

Application Number	12/1443/FUL	Agenda Item	
Date Received	12th November 2012	Officer	Mr John Evans
Target Date	7th January 2013		
Ward	Market		
Site	Land Rear Of 21 - 28 New Square Cambridge Cambridgeshire		
Proposal	Demolition of existing garages, outbuilding and wall and erection of eight dwellings with associated landscaping, planting, access, parking, waste and storage and associated works at Eden Street Backway/Portland Place.		
Applicant	Jesus College C/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The development will make a positive contribution to the character and appearance of the Conservation Area. 2. No adverse harm to neighbouring amenity. 3. There will no be significant increased competition for car parking spaces in the CPZ.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a rectangular shaped plot made up of 12 pre fabricated concrete lock up garages and the end section of gardens from numbers 21 – 28 New Square. The boundary to Eden Street Backway is defined with a 2m wall, wooden gates and a single storey brick built outbuilding.
- 1.2 The site has 2 road frontages, Portland Place and Eden Street Backway both of which have a back lane character. The area is characterised by terraced Victorian residential properties.
- 1.3 The site is within the Central Conservation Area. There are numerous mature trees on the site, which are protected from felling by reason of being within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the demolition of existing garages, outbuilding and wall and erection of eight dwellings with associated landscaping, planting, access, parking, waste and storage. Submitted alongside the application for planning permission are also two further applications for Conservation Area Consent and Listed Building Consent. These are for the existing garages, curtilage listed Coachhouse and wall. Separate assessments are provided for these. The recommendations are reliant on the positive determination of the residential proposal.
- 2.2 The dwellings form two new terraces, with five houses fronting Eden Street Backway and three houses fronting Portland place. The terraces are designed with a central core and projecting front and rear mono pitched wings. The eaves level of the front mono pitches stand at 4.4m and they have an overall height of 6.4m.
- 2.3 The proposed terraces are constructed with reclaimed buff bricks and a zinc standing seam roof.
- 2.4 Car parking, refuse and cycle storage is integrated within the decision of the houses.

2.5 The application is accompanied by the following supporting information:

1. Planning Statement
2. Design and Access Statement
3. Arboricultural plan
4. Transport Statement
5. Archaeology Statement
6. Heritage impact assessment
7. Flood Risk Assessment
8. Bat Survey
9. CGI images

3.0 SITE HISTORY

No relevant history. See accompanying Conservation Area Consent and Listed Building Consent applications.

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6 ENV7
Cambridgeshire and Peterborough Structure Plan	P6/1 P9/8 P9/9

2003	
Cambridge Local Plan 2006	3/4 3/6 3/7 3/10 3/11 3/12 4/4 4/10 4/11 4/13 5/1 8/2 8/6 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Open Space and Recreation Strategy
	<u>Area Guidelines:</u> Conservation Area Appraisal: Kite Area

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal removes any off-street parking provision for the existing dwelling units, whether currently used, or not and has potential to decant existing demand from local users onto the street in competition with other local residents.

The existing residential units will, under current protocols operated by the County Council, still qualify for Residents' parking permits and so the proposal has potential to increase competition for parking in the longer term.

The Residents' Parking Scheme in this area is already over-subscribed and, at times, residents experience difficulty in finding parking spaces. This proposal will exacerbate this situation, to the detriment of existing residential amenity.

Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwellings will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

Urban Design and Conservation Team

- 6.2 The applicant has taken cues from existing buildings in the locality when designing these buildings. There is an inherent rhythm to many of the terraces in the Kite area, especially the listed buildings. The mono-pitch roofs have taken their reference from the extensions to Portland Place Terrace and are at the same angle. The proposed properties are back of pavement edge, to replicate the feeling of narrowness of a secondary street which is part of the character of this part of the conservation area, but the building line is staggered, to reduce the massing. The scale of the proposal is also a reflection of the local area. The terraces around the local streets are generally small, two storey houses. By keeping to 1½ storeys, the new buildings will not compete in scale with the established

character. All of these elements will contribute positively to the preservation of the character of the area.

Provided that the conditions are discharged appropriately, this development will not be detrimental to the character and special interest of the listed buildings or the appearance of the conservation area. The applications comply with policies 4/10 and 4/11 of the Cambridge Local Plan 2006.

Head of Streets and Open Spaces (Tree Team)

- 6.3 While it is still my opinion that the development, if permitted, will have a detrimental impact on the area in terms of tree cover, I acknowledge that this may not be sufficient reason alone for refusal. The introduction of the planting pit along the Backway frontage will allow a small tree to help soften the hard lines of the development. With regard to species I would consider a variety of fruit trees or rowan.

Head of Streets and Open Spaces (Landscape Team)

- 6.4 Should this scheme be approved we require the following Conditions;
- We require fully detailed soft landscape proposals, to include detailed planting plans, written specifications (including plant schedule with size, spacing and densities of proposed plants), and an implementation programme.
 - We require fully detailed hard landscape proposals to include full construction details, levels, specifications of all hard surfacing materials, furniture, boundary treatments, lighting etc.
 - A maintenance plan for the entire site (to include a 5-year replacement-planting regime at least)

Design and Conservation Panel (Meeting of 14 March 2012)

- 6.5 The conclusions of the Panel meeting(s) were as follows:

Presentation – Land at Eden Street Backway & Portland Place (rear of New Square). The pre-application proposal for a residential redevelopment of pre-fabricated concrete garages and brick out-buildings to provide eight new dwellings - five to be accessed from Eden Street Backway and three from Portland Place. The dwellings are of a contemporary design

and are intended to respond positively to the character of the Conservation Area. The site is currently owned by Jesus College. Presentation by Michael Hendry of Bidwells with Chris Senior of DPA Architects.

The Panel's comments are as follows:

- Urban grain. This is an area without a consistent arrangement of dwelling fronts and backs. The majority view was that it was therefore acceptable for the Portland Place dwellings to have a different arrangement to those accessed from Eden St Backway. However, some of the Panel were troubled that this arrangement left some of the corner dwellings with very small gardens.
- Materials (brick). The design team are praised for proposing to use reclaimed bricks, although reclaimable materials are becoming increasingly rare.
- Materials (zinc roofing). The Panel would encourage the use of slate rather than zinc if the detailing is crisp, and noted that a slate roof does not need a concrete capping.
- The mews development. The road surface of Eden Street Backway is in poor condition. Its closure by bollards at one end offers an opportunity to explore the possibility of a shared surface area with planting used to help to define and soften the margins instead of hard paving and road markings. Although a private road, Willow Walk was suggested as an example to follow.
- On-street parking space. The Panel would welcome the relocation of the parking space but appreciate the difficulties of this constraint and note that the design team is discussing the issue with the Highways Authority. The relocation of this parking bay would be welcomed.
- Loss of off-street parking spaces. The Panel note the likely loss of car-parking spaces as the new dwellings will not be entitled to residents' parking permits.
- Trees. The existing trees make a contribution to the area and the Panel would welcome further information on the quality of these trees and a clear statement of the rationale for the removal of three mature trees.
- West facing rear garden walls. These high walls will appear stark, casting a shadow on the garden spaces. Smaller fences between properties should be considered, along with increased planting to create a softer edge.

- Sustainable credentials. The Panel note that the sustainable policy has yet to be finalised but is to achieve Code Level 4 and to include solar panels.
- Fenestration. The Panel thought that the fenestration needed further consideration, looking to existing windows in the area for inspiration, and that an additional window on the corner unit would improve surveillance of the road.

Conclusion

The Panel was generally sympathetic to the style of the proposed development but was concerned that the site was being overdeveloped. The Panel would welcome a statement on the rational for removing the existing trees and further exploration of the rational for the choice of this layout. In particular, the Panel would be interested to see the benefits of reducing by one the number of units and of trying a form of house-type without gardens on Portland Place.

The Panel also considered that much of the success of the scheme would turn on the quality of the materials and their detailing, and hoped that the detailed design would deliver the crispness suggested by the presentation.

VERDICT – GREEN (6), AMBER (5)

Cambridgeshire County Council Archaeology

- 6.6 No development shall take place within the area indicated until the applicant, or their agents 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.

Head of Streets and Open Spaces (Nature Conservation Officer)

- 6.7 The application includes a Phase 1 habitat survey which recommended additional bats survey work. This was subsequently undertaken in July 2011. I would draw your attention to recommendation 4 within the Eden Street Backway, Cambridge – Bat Survey Report by MKA Ecology Ltd, September 2011, which states:

The results of this survey should be considered valid until Spring 2013. If works to the structure are planned beyond March 2013 then further survey effort should be employed to reassess the situation. If this is likely to be the case the tiles can be removed immediately and the building can be kept in an unsuitable condition for bats until the proposed works begin.

Could you confirm if the structure has been made unsuitable for bats or if spring 2013 surveys are planned?

I would welcome the additional recommendation for integral bat tubes within any proposed buildings and that exterior lighting is managed appropriately to encourage continued use of the site by foraging bat species.

Access Officer

6.8 Awaiting comments.

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 Rosenstiel has commented on this application. His comments are as follows:

Looking at the Statement of Community Involvement attached to the application I am most disturbed to find this statement appearing twice: "No visitor permits will be allowed.". That is the reverse of the County Council's position which is that all residents of the new homes will be entitled to purchased visitors' permits and is part of the problem also referred to below.

I also note that despite more than one consultee raising concerns about the loss of the 12 garages, the most the agents have to say about that is that the tenants will get 3 months notice. I find that an unbelievable refusal to consider the effect of the loss of garages, even though clearly spelt out by the consultees, e.g. by Respondent 5:

"My first concern regards parking spaces. If I understand it correctly, the proposal is to remove 12 garages that are currently leased out, and the three houses planned will have no parking associated with them.

It is well known that there are too few parking spaces already in the Kite area of Cambridge – in fact it was revealed last year, 375 residents' permits had been issued for only 257 [spaces]".

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

23 Eden Street
30 Eden Street
35 Eden Street

7.3 The representations can be summarised as follows:

Comments on the principle of development

- An old building will be demolished.
- Support improvement to scruffy appearance of the (1 letter).

Design Issues

- High density of development in an already overcrowded area.
- No soft landscaping along Eden Street backway creating a tunnel like affect.

Amenity Issues

- Overlooking of number 30 Eden Street.
- More traffic in a crowded area.
- Rear car parking area to number 30 obstructed.

Trees

- Established trees would be removed.
- Birds and squirrels live in this wildlife corridor.

Servicing

- Extra demand on refuse disposal.
- Inadequate provision for refuse collection.

Car parking

- Not enough car parking.
- Removal of garages will increase traffic in this enclosed area.
- Desperate shortage of car parking in the Kite area.
- Inconvenience of rented garage space being displaced.

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. Ecology
8. Disabled access
9. Third party representations
10. 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 The National Planning Policy Framework 2012. 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 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). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.

- 8.4 Approximately a third of the site is currently used for car parking, with the remainder garden land. I do not consider the end section of the gardens of New Square to make a significant contribution to the open character of the Conservation Area. I consider adequate justification has been presented to develop this low priority garden land.
- 8.5 The application involves the removal of an existing cartshed outbuilding. The cartshed is the only building left along the road on this site that is of historic interest. It was not indicated in the Kite Conservation Area Appraisal as a Significant Building.
- 8.6 Under the Cambridge Local Plan 2006, policy 4/10 demolition of listed buildings sets out the relevant tests that have to be applied. The first is that the building is structurally unsound for reasons other than deliberate damage or neglect. Despite the application documents saying that the building has subsidence, there is no structural engineer's report to support this. Unless such a document is forthcoming, this cannot be used as a reason for the demolition of this building.
- 8.7 The second test is that the building cannot continue in its current use and there are no viable alternatives. The cartshed has not operated as such for many years and appears to have been used only for general storage for a long time.

- 8.8 The third test is that wider public benefits will accrue from redevelopment. Given that the cartshed is curtilage listed to the main property, 26 New Square, it was not considered of enough special interest when the appraisal was written for it to be highlighted on the map or mentioned in the text. It has no specific purpose as it stands, and therefore, provided that an approved scheme is forthcoming, the loss of the building may allow a redevelopment which will have wider public benefits. These benefits will be the loss of the unsightly 1950s garages and the implementation of a scheme which is appropriate for this location and which will see more pedestrian activity and natural surveillance in Eden Street Backway. The scheme will be an enhancement of the conservation area.
- 8.9 The garage adjacent to the cartshed is of no historic or architectural interest and therefore its demolition is supported.
- 8.10 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 3/10, 4/10 and 4/11.

Context of site, design and external spaces

- 8.11 The key design issue is the design and appearance of the new buildings in their setting within the Conservation Area.
- 8.12 The proposed development creates a new series of gardens and does not follow the existing garden plots of New Square. I do not consider the existing plots of such significance to the character and appearance of the Conservation Area as to constrain development. The end section of the gardens along New Square are unkempt and appear infrequently used. The boundaries of the site are logical and the reduced garden depth of the donor houses would not detract from the setting of the Listed Buildings of New Square.
- 8.13 I note comments from the Design and Conservation Panel regarding the overall density of the development. The density is however broadly similar to the existing terraces to the south west. The proposed three new terraces which address Portland Place will have relatively small rear gardens, but the plot layout will not be visible from the public domain. There will be no harm to the overall character and appearance of the Conservation Area.

- 8.14 The new terraces will make a positive improvement to the character and appearance of the street scene. This is because their scale and massing is appropriate in this context and their detailed design takes positive inspiration from surrounding buildings. The proposed mono pitch roofs reflect the extensions to the Portland Place terraces and are at the same angle, which will ensure a satisfactory contextual relationship with the back lane character of Eden Street. The T-shaped design of each house provides articulation and visual interest creating an attractive new street scene.
- 8.15 Internally, the Eden Street Backway terrace has been designed in a creative way to provide an integrated, secluded terrace area, with varied window openings. This results in an attractive, new active frontage along Eden Street Backway, providing natural surveillance at ground floor level.
- 8.16 In terms of materials the brickwork will be salvaged and reclaimed from the existing outbuildings and boundary wall. The pre painted standing seam zinc roof and corner windows will give the terrace a contemporary appearance. The proposed materials and detailing is high quality in accordance with Cambridge Local Plan policy 3/12.

External spaces and trees

- 8.17 The development will result in the loss of 9 trees, 3 of which (a Horse chestnut and two Ash) are considered to be category B specimens. The site could not be developed in a logical manner while retaining these trees. The Council's Arboriculture Officer accepts their loss in terms of the wider benefit accruing from development and suggests a number of replacement tree planting options which can be secured through the imposition of suitable planning conditions.
- 8.18 Concerns from Design and Conservation Panel regarding boundary treatment are noted. Appropriate low level fencing can be provided through the imposition of a suitable planning condition.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/10, 3/12, 4/4 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.20 The terraces have been designed to eliminate any overlooking. The proposed first floor windows are proposed to be fitted with obscure glass to prevent any overlooking of gardens to the south or the garden of number 3 Eden Street Backway. The proposed external terrace areas are secluded within the building by a front wall, ensuring the privacy of adjacent residential properties is maintained.
- 8.21 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.

Amenity for future occupiers of the site

- 8.22 The proposed new terraces will be desirable accommodation offering a high level of amenity for future occupiers. 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) policies 3/7 and 3/12.

Refuse Arrangements

- 8.23 Refuse provision is successfully integrated into the development. The development would not place an unreasonable demand on refuse collection and a similar arrangement currently in operation for the servicing of the other Eden Street Backway properties would be employed. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

- 8.24 I note concerns raised that the development will place an additional demand for car parking in the Kite area. New residents would not qualify for permits within the CPZ, although they could purchase visitor permits. In addition, the existing

garages and rear garden parking, which would be removed, would potentially increase demand within the CPZ which is oversubscribed.

8.25 The current use of the site as garage lock ups is a poor use of land in the City centre. Whilst I recognise some residents will no longer enjoy the luxury and convenience of individual, secure private car parking in the City centre, this does not justify constraining development of the site. Three of the garages are rented by people living elsewhere in the City or abroad, which does not ease pressure locally for car parking.

8.26 I note the widespread concern regarding the availability of car parking in the Kite area with 375 residents' permits being issued for only 257 spaces. Also I am aware of the potential impact of new residential development at Parkside Place and allocation of visitor permits. However, demand for car parking is not spatially even across the Kite area, with some streets having a relatively high turnover and availability of spaces. The potential increase in demand resulting from this development is unlikely to have a significant impact on streets in the CPZ in the immediate locality. The shortfall of permits is a management issue of the CPZ and cannot be solved through the determination of this minor planning application for 8 houses.

8.27 The site is in a highly sustainable central location, in close proximity to excellent public transport and cycling links. Given the level of concern regarding car parking in the locality, on balance, I do not consider there to be an overprovision of car parking within the scheme.

Cycle Parking

8.28 Adequate cycle parking is provided and is successfully integrated within each new dwelling. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Disabled access

8.29 The development will be compliant with Part M of the Building Regulations. Ramped access has been provided to the entrances of each unit. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Ecology

- 8.30 No evidence of bats on the site. Follow up survey work can be secured through condition.

Third Party Representations

- 8.31 The above comments have been

Planning Obligations

- 8.32 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.

The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.33 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.

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		
2-bed	2	238	476	8	3808
3-bed	3	238	714		
4-bed	4	238	952		
Total					3808

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		
2-bed	2	269	538	8	4304
3-bed	3	269	807		
4-bed	4	269	1076		
Total					4304

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		
2-bed	2	242	484	8	3872
3-bed	3	242	726		
4-bed	4	242	968		
Total					3872

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		0
2-bed	2	316	632	8	5056
3-bed	3	316	948		
4-bed	4	316	1264		
Total					5056

8.34 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

8.35 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		
2-bed	1256	8	10,048
3-bed	1882		
4-bed	1882		
Total			10,048

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.

Waste

8.37 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	8	600
Flat	150		
Total			600

- 8.38 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.

Waste Management

A contribution is sought from all dwellings towards up grading existing/providing new Household Recycling Centres to mitigate the impact of new development on these facilities. This development lies within the catchment site for Milton. Contributions are sought on the basis of £190 per house for four new sites giving increased capacity as permanent replacements for the existing temporary site at Milton. A total contribution of £1520 is necessary.

- 8.39 Subject to the completion of a S106 planning obligation to secure the requirements of the RECAP Waste Management Design Guide SPD 2012, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policy 10/1 and the RECAP Waste Management Design Guide SPD 2012.

Education

- 8.40 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.

8.41 In this case, 8 additional residential units are created. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		810	8	6480
Total					6480

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1350	8	10800
Total					10800

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1520	8	12160
Total					12160

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+- beds	2		160	8	1280
Total					1280

8.42 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.

Transport

8.43 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the Eastern Corridor Area Transport Plan where the contribution sought per trip is £229.

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

8.44 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.45 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

- 8.46 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 The principle of demolishing the wall and cartlodge is acceptable. The scheme is a high quality, attractively designed residential scheme, which will not have an adverse impact on neighbouring amenity. Negligible impact on the availability of car parking spaces in the CPZ. APPROVAL is recommended.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 1 March 2013 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. No new walls shall be constructed until the details of the roof/wall junctions, including eaves, fascias and soffits, wall/floor junctions and wall/wall junctions have been submitted to and agreed in writing by the local planning authority. This includes junctions between historic and new work. Construction of walls shall thereafter take place only in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

4. Prior to occupation of the development, a hard landscaping scheme and details of replacement trees, including full details of surface and boundary treatments, is to be submitted to and approved in writing by the Local Planning Authority. Landscape works shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11).

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

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

6. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

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

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

9. Noise Assessments and Mitigation/Insulation (BS 4142:1997)

a. Prior to the commencement of refurbishment/development works a noise report prepared in accordance with the provisions of British Standard (BS) 4142:1997, 'Method for rating industrial noise affecting mixed residential and industrial areas,' that considers the impact of industrial noise upon the proposed development shall be submitted in writing for consideration by the local planning authority.

b. Following the submission of a BS 4142:1997 noise report and prior to the commencement of refurbishment/development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise from the neighbouring industrial use shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings-Code of Practice'. These levels shall be achieved with ventilation meeting both the background and summer cooling requirements.

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: In the interests of the amenities of future occupiers, Cambridge Local Plan 2006 policy 4/13.

10. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. 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 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.

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 LPA and receipt of approval of the document/documents from the LPA. 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 LPA.

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

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

11. 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)

12. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

13. 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)

14. 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)

15. (The windows identified as having obscured glass on drawing number PL (21) 01 and on the south Portland Place elevation at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

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, 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: ENV6, ENV7

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

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

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 1 March 2013, or if Committee determine that the application be refused against officer recommendation of approval, 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 storage, waste management facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/8, 3/12, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the RECAP Waste Management Design Guide SPD 2012, the Open Space Standards Guidance for Interpretation and Implementation 2010 and the Eastern Corridor Area Transport Plan 2002.

3. 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.