



## NORTH AREA COMMITTEE



### AGENDA

**To: City Councillors:** Nimmo-Smith (Chair), Ward (Vice-Chair), Boyce, Bird, Brierley, Kerr, McGovern, O'Reilly, Price, Todd-Jones, Tunnacliffe and Znajek

**County Councillors:** Manning, Pellew, Sales and Wilkins

*Dispatched: Wednesday, 18 January 2012*

**Date:** Thursday, 26 January 2012

**Time:** 6.00 pm

**Venue:** The Centre Hall, Shirley School, Nuffield Road, CB4 1TF

**Contact:** Glenn Burgess **Direct Dial:** 01223 457169

### PLANNING ITEMS

#### 1 APOLOGIES FOR ABSENCE

#### 2 DECLARATIONS OF INTEREST (PLANNING)

Members of the committee are asked to declare any interests in the items on the agenda. In the case of any doubt, the advice of the Head of Legal Services should be sought **before the meeting**.

#### 3 MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2011 *(Pages 1 - 14)*

## **4 PLANNING APPLICATIONS**

The applications for planning permission listed below require determination. A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting.

### **5 11/1208/OUT - 2 GREENS ROAD, CAMBRIDGE** *(Pages 15 - 56)*

### **6 11/1250/EXP - LAND ADJ. TO 7 CHURCH STREET, CAMBRIDGE** *(Pages 57 - 88)*

### **7 11/1004/FUL - 118 RAMSDEN SQUARE, CAMBRIDGE** *(Pages 89 - 122)*

## **INFORMATION FOR THE PUBLIC**

### **Public speaking rules relating to planning applications:**

Anyone wishing to speak about one of these applications may do so provided that they have made a representation in writing within the consultation period and have notified the Area Committee Manager shown at the top of the agenda **by 12 Noon on the day before the meeting** of the Area Committee.

**Filming, recording and photography** at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

## **REPRESENTATIONS ON PLANNING APPLICATIONS**

**Public representations** on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

**Submission of late information** after the officer's report has been published is to be avoided. A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report.

Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

At the meeting public speakers at Committee will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

### **To all members of the Public**

Any comments that you want to make about the way the Council is running Area Committees are very welcome. Please contact the Committee Manager listed at the top of this agenda or complete the forms supplied at the meeting.

If you would like to receive this agenda by e-mail, please contact the Committee Manager.

Additional information for public: City Council officers can also be emailed [firstname.lastname@cambridge.gov.uk](mailto:firstname.lastname@cambridge.gov.uk)

**Information (including contact details) of the Members of the City Council can be found from this page:**

<http://www.cambridge.gov.uk/democracy>

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**NORTH AREA COMMITTEE**

24 November 2011

6.00pm - 8.23 pm

**Present:** Councillors Nimmo-Smith (Chair), Ward (Vice-Chair), Boyce, Bird, Brierley, Kerr, McGovern, Price, Todd-Jones, Tunnacliffe and Znajek

**Officers:** Peter Carter (Principal Planning Enforcement Manager), Patsy Dell (Head of Planning Services), Simon Pugh (Head of Legal Services), Tony Collins (Principal Planning Officer) and Glenn Burgess (Committee Manager),

**FOR THE INFORMATION OF THE COUNCIL**

**11/60/NAC Apologies for Absence**

Apologies were received from City Councillor O'Reilly and County Councillor Sales.

**11/61/NAC Declarations of Interest (Planning)**

Councillor	Item	Interest
Nimmo-Smith	11/63NACa	Personal: Knows the objector Mr Haywood
Todd-Jones	11/63NACa	Personal: Knows the objector Mr Haywood
Bird	11/63NACa	Personal: Knows the objector Mr Haywood
Price	11/63NACa	Personal: Knows the objector Mr Haywood
Znajek	11/63NACa	Personal: Knows the objector Mr Haywood
Brierley	11/63NACa	Personal: Knows the objector Mr Haywood

Boyce	11/63NACa	Personal: Has held discussions with neighbours regarding the application
McGovern	11/63NACd	Personal: Member of the Campaign for Real Ale (CAMRA)
Todd-Jones	11/63NACd	Personal: Has previously visited the establishment
Nimmo-Smith	11/63NACd	Personal: Knows the objector Ms Gohler
Boyce	11/63NACe	Personal: Has held discussions with neighbours regarding the application
Nimmo-Smith	11/63NACf	Personal: Has met with the objector Mr Guest through previous applications
Boyce	11/64NAC	Personal: Has held discussions with neighbours regarding the application
McGovern	11/64NAC	Personal: Has been contacted by local residents
Nimmo-Smith	11/64NAC	Personal: Has been in discussion with both sets of neighbours
Tunnacliffe	11/64NAC	Personal: Has been in discussions with both parties

## **11/62/NAC Minutes of the meeting held on 22 September 2011**

The minutes of the 22 September 2011 meeting were approved and signed as a correct record subject to the following amendment:

Minor correction under 11/48/NAC: Councillor Nimmo-Smith declared an interest under item 11/50b/NAC not 11/50c/NAC.

## **11/63/NAC Planning Applications**

### **Change of agenda order**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda. Items were taken in the following order:

- 4a
- 4d
- 4e
- 4f
- 4g
- 5
- 4b
- 4c

However, for ease of the reader, these minutes will follow the order of the published agenda.

### **11/63/NACa 11/0629/FUL - 78 Hazelwood Close, Cambridge**

The committee received an application for full planning permission.

The application sought approval for a part single storey, part two storey rear extension

The committee received representations in objection to the application from the following:

- Mr Brian Haywood

The representation covered the following issues:

- i. Representation made on behalf of local residents/tenants
- ii. Ongoing problems concerning noise pollution
- iii. Potential damage to adjoining properties caused by trees
- iv. Increased pressure for on street parking
- v. Potential to set precedent for future developments

The applicant (Mr Khan) addressed the committee in support of the application.

Mike Todd-Jones (Ward Councillor for Arbury) addressed the committee about the application.

The representation covered the following issues:

- i. Management of the property a potential issue
- ii. Potential to set precedent for future developments
- iii. Possible increase in parking problems
- iv. Questioned whether a designated HMO should meet specific parking and cycle storage standards

#### The Committee:

Councillor McGovern proposed an additional Condition regarding construction hours, and an additional Informative regarding waste and cycle storage.

**Resolved (by 8 votes to 2)** to include an additional Condition regarding construction hours, and an additional Informative regarding waste and cycle storage.

**Resolved (by 7 votes to 0)** to accept the officer recommendation to approve planning permission subject to the following additional condition:

Condition 4. Except with the prior written agreement of the local planning authority, no construction or demolition work shall be carried out, nor any plant operated, except between 0800 and 1800 on Mondays to Fridays, and not at all on Saturdays, Sundays, or Bank Holidays.



Reason: To safeguard the residential amenity of neighbours (Cambridge Local Plan (2006) policies 3/4 and 4/13)

And the following additional Informative:

The applicant is reminded that if the property is let, measures should be taken to ensure that cycles are stored and waste bins managed in accordance with the City Council's requirements and with due regard to the residential amenity of neighbours.

For the following reasons:

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/4, 3/14, 8/6

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 details on the decision please see the officer report online at

[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)

or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

**11/63/NACb      11/0925/FUL - 18-20 Histon Road**

The committee received an application for full planning permission.

The application sought approval for the change of use to 5 residential rooms with en-suites and common lounge/kitchen.

The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

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

East of England plan 2008: SS1, T9, T14, ENV7 and WM6

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/14, 5/2, 5/14, 8/6, 10/1

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.

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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 9th January 2012 it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for open space/sports facilities, community development facilities in accordance with Cambridge Local Plan 2006 policies 3/8, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010.

**11/63/NACc      11/0929/FUL - 5 St Albans Road**

The committee received an application for full planning permission.

The application sought approval for a single storey and first floor extension to side and rear.

The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/14

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 details on the decision please see the officer report online at

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**11/63/NACd      11/1066/FUL - The Carpenters Arms, 182-186 Victoria Road**

The committee received an application for full planning permission.

The application sought approval for conversion of Public House and letting rooms to residential apartments and first floor rear extension.

The committee received representations in objection to the application from the following:

- Ms Carolin Gohler

The representation covered the following issues:

- vi. The loss of a valuable community facility was unacceptable
- vii. The police viewed the pub as a good establishment
- viii. Poor quality design and overdevelopment of site
- ix. Potential to increase parking problems
- x. Limited amenity space for any new tenants
- xi. The Cambridge Local Plan envisages 'vibrant neighbourhoods' and pubs should be included in that

The applicant's agent (David Jones) addressed the committee in support of the application.

Mike Todd-Jones (Ward Councillor for Arbury) addressed the committee about the application.

The representation covered the following issues:

- i. The development went against policy framework and the City Council's Local Plan
- ii. The development would have inadequate parking and amenity space
- iii. Potential for increased traffic movements

The Committee:

**Resolved (by 5 votes to 0)** to reject the officer recommendation to approve the application.

The Chair decided that the reasons for refusal should be voted on and recorded separately.

**Resolved (by 8 votes to 0)** to refuse for the following reason:

The conversion into residential accommodation in this form would lead to an unacceptable negative impact on on-street car parking, contrary to policy 5/2 of the Cambridge Local Plan (2006)

**Resolved (by 6 votes to 1)** to refuse for the following reason:

The residential development proposed would provide inadequate vehicular access arrangements and car parking spaces for the proposed units, contrary to policy 3/10 of the Cambridge Local Plan (2006).

**Resolved (by 4 votes to 2)** to refuse for the following reason:

The proposal would lead to the loss of a public house, which is a valued community facility helping to meet day-to-day needs, contrary to the guidance in paragraph 126 of the Draft National Planning Policy Framework (2011).

The Committee:

**Resolved (by 6 votes to 1)** to refuse the application contrary to the officer recommendations for the following reasons:

1. The conversion into residential accommodation in this form would lead to an unacceptable negative impact on on-street car parking, contrary to policy 5/2 of the Cambridge Local Plan (2006)
2. The residential development proposed would provide inadequate vehicular access arrangements and car parking spaces for the proposed units, contrary to policy 3/10 of the Cambridge Local Plan (2006).
3. The proposal would lead to the loss of a public house, which is a valued community facility helping to meet day-to-day needs, contrary to the guidance in paragraph 126 of the Draft National Planning Policy Framework (2011).

**11/63/NACe      11/0884/FUL - 51 Elizabeth Way**

The committee received an application for full planning permission.

The application sought approval for the change of use application to an HMO (sui generis) aiming to regulate the planning status of the property in order to bring it into line with its already licensed usage.

The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/4, 3/14, 5/1, 5/7, 8/6

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.

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**11/63/NACf      11/0806/FUL - Land Adjacent To 2 And 2A Trafalgar Road**

The committee received an application for full planning permission.

The application sought approval for the construction of 2no two bedroom terrace houses.

The committee received representations in objection to the application from the following:

- Mr Howard Guest

The representation covered the following issues:

- i. Proposed development out of keeping with area
- ii. Site too small for proposed number of dwellings

The Committee:

The Chair proposed an additional Informative regarding residents parking, and this was supported by the committee.

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission subject to conditions and the additional Informative:

INFORMATIVE: The applicant is advised that following the development, occupiers of the residential units created will not be eligible for permits (other than visitor permits) under the existing Residents Parking Scheme.

For the following reasons:

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

East of England plan 2008: ENV6, ENV7

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/12, 4/11, 4/13, 5/1, 8/2, 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 details on the decision please see the officer report online at

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**11/63/NACg      11/0700/FUL - Bridgacre, Manhattan Drive**

The committee received an application for full planning permission.

The application sought approval for the provision of an additional storey to the existing 4 storey building to provide 9 additional affordable dwellings. The installation of thermal and photovoltaic solar panels on the new 5th floor roof and a recycling centre serving the entire Midsummer Meadows Site

The committee received representations in objection to the application from the following:

- Mr Grimshaw
- Mr Golding

The representation covered the following issues:

- i. Irresponsible fly parking by those working or shopping in the City causes access issues to an already dangerous road
- ii. General road safety issues and the need for 24 hour restrictions via yellow lines on both sides of the road

The Committee:

**Resolved (by 7 votes to 0)** to accept the officer recommendation to approve planning permission subject subject to no new grounds of objection related to the impact of the proposal on the Conservation Area being received before the 1st December 2011 and subject to the completion of the section 106 agreement by the 28<sup>th</sup> February 2012 and the addition of the following conditions:

Condition 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no plant, antennae, railings, enclosures, flues, vents, or other equipment or constructions shall be added anywhere on the exterior of the proposed extension to the building, other than what is shown in the approved drawings, or is specifically authorised in writing in order to discharge Condition 11.

Reason: To avoid harm to visual amenity and the character of the area (Cambridge Local Plan (2006) policy 3/4)



Condition 13. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall specify details of the types of work to be carried out and timescales, and shall include the measures to be taken in order to minimise loss of residential amenity to existing occupiers of Bridgacre. Development shall take place only in accordance with the approved Statement.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan (2006) policy 3/4)

## General Items

### **11/64/NAC Enforcement Report - 21 Belvoir Road**

The committee received a report concerning failure to comply with the requirements of an Enforcement Notice following the dismissal of the Appeals against that Enforcement Notice and following the refusal of a subsequent planning application and dismissal of the associated appeal, 21 Belvoir Road Cambridge.

The committee received representation in objection to further enforcement action being taken, from the following:

- Don Proctor (Agent for owner of the property)

The representation covered the following issues:

- i. The owner had not knowingly flouted the rules, but had been caught out by the complexities of the planning process
- ii. The area had only been designated as a Conservation Area after construction of the extension had begun
- iii. There was a need to balance the interests of both the property owner and the neighbours
- iv. It was unrealistic to request that a new planning application be submitted within 4 weeks
- v. Agreeing with the officers suggestion would result in the loss of a bedroom in the property
- vi. Further discussions with Council officers in order to resolve the issue was required

The conclusion was that to get around a table and discuss other options with Planning Officers was the correct way forward. The agent suggested that it was his view that this is what option 2 was advocating.

The committee received representation in support of further enforcement action being taken, from the following:

- Letter read out on behalf of Mrs Sue Rolt by the Committee Manager
- Mrs Brundish (Neighbour)
- Mrs Atkins (Neighbour)

The representation covered the following issues:

- i. Loss of privacy and overlooking
- ii. Property unduly encloses, dominates and adversely affects the amenity of its neighbours
- iii. The health of neighbours affected by this ongoing issue
- iv. The extension looks out of place in a conservation area
- v. The design and materials are unsympathetic to the area
- vi. The police have been called on a number of occasions to address neighbour disputes

The Committee:

**Resolved (by 5 votes to 2)** to reject the officer recommendation to approve Option 3 of the officer's report.

**Resolved (by 5 votes to 0)** to support Option 2 of the officer's report as below:

To give delegated authority, to the Head of Planning & the Head of Legal Services jointly, to take action on behalf of the Council in respect of the failure to comply with the requirements of the Enforcement Notice.

The meeting ended at 8.23 pm

**CHAIR**

<b>Application Number</b>	11/1208/OUT	<b>Agenda Item</b>	
<b>Date Received</b>	13th October 2011	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	8th December 2011		
<b>Ward</b>	West Chesterton		
<b>Site</b>	2 Greens Road Cambridge Cambridgeshire CB4 3EQ		
<b>Proposal</b>	Demolition of workshop and erection of 4 dwellings and garaging.		
<b>Applicant</b>	R. Grain, B. Wilson And C.R.E. Ltd. Longacre 42 Back Road Linton Cambs. CB21 4JF		

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### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a roughly triangular area measuring 28m from street to rear boundary at its deepest. It is approximately 16m wide over the rear half of this depth, but narrows to a point at the front. It lies to the east of Greens Road, at the point where that street makes a dog-leg turn to the west.
- 1.2 The site is currently occupied by two buildings which have been used for car repair and engineering. They lie along the northern and southern boundaries of the site. The northern building, which appears to have nineteenth-century elements in it, but which has been altered and added to on several occasions since, is partly single-storey, and partly two-storey. The southern building, which appears to date from the later part of the twentieth century, is entirely single storey. The buildings are of various types of brick, roofed chiefly in red clay pantiles, but partly in corrugated fibre-cement sheeting. The buildings have been out of use since August 2005.
- 1.3 Residential property, in the form of small nineteenth-century terraced houses lies directly to the north of the site, and to the

west on the opposite side of Green's Road. To the east lie the grounds and bungalows of Victoria Homes. To the south of the site, land is used for car parking by businesses operating on Victoria Road. To the south-west, across Greens Road, a gateway leads into the business premises of Cambridge Artworks.

- 1.4 The site does not fall within any conservation area. The site falls just outside the controlled parking zone; the boundary of the zone runs along the northern edge of Victoria Road, some 30m distant.

## **2.0 THE PROPOSAL**

- 2.1 Outline permission for four dwellings is sought. Details of the siting, design and external appearance of the buildings are submitted as part of the application, with only landscaping of the site held back for a subsequent reserved matters submission. The proposal seeks to erect the dwellings in an L shaped block at the street end of the site. The east-west arm, along the northern edge of the site (henceforward called 'the northern arm') would measure 7m x 19.5m. A pitched roof, with a north-south ridge would run across the front of this arm at a height of 8.6m; the east-west ridge of the pitched roof over the rest of this arm, which would be hipped at the rear, would be at 8m. The north-south arm (henceforward called 'the eastern arm') would join the other section at its eastern end. It would measure 8.5m x 7.8m and would have a pitched roof in two sections, one at 8m and the other at 8.6m. The northern arm would have a single dormer facing south. Construction would be in buff brick and slate, with timber-framed vertical sash windows.

- 2.2 The northern arm would contain three units:

Unit 1: a three-bedroom unit on the ground, first and second floors at the west end, with a garage.

Unit 2: a one bedroom unit on the ground floor, with outdoor amenity space measuring 5.8m x 3m, and a car parking space.

Unit 4: a three-bedroom unit on the first floor, above unit 2 and the archway leading to the rear car parking spaces. It would have a garage.

- 2.3 The eastern arm would contain one unit:

Unit 3: a three-bedroom unit on the ground, first and second floors, with a car parking space at the rear, and outdoor amenity space measuring 5.3m x 3.3m

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Access and Traffic Statement
3. Flood Risk Assessment

### 3.0 SITE HISTORY

Reference	Description	Outcome
65/0153	Demolition of showrooms and workshops; erection of offices and showroom	REF
70/0221	Improvements to offices	REF
05/1174	Outline permission for five dwellings	REF
06/0324/OUT	Erection of 4 dwellings and a garage (following demolition of workshop)	A/C

3.1 The decision notice for the previously approved application is attached to this report as Appendix 1.

### 4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	No

### 5.0 POLICY

#### 5.1 Central Government Advice

5.2 **Planning Policy Statement 1: 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: Housing (2006):** 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.

**Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

5.4 **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.

5.5 **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.

**Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

5.6 **East of England Plan 2008**

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

5.7 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.8 **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

4/13 Pollution and amenity

5/1 Housing provision

8/6 Cycle parking

8/10 Off-street car parking

## Planning Obligation Related Policies

3/7 Creating successful places

3/8 Open space and recreation provision through new development

3/12 The Design of New Buildings (*waste and recycling*)

5/14 Provision of community facilities through new development

10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

## 5.9 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.

**Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.



## 5.10 Material Considerations

### Central Government Guidance

#### Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged

8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

### **Letter from Secretary of State for Communities and Local Government (27 May 2010)**

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

### **Written Ministerial Statement: Planning for Growth (23 March 2011)**

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

## **City Wide Guidance**

**Cambridge and South Cambridgeshire Strategic Flood Risk Assessment** - in November 2010 the Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (SFRA) was adopted by the City Council as a material consideration in planning decisions. The SFRA is primarily a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

**Strategic Flood Risk Assessment (2005)** – Study assessing the risk of flooding in Cambridge.

**Cambridge and Milton Surface Water Management Plan (2011)** – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

**Cycle Parking Guide for New Residential Developments (2010)** – Gives guidance on the nature and layout of cycle

parking, and other security measures, to be provided as a consequence of new residential development.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 Further information required regarding visibility splays and manoeuvring of cars. This has been provided by the applicant and is acceptable. Greens Road is constrained but it is anticipated that the proposed development will reduce traffic generation from the site.
- 6.2 The proposal provides one car parking space for each dwelling but no visitor parking. The residents of the new dwellings will not qualify for residents parking permits and, therefore, there is potential for the site to generate parking demand on-street in direct competition with nearby residential uses. This parking demand will appear on the unregulated streets immediately around the site. Visitor parking in the evening would be have a wider potential spread as it would occur after the period of restriction within the nearby Residents' Parking Scheme. Vehicles accessing the garages would provide a temporary obstruction to the public highway; however, in this location the Highway Authority does not consider this to be so severe as to be unacceptable.
- 6.3 Conditions are recommended.

### **Head of Environmental Services**

- 6.4 No objection. Conditions recommended relating to construction hours, delivery hours, piling, contractors working arrangements, and dust suppression.
- 6.5 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:  
25 Mulberry Close (landlord of 4 Greens Road)

Victoria Homes  
12 Greens Road

7.2 The representations can be summarised as follows:

### Support

There should be no net reduction of car parking spaces included in the 'turning area' opposite the site

There should be no impact on daylight to 4, 8 and 9 Greens Road

The erection of a 1.8m tall boundary wall should be prioritised to minimise the overlooking of the garden of 4 Greens Road and reduce on site noise before and after the demolition and construction periods

No windows should be added at a later stage

The working/delivery hours must be adhered to and monitored by the Council

### Objection

Overlooking of the Victoria Homes site and loss of privacy  
Overshadowing of the Victoria Homes site as the roof line is higher than existing

Insufficient parking

7.3 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**

### Background

8.1 This is a resubmission of an identical application, which was approved in May 2006 (06/0324/OUT). Since this application was approved, the local context has not altered, but policy has. The proposal must now be assessed against the Cambridge Local Plan (2006) as opposed to the Cambridge Local Plan (1996).

## Assessment

8.2 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. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

## Principle of Development

8.3 The site is not designated as protected industrial/storage space, but policy 7/3 of the Cambridge Local Plan (2006) states that development that results in a loss of floorspace within Use Classes B1(c), B2 and B8 elsewhere in the City will only be permitted if:

- a) There is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either
- b) The proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
- c) The continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or
- d) The loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
- e) Redevelopment for mixed use or residential development would be more appropriate.

8.4 Criteria b) and d) of policy 7/3 of the Local Plan are not relevant to this proposal. Although the area to the north and east of the site is mainly residential, and the removal of the existing buildings on the site would in my opinion improve the environment, I do not consider it to be clear that the continuation of industrial or storage use on the site would be harmful either to the environment or to neighbour amenity.

However, I do consider that redevelopment for residential use would be more appropriate, for reasons of access, noise and disturbance, and visual amenity, and consequently it is my view that the proposal satisfies criterion (e).

- 8.5 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing on windfall sites will be permitted subject to existing land use and compatibility with adjoining land uses. The site is situated within a predominantly residential area and, therefore, it is my opinion that the proposal complies with policy 5/1 of the Local Plan.
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 7/3 of the Cambridge Local Plan (2006).

#### Context of site, design and external spaces

- 8.7 As was argued in the Officer report for the previous approved application (06/0324/OUT), the proposal is, in my view, generally successful in its efforts to respect the character of surrounding buildings. The ridge heights, roof slopes, materials and fenestration are all acceptable in this respect, and although the orientation and articulation of the building would clearly be different from that of the adjacent houses, in my view the massing of the proposal would respect that of its neighbours. I have a minor reservation about the way in which the meeting of different roof slopes is resolved at the front of the site, but this is not a detail significant enough to warrant refusal.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, and 3/12.

#### Residential Amenity

##### *Impact on amenity of neighbouring occupiers*

- 8.9 As before, I do not consider that the proposal would give rise to any undue noise or disturbance, and I do not consider that the proposal would unacceptably reduce the outlook of any nearby property.
- 8.10 I do not consider that the proposal would lead to any unacceptable restriction of sunlight to neighbouring houses. The

main (east-west) ridge of the roof of the northern arm of the proposed building, which lies to the south of N<sup>os</sup>. 4 and 6 Greens Road would rise 1.2m higher than the ridge of the existing workshop, but because the span of the roof would be greater, it would also be 1.5m further from those houses. Accepting that the windows on the rear extension of N<sup>o</sup>6 face towards the proposed building, I still consider that the reduction in midday and early afternoon sunlight would be very small. The removal of the west-facing dormer from the roof of the northern arm, and its replacement by a south-facing dormer has, in my view, addressed concerns about the loss of morning sunlight to N<sup>os</sup>.7 and 9 Greens Road. The roof line of the proposed building would not intrude above a line at an angle of 25° from a point 2m high on the front face of N<sup>o</sup>. 7, and the proposed building would be well below a line at an angle of 45° from a point 2m above ground in the centre of the street.

- 8.11 There are no issues of privacy to the north of the application site (where the proposal has no windows other than two small rooflights above landings) or to the south, where the only windows face along the street towards Victoria Road. To the west, the windows of units 1 and 5 face directly towards those of N<sup>o</sup> 7 Greens Road, at a distance of 9m. This is very close proximity, but it replicates the existing pattern of the houses in the street. Although the new building would be directly opposite N<sup>o</sup>7, the existing position of front windows in N<sup>o</sup> 4 means that in my view there would be no significant reduction in the privacy enjoyed by the occupants of N<sup>os</sup>. 7-9.
- 8.12 At the rear of the site rear windows on the ground and first floors would overlook the rear of 15-19 Victoria Homes. There is only limited overlooking of this area from the application site at present, and although N<sup>os</sup> 4 and 6 have rear windows facing in this direction on both floors, the windows in the proposed buildings would be significantly closer. However, the space to the rear of 15-19 Victoria Homes is very open. There are some sheds and shrubs, but no hedges or fences, and the majority of the open space and the rear of the buildings are clearly visible from Victoria Road, and from the car park adjacent to Greens Road, between N<sup>o</sup>.2 and Victoria Road. There is virtually no privacy at all in this area at present, and I do not think that the proposed building would reduce it in an unacceptable way.



- 8.13 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 and 3/7.

#### Refuse Arrangements

- 8.14 Originally, the City Council's Waste Development Officer objected to the application as it was felt that there would be insufficient space for bins. The applicant has now provided further information to demonstrate that the appropriate number of bins can be provided in the gardens of Units 2 and 3 and in the garages of Units 1 and 4. The City Council's Waste Development Officer no longer objects to the application, but recommends a condition requiring details of the waste storage.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

#### Car and Cycle Parking

- 8.16 The proposal provides car parking at the level of one space for one unit. The four parking spaces provided are of adequate size.
- 8.17 The site is close to bus routes at Mitcham's Corner, and within easy walking and cycling distance of the city centre. In these circumstances, I consider that car parking provision at one space per unit is adequate, and that the future occupants of the units are likely to use other means of transport for many journeys, and not to choose to use a second car.
- 8.18 Cycle parking space for two cycles is shown in the garages of Units 1 and 4, and in the gardens of Units 2 and 3. The City Council's Car and Cycle Parking Standards would require three spaces for Units 1, 3 and 4, but in my view, the additional space could be provided in each case.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

8.20 The issues raised in the representations received have been addressed under the headings above.

## **Planning Obligations**

8.21 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

### Open Space

8.22 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 outdoor sports facilities, indoor sports facilities,

informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.23 The application proposes the erection of one three-bedroom houses, two three-bedroom flats and one one-bedroom flat. 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 provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357	1	357
2-bed	2	238	476		
3-bed	3	238	714	3	2142
4-bed	4	238	952		
<b>Total</b>					<b>2499</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50	1	403.50
2-bed	2	269	538		
3-bed	3	269	807	3	2421
4-bed	4	269	1076		
<b>Total</b>					<b>2824.50</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363	1	363
2-bed	2	242	484		
3-bed	3	242	726	3	2178
4-bed	4	242	968		
<b>Total</b>					<b>2541</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0	1	0
2-bed	2	316	632		
3-bed	3	316	948	3	2844
4-bed	4	316	1264		
<b>Total</b>					<b>2844</b>

8.24 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

#### Community Development

8.25 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	1	1256
2-bed	1256		
3-bed	1882	3	5646
4-bed	1882		
<b>Total</b>			<b>6902</b>

8.26 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with

Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

### Waste

- 8.27 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75
Flat	150	3	450
<b>Total</b>			<b>525</b>

- 8.28 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

### Education

- 8.29 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.30 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity

to meet demand for pre-school education and lifelong learning. Contributions are not required for pre-school education for one-bedroom units. Contributions are therefore required on the following basis.

<b>Pre-school education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	1	0
2+-beds	2		810	3	2430
<b>Total</b>					<b>2430</b>

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	1	160
2+-beds	2		160	3	480
<b>Total</b>					<b>640</b>

8.31 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

#### Monitoring

8.32 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as 150 per financial head of term, 300 per non-financial head of term. Contributions are therefore required on that basis.

## Planning Obligations Conclusion

- 8.33 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

## **9.0 CONCLUSION**

- 9.1 In my opinion, the proposed development is acceptable. The proposal does not differ from that previously granted planning permission, and continues to comply with policy. I recommend that the application is approved, subject to conditions and the completion of a S106 agreement.

## **10.0 RECOMMENDATION**

**APPROVE subject to the satisfactory completion of the s106 agreement by 26 April 2012 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. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure that all necessary details are acceptable. (Cambridge Local Plan 2006, policies 3/4, 3/7 and 3/11)

3. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority 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 Local Planning Authority 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 Local Planning Authority. The Local Planning Authority 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. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs d), e) and f).

(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 Local Planning Authority.



(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. 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: To safeguard the amenity and health of future occupants of these residential units (Cambridge Local Plan 2006, policies 3/7 and 4/13)

4. In the event of the foundations for the proposed development requiring piling, the applicant shall provide the Local Authority with a method statement for approval detailing the type of piling and the mitigation measures to be taken to protect local residents. Development shall be carried out in accordance with the approved details. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

5. 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)

6. 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)

7. 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)

8. The wheel washing and dust suppression provisions shall be submitted for approval by the Local Planning Authority. Works shall be undertaken in accordance with the approved details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

9. No development shall take place until details of the proposed site lighting during demolition and construction have been submitted to and approved in writing by the Local Planning Authority .

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

10. 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)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

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

12. No development shall take place until a scheme for the provision and implementation of surface water drainage has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be constructed in accordance with, and at the time specified by, the approved details.

Reason: To ensure a satisfactory method of surface water drainage. (Cambridge Local Plan 2006, policy 4/16)

13. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

14. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan 2006, policy 8/2)

15. No part of any structure shall overhang or encroach under or upon the public highway and no gate/door/ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

16. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan 2006, policy 8/2)

17. No demolition works shall commence on site until a traffic management plan has been agreed with the Highway Authority.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

**INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

**INFORMATIVE:** Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

**INFORMATIVE:** 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 the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, ENV7;

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 3/12, 4/13, 5/1, 8/6, 8/10, 5/14, 10/1;

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.

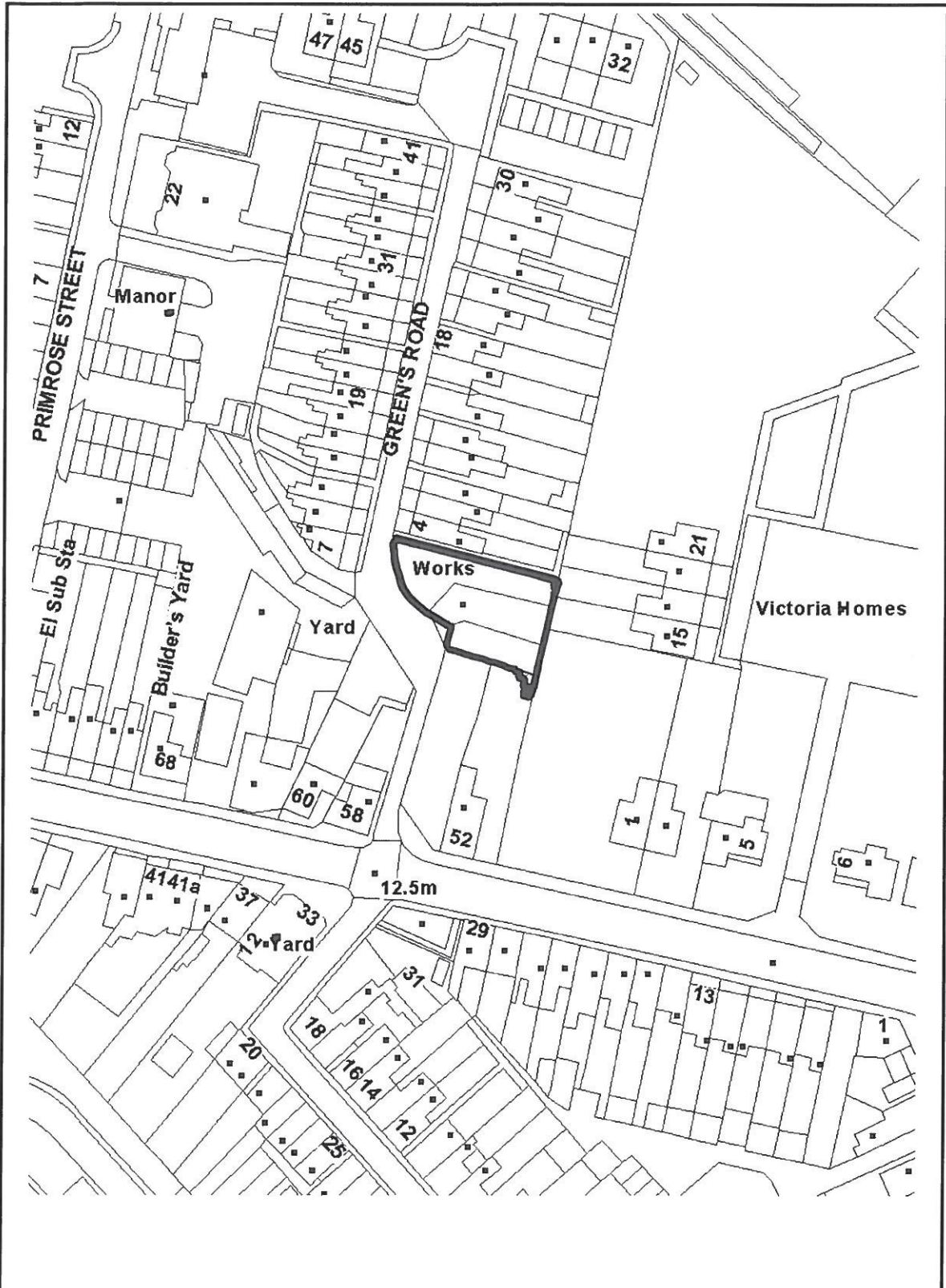
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

## **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.

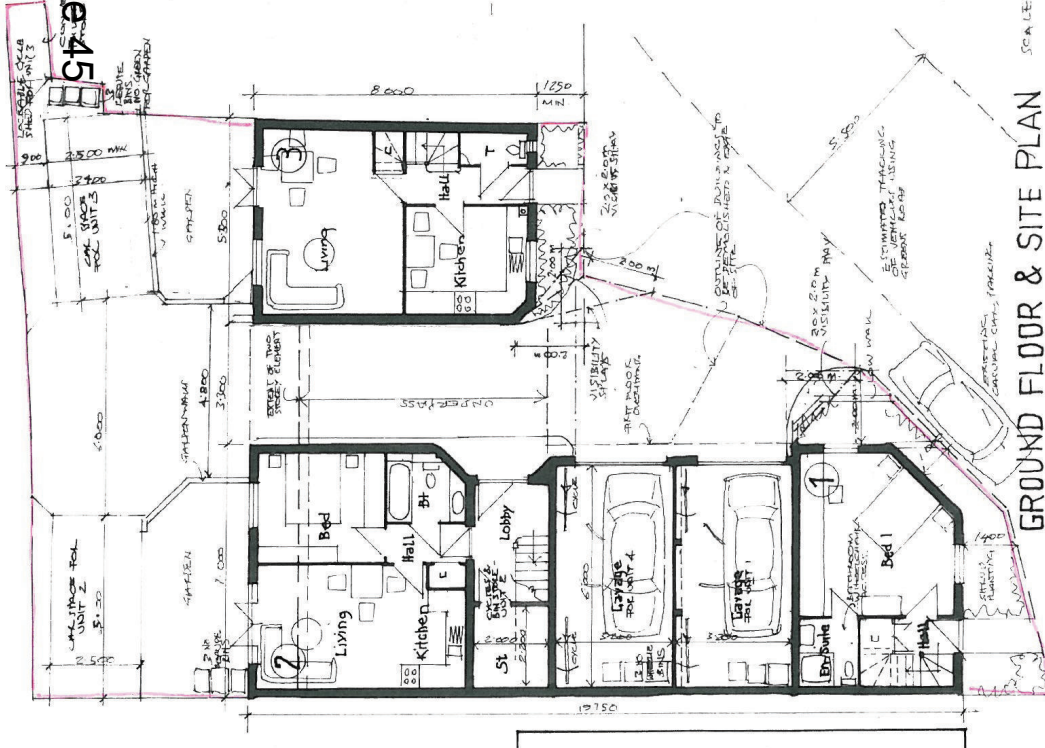
These papers may be inspected on the City Council website at: [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or by visiting the Customer Service Centre at Mandela House.



**11/1208/OUT**  
**2 Greens Road Cambridge Cambridgeshire CB4 3EQ**

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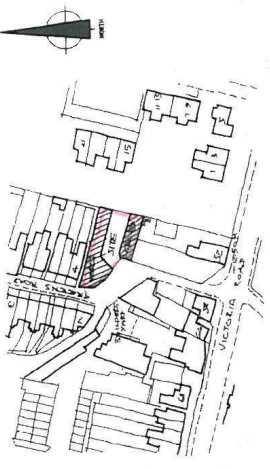




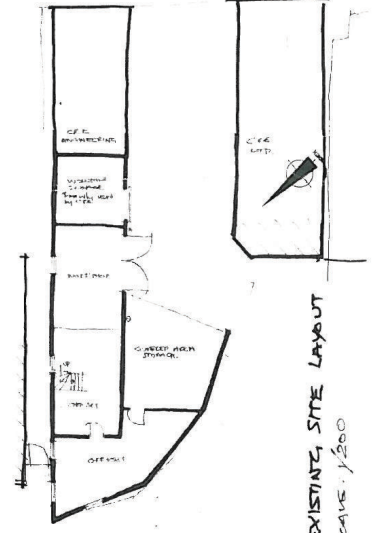
GROUND FLOOR & SITE PLAN SCALE: 1/100

SITE AREA: 0.036 HA  
 FLOOR AREAS: 52.11 M<sup>2</sup>  
 GF - 150 (INCLUDING GARAGES)  
 FF - 112.4  
 SF - 67.5  
 TOTAL 309.9 (4196 SQ FT)  
 EXC. GARAGES: 350

LOCATION PLAN SCALE: 1/1250



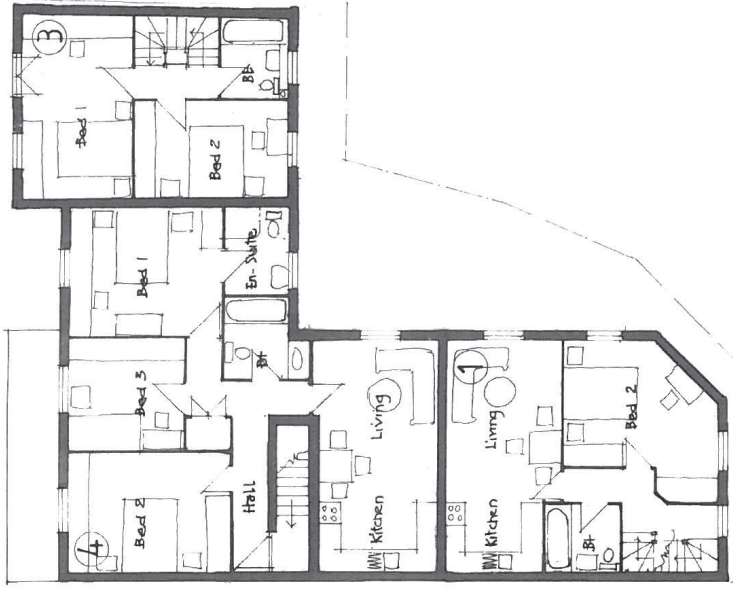
EXISTING SITE LAYOUT SCALE: 1/200



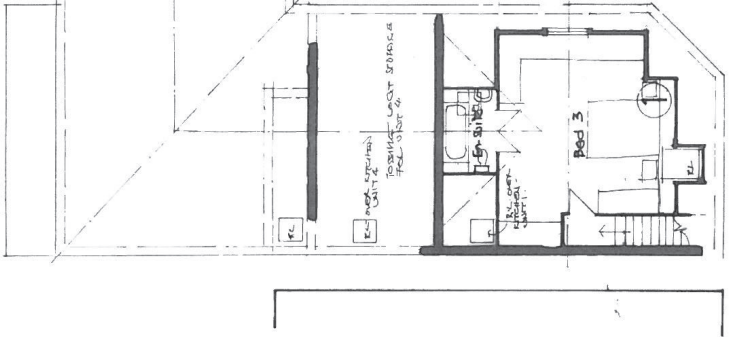
REVISIONS  
 5. 14 NOV 2011  
 DIMENSIONS TO IMPLANT AT  
 ENTRY 2 THROUGH THE DOWNSHINE

BARRIE R. WILSON DIP ARCH  
 10 MARKET, 0 BOX RD, LITTON, CAMBRIDGE, ON, CAN. TEL: (505) 883-1100 FAX: (505) 883-1100

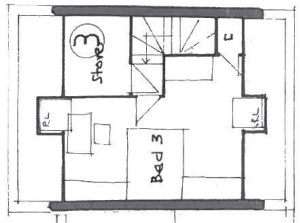
PROJECT	4 IMPELLING ENGINEERING WORKS, C/O 141
DRAWING TITLE	2 GREENS ROAD, CAMBRIDGE
GROUND FLOOR & LOCATION PLANS	
Scale	1/100
Date	JULY 05
Dwg No	5
Rev.	B



FIRST FLOOR



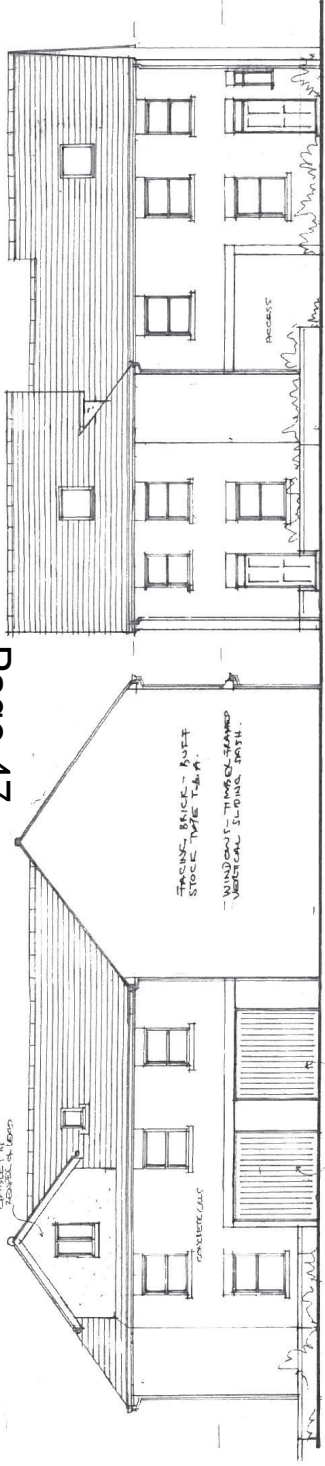
SECOND FLOOR



EXISTINGS  
 A - MATH. CO. ISOLATION FOR BASEMENT TO BE DONE  
 FLOW 5 TO 2 - UNDESIRABLE

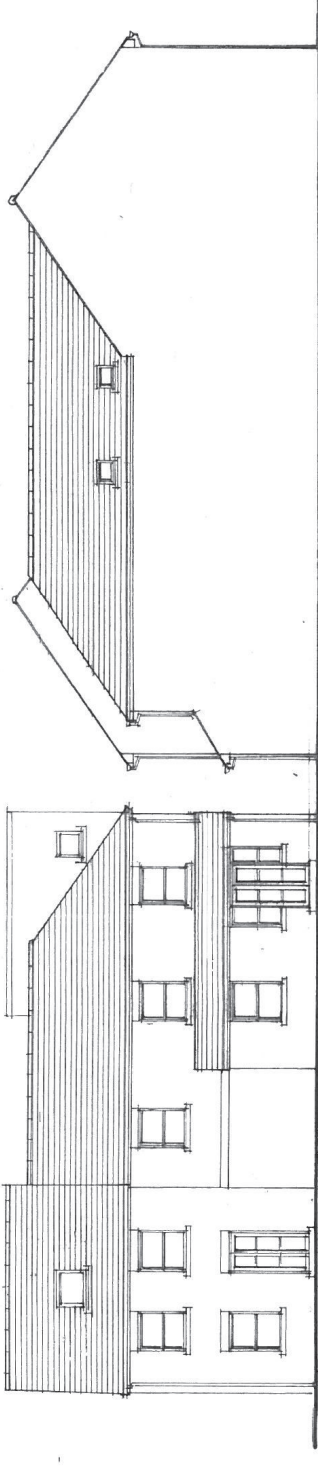
BARRIE R.H. WILSON DIP ARCH  
 PROJECT: 4 Dwellings, Engineering Works  
 2 CRE Bldg, 2 GREENS RD., CAMBRIDGE

PROJECT	4 Dwellings, Engineering Works
DRAWING TITLE	CRE Bldg, 2 GREENS RD., CAMBRIDGE
Scale	1:1250
Date	MAY. 06.
Dwg No.	6
Rev.	A



FRONT - west

SIDE - south



REAR - east

SIDE - north

NOTATIONS

A - FINISHED - BUILDING - 5' TO 4' 7 1/2\"/>

BARRIE R. H. - WILSON D.P. ARCH

100 BERRY, 12 BUCK HILL, CLYDE, OHIO 43001, OHIO 43001

PROJECT  
4 Dwellings, Engineering Works  
EKE Bldg, 2 Cassens Road, Cambridge

DRAWING TITLE  
ELEVATIONS

Scale  
1:100

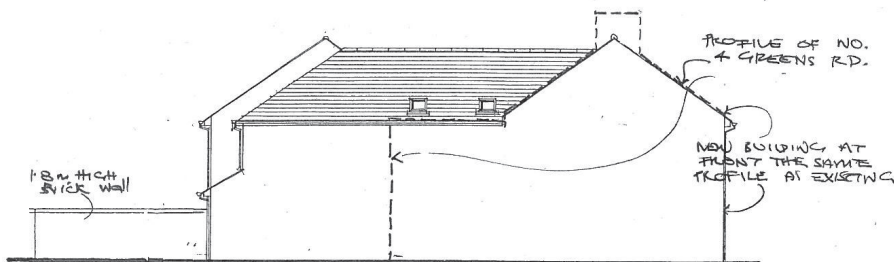
Date  
July 95

Draw No  
7

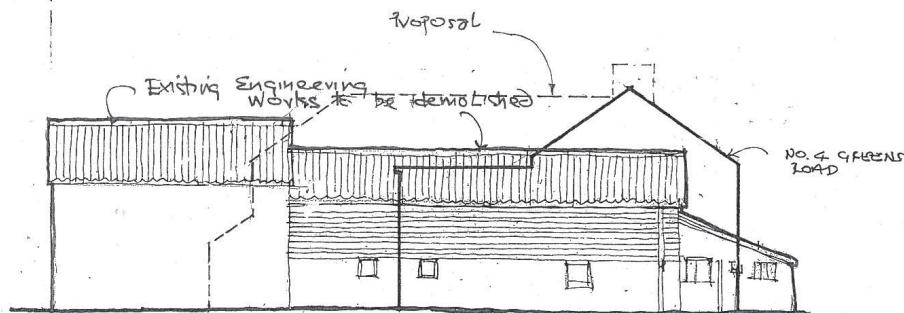
Rev.  
A



Front Elevation with No 4 Greens Rd.



Side Elevation (north) with profile of No 4.



Side Elevation (north) of existing buildings

REVISIONS

A: 21/3/06 - REDESIGNED BUILDINGS ADDED FOR 4 UNITS

BARRIE R.H. WILSON Dip Arch

"LONGACRE", 42 BACK ROAD, LINTON, CAMBRIDGE, CB1 6JF. Tel 01223 891152 & Fax 01223 894799

PROJECT	Erection of 4 Apartments, Engineering Works (CRE LTD), 2 GREENS RD, CAMBRIDGE
DRAWING TITLE	Elevations compared to Existing

Scale	1:200	Date	July 2005	Dwg No.	8	Rev.	A
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2215/2006

AP89310



## CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

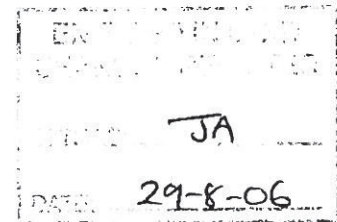
TOWN AND COUNTRY PLANNING ACTS 1990

### OUTLINE PLANNING PERMISSION

SUBJECT TO CONDITIONS

Ref: 06/0324/OUT

BRH Wilson  
42 Back Road  
Linton  
Cambridge  
CB1 6JF



The Council hereby grant outline planning permission for

**Erection of 4 dwellings and a garage (following demolition of workshop).**

at

**2 Greens Road Cambridge Cambridgeshire CB4 3EQ**

in accordance with your application received 24th March 2006 and the plans, drawings and documents which form part of the application, subject to the conditions set out below:

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

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

2. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure that all necessary details are acceptable. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3, Cambridge Local Plan (1996) policies BE2 and BE4)

Simon Payne  
Director of Environment & Planning  
Cambridge City Council The Guildhall Cambridge CB2 3QJ  
Telephone 01223 457000 Minicom (non-speaking phone) 01223 457605



3. 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: To safeguard the amenity and health of future occupants of these residential units. (Cambridge Local Plan 1996 policy EO1 )

4. In the event of the foundations for the proposed development requiring piling, notwithstanding the applicant's submitted details prior to the development taking place the applicant shall provide the local authority with a method statement for approval detailing the type of piling and the mitigation measures to be taken to protect local residents. Development shall be carried out in accordance with the approved details. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan (1996) policy BE2 and EO1)

5. 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 (1996) policies EO1 and BE2)

6. 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 1800 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 1996 policy BE2 and EO1)

7. 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 (1996) policies EO1 and BE2)

8. No development shall take place until details of measures to ensure wheel washing and dust suppression have been submitted to and approved in writing by the Local Planning Authority .

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 1996 policy BE2 and EO1)

9. No development shall take place until details of the proposed site lighting during demolition and construction have been submitted to and approved in writing by the Local Planning Authority .

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 1996 policy BE2)

10. 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 1996 policy BE2)

11. 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 1996 policy BE2)

12. No development shall take place until a scheme for the provision and implementation of surface water drainage has been submitted to, and agreed in writing by, the local planning authority. The scheme shall be constructed in accordance with, and at the time specified by, the approved details.

Reason: To ensure a satisfactory method of surface water drainage. (Cambridge Local Plan 1996 policies US1 and US2)

**INFORMATIVE:** Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer. The developer will not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection. No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.



**INFORMATIVE:** Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

**INFORMATIVE:** This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended).

**INFORMATIVE:** The applicant is reminded that no development may take place on the site until a reserved matters submission for the landscaping of the site has been made and approved by the local planning authority. The applicant is further reminded that the landscaping details of the site are not a condition of this application, and cannot be discharged as if they were. The applicant is also reminded that at the time of the submission of reserved matters, a full application fee for four dwellings at the rate pertaining at the time of the submission will be payable. (The rate at the time of this notice would be £1060).

**INFORMATIVE:** The applicant is advised to contact The Environment Agency, Brampton Environment District, Bromholme Lane, Brampton, Huntington, Cambs, PE28 4NE, Tel no: 01480414581 for advice regarding, the removal and disposal of waste and adherence with Agency pollution prevention guidelines. The waste produced on the site during demolition / construction will be subject to the general Duty Of Care under the Environmental Protection Act 1990 and is likely to be subject to control under the Waste Management Licensing Regulations 1994 and the Special Waste Regulations 1996 (hazardous waste).

**INFORMATIVE:** The applicant is advised to contact The Health & Safety Executive, 14 Cardiff Road, Luton, LU1 1PP: -Tel No: 01582 444200 concerning health and safety regulation requirements associated with the construction and operational phases. Considering the age of these buildings asbestos may be present and will need to be removed in accordance with appropriate regulations.

**INFORMATIVE:** The applicant is advised to contact the Housing Standards Team, Environmental Health & Waste Strategy, Cambridge City Council, Mandela House, 4 Regent Street, Cambridge, 01223 457953 for further advice regarding matters such as housing fitness standards.

**INFORMATIVE:** The applicant is advised that with regard to possible land contamination the following documents should be referred to:

Planning Policy Guidance Statement 23: Planning and Pollution Control : Office of the Deputy Prime Minister (ODPM) 2004.

Cambridge City Council's planning guidance document 'Contaminated Land In Cambridge: A Developers Guide'.

The various Contaminated Land Research (CLR) reports 1 to 11 published by the Department for Environment, Food and Rural Affairs (DEFRA) and the Environment Agency.

The Interdepartmental Committee Report on Contaminated Land (ICRCL) guidelines were replaced in December 2002 with the Contaminated Land Exposure Assessment (CLEA) guidelines. Only reports considering CLEA will be accepted as valid. Where pollutants are found that are not covered by CLEA guidelines then a qualitative risk assessment must be undertaken.

If any intrusive investigation is required, particular reference should be made to CLR10 (2002): Contaminated Land Exposure Assessment Model (CLEA): Technical Basis and Algorithms, which describes the conceptual exposure models for each standard land use for which Soil Guideline Values are derived.

By deriving site-specific Contaminated Land Exposure Assessment (CLEA) guideline values, it is possible to establish whether a site poses actual or potential risks to human health, in the context of the existing or intended usage of the site. Where contaminants exist that are not covered by CLEA guidelines the current policy is that the applicant/agent/developer has to submit a site-specific human risk assessment, and for the site investigator to justify that approach and methodology.

British Standards Institute (2001) BS10175 'Code of Practice for Investigation of Potentially Contaminated Sites' BSI, London 1999

Department of Environment Industry Profile 'Road Vehicle Fuelling Service and Repair Garages and Filling Stations', to assist with any site contamination investigation.

### **Reasons for Approval**

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation, 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: policies P1/2 and P1/3;

Cambridge Local Plan (1996); policies EO1, BE1, BE2, BE4, CS3, RL3, ET5, TR18, TR22 and TR27

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.

This decision notice relates to the following drawings: **Location/Ground Floor 5A, First and Second Floor 6A, Elevations 7A, Elevations of Existing 8A, Daylight Checks Appendix B and Garage Plan Appendix C**

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

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

Your attention is specifically drawn to the requirements of the Chronically Sick and Disabled Persons Act 1970, the Disabled Persons Act 1981, to the British Standards Institution Code of Practice for Access for the Disabled to Buildings (BS 5810 1979), to Part M of the Building Regulations 1991, and to BS 5588 Part 8 1988 (Code of Practice for means of escape for disabled persons). The development should comply with these requirements.

Dated: 23 August 2006

Guildhall, Cambridge, CB2 3QJ

  
Director of Environment & Planning

SEE NOTES OVERLEAF



<b>Application Number</b>	11/1250/EXP	<b>Agenda Item</b>	
<b>Date Received</b>	9th November 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	4th January 2012		
<b>Ward</b>	East Chesterton		
<b>Site</b>	Land Adj. To 7 Church Street Cambridge Cambridgeshire CB4 1DT		
<b>Proposal</b>	Extension of time for the implementation of planning permission reference 08/1181/FUL for erection of 3 two-bed flats and 1 three-bed duplex with parking.		
<b>Applicant</b>	C/O: Fox Hill Lodge Great Shelford Cambridge CB22 5AN		

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

- 1.1 The application site relates to a rectangular parcel of land measuring 0.6 Ha in area situated on the southern side of Church Street. The site is part of the residential curtilage of number 7 Church Street and is located to the east of this property. To the south of the site is the Chesterton Recreation Ground, which is an area of Protected open Space.
- 1.2 The curtilage of the plot currently has a 2m high boarded fence on the boundary separating the site with the recreation ground. There are a number of fruit trees currently within the site and a Walnut tree, which are protected from felling by reason of being within a Conservation Area.
- 1.3 The site falls within the Chesterton Conservation Area. Church Street is not within the Controlled Parking Zone (CPZ).

## 2.0 THE PROPOSAL

- 2.1 This application seeks an extension of time for the implementation of planning consent 08/1181/FUL. Permission is sought for the erection of a new building accommodating 3 two bedroom flats and 1 three bed duplex. The building is 2 storeys in height rising to 7.5m and the plan form is approximately 10.5m in depth. There are 3 levels of accommodation with the roof area providing bedroom space for the duplex apartment.
- 2.2 The building is to be constructed in a buff brick with a plain tiled roof.
- 2.3 The original application was accompanied by the following supporting information:
1. Design and Access Statement
  2. Biodiversity and protected species assessment

## 3.0 SITE HISTORY

Reference	Description	Outcome
08/0636/CAC	Demolition of No 7 Church Street.	Withdrawn
08/0635/FUL	Erection of 8no 2 bed flats and 1no 1bed single storey dwelling together with the erection of 5no covered parking spaces and 5no open parking spaces including 1no disabled parking space.	Withdrawn

## 4.0 PUBLICITY

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

## 5.0 POLICY

- 5.1 Central Government Advice

- 5.2 **Planning Policy Statement 1: 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: Housing (first published November 2006, 2nd edition published January 2010, 3rd edition published June 2010, 4th edition published June 2011):** 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.

The definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum

density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010) Technical amendments to Annex B: Definitions, to reflect the introduction of Affordable Rent. (June 2011)

**5.4 Greater Flexibility for planning permissions 2009** – Extensions to the time limits for implementing existing planning permissions was brought into force on 1 October 2009. This measure was introduced in order to make it easier for developers and LPA's to keep planning permissions alive for longer during the economic downturn.

**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.

**Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

**5.7 East of England Plan 2008**

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

## 5.9 Cambridge Local Plan 2006

3/4 Responding to context  
3/7 Creating successful places  
3/11 The design of external spaces  
3/12 The design of new buildings  
4/2 Protection of Open Space  
4/4 Trees  
4/11 Conservation Areas  
4/13 Pollution and amenity  
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  
10/1 Infrastructure improvements (*public open space, recreational and community facilities*)

## 5.10 Material Considerations

**Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

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

## Central Government Guidance

### Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged

8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

### **Letter from Secretary of State for Communities and Local Government (27 May 2010)**

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

### **Written Ministerial Statement: Planning for Growth (23 March 2011)**

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

### **City Wide Guidance**

**5.11 Cambridge City Council (2011) - Open Space and Recreation Strategy:** Gives guidance on the provision of open space and recreation facilities through development.

It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

sets out the protection of existing open spaces;

promotes the improvement of and creation of new facilities on existing open spaces;

sets out the standards for open space and sports provision in and through new development;

supports the implementation of Section 106 monies and future Community Infrastructure Levy monies

As this strategy suggests new standards, the Cambridge Local Plan 2006 standards will stand as the adopted standards for the time-being. However, the strategy's new standards will form part of the evidence base for the review of the Local Plan.

## **6.0 CONSULTATIONS**

### **Historic Environment Manager**

- 6.1 There are no comments to make in addition to those originally submitted for application number 08/0636/CAC, which dealt with both the Conservation Area Consent and the application for Planning Permission. The Conservation Team supported the applications subject to further detailed plans of the new development being submitted and issues relating to materials and detailing being agreed and controlled by condition.

Previous Consultations for 08/1181/FUL

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

- 6.2 No objections.

### **Arboriculture**

- 6.3 No objections. The most significant tree on the site is a young Walnut which will be protected during the development.

### **Environmental Health**

- 6.4 No objections subject to conditions relating to construction and demolition.

### **Cambridgeshire County Council Education**

- 6.5 This application requires contributions for pre school and life long learning.

### **Cambridge County Council Archaeology**

- 6.6 No objections subject to the completion of an archaeological investigation.

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 The owners/occupiers of the following addresses have made representations: 5 Church Street,

The representations can be summarised as follows:

- Object, the government now actively encourages the use of gardens for development.
- The proposed development is not sympathetic with the Conservation Area.
- The development would lead to an increase in noise and traffic.

Original Application 08/1181/FUL

7.2 The owners/occupiers of the following addresses have made representations: Chesterton House, 27 Cannon Court, 30 Church Street, 6 New Court.

The representations can be summarised as follows:

- There are already an excessive number of flats being constructed in Chesterton.
- The building is too high, and a pair of semi detached properties would be more appropriate.
- Flats will attract younger buyers who stay in the area for relatively short periods.
- Cars will reverse onto the road which will be a hazard with increased traffic.
- Fencing to recreation ground will be lost.
- Removal of trees will change the site and there will be a loss of significant trees.
- The loss of half the garden would destroy the setting of number 7.
- The original house was designed for the site in its entirety.
- Building would interrupt a flight path of bats.

In addition, objections have been received from the Old Chesterton Residents Association making the following points:

- Number 7 ('Fowey') is an important part of Chestertons townscape and the loss of the garden would destroy its setting.
- There is no evidence that the house no longer meets a market need.
- Mature garden provides a dominant green feature in the street scene.
- Development does not accord with policy 4/11.
- The number of dwellings is excessive representing a greater density than the 40 dwellings per hectare guideline.

2 Petitions were also received from 1 New Court and 27 Cannon Street which are signed by 54 residents. The petitions make the following points:

- Loss of on street parking.
- Impact upon privacy for users of the recreation ground.
- Overdevelopment.
- The development will diminish the architectural importance of the original house.
- Damaging to the Conservation Area.

7.3 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. Impact upon the character and appearance of the Conservation Area
3. Residential amenity
4. Tree Issues
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Archaeology Issues
9. Third party representations
10. Planning Obligation Strategy

## **Principle of Development**

- 8.2 Greater flexibility was introduced for agreeing extensions to existing planning permissions on 1 October 2009 via the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009. No primary legislation has been changed. This flexibility was introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn. This notwithstanding, the application must be assessed in accordance with the Development Plan and any other material considerations.
- 8.3 The provision of additional dwellings on previously developed land 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 relatively low density because of the flood risk constraints on the site, (discussed below), but it is in my view compliant with these policy objectives.
- 8.4 The recently revised PPS 3 now declassifies gardens from the definition of brownfield land, and the national minimum density for new development has been removed. This notwithstanding, Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots, which recognises the important part of the character and amenity value gardens contribute to the City.
- 8.5 In principle, policy 3/10, allows for proposals for the sub-division of existing plots in the garden area or curtilage of existing dwellings. Development of this nature will not be permitted however if it will have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, light or an overbearing sense of enclosure; provide inadequate amenity space, or detract from the prevailing character and appearance of the area. An analysis of these issues is provided in the design and amenity sub sections below.



- 8.6 The revised PPS3 does not prevent the development of garden land in principle. The contribution that the existing garden makes to the character of the area, the comparative density of the development and the visual impact of the new dwelling on the prevailing character of the area are all important considerations in assessing whether the proposed development is acceptable. It is considered that the existing garden does not make a significant contribution to the character of the area and that the density and design is acceptable (discussed in design section below). I do not consider that the garden contributes to either the openness, or general development pattern of the area. This is because of the overall size of the plot to be subdivided and the relationship of the new building with the site boundaries. It follows therefore that the principle of development is acceptable. In this case there is justification for development of a low-priority site.
- 8.7 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 Cambridge Local Plan 2006 policies 3/10 and 5/1, and guidance on allowing greater flexibility for planning permissions.

### **Impact upon the character and appearance of the Conservation Area**

- 8.8 The key issues relate to the detailed design and appearance of the proposed new building within its setting and the impact upon the character and appearance of the Conservation Area and the Protected Open Space of the recreation ground.
- 8.9 In terms of Local Plan policy relevant to the above 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. This criteria is also closely related to design considerations relevant to the sub division of existing plots contained within policy 3/10 and the considerations for development affecting areas of protected open space contained within policy 4/2. In addition, policy 3/12 states that new buildings should have a positive

impact on their setting in terms of location on the site, height, scale, form, materials, detailing and wider townscape views.

- 8.10 The previously withdrawn application proposed 2 oversized buildings, rising to 3 storeys in height, with little design rationale for the scale and bulk in terms of its immediate context. This scheme permitted by the extant permission proposes to retain the existing number 7 Church Street and erect a single new building within its curtilage. In my opinion number 7 Church Street is a neutral building which neither contributes nor detracts from the appearance of the Conservation Area. The building is of little historic merit and its loss would not be resisted in principle. However, the applicant has in part responded to a desire from residents for its retention and has designed a scheme which now retains and complements this existing building.
- 8.11 To the front elevation, the building reflects the existing front gable feature of 7 Church and would be approximately 0.5m lower in overall height than this property. Whilst the eaves level is slightly higher than that of number 7, the new building will relate well to the existing building. The building is set 2m from the eastern boundary which will mean that it will not be cramped in relation to the existing single storey buildings within the recreation ground, and it will not be out of character when viewed within the street scene and from the recreation ground in accordance with policies 3/12, 4/2 and 4/11.
- 8.12 In terms of the external spaces of the development, the scheme will retain the majority of the existing 1.8m wall which abuts the pavement edge. This will preserve the character of the street scene along this section of Church Street in accordance with the principles of policy 4/11.
- 8.13 The application has raised concerns with local residents regarding the boundary treatment. The existing fencing will be removed, along with most of the fruit trees within the garden. Whilst the new building will be more visible, this does not equate to an increase in harm to the character and appearance of the area when viewed within the recreation ground. The blank boarded fencing will be replaced with a more sympathetic low wall and railings which in my view will enhance the appearance of this boundary. The significant tree within the garden, which is the Walnut, will remain.

- 8.14 The scheme would also not change the plot boundaries of the area in an unsympathetic manner. The new residential curtilage would be of a comparable size to the plot left for number 7 which would not detract from the character and appearance of the area, in accordance with policies 4/11 and 3/10. The original plot of number 7 does not have any particular historic significance which might merit retention in its original form.
- 8.15 In summary, the design and appearance of the building in my view preserves the appearance of the street scene within the Conservation Area and from within the recreation ground, in accordance with policies 3/12 and 4/11 and the development will not detract from the prevailing character and appearance of the area, the key design consideration for development involving the sub-division of existing plots. I do not consider there to have been any significant change in circumstances which should lead to a different assessment of this extension of time application. As such the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12, 4/2 and 4/11.

### **Residential Amenity**

- 8.16 The property which will be most affected by this development will be adjacent number 7 Church Street. Whilst the new building projects approximately 4m beyond the rear building line of number 7, the new building would be positioned approximately 2m from the common western boundary. An unbroken line of 45 degrees outlook will therefore remain from the rear ground and first floor windows of number 7.
- 8.17 With regard to the level of amenity for the future occupiers, given the overall plot size, there would be a generous rear communal garden. The living rooms of the ground and first floor units are south facing, which takes advantage of both sunlight throughout the day and views over the recreation ground. The duplex apartment will also have 2 usable balcony areas in the rear roof space.
- 8.18 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 East of England Plan (2008)

policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Tree Issues**

- 8.19 The Council's Arboriculture officer has considered this scheme and does not object to the proposals. The most significant tree on the site is a young Walnut tree which is an acceptable distance from the development so that its future health will not be jeopardised. The other trees on the site are fruit trees and a yew which do not make such a significant impact upon the street or open space such that their retention is warranted. I acknowledge that whilst there will be a reduction of general green tree cover from the loss of the fruit trees, the improved boundary treatment and landscaped garden area will make a more positive contribution to the views from within the recreation ground.
- 8.20 The imposition of a suitable planning condition can ensure that the Walnut tree is protected through the construction works (condition 2). In my opinion the application makes adequate provision for the retention of trees and is compliant with Cambridge Local Plan 2006 policy 4/4.

### **Refuse Arrangements**

- 8.21 This scheme accommodates a separate area for the storage of refuse and recycling boxes for the new apartments. These facilities are positioned behind the front wall, which would be both convenient and secure. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.22 The County Highways Authority have considered this scheme and officers are of the view that there will be no adverse impact upon highway safety. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.23 The application provides 4 car parking spaces which accords with the maximum car parking standards within the Local Plan. The scheme also provides bicycle parking in a convenient

secure position close to the entrance of the site behind the front boundary wall. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Archeological Issues**

- 8.24 The County Archeological records indicate this area to be of high archeological potential, being 100m away from the medieval church of St Andrew. On this basis the imposition of suitable planning condition can ensure that a programme of archeological investigation is carried out before works commence in accordance with Cambridge Local Plan policy 4/9, (condition 6).

### **Third Party Representations**

- 8.25 The majority of the points raised in letters of representation received have been addressed in the above assessment. The following additional issue was raised in relation to the original application:

*The development will interrupt the flight path of bats*

An initial habitat and biodiversity report was conducted to support the previous submission. This report concluded that there were no priority habitats on the site.

### **Planning Obligation Strategy**

- 8.26 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered

these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

### Open Space

- 8.27 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 outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.28 The application proposes the erection of 3 two bedroom flats and 1 three bedroom duplex. 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 provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476	3	1428
3-bed	3	238	714	1	714
4-bed	4	238	952		
<b>Total</b>					<b>2,142</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538	3	1614
3-bed	3	269	807	1	807
4-bed	4	269	1076		
<b>Total</b>					<b>2421</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484	3	1452
3-bed	3	242	726	1	726
4-bed	4	242	968		
<b>Total</b>					<b>2178</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632	3	1896
3-bed	3	316	948	1	948
4-bed	4	316	1264		
<b>Total</b>					<b>2844</b>

8.29 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8,

Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

### Community Development

8.30 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	3	3768
3-bed	1882	1	1882
4-bed	1882		
<b>Total</b>			<b>5650</b>

8.31 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

### Waste

8.32 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:



<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	4	600
<b>Total</b>			<b>600</b>

8.33 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

### Education

8.34 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.35 In this case, 4 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, primary, secondary education and lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

<b>Pre-school education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		810	4	3240

<b>Total</b>	<b>3240</b>
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<b>Primary education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1350	4	5400
<b>Total</b>					<b>5400</b>

<b>Secondary education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1520	4	6080
<b>Total</b>					<b>6080</b>

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+-beds	2		160	4	640
<b>Total</b>					<b>640</b>

8.36 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

#### Monitoring

8.37 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial

head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

### Planning Obligations Conclusion

- 8.38 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

## **9.0 CONCLUSION**

- 9.1 Notwithstanding revised Government Guidance within PPS3, the development of garden land remains acceptable in principle. The design of the new building has responded appropriately to its context and would preserve the character and appearance of the Conservation Area and Protected Open Space. The scheme would not detract from the amenities enjoyed by neighbouring residential properties and cycle and refuse provision is successfully incorporated within the site. It follows therefore that the proposal represents an acceptable plot subdivision and development of garden land. APPROVAL is therefore recommended.

## **10.0 RECOMMENDATION**

**APPROVE subject to the satisfactory completion of the S106 agreement by 15 February 2012 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 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, in order to establish Root Protection Areas and construction exclusion zones;

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"

Reason: In the interests of making adequate provision for the retention of trees on the site, Cambridge Local Plan policy 4/4.

3. 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)

4. 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)

5. 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)

6. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. No development shall commence until details of facilities for the covered, secure parking of nine bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure satisfactory provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

8. With the exception of that part of the boundary wall which is to be removed to provide access to the site as shown on the approved plans, the front boundary wall shall be retained in its existing location and at its existing height.

Reason: In the interests of maintaining the character and appearance of the Conservation Area, Cambridge Local Plan 2006 policy 4/11.

**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: ENV6 and ENV7.

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/11, 3/12, 4/2, 4/4, 4/11, 4/13, 5/1, 5/14, 8/2, 8/4, 8/6, 8/10 and 10/1

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.

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

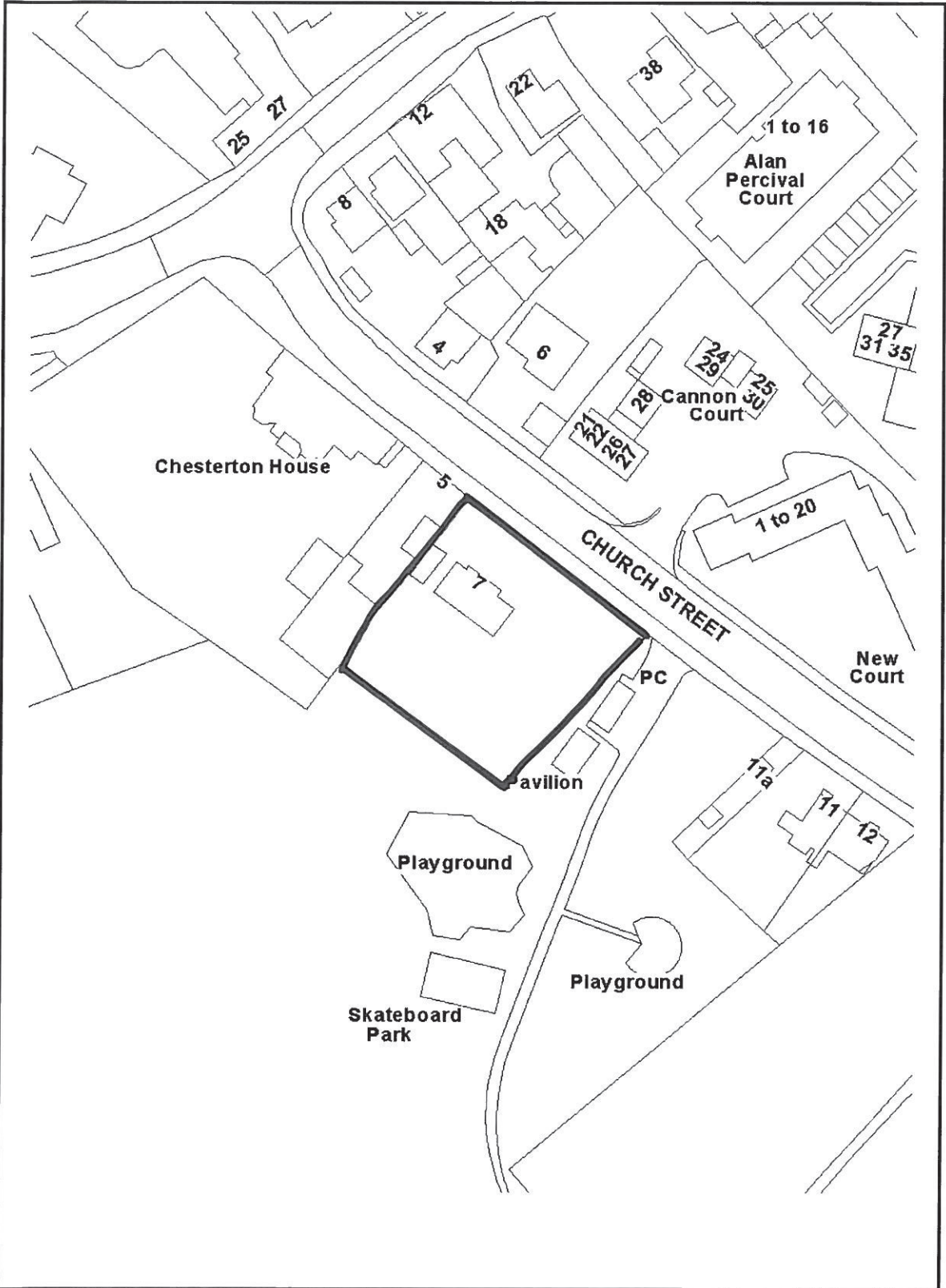
Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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 on the City Council website at:  
[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)  
or by visiting the Customer Service Centre at Mandela House.

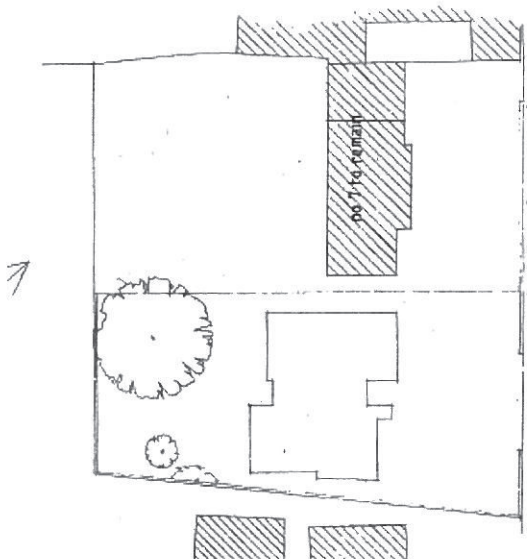
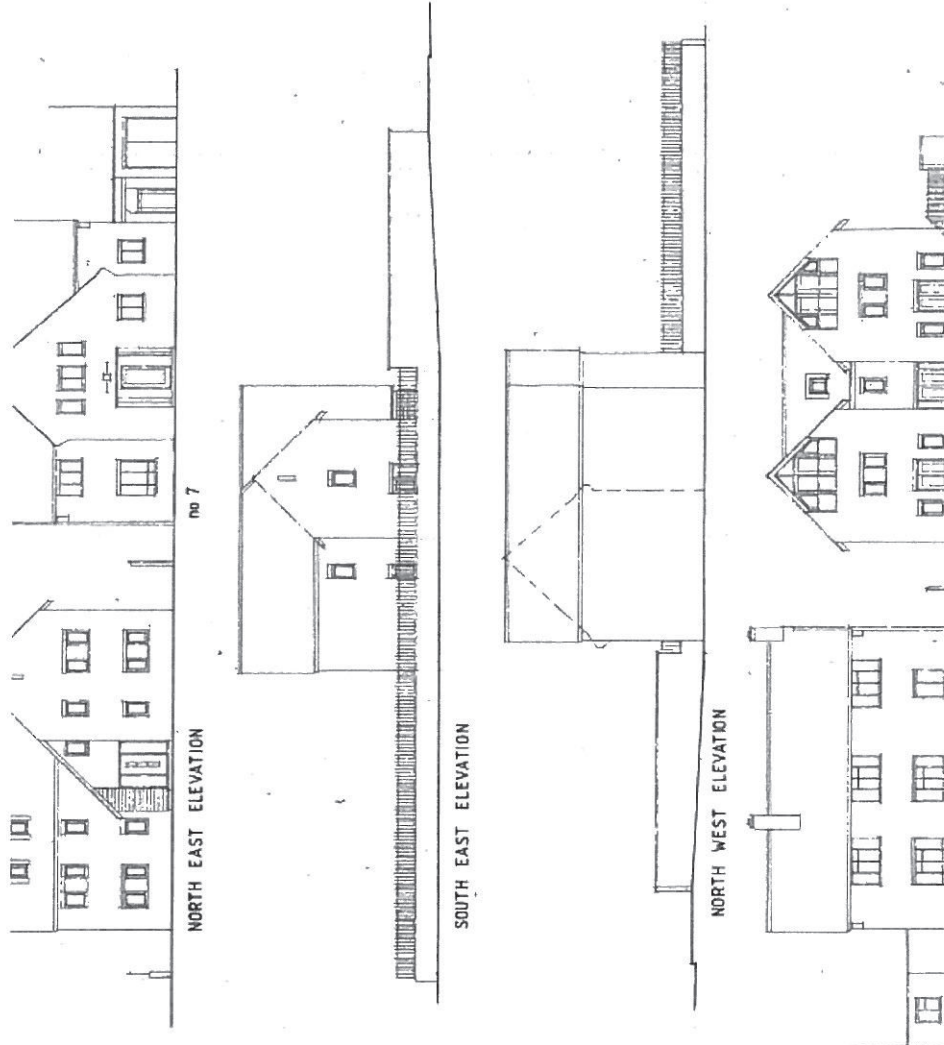
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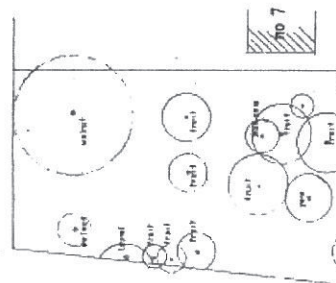


**11/1250/EXP**  
**Land Adj. To 7 Church Street Cambridge Cambridgeshire CB4**  
**1DT**

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Church Street



BLOCK PLAN

TREE SURVEY



**NORTH  
AREA  
COMMITTEE  
APPROVED**

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<b>Application Number</b>	11/1004/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	30th August 2011	<b>Officer</b>	Miss Sophie Pain
<b>Target Date</b>	25th October 2011		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	118 Ramsden Square Cambridge Cambridgeshire CB4 2BL		
<b>Proposal</b>	Erection of a new dwelling.		
<b>Applicant</b>	Mr Stuart Harris 10 Kingfisher Way Cottenham Cambs CB24 8XB		

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### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The existing property, 118 Ramsden Square, is on a housing estate to the north-east of Cambridge, located off of Milton Road. The area is characterised by two storey semi-detached dwellings with generous gardens and off-street parking. The majority of houses in the square are arranged to face the street with clusters of four pairs of semi-detached houses at each corner of the square, off set from the street, fronting onto a shared parking square. Number 118 is in one of these clusters at the southern corner of the square and is a dual aspect plot that turns the corner from the street to the parking square. Its front elevation faces the parking square.
- 1.2 These clusters of dwellings are a key characteristic of the area, and relate to one another rather than the primary street scene. Some of the properties on other corners have been extended quite significantly, but the appearance of these extensions is still subservient to the existing dwellings.
- 1.3 Immediately south west of the site are the rear gardens of those properties, which face onto Hopkins Close, off of Woodhead Drive. Due to the generous gardens of the properties in

Ramsden Square, the dwellings are approximately 35 metres apart. To the south-east is the existing property, 118 Ramsden Square and to the north west is 116 Ramsden Square, which sits 4 m off of the adjoining boundary.

- 1.4 Opposite at number 79 Ramsden Square, a two storey side extension has been built with planning permission. On the eastern corner of the square, permission has been granted for a new dwelling at 37, which creates a terrace of three dwellings, a form which is seen at intervals around the square and a detached dwelling has been granted permission at appeal on land adjacent to 42 Ramsden Square, a site identical to this application site.
- 1.5 The site is not within a Conservation Area, or the controlled parking zone, and there are no tree preservation orders on the site.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks permission for the creation of a new 2 bedroom, two storey detached dwelling on the land to the north west of the existing property following the demolition of an existing garage. The application also seeks the provision of access and off-street parking.
- 2.2 The land for this proposal has been created through the subdivision of land adjoining 118 Ramsden Square.
- 2.3 The dwelling has a maximum ridge height of 7.8 m, falling to an eaves height of 5.2 m. The ridge height is lower than both the adjacent properties, both of which sit at about 8.2 m. The proposed dwelling is set back from the street at its closest point by approximately 6 m, which is in line with the existing housing line, which is predominant in the area.
- 2.4 Vehicular access to the proposed dwelling is via a new-shared entrance with the existing dwelling, which will provide a single off street parking space to each dwelling.
- 2.5 The application is accompanied by the following supporting information:
  1. Design & Access Statement

2. Planning Statement
3. Plans & Elevations

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/00/0165	Replacement of existing conservatory with new extension to side of existing dwelling house.	APC
C/88/1486	ERECTION OF DWELLING HOUSE (OUTLINE APPLICATION).	REF and dismissed on appeal
C/88/0142	ERECTION OF 7-BEDROOMED SINGLE STOREY RESIDENTIAL CARE HOME (AMENDED BY LETTER and DRAWINGS DATED 18/03/88).	REF
C/82/0721	Erection of single-storey extension to existing dwelling house	APC

Reference	Description	Outcome
37 Ramsden Square	Erection of a two bedroom house and other alterations including dormer windows and extension to no. 37 Ramsden Square.	APC
06/0880/FUL 42 Ramsden Square	Erection of detached two storey dwelling with new additional access and off street parking.	REF and dismissed on appeal
09/0286/FUL 79 Ramsden Square	Two storey side extension to existing dwelling.	APC

C/00/0766

- 3.1 The appeal decision for 42 Ramsden Square is attached to this report.

### 4.0 PUBLICITY

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

## 5.0 POLICY

### 5.1 Central Government Advice

5.2 **Planning Policy Statement 1: 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: Housing (2006):** 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.

**Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously



developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

- 5.4 **Planning Policy Guidance 13: 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 **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.

**Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

5.7 **East of England Plan 2008**

SS1: Achieving Sustainable Development  
H1: Regional Housing Provision 2001 to 2021

T2: Changing Travel Behaviour  
T9: Walking, Cycling and other Non-Motorised Transport  
T14 Parking  
ENV7: Quality in the Built Environment  
WM6: Waste Management in Development

## 5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision  
P9/8 Infrastructure Provision

## 5.9 **Cambridge Local Plan 2006**

3/1 Sustainable development  
3/4 Responding to context  
3/7 Creating successful places  
3/10 Subdivision of existing plots  
3/12 The design of new buildings  
4/13 Pollution and amenity  
5/1 Housing provision  
8/2 Transport impact  
8/6 Cycle parking  
8/10 Off-street car parking

Planning Obligation Related Policies

3/7 Creating successful places  
3/8 Open space and recreation provision through new development  
3/12 The Design of New Buildings (*waste and recycling*)  
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, waste recycling, public realm, public art, environmental aspects*)

## 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.

**Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

## 5.11 Material Considerations

### Central Government Guidance

#### **Draft National Planning Policy Framework (July 2011)**

The National Planning Policy Framework (Draft NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would

compromise the key sustainable development principles set out in the Draft NPPF

3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

### **Letter from Secretary of State for Communities and Local Government (27 May 2010)**

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing

supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

**Written Ministerial Statement: Planning for Growth (23 March 2011)**

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy

in PPS4), and that they can give clear reasons for their decisions.

## **City Wide Guidance**

**Cambridge City Council (2011) - Open Space and Recreation Strategy:** Gives guidance on the provision of open space and recreation facilities through development.

**Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)** Sets out how all residential developments should make provision for public open space, if not on site then by commuted payments. It incorporates elements from the Planning Obligations Strategy Supplementary Planning Document (2010) and the Open Space and Recreation Strategy (2006).

**Cycle Parking Guide for New Residential Developments (2010)** – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing space.

If, following provision of the above, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, please add the following conditions and informative to any permission that the Planning Authority is minded to issue in regard to this application.

Recommendation of conditions relating to visibility splays and surface material of the driveway.

- 6.2 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:

116 Ramsden Square

7.2 The representations can be summarised as follows:

The introduction of a detached form will alter the character of the square;

Concerns how the proposal will impact on any future proposals that 116 Ramsden Square may wish to undertake in the future;

The plans label the building on the boundary with No.118 as a garage when it is being used as a liveable area and therefore the new property being so close to the boundary will prevent most of the light that comes through the transparent roof, thereby overshadowing this area.

7.3 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 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. 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 these policy objectives.

- 8.3 The revised PPS3 now declassifies gardens from the definition of brownfield land, and the national minimum density for new development has been removed. Following several recent appeal decisions the Council has drafted an advice note on development affecting private gardens (June 2011). The key points from these changes are; a) more intensive development within residential curtilages remains possible; b) because residential gardens lie outside the 'previously developed land' which is a priority for development, any proposal to use garden land must be fully justified and explained, and c) considerable weight should be given to the 'open aspect' of residential gardens when assessing proposals against policies 3/4, 3/10 and 3/12. I acknowledge that this site is part of a residential garden, however, the fact that the site is within a residential curtilage, does not exclude it from development and I have explained elsewhere in the report why I consider it to be justified in terms of the character of the area.
- 8.4 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f), nor are there any listed buildings in close proximity to the site in accordance with 3/10 (e). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.



- 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 and 3/10 Cambridge Local Plan 2006 and Cambridge City Council Guidance on Development which Affects Private Gardens (June 2011).

### **Context of site, design and external spaces**

- 8.6 The surrounding residential form is predominantly pairs of semi detached dwellings, some of which have extended to either provide additional accommodation to the existing dwellings, or at points some residents have created new dwellings which produce a row of three terraces. A recent appeal decision at 42 Ramsden Square considered the introduction of a detached dwelling on an identical site to the application site and found it to be acceptable. It was considered that as other properties had already undertaken considerable extensions, the character of the area had already been eroded and that as the scale and form of the property was in character with the area the proposal was acceptable.
- 8.7 With this appeal decision forming a material consideration to this application, I consider that the introduction of a detached form would not be uncharacteristic of the area and that the scale and design of the proposed property is in keeping with the context of the area.
- 8.8 The proposed dwelling has been positioned so that it sits along the same building line as other properties along the Ramsden Square frontage.
- 8.9 In my opinion the proposal is compliant with East of England Plan 2008 policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 I consider that the design of the dwelling sympathetically considers the residential amenity of the neighbouring occupier to the north west of the proposed property at Number 116. The

only first floor window on the side elevation is to a bathroom, which can be obscure glazed to protect the privacy of the neighbour. The application does propose a single storey lean to side extension along the boundary, which is 10 m in length. While this may appear large, the existing garage of 116 is adjacent to this proposed extension for 5.5 m thereby ensuring that only 4.5 m is visible within the rear garden environment. This extension has a 2.4 m eaves height with a pitched roof that rises away from the boundary to a height of 3.5 m. As such, I consider that the proposed development should not give rise to an unacceptable impact upon the neighbouring property.

- 8.11 The concern of the neighbour is that the two-storey form will overshadow the use of the garage, which has partially been converted internally to provide livable accommodation. Due to the orientation of the buildings to one another, there will be some loss of light but I do not consider it great enough to warrant refusal of the application.
- 8.12 Additionally, the generous garden plot of 118 Ramsden Square means that the building will be approximately 35 m from the property to the rear, which is acceptable.
- 8.13 The relationship of the proposed dwelling to the parent dwelling, 118 Ramsden Square is considered to be appropriate. The building will not overlook or over bear the remaining garden of 118 and as such I consider that this is acceptable.
- 8.14 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 East of England Plan (2008) policy ENV7, East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

### **Refuse Arrangements**

- 8.15 Refuse storage is proposed for both the existing and proposed dwelling on the newly created mutual boundary between the two to the side of the properties, in line with the proposed dwelling. Within this area there would be space for four bins and four boxes, one waste and one recycling bin per dwelling and two boxes per dwelling. I am satisfied that adequate provision can be made both dwellings in this location.

- 8.16 Subject to such a condition I consider the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.17 The Highway Engineer wished to see that the car parking spaces would be 2.5 m by 5 m, which the drawings show. There was also a requirement for a 6 m reversing space, which is also possible. Therefore, subject to the imposition of conditions relating to the material on the proposed driveway and that there are 2 m x 2 m visibility splays, the Highways Engineer felt would not result in any significant adverse effect upon the public highway.
- 8.18 In my opinion the proposal is compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.19 The application proposes one car parking space, which will be located to the north-west of the dwelling and accessed via a shared driveway with No.118 Ramsden Square. This level of parking is in accordance with the car parking requirements set out in the Cambridge Local Plan 2006.
- 8.20 The new development is required to accommodate space for at least two cycles in accordance with the cycle parking requirements set out in the Cambridge Local Plan 2006. The application states that this will be provided by way of a lockable shed in the rear garden of the proposed dwelling.
- 8.21 Subject to such a condition I consider the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.22 The remaining concern of the objector is that the proposed development will prejudice any future development that 116 may wish to undertake. This is not a planning consideration and any application, which 116 may make in future will be

determined on its own merits and in the context of any development that may have occurred at that time.

### **Planning Obligations**

8.23 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) 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

8.24 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 outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.25 The application proposes the erection of one two-bedroom house. No residential units would be removed, so the net total of additional residential units is one. 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 provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476	1	476
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>476</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538	1	538
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>538</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484	1	484
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>484</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		
1 bed	1.5	0	0		
2-bed	2	316	632	1	632
3-bed	3	316	948		
4-bed	4	316	1264		
<b>Total</b>					<b>632</b>

8.26 The completion of a S106 planning obligation has been undertaken to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

#### Community Development

8.27 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	1	1256
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>1256</b>

8.28 The completion of a S106 planning obligation has been undertaken to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal

accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

### Waste

8.29 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75
Flat	150		
<b>Total</b>			<b>75</b>

8.30 The completion of a S106 planning obligation has been undertaken to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

### Monitoring

8.31 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

### Planning Obligations Conclusion

8.32 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale

and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

## **9.0 CONCLUSION**

- 9.1 I consider that the proposal for a detached dwelling on land adjacent to 118 Ramsden Square is acceptable and does not raise any adverse concerns. I recommend that the application is approved.

## **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. 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)

3. The window in the North West elevation which serves the first floor bathroom shall be limited to opening for ventilation purposes only and obscure glazed to a minimum level 3. The window shall thereafter be installed and retained in accordance with the approved details.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 3/7)

4. The development hereby permitted shall be constructed in external materials to broadly match those of nearby dwellings in type, colour and texture.



Reason: To ensure that the extension is in keeping with the existing building. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/12)

5. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway. (Cambridge Local Plan 2006 policy 8/2).

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

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

7. Prior to the commencement of the first use the vehicular access, details shall be submitted to and approved in writing, in consultation with the Highways Authority to demonstrate that where the vehicular access crosses the public highway, it shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

8. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan 2006 policy 8/2)

9. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. One visibility splay is required on each side of the access, measured to either side of the access, with a setback of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

10. The access shall be provided as shown on the approved and retained free of obstruction.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

**INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

### **Reasons for Approval**

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

East of England plan 2008: SS1, H1, T2, T9, T14, ENV7 and WM6

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

Cambridge Local Plan (2006):  
3/1,3/4,3/7,3/8,3/10,3/12,4/13,5/1,5/14,8/2,8/3,8/6,8/10,10/

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 details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

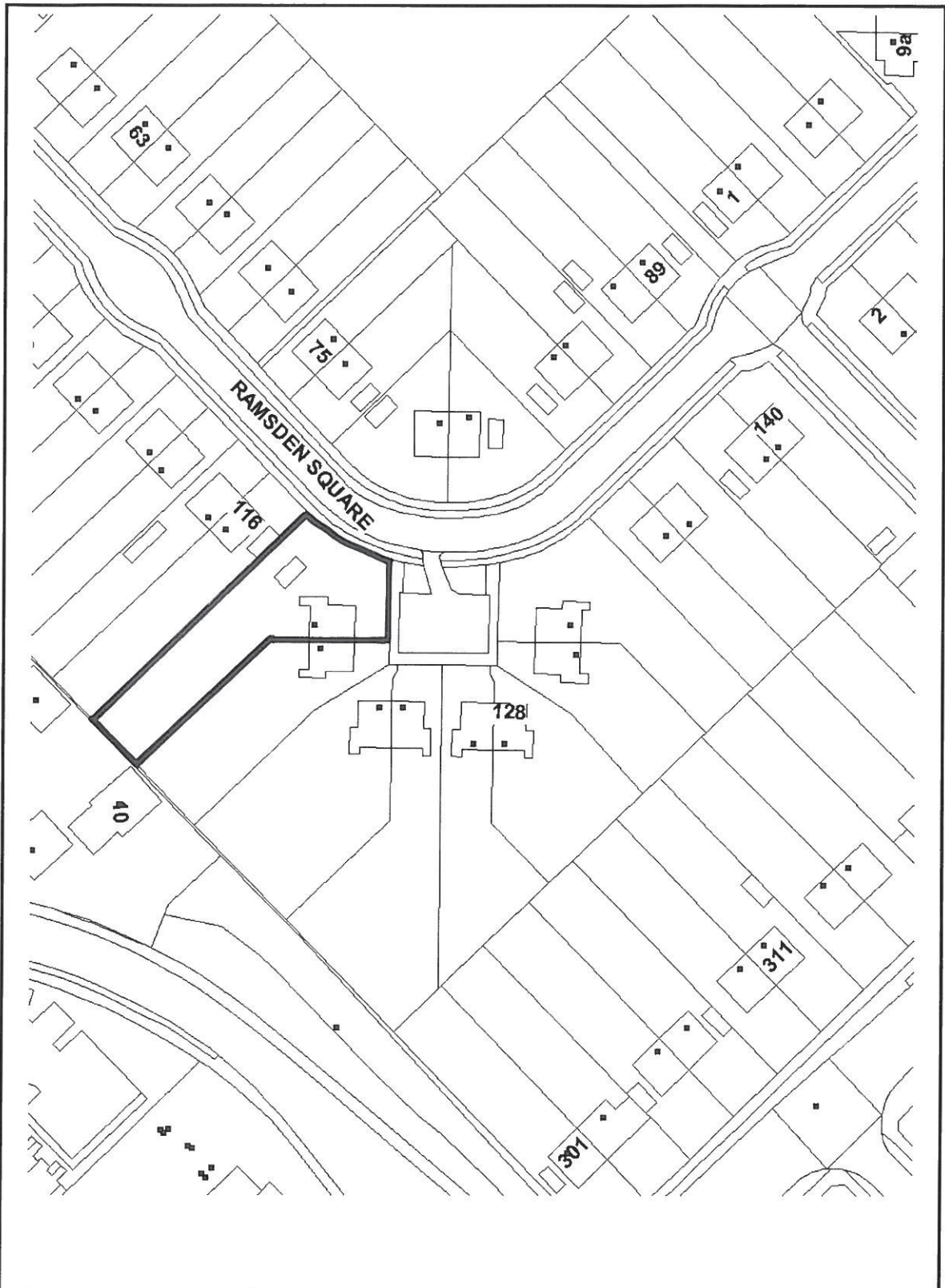
## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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.

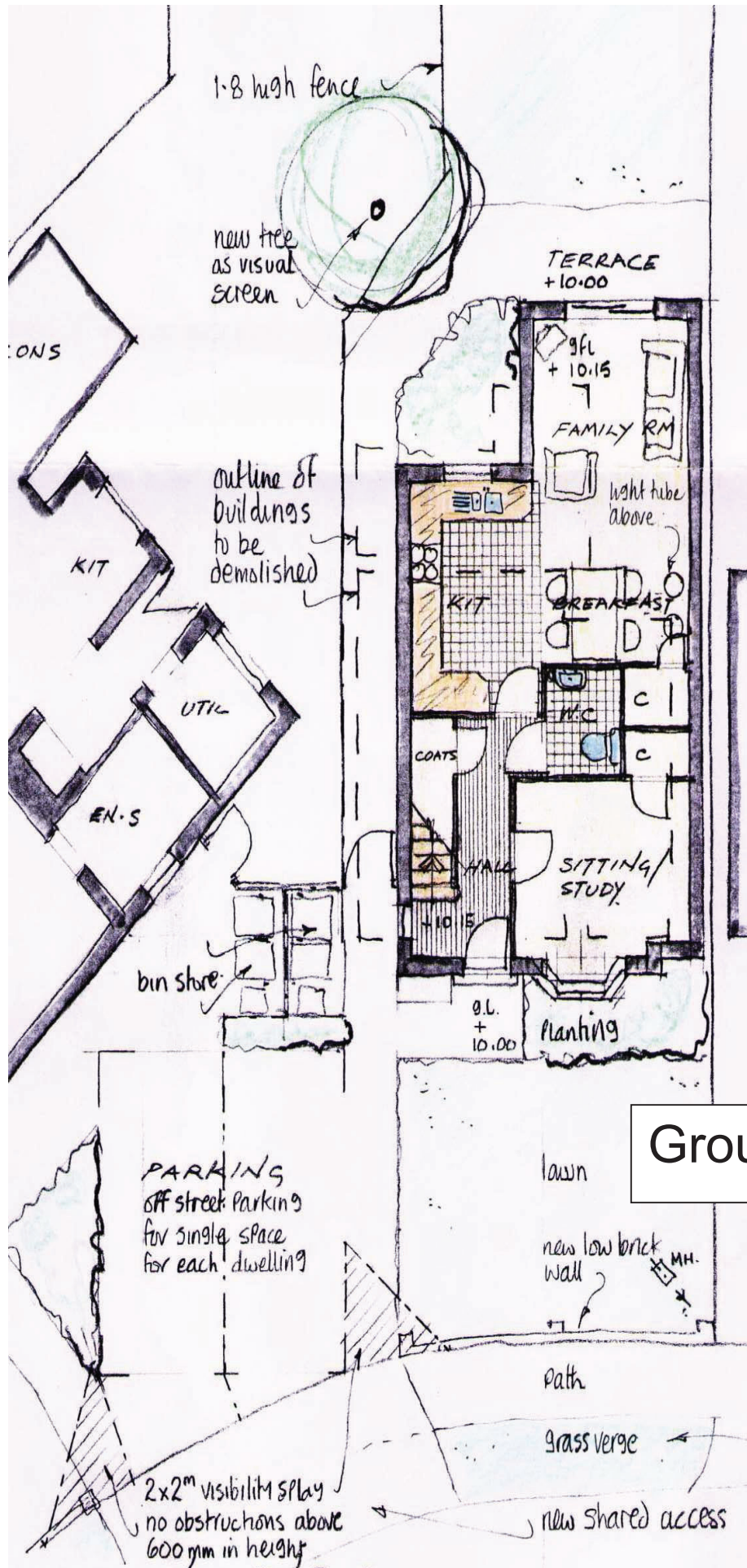
These papers may be inspected on the City Council website at:  
[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)  
or by visiting the Customer Service Centre at Mandela House.

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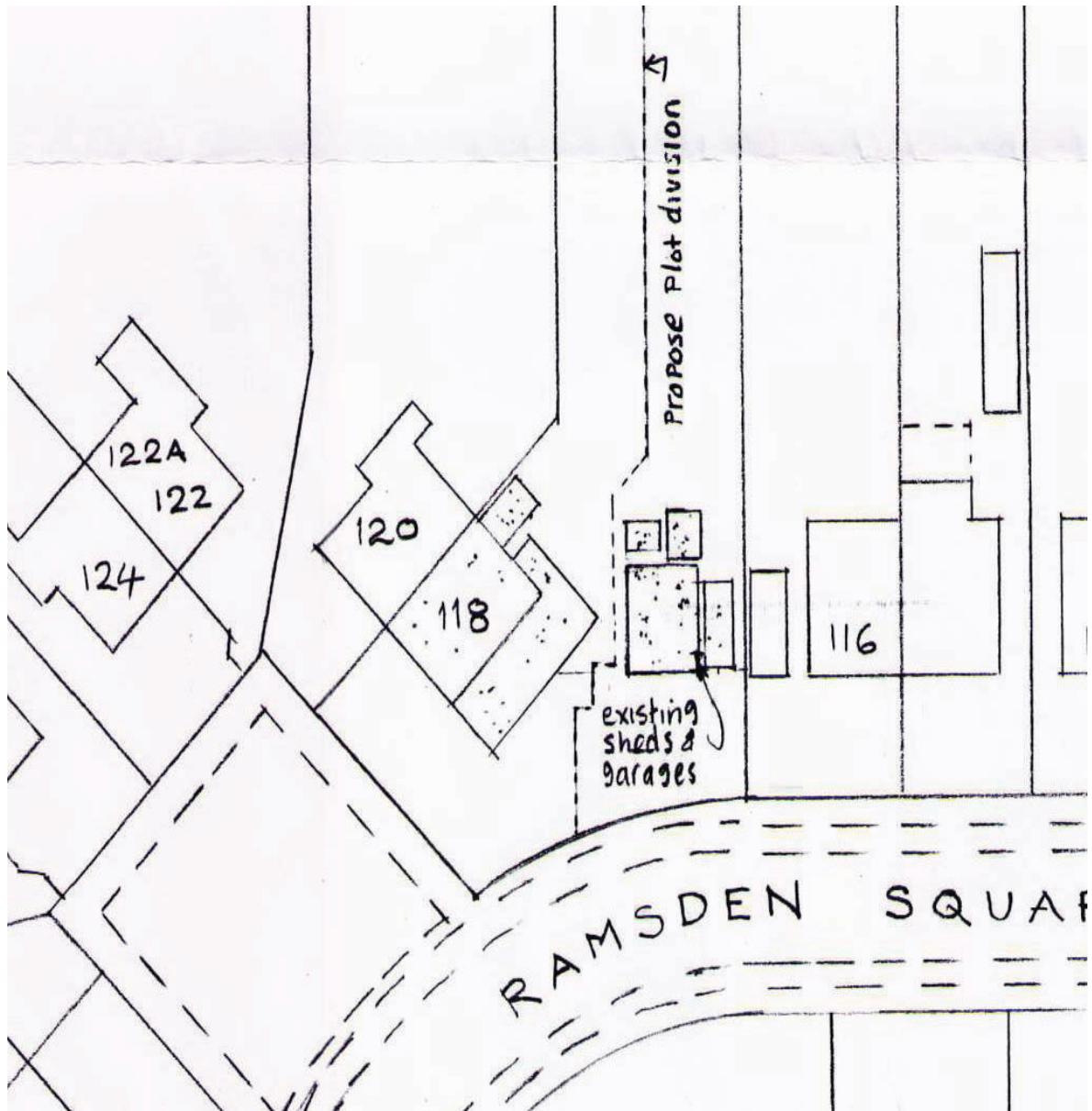


**11/1004/FUL**  
**118 Ramsden Square Cambridge Cambridgeshire CB4 2BL**

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Ground floor plan



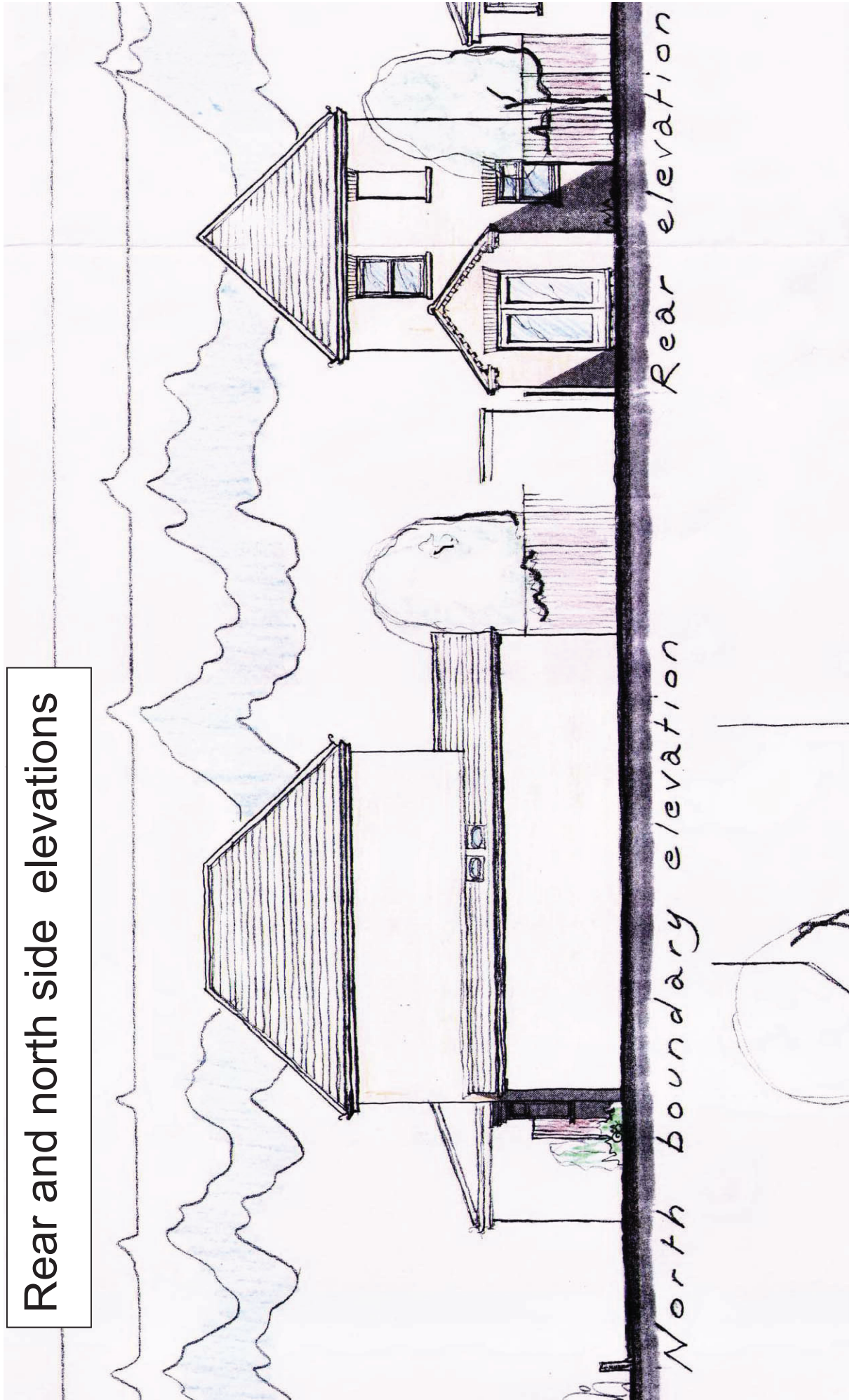
Location plan





Street elevation

Rear and north side elevations





# Appeal Decision

Site visit made on 22 December 2009

by **David Tester** CChem MRSC C.WEM  
FCIWEM

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: enquiries@pins.gsi.gov.uk

Decision date:  
7 January 2010

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## Appeal Ref: APP/Q0505/A/09/2109919 42 Ramsden Square, Cambridge CB4 2BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr D Chandler against the decision of Cambridge City Council.
- The application Ref 09/0286/FUL, dated 29/03/09, was refused by notice dated 20/05/09.
- The development proposed is a detached two storey dwelling within the existing dwelling plot; new additional access and off-street parking.

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### Decision

1. I allow the appeal, and grant planning permission for a detached two storey dwelling within the existing dwelling plot; new additional access and off-street parking at 42 Ramsden Square, Cambridge CB4 2BL in accordance with the terms of the application, Ref 09/0286/FUL, dated 29/03/09, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building 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.
  - 3) 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/dormer windows other than those expressly authorised by this permission shall be constructed.
  - 4) Before development commences, drawings should be submitted to show two 2.0 x 2.0 metre visibility splays. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of any obstruction exceeding 600mm in height.

### **Main issues**

2. The main issues are the effect of the proposal on the character and appearance of the area and its impact on the provision of Public Open Space and Community Development facilities.

### **Reasons**

3. No.42 Ramsden Square is a semi-detached house on a generous plot in a Square of similar properties. The Square has clusters of four pairs of semi-detached houses on each corner, off-set from the street and fronting a shared parking area. No.42 is in one of these clusters and is a dual aspect plot that turns the corner from the street to the parking area, which its front elevation faces. The occupants of this house and others on corner plots around the Square, have taken advantage of the additional plot size to construct extensions, or in the case of some of the inner corners, additional attached dwellings.
4. The appellant now wishes to demolish the single-storey side extension and garage and to sub-divide the plot to create a separate plot on which a 2-bedroom detached dwelling would be constructed. A single parking space for the new dwelling would be retained in front of No.42, along with one for that house. The ridge height for the proposed new dwelling would be slightly lower than the existing houses on either side and the house would face, and be set back from, the Square in a similar fashion to the neighbouring houses, ensuring that it would not overlook or otherwise affect the residential amenities of neighbouring properties.
5. I acknowledge that the development would be the only detached house on the Square, but do not accept that this, by itself, is a good reason not to allow it. If the original housing pattern of the Square and its four corner clusters had been retained in their original state then I agree there would be some point in preserving this. But, as the Council points out, other corners of the Square have been developed and the outward views eroded by large extensions. The appellant has also pointed to other examples of detached dwellings in areas of Cambridge where semi-detached houses predominate.
6. The new dwelling would be of a similar design and scale and use similar materials to the surrounding houses and I consider it would not look out of place amongst them. For these reasons it would not conflict with the aims of policies 3/4, 3/10 and 3/12 of the Cambridge Local Plan and I conclude that it would not materially harm the character and appearance of the area.
7. The Council's Planning Obligation Strategy (2004) requires contributions from developments such as this towards Public Open Space and Community development facilities by way of a signed Planning Obligation under Section 106 of the Town and Country Planning Act 1990. Although offered, no such Obligation has been received from the appellant, and the proposal is therefore contrary to the Strategy and the aim of policies 5/14 and 10/1 of the Local Plan.
8. Notwithstanding this, Circular 05/2005 Planning Obligations advises that they intend to make acceptable development which would otherwise be unacceptable in planning terms. They should not be used in blanket form

regardless of actual impacts. I have been given no explanation of the impact that the formation of an additional household would have on existing facilities or where any contribution would be spent, I am therefore not persuaded that contributions are necessary to make this proposal acceptable.

9. From my considerations of the main issues in this appeal I can see no planning objection to the development and I intend to allow the development. In doing so I have considered appropriate planning conditions in the light of the Council's suggested conditions and Circular 11/95. I intend to impose conditions requiring matching materials to ensure the proposal does not affect the character and appearance of the locality, to prevent new windows being inserted to protect the residential amenities of neighbours, and to provide visibility splays for highway safety purposes. The suggested construction and delivery hours' provisions can be controlled by other legislation.

David Tester

INSPECTOR

