: contribution – £720 (£360 x 2 bedrooms)

Informal open space

£306 per person: contribution - £612 (£306 x 2bedrooms)

Play space

£399 per person: contribution - £798 (£399 x 2 bedrooms)

Community Development

£1085 per 1 or 2 bed unit: contribution - £1085

8.25 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 Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1.

9.0 CONCLUSION

9.1 Although I consider the principle, design and car parking provision of this proposal to be acceptable, I would, in the absence of an existing permission on this site, recommend refusal of this application on the grounds of its significant negative impact on the residential amenity of neighbouring occupiers in terms of overshadowing, visual domination and sense of enclosure. However, since the impact of this proposal in these respects would be precisely the same as that of the approved building, permission for which remains extant, I do not consider that it would be reasonable to refuse the application for those reasons.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 24th May 2008 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development 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 that the appearance of the external surfaces is appropriate. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. No development shall commence until detailed plans at a scale of 1:20 or greater of measures to preclude views of the neighbouring residential properties on Albion Row, from the second floor living room window of the development hereby approved.

Reason: To ensure protection of privacy for neighbouring occupiers. (Cambridge Local Plan 2006 policy 3/4.)

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these 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); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); 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.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. 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: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. No development shall take place 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. Notwithstanding the submitted plans, no development shall commence until detailed drawings have been submitted to and approved in writing by the local planning authority to demonstrate that the lightwell is of a satisfactory design, which preserves the skyline views of King's College Chapel.

Reason: To protect key vistas, the skyline, and views over the city. (Cambridge Local Plan 2006 policy 3/13)

8. No development shall take place until full details of the provision for storage of waste and recycling have been submitted to and approved in writing by the local planning authority. The approved facilities shall be implemented in full before the dwelling is occupied.

Reason: To ensure satisfactory facilities for refuse and recycling. (Cambridge Local Plan 2006 policy 3/12)

9. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,

- ii) contractors site storage area/compound,

- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

10. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

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:

Cambridgeshire and Peterborough Structure Plan 2003: policy P1/3

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/12 and 5/1

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 24th May 2008 it is recommended that the application be refused for the following reason(s).

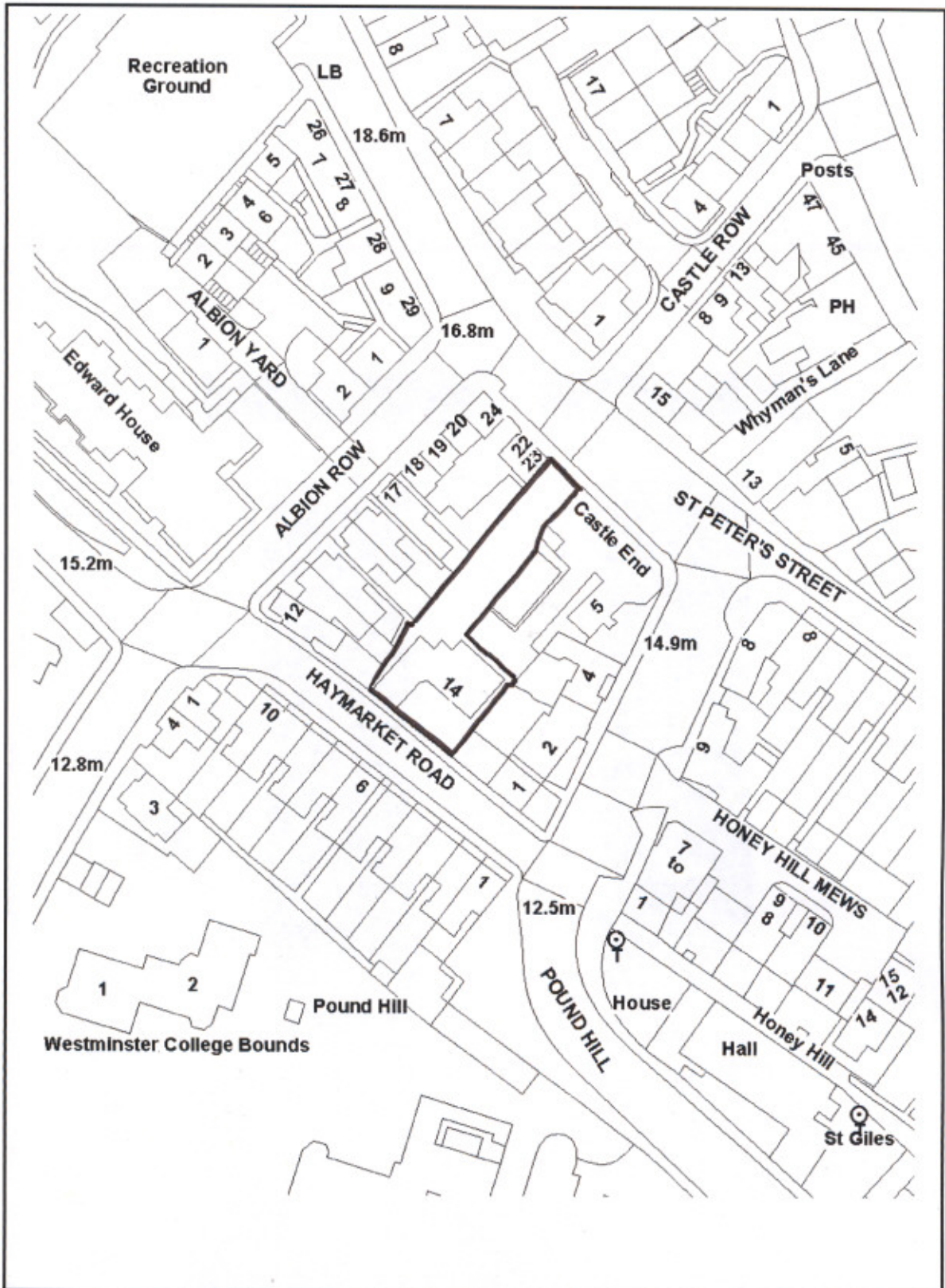
The proposed development does not make appropriate provision for public open space or community development facilities, in accordance with policies 3/8, 5/14 and 10/1 of the Cambridge Local Plan 2006; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

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.



08/0461/FUL

Masons's Court St Peter's Street Cambridge Cambridgeshire