

Application Number	12/0260/FUL	Agenda Item	
Date Received	27th February 2012	Officer	Miss Catherine Linford
Target Date	23rd April 2012		
Ward	Petersfield		
Site	Ryedale House 40 Cambridge Place Cambridge Cambridgeshire CB2 1NS		
Proposal	Conversion of existing buildings to form 4no 1 bedroom flats, along with cycle and refuse store, first floor dormer side extension and part demolition of rear.		
Applicant	H Drake Ryedale House 40 Cambridge Place Cambridge Cambridgeshire CB2 1NS		

INTRODUCTION

- A1 This application was deferred by East Area Committee on 21 June 2012 to allow the issues raised by a late objection from Bodyworks Dance Studio to be fully investigated and the results reported to Committee.
- A2 The issue raised was interlocking between the proposed flats and the dance studio, where children are taught. The applicant has looked into this issue and has suggested that a louvred screening system is installed to prevent overlooking. It is suggested that this system could either be fixed to the dance studio wall at a distance from it or it could be fixed to posts in the courtyard of the proposed flats. Clearly, it is not acceptable for screening system to be fixed to the dance studio as this would require an agreement from the owners of the dance studio, which may well not be forthcoming. In my opinion, there is scope for a screening system to be installed either on Ryedale House or within the application site, and I recommend that details of this are required by condition (condition 6).
- A3 An application for the conversion of the building into flats at 25 Cambridge Place was refused at East Area Committee on 21

June 2012, due to a lack of car parking. In my opinion, a car free development is acceptable here but the applicant owns the plot of land next door to the application site, and has explained that he is willing to use this site as car parking for the development if Committee feels this is necessary. This can be achieved through the use of a Grampian condition (condition 7).

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 40 Cambridge Place is a building, which was most recently in commercial use, which is attached to another commercial building. The building is two storeys in height, where it abuts the neighbouring building, dropping down to a single storey in height. The building has an asymmetrical roof, with a dormer on the southwestern side. Cambridge Place is mixed in character, with commercial and residential uses. The site lies within City of Cambridge Conservation Area 1 (Central).
- 1.2 The ground floor of the building was used as for one business, with a store at ground floor level, with workshop and office at the rear. The building has a mezzanine floor and this was used as a store.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to change the use of the building to residential to provide four one-bedroom flats. The dormer window to the side would be extended and part of the building, at the rear, would be demolished. Refuse and cycle storage would be provided at the rear of the building.
- 2.2 The application is accompanied by the following supporting information:
 1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/00/0391	Demolition of garage and storage buildings	A/C
C/00/0392	Replacement of existing store, garage and parking with new part two storey storage building with associated parking.	A/C

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 National Planning Policy Framework (March 2012)

The National Planning Policy Framework (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 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 NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

- 5.3 **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.
- 5.4 **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.

5.5 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.6 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/6 Ensuring co-ordinated development

3/7 Creating successful places

3/14 Extending buildings

5/1 Housing provision

5/2 Conversion of large buildings

7/3 Protection of industrial and storage space

8/6 Cycle parking

8/10 Off-street car parking

5.7 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design

considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.8 **Material Considerations**

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.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Objection:

Head of Environmental Services

6.2 No Objection:

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

7.0 REPRESENTATIONS

7.1 Councillor Marchant-Daisley has called this application to Committee if it is to be recommended for approval as it raises significant planning issues.

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

- 15 Cambridge Place
- 37 Cambridge Place
- 47 Cambridge Place
- Glisson and Tenison Area Residents Association

7.3 The representations can be summarised as follows:

- The proposal will not provide family housing, which Cambridge needs
- They discriminate against the elderly and/or disabled – too dark, too noisy, no lift, no parking
- The site is not suitable for residential given its proximity to the dance studio whose music is a constant problem for neighbours
- Ryedale House is oriented towards the car park not the street, and the application should be viewed in the context of the car parking area. The car park is not part of the application and another building could be built there
- No provision for car parking – Cambridge Place has double yellow lines along its whole length. Residents will not be able to apply for visitors permits so they will park illegally
- Poor living conditions - The flats would be dark because of the much higher dance studio building behind. They will have to have lights on all the time, which must be against Government policy to conserve energy
- The S106 agreement should include a contribution towards road repairs
- Loss of employment space

- Overlooking to the rear

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 7/3 of the Cambridge Local Plan (2006) states that development, including changes of use, that results in loss of floorspace within Use Classes B1 (c), B2 and B8 will not be permitted where the site is identified on the Proposals Map as a protected industrial/storage space. Development, including changes of use, 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.

8.3 In my opinion, Cambridge Place is not a suitable street for an industrial or storage business. Cambridge Place is a narrow road making the servicing of an industrial business very difficult, as it is not possible to easily manoeuvre a large vehicle. Also, there are a number of residential properties on Cambridge Place, which would be disturbed by an industrial use. In my opinion, residential use is far more appropriate than industrial use here.

8.4 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. Although there are commercial premises on Cambridge Place, there are residential properties, and it is my opinion that residential use would be compatible with adjoining land uses.

8.5 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of non-residential buildings into self-contained dwellings will be permitted except where:

- a) The residential property has a floorspace of less than 110m²;
- b) The likely impact upon on-street parking would be unacceptable;
- c) The living accommodation provided would be unsatisfactory;
- d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
- e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.6 Part a) of policy 5/2 of the Local Plan does not relate to this application as the building is not currently in residential use. The other sections of this policy will be discussed later on in this report.

8.7 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

- 8.8 Currently at the front of the building, on Cambridge Place, there are a number of full length windows and an entrance door. The fenestration on this front elevation will be altered. At ground floor level, one of the full height windows would be replaced with a door, to provide access to one of the ground floor flats, with the other ground floor flat accessed from the existing entrance door. Windows would be added at first floor level, to serve the first floor flats.
- 8.9 At side of the building there is a dormer window, which will be extended. Currently, the dormer window appears as two 'stacked' dormers – one that runs along the length of the roof consisting of seven panes of glass; and another below this, directly below the southeasternmost two panes of glass, consisting of two panes of glass. The dormer would be enlarged so that it would be appear as two rows of glass running along the length of the roof, with a larger 'box-like' dormer on the southernwestern side.
- 8.10 At the rear, the single storey workshop and two storey lift shaft and office would be demolished, with the two storey office space replaced with a part single-storey part two storey element providing a cycle store at ground floor level, and a store for one of the first floor flats at first floor level. The remaining space would become private courtyards for the use of the ground floor flats.
- 8.11 In my opinion, these alterations are in keeping with the building and would be visually acceptable.
- 8.12 Adjacent to the building there is a car park, which does not fall within the application site but is in the applicant's control. Concern has been raised that in the future this land could be developed, and therefore the proposal should take this into consideration. In my opinion, the proposed change of use, extension to the dormer and alterations to the building would not prejudice the development of the adjacent land. The neighbouring site would be more overlooked than it currently is, but it is my view that this would not necessarily prevent the site from being developed in the future.

- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Residential amenity

Impact on amenity of neighbouring occupiers

Noise and disturbance

- 8.14 The occupiers of the residential properties on Cambridge Place (and the wider area to a lesser extent) will be affected by noise and disturbance in the construction period. Construction works are always disturbing, but in order to reduce the impact on these neighbours I recommend that the hours of construction are restricted (condition 2). As Cambridge Place is narrow, I also recommend a condition restricting delivery hours so that they avoid rush hour (condition 3), and I also recommend a condition requiring details of the contractors working arrangements (condition 4).
- 8.15 The first floor flats would be accessed from the rear of the building, and the cycle and bin stores would also be at the rear of the building. There may be noise associated with the comings and goings from this entrance, but in my opinion this would be minimal.

Car parking

- 8.16 Concern has been raised that as no car parking spaces are proposed, and the future residents will not be able to apply for parking permits, the residents will park illegally on neighbouring roads. I understand the concern raised regarding residents blocking the road with their cars or parking on neighbouring streets without permits. However, paragraph 39 of the National Planning Policy Framework (NPPF) states, in relation to parking standards, that Local Planning Authorities should take into account the accessibility of the development, and the availability of and opportunities for public transport. Cambridge Place is close to the City Centre, the railway station and bus routes, and as it is in such a sustainable location, I see no reason to insist that off-street parking spaces are provided.

Overlooking of 21 and 23 Glisson Road

- 8.17 The existing dormer window allows oblique views towards the rear of 21 and 23 Glisson Road, but at a distance as there is a void in front of the windows. The extension of the dormer, and the replacement of the mezzanine floor with a complete floor, will mean that oblique views towards the rear of 21 and 23 Glisson Road will be more likely. However, in my opinion, as the views would be oblique, they would not be significant or harmful enough to justify refusal of the application.
- 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 Cambridge Local Plan (2006) policies 3/4 and 3/7 and part b) of policy 5/2.

Impact on amenity of future occupiers

Living accommodation

- 8.19 Concern has been raised that the proposed flats will be dark due to the taller dance studio building behind it on Glisson Road. All four of the proposed flats have a lot of glazing, which will make them as light as possible, and the enlarged dormer window will increase the light at first floor level. In my opinion, the flats will not be so dark as to warrant refusal of the application, and the living accommodation proposed is satisfactory. Environmental Health have not raised concerns about light or living conditions.

Noise

- 8.20 A dance studio is situated directly to the rear of the application site (25-29 Glisson Road). Both Environmental Health and Planning Enforcement have both received complaints about loud music from the dance studio from neighbouring properties. Any noise from the dance studio is therefore likely to have an impact on the future occupiers of the proposed flats. To mitigate against this impact I recommend a condition requiring a noise survey and mitigation strategy (condition 5).
- 8.21 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7 and part c) of policy 5/2.

Refuse Arrangements

- 8.22 A bin store is proposed at the rear of the building and this is considered to be acceptable.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and part d) of policy 5/2.

Car and Cycle Parking

- 8.24 Car parking is assessed under the heading 'Residential Amenity' above.
- 8.25 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that one secure, covered cycle parking space must be provided for each one-bedroom flat, which in this case would equate to four spaces in total. Four cycle parking spaces are proposed within a cycle store at the rear of the building. This meets the standards and is therefore acceptable.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 part d) of policy 5/2

Third Party Representations

The proposal will not provide family housing, which Cambridge needs

- 8.27 The Local Planning Authority must assess the acceptability of what is proposed, and there is no policy basis to refuse the application because it proposes one-bedroom flats rather than family houses.

The S106 should include a contribution towards road repairs

- 8.28 The repair of any damage to the road in the construction period would be a civil matter between the developer and the Local Highway Authority.

Planning Obligations

- 8.29 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

- 8.30 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.
- 8.31 The application proposes the provision of four one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom

units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
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	4	1428
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					1428

Indoor sports facilities					
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	4	1614
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					1614

Informal open space					
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	4	1452
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					1452

Provision for children and teenagers					
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	4	0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
Total					0

8.32 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

8.33 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:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	4	5024
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			5024

8.34 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

- 8.35 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:

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

- 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 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Education

- 8.37 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.
- 8.38 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for 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.

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

8.39 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

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

Planning Obligations Conclusion

8.41 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 change of use is appropriate and the proposed alterations to the building would have no detrimental impact on the appearance of the building or the street. It is my view that, subject to conditions, the proposal would provide satisfactory living accommodation and would not

have a significant impact on neighbouring occupiers. I therefore recommend that the application is approved, subject to conditions and the completion of the S106 agreement.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 06 December and subject to the following conditions and reasons for approval:

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. 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 between 0700 hours and 0900 Mondays-Fridays and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the neighbouring residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. 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.

l) 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)

5. Part A

Prior to the commencement of refurbishment/development works a noise report prepared that considers the impact of noise from the neighbouring Dance Studio on upon the proposed development shall be submitted in writing for consideration by the local planning authority

Part B

Following the submission of a noise report and prior to the occupation of refurbishment/ development works, a noise insulation scheme having regard to acoustic ventilation, protecting the residential units from noise as a result of the proximity of the bedrooms/living rooms to the high noise levels from the neighbouring dance studio shall be submitted to and approved in writing by the local planning authority.

The scheme shall achieve:

- The 'good' noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings- Code of Practice,' with
- Ventilation meeting both the background and purge / summer cooling requirements of Approved Document F.

Details shall include:

- Glazing Specifications
- Details of Ventilation

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

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

6. Prior to the commencement of development, a scheme for the screening of the rear windows to prevent interlocking between the development and the Bodyworks Dance Studio, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the users of the dance studio and future residents of the flats. (Cambridge Local Plan 2006, policy 3/7)

7. No part of the development hereby permitted shall take place until a scheme for car parking using the area of land outlined in blue on dwg no. 12/1312/01 has been submitted to and approved and writing by the Local Planning Authority.

Reason: To mitigate against the impact on on-street car parking. (Cambridge Local Plan 2006, policy 8/10)

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:

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

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

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with 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 06 December, or if Committee determine that the application be refused, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, affordable housing, public realm improvements, public art, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 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. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

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
or by visiting the Customer Service Centre at Mandela House.