

Application Number	09/1045/FUL	Agenda Item	9.3
Date Received	10th November 2009	Officer	Mr John Evans
Target Date	5th January 2010		
Ward	Abbey		
Site	Land Adjacent To 95 Ditton Walk Cambridge Cambridgeshire		
Proposal	Residential development to form 7x2 bed dwellings and 1x1 bed flat with associated car/cycle parking, amenity area and landscaping, following the demolition of the existing garages.		
Applicant	C/O Agent Januarys Chartered Surveyors York House Dukes Court 54-62 Newmarket Road Cambridge CB5 8DZ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a roughly rectangular plot situated on the north-western side of Ditton Walk, with a frontage of 21 metres and a depth, in the main body of the site (south-west of the access), of 41 metres. Upon the site currently are 3 lines of concrete garages; the two longer rows (on the south west part of the site) are separated from the shorter row by a private access road which is within the site and links Ditton Walk with the commercial premises to the rear.
- 1.2 On the frontage to the east is number 95 Ditton Walk, which is part of a 2 storey residential terrace. To the west is number 95b Ditton Walk, a detached bungalow set back approximately 30m from the road. Immediately to the south west of that bungalow, planning permission has been granted for the redevelopment of the adjacent rectangular plot, known as the 'McCann Homes' site, (outline approval C/04/0559/OP, reserved matter approval 07/0783/REM), the development of which is nearing completion.

To the north west is an industrial area with 2 single storey buildings accommodating a number of premises including a vehicle repair garage, a Lambretta scooter workshop and a skip hire centre. The access for this industrial area runs through the application site.

- 1.3 Ditton Walk, on the south eastern side, opposite the application site is characterised by 2 storey terraced and semi detached residential properties that are set close to the street. The north western side of Ditton walk comprises a mix of 2 storey residential dwellings that typically front the street in a similar fashion to the southern side, although other industrial and commercial buildings have traditionally occupied the rear of these relatively deep plots.
- 1.4 To the north west beyond Ditton Walk is Coldham's Brook, which separates Ditton Walk from the open spaces of Ditton Fields and Stourbridge Common, both of which are within the Cambridge Green Belt and are designated Local Nature Reserves.
- 1.5 The site is not within a Conservation area. Ditton Walk is outside of the Controlled Parking Zone (CPZ).

2.0 THE PROPOSAL

- 2.1 This application follows refusal of a scheme for 12 flats and seeks consent for the erection of 2 new terraced blocks, containing 7 two bedroom dwellings and 1, one bedroom apartment. The new dwellings that will front onto Ditton Walk are 2 storey in height, with accommodation in the roof space. They are of a similar design and appearance to other Victorian terraces in the street.
- 2.2 The second terrace of 4 new dwellings follows the building line of the adjacent bungalow to the south west, number 95b, and will stand at approximately 6.5m at its highest point. These dwellings would be more modern in appearance, with 2 relatively shallow roof forms, and floor to ceiling glazing to their principal outlook to the south east.
- 2.3 The development is served with an internal bin store at the ground floor below unit P4. The central external space between the 2 new terraces will be a shared amenity garden area, with a

cycle store that also forms the north eastern boundary of the development. This boundary will have a gated access, and will be controlled through a swipe card system. The development provides 7 car parking spaces, 1 of which is suitable for disabled users.

2.4 The application is accompanied by the following supporting information:

1. Planning, Design and Access Statement
2. Design Report
3. Noise Survey and Assessment
4. Transport Statement

3.0 SITE HISTORY

Reference	Description	Outcome
08/0512/FUL	Residential development to form 14 x 1-bed units with associated car/cycle parking and landscaping.	Withdrawn
09/0108/FUL	Residential development to form 12 x 1-bed units with associated car/cycle parking and landscaping (following demolition of existing garages).	Refused

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

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 **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.
- 5.5 **PPS22 Renewable Energy (2004)**: Provides policy advice to promote and encourage the development of renewable energy

sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.

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 **East of England Plan 2008**

ENV7 Quality in the built environment

5.9 **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

5.10 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/6 Ensuring coordinated development

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

4/4 Trees

4/13 Pollution and amenity

4/15 Lighting

5/1 Housing provision

8/2 Transport impact

8/4 Walking and Cycling accessibility

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

8/3 Mitigating measures (*transport*)

10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities*)

5.11 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.

5.12 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 City Council (2002) - Provision of Public Art as Part of New Development Schemes: Encourages the

provision of art as part of new development proposals, setting applicable thresholds.

Cambridge City Council (2002)–Eastern 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.

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

- 6.1 Comments awaited, I will update Committee on the amendment sheet.

Head of Environmental Services

- 6.2 Comments awaited, I will update Committee on the amendment sheet.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.3 This application is an improvement on the previous submission and more in keeping with the area. The Ditton Walk area is classed as a medium crime area with 38 reported crimes in a 12 month period. These vary from burglaries, to vehicle and cycle theft.

- Some of the parking is not very well overlooked which is not ideal.
- The gated access to the shared space and cycle shed is supported.
- Where will the meter cupboards be placed and what will be the access arrangement for the gate?
- The bin store underneath the flat could be a fire risk.

Cambridgeshire County Council (Education)

6.4 No comments received

Cambridge City Council Access Officer

6.5 The design statement does not cover disability issues.

- The spiral stairs should only be used where another staircase serves the same level.
- There should be wheelchair access across the stepped garden

6.6 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: 95B Ditton Walk. *(I have discussed the revised plans with the occupants of this property. Formal written representations have not yet been received, but are expected shortly).*

The representation can be summarised as follows:

- General concerns of overdevelopment and encroachment.
- Object due to loss of sunlight and outlook to the north eastern side of the bungalow where the new rear terrace is located
- Loss of conifers

7.2 Full details of the representation will be copied to the amendment sheet.

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. Refuse arrangements
7. Disabled access
8. Third party representations
9. Planning Obligation Strategy

8.2 The previous application for 12, one bedroom units was refused for the following reasons:

(The previous decision notice will be attached to the amendment sheet)

- The proposed building was considered unacceptable because of its overall size, height and bulk in relation to surrounding neighbouring 2 storey residential properties in the street scene, and would constitute a development out of context with the site and the characteristics of the locality.
- The proposed development, which stood at approximately 10m, with the stairwell projection rising to 7.5m would have had an unduly dominating and overbearing relationship with No. 95b to the south west. The building was considered to have a presence, because of its scale, its height and depth, that would cause the occupiers of No.95b to be unduly dominated and to suffer an unreasonable sense of enclosure, to the detriment of the amenity that they might otherwise reasonably expect to enjoy.
- The proposed development failed to make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, or public art, in accordance with the Planning Obligation Strategy.

Principle of Development

- 8.3 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing, and policy H1 of the East of England Plan 2008. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more

detail in the amenity section below. The proposal is therefore in compliance with this policy.

- 8.4 Development which involves the change of use from Use Classes B1(c), B2 and B8 uses are required to comply with the criteria of Local Plan policy 7/3, which aims to protect industrial and storage space in the city. This site is not however identified within the latest Employment Land Review as a future allocated employment site. In light of this, and given that the Local Planning Authority did not object to the principle of development in relation to the previously refused scheme, the loss of employment land is acceptable.
- 8.5 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion, the principle of the development is acceptable and in accordance with policy 5/1, Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.6 The acceptability of this scheme in terms of design, turns on the scale, form, layout and appearance of the new terraces in relation to the surrounding urban environment and street scene, and whether this revised scheme overcomes the previous reasons for refusal.
- 8.7 New buildings should have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views, as required by Local Plan policy 3/12. In addition, development will be permitted only where it has responded positively to its context, drawing positive inspiration from its surroundings, as detailed within policy 3/4. This scheme now proposes 2 new blocks of terraces, the scale of which is broadly domestic, which is in keeping with the scale of other Victorian terraces that address Ditton Walk.
- 8.8 In my view this is a much more successful approach, because the predominant character of Ditton walk is residential, and the larger commercial buildings in the vicinity are generally set back from the street, and form part of historic commercial activity, such as the Old Maltings building to the north east. There is in my opinion sufficient strength of residential character to this section of Ditton Walk to which redevelopment on this site

should respond. The plot would have struggled to successfully carry a larger, 3 storey block so close to the street which resulted in the first reason for refusal of the previous application 09/0108/FUL.

- 8.9 Development in this form will also set a more positive guide for future redevelopment in the vicinity, in an area which has experienced much change in recent years. The proposed terrace is of a similar scale to the frontage element of the nearby 'McCann Homes' development to the south west, although the roof form is much more in proportion with the eaves height. The previous application was unacceptable, in part, due to how it related to the driveway of the bungalow at number 95b. Whilst this building is very much an anomaly in the area, being a bungalow set well back from Ditton Walk, its driveway nevertheless remains free of buildings, creating a gap in the street scene. The bulk and mass of the south eastern flank wall of the previously refused building, would have been striking, with nothing here to break up the mass of the elevation. However, the 2 storey terrace which will be created by this current scheme will not have an undue presence in relation to this adjacent plot.
- 8.10 The proposed design and layout, with larger terraced properties of a reduced overall density, means that the development would be better organised, and more convenient for future occupiers in accordance with Local Plan policy 3/12. For example, each new unit will have its own separate entrance, with P1 to P4 having direct access to the street which promotes an active frontage, and helps natural surveillance. Units P5 to P8 will benefit from a gated, secure inner communal area, with each unit having its own private patio area. Whilst opinions on gated developments may differ, given that this scheme has a mix of entrances, and that the cycle store can remain open on one side, this approach is considered acceptable.
- 8.11 To the rear of the site, the new terrace follows the established building line of the existing bungalow at number 95b. This in my view is logical and an appropriate response to the mixed context of the site. The terrace is relatively low in height, rising only 4.5m to the front eaves, with an overall height of some 6.5m. The terraces will be sited on the common boundary with number 95b, although their scale in my view is sensitive to the bungalow, and will not visually dominate. The rear terrace is

also subservient to the scale and height of the front terrace, which I feel is the correct balance.

- 8.12 The outlook and window treatment of these rear units has been carefully designed, which I discuss in more detail in the amenity subsection below. The commercial premises to the rear of the site has demanded a creative solution to minimise disturbance for future occupiers, to provide a good level of amenity. The technical findings of the applicants noise assessment has informed the detailed design and orientation of these rear terraces, which respond specifically to the challenges, constraints and opportunities of this site in accordance with Local Plan policy 3/4. As such, the new units will in my view positively contribute to local distinctiveness, and would be a desirable addition to the City's housing stock.
- 8.13 The detailed design and materials will be more traditional to the Ditton Walk facade with buff facing brickwork, softwood sash timber windows and a natural slate roof. This is appropriate here, and will make a positive contribution to the character and appearance of the street scene. To the rear, more contemporary materials are proposed, with areas of zinc roof cladding and floor to ceiling glazing. It is the architects intention to create 'an interesting and attractive transition between old and new', and I feel that this would be achieved through the proposed palate of materials.
- 8.14 In terms of the external spaces of the development, there would be an useable, attractive communal open landscaped area, and convenient access to the shared refuse and cycle store. Each unit will also have clearly defined, private patio area, which are well integrated into the overall landscaping scheme.
- 8.15 To summarise, in my opinion the revised design and layout has addressed the previous scale and massing reasons for refusal, and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Existing residential properties

- 8.16 The residential property most affected by this development would be number 95b to the west of the site. Concerns have

been raised regarding the visual impact and loss of light created by the new rear terrace. However, while the bungalow does have high level windows serving the kitchen in the side elevation, and a glass door, there are other openings to the north serving this room. In any case, the occupiers of this property cannot reasonably expect to have light and outlook from these secondary flank windows. The revised layout is logical in that it follows the building line of the bungalow, and the new terrace will not curtail the outlook from the front or rear of the bungalow as was the case with the height, bulk and mass of the previously proposed building.

- 8.17 There is also the potential for overlooking into the rear garden of the bungalow from the rear of the new Ditton Walk terrace, particularly unit P1. However, these properties have been designed so that the rear space is for circulation for the spiral staircase and living space is at the front. Obscured panels of glass at first floor level would also mean that overlooking is unlikely to occur. There are currently thick conifers within the curtilage of 95b that provide screening, although even in their absence, the development would not cause undue overlooking.
- 8.18 There are no principal windows overlooking the flank elevation of number 95 to the east, which is acceptable.

Future Occupiers

- 8.19 The key issues in terms of future occupiers, involves the issue of noise and disturbance from the adjacent commercial area, the comings and goings of commercial traffic through the communal access, and the provision of garden space for the new development.
- 8.20 Environmental Health colleagues have concerns regarding noise disturbance from the adjacent commercial premises. It is considered in their view unlikely that an acceptable situation can be achieved in this location in terms of mitigating against noise disturbance. However, the McCann Homes development is in closer proximity to the commercial works than the rear of number 95 and was recently granted planning permission despite similar objections. In light of this planning history, and given that the previous application was not refused on this basis, the relationship of the dwellings to the commercial premises is not considered unacceptable in principle.

- 8.21 The rear terrace has also been designed to minimise disturbance for future occupiers from the commercial uses to the north. There are no rear windows and the velux roof lights are to be fixed shut. The dwellings have a variety of other openings and floor to ceiling glazing to the front elevation, which will ensure the internal spaces receive good levels of daylight.
- 8.22 This site differs from the McCann homes development inasmuch as it shares a common access with the commercial units to the rear. The applicant has submitted a transport assessment, which outlines data collected for the comings and goings of the commercial area throughout one day in December 2008. These were recorded as 129 movements, 9 of which were heavy goods vehicles. Whilst these movements will undoubtedly result in some noise and disturbance to the future occupiers of the flats, the harm is not considered to be so great as to justify refusal of the application, and the Council did not find this unacceptable with regard to the previously proposed scheme. In addition, the adjacent number 95 Ditton Walk already has a similar relationship with the access road, running along the side of the property.
- 8.23 The front to rear relationship between the new terraces measures approximately 18m, which has the potential to result in interlooking between the new dwellings. However, the terraces have been carefully designed, with the bedroom space to the rear terraces set back behind the shallow roof pitch. This will reduce the outlook from these openings towards the properties adjacent, (and will also reduce solar gains in the summer months), whilst still maintaining good levels of daylight into the bedroom.
- 8.24 The front terraces have their bedrooms to the front of the new properties fronting Ditton Walk, which maintains privacy. The rear glazed areas are floor to ceiling, although they primarily serve circulation space and are in part to be fitted with obscured glass. The landscaped garden area will also have planting to reduce interlooking and promote privacy at ground floor level.
- 8.25 In terms of amenity space, the proposed scheme provides a communal landscaped amenity space between the new dwellings and each unit (apart from the 1 apartment) has a small private area. Given the overall reduced density of the

development compared with the previous application, this provision is considered acceptable.

- 8.26 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 3/12.

Highway Safety

- 8.27 The County Highways Authority have previously expressed concerns regarding visibility splays in relation to the withdrawn application 08/0512/FUL. This has now been addressed through the lowering of the adjacent wall to achieve suitable views for vehicles exiting the site.

- 8.28 As a separate issue, the car parking layout, in close proximity to the commercial access may increase the potential for conflict between the residents of this scheme and the existing commercial occupiers. However, this scheme has a reduced number of units and car parking spaces compared with the previous application; which was not refused on this basis. In my opinion the proposal, while not ideal in this regard, it will not result in any significant adverse impact on the highway and is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.29 In terms of car parking, the development provides car parking in accordance with the adopted car parking standards. There would be 1 car parking space for each dwelling, with the exception of the apartment. With regard to bicycle parking, the site would accommodate a single storey outbuilding within the communal area, which is of sufficient size to meet the needs of the dwellings. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Refuse Arrangements

- 8.30 Local Plan policy 3/12 states that refuse storage provision should be successfully integrated into the building, be secure and located conveniently but unobtrusively. The refuse arrangements for this site are to be contained within an internal refuse store at the ground floor below the apartment numbered

P4. There would appear to be sufficient space for storage of bins and recycling facilities, which in my opinion is compliant with Cambridge Local Plan (2006) policy 3/12.

Disabled access

- 8.31 New buildings should demonstrate that their design is safe, accessible and convenient for all users and visitors in accordance with policy 3/12. The Council's Access Officer has considered this proposal and does not object to the scheme. Suggestions that the garden should have wheelchair access have been discussed with, and amended by the applicant.
- 8.32 Some concerns have been raised regarding the use of spiral staircases to the front terraces. However, while this may not be the most accessible solution, it is only applied to 3 of the 8 units proposed, and is therefore acceptable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Third Party Representations

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

Some of the car parking is not very well overlooked

The car parking serving the development is a little detached from the dwellings which is not ideal. However, subject to sensitive lighting of this area, and given that the commercial access is used through the daytime, there would in my view be sufficient activity to discourage car crime.

The location of the bin store is a potential fire hazard with regard to the flat above

The scheme has an integral bin store which is convenient and screened from view. Fire safety is a management issue for the users of the refuse store, and is not a material planning consideration.

Maintenance of the side of the rear terraces

Some concern has been raised that the rear terrace, being on the common boundary, will be difficult to maintain without access to number 95b. However, this is a legal matter and not a material planning consideration.

Planning Obligation Strategy

8.34 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:

Open Space

8.35 The Planning Obligation strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising formal open space, informal open space and children's play areas. The total contribution sought has been calculated as follows.

8.36 The application proposes the erection of 12 one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards children's play space are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Formal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	360	540	1	540
2 bed	1.5	360	540	7	5040
Total					5580

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	306	459	1	459
2 bed	1.5	306	459	7	4284
Total					4743

Children's play space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	532	798	7	5586
Total					5586

8.37 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 and 10/1.

Community Development

8.38 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1085 for each unit of one bedroom. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1085	8	8680
Total			8680

8.39 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 5/14 and 10/1.

Education

8.40 Commuted payments are required towards education facilities where four or more additional residential units are created. In this case, 8 residential units are created, but contributions are not required for primary and secondary schools given that there is sufficient capacity, as confirmed by the County Council. Contributions are therefore required on the following basis.

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	8	1280
Total					1280

Pre School					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		810	8	5670
Total					5670

8.41 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 5/14 and 10/1.

Transport

8.42 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 Eastern Corridor Area Transport Plan where the contribution sought per trip is £229.

- 8.43 Using the County Council standard figures for the number of trips likely to generated by residential units, contributions have been calculated as follows.

Eastern Corridor Area Transport Plan				
Existing daily trips (all modes)	Predicted future daily trips (all modes)	Total net additional trips	Contribution per trip	Total £
0	68	68	229	15,572

- 8.44 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

- 9.1 The proposed new terraces represent a much improved design and layout which has positively responded to the constraints of this site. The buildings are in character with the predominantly residential street scene of this section of Ditton Walk, which in my view addresses the previous reasons for refusal. The buildings will not unduly detract from the amenities of number 95b, and refuse and bicycle storage is successfully integrated. Approval is therefore recommended.

10.0 RECOMMENDATION

APPROVE, subject to the following conditions:

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

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

2. 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. 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)

4. 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 policy 4/13 of the Cambridge Local Plan (2006)

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows other than those expressly authorised by this permission shall be constructed.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

7. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

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 amenities of future occupiers, Cambridge Local Plan 2006 policy 4/13.

9. Details of external lighting, which includes the car parking areas shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

10. The proposed rear first floor windows of the front terraces (units P1 to P3) shall be fitted with obscured glass as shown within plan number PL2 (21)01, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of current and future occupiers, Cambridge Local Plan 2006 policy 3/4.

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

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: ENV7

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/6, 3/7, 3/11, 3/12, 4/4, 4/13, 4/15, 5/1, 8/2, 8/4, 8/6, 8/10

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.

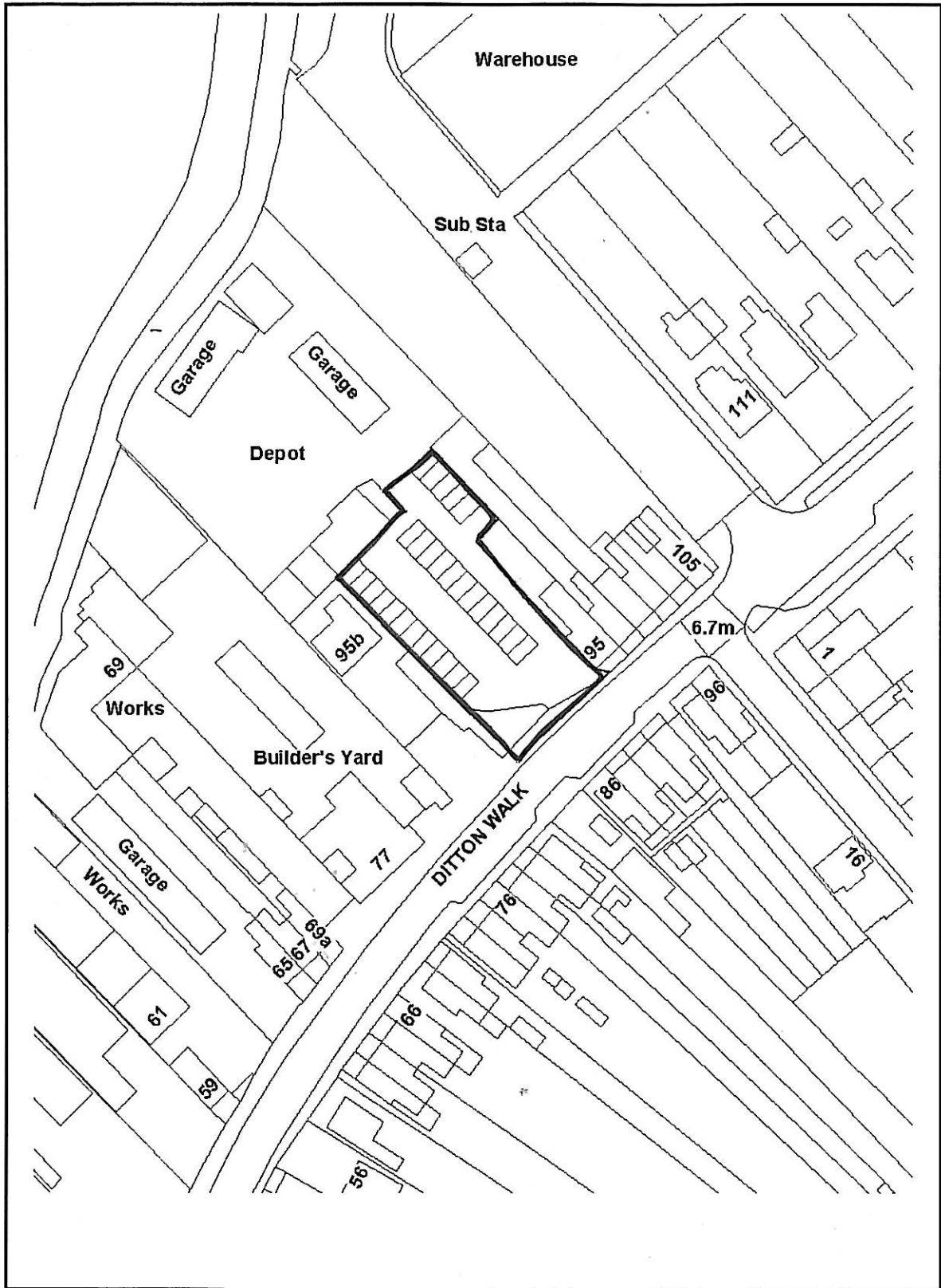
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

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.



09/1045/FUL

Land Adjacent To 95 Ditton Walk Cambridge Cambridgeshire