

Application Number	10/0132/FUL	Agenda Item	
Date Received	1st March 2010	Officer	Mr Tony Collins
Target Date	26th April 2010		
Ward	Romsey		
Site	The Jubilee 73 Catharine Street Cambridge Cambridgeshire CB1 3AP		
Proposal	Erection of 5 dwelling houses and two studio apartments with associated garden space (following demolition of existing 'Jubilee' public house).		
Applicant	Mr James Arnold Bennell Farm West Street Comberton CB23 7DS		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is the corner plot on the north-west corner of the junction of Catharine Street and St Phillip's Road. The site is occupied by a disused public house, a two-storey nineteenth-century building, of brick construction, with a pitched slate roof, and a number of outbuildings. The public house addresses both streets, but also has a yard to the west, enclosed by a high boundary wall, and accessed by a gate on to St Phillip's Road. To the north, south and east of the site are terraced houses in Catharine Street. At the west side of the cartilage, the site is separated from the rear gardens of houses in Sedgwick Street by a narrow alley. The surrounding area is entirely residential.
- 1.2 The site is not within any conservation area, and falls outside the controlled parking zone. There are no trees on the site.

2.0 THE PROPOSAL

- 2.1 The application proposes a two-storey building running along the St Phillip's Road frontage of the site, 26m long and 10m deep. Finished in brick, with a pitched slate roof, hipped at both ends, the

building would be 5.2m above ground at the eaves, and 8.5m at the ridge.

- 2.2 At its eastern end, the building would contain two flats, one above the other, and five houses are shown in the remainder of the block, fronting St Phillip's Road. On the street frontages, the detailing would draw on features of the surrounding houses, with brick arches, projecting cills and corbels, and windows with a vertical orientation, but without chimneys. At the street corner, a corner door will provide entry to the ground floor flat. This detail, wider windows and a projecting ground-floor cornice would allude to the appearance of converted shop premises in this part of the city. Houses 2-5 (those closest to Catharine Street) would have a third bedroom within the roof, served by opening roof lights to the front and rear of the building.
- 2.3 At the rear, full-length glazing at ground level would open into small gardens serving each of the five houses. The first floor elevation would be heavily articulated, with bedroom windows oriented to the east or west in Houses 1, 3, 4 and 5 to limit overlooking of houses and gardens to the north and west.
- 2.4 Space to park two cars on site would be provided at the east end of the site, accessed from Catharine Street. It was originally proposed these spaces be secured by lockable bollards and protected by a flat roof. A subsequent amendment shows up-and-over doors to replace the bollards. It is proposed that one of these spaces be dedicated to a Car Club vehicle. Access to the rear gardens would be provided from an entrance on Catharine Street, with space for waste bins in a common area, and space for cycles in the gardens.
- 2.5 The application originally proposed access to the three western houses from the alleyway between the application site and the rear gardens of houses fronting on to Sedgwick Street. Following concerns expressed at the Development Control Forum about rights over this access, the drawings have been amended to show access to all the rear gardens from an entrance on Catharine Street, with space for waste bins in a common area, and space for cycles in the gardens.
- 2.6 The application is accompanied by a Design and Access Statement.

3.0 SITE HISTORY

Reference	Description	Outcome
09/0836	Erection of five town houses and two flats	Withdrawn

4.0 PUBLICITY

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

Development Control Forum (meeting of 14th April 2010, following petition of 29 signatures). The minutes of the DCF are attached to this report.

5.0 POLICY

5.1 Central Government Advice

5.2 PPS1 Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 Planning Policy Statement 3 (PPS 3) Housing : Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes

housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

5.4 **PPG13 Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.5 **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.

5.7 **East of England Plan 2008**

SS1 Achieving sustainable development

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

P9/9 Cambridge Sub-Region Transport Strategy

5.9 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

5/1 Housing provision

8/6 Cycle parking

8/10 Off-street car parking

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development

5/14 Provision of community facilities through new development

10/1 Infrastructure improvements

5.10 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.11 Material Considerations

Cambridge City Council (2004) – Planning Obligation Strategy:

Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

Cambridge City Council (2006) - Open Space and

Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development.

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 Refusal recommended because of limited visibility for vehicles leaving the site close to a junction. Limited provision of off-street car parking may put additional pressure on on-street car parking in the area. Informatives recommended.

Head of Environmental Services

- 6.2 No known contaminated land issues. Waste storage provision is adequate, but shared access should be gated to prevent fly-tipping. Construction hours condition recommended.

7.0 REPRESENTATIONS

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

- 70 Catharine St
- 75 Catharine St (two representations)
- 79 Catharine St
- 81 Catharine St
- 85 Catharine St
- 113 Hemingford Road

- 254 Mill Road
- 35 St Phillip's Road
- 43 St Phillip's Road
- 40 Sedgwick Street
- 59 Sedgwick Street
- 60 Sedgwick Street (two representations)
- 64 Sedgwick Street
- 72a Sedgwick Street

7.2 The representations can be summarised as follows:

Principle of development

- no effort made to explore reuse of existing building
- loss of pub as amenity
- houses will be multi-occupied

Context of site, design and external spaces

- overdevelopment
- too large
- orientation of building out of keeping with area
- breaks up 'green corridor'
- alternative development with houses fronting Catharine Street would be preferable

Residential amenity

- increase noise
- overlooking
- overshadowing
- visual domination of neighbours
- waste storage unneighbourly
- rear access security for 75-83 Catharine Street compromised

Highway safety and traffic

- increase congestion

Car and cycle parking

- exacerbate parking problems

Utilities

- overloading of sewerage system

Legal issues

- no legal right to use alleyway to west of site

Biodiversity

- may disturb bats

7.3 Cambridge Past Present and Future have also made representations.

7.4 The representations can be summarised as follows:

- object to demolition of the pub building
- building not advertised on a fair basis
- overdevelopment
- insufficient car parking
- poor façade design

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) explains that provision is to be made for an increase of 12,500 dwellings over the period 1999-2016, and while it is recognised that most of these will be from larger sites within the urban area and urban extensions, development of additional residential units on sites such as this will be permitted subject to the existing land use and compatibility with adjoining uses.
- 8.3 This site is in an almost entirely residential area, and in my view, residential use is compatible with the surrounding uses. The intensity of residential use on the site is comparable with that in the surrounding streets, albeit with much smaller gardens, and I do not consider this proposal to be overdevelopment.
- 8.4 Objections are raised in representations to the loss of the public house use, and the demolition of the existing building. However, the Cambridge Local Plan (2006) provides no policy basis for resisting the loss of food and drink uses. Furthermore, since the existing building is not a dwelling house, and lies outside any conservation area, its demolition does not constitute development requiring planning permission within the meaning of the Town and Country Planning Act 1990, and is therefore not subject to planning control.
- 8.5 Representations make reference to the likelihood that the proposed town houses will be used as houses in multiple occupation. This is speculative, but any future occupation of any of the town houses by households of three or more unrelated individuals would require an application for change of use to Class C4 residential or a *sui generis* house in multiple occupation, and would have to be considered in the light of policy 5/7 of the Cambridge Local Plan (2006).
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.7 The Romsey Town area which surrounds this site has a homogeneous character, in which relatively modest two-storey houses from the late nineteenth and early twentieth centuries predominate. Many of the representations received express a view

that the grain of the area is characterised by terraced housing facing the north-south streets such as Catharine Street and Sedgwick Street, and that a terrace facing St Phillip's Road (an east-west street) should be regarded as inappropriate. I do not share this view. Housing in the area does largely address the north-south streets, but there are other examples of terraces fronting the east-west streets, including St Phillip's Road, not very far from the application site. In my view, this orientation is appropriate. Representations suggest that the proposal would interrupt a 'green corridor' running between Catharine Street and Sedgwick Street, but I do not share this view. The present pub site is entirely lacking green space; even if the proposed gardens contain relatively little planting, they will be no less 'green' than the existing use. I do not consider that the introduction of built mass into the upper level of the western part of the site would constitute an interruption of any kind or corridor.

- 8.8 Several representations suggest that the application should be refused because the opportunity exists to develop the site by the erection of a smaller number of houses (perhaps three) facing Catharine Street, with car parking space provided off St Phillip's Road. I acknowledge that such a development might be possible, and that it would have a number of merits. However, no such proposal has been brought forward, and the present application must be determined on its own merits in the context of development plan policy, not by comparison with an theoretical proposal which may never emerge.
- 8.9 Submitted drawings indicate that the nearest houses in Catharine Street and Sedgwick Street are 7.5m and 7.3m high at the ridge respectively, and that the ridge of the existing public house is about 1m higher. The proposed building would rise 700mm higher than that of the adjoining building in Catharine Street. I acknowledge that the house proposed would be of greater depth than the existing houses nearby, and that the roof would therefore have a greater bulk than those neighbouring roofs, but given the modest difference in height involved, I do not consider that the massing of the proposed terrace would be inappropriate.
- 8.10 The design employs a loose pastiche of local Victorian vernacular architecture. I acknowledge that the semi-circular fanlights are not entirely typical of the area, and that the absence of chimneys limits the extent to which the building recaptures the rhythm of the surrounding roofscape. I also recognize that the hipped form of the

west end of the roof is at odds with the handling of similar roofs nearby, but in my view this is a shortcoming which should be accepted in order to avoid the visual dominance which an end gable in this position would have in views from the rear of Sedgwick Street houses. The fact that the existing pub roof is hipped at the eastern end of the site strengthens my view on this. In my view, these shortcomings do not detract significantly from the coherence of the design, nor render it inappropriate for the area.

- 8.11 This design identifies the terraced form with pitched roof as being a key feature of local character, and responds to it in an appropriate way, using details which allude to the existing buildings. In my opinion, in this respect, the proposal is well-integrated with the locality, and complies with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 To the south, on to St Phillips Road, and to the east, the proposed building would offer similar opportunities for overlooking to those offered by the existing pub building. I do not consider the proposed building would have implications for privacy in either of these directions. At the west end of the building, no windows would be created. On the rear (north) side of the building, first floor windows have been configured differently in each house in order to limit the extent of any overlooking. The rear bedroom in each house would be served by two windows: a high-level window in the rear projection, and a normal-height window, which in most cases would be in the side wall of the rear projection, at right angles to the axis of the building. These side facing windows would limit opportunities for outlook to the north.
- 8.13 In House 5, the window would be east-facing, thus enabling a view only across the car parking area to Catharine Street. In Houses 3 and 4, the window would be west-facing. The rear projection of the adjoining house would in each case limit overlooking to a narrow sector to the north-west. In this direction, the nearest point of rear gardens in Sedgwick Street would be 16m and 12m distant respectively, the nearest point on the rear elevation of houses in Sedgwick street, 29m and 25m distant respectively. The window in

House 1 would be east-facing, and would afford a view towards 75 Catharine Street. It would, however, be at a distance of 18-19m from windows in the main rear elevation of that house, and would have an angled view. House 2 would be the only one with a north-facing window. In this case, the rear projection of House 2 itself would block views towards 75 and 77 Catharine Street, and views towards the rear of houses in Sedgwick Street would be at an oblique angle, and from a distance of at least 20m. I note that rear gardens of existing houses in this area are generally quite open, and that there is thus considerable mutual overlooking at present. The Catharine Street and Sedgwick Street houses back towards each other, with a distance of 28m between rear windows.

- 8.14 The proposed building would allow some opportunities for overlooking, but in this context, I do not consider that these opportunities would lead to any significant loss of privacy to any neighbouring occupiers. Conditions would be necessary, both to ensure obscure glazing in the high-level windows (in my view they would not be high enough to preclude looking out), and to prevent the insertion of any additional windows, or dormers, or alterations to the roof. Subject to such conditions, however, it is my view that the development would respect the amenity of neighbouring occupiers in terms of privacy.
- 8.15 The only neighbours for whom the overshadowing potential of the development could be relevant are those immediately to the north in Catharine Street and immediately to the west in Sedgwick Street. Sun path diagrams for midday at the equinoxes and solstices submitted by the applicants suggest that the proposed building would make no difference to adjoining properties at any of these times, the additional shadowing in the spring, summer and autumn falling within the gardens of the proposed development itself, and the rear garden area of all the neighbouring houses being in shadow at present at the winter solstice. I am confident that the sun path diagrams submitted are accurate. They do not show points earlier or later in the day, however, and there will clearly be a point in spring and autumn afternoons when the western part of the proposed building blocks some direct sunlight from areas which currently enjoy such light. It appears to me that this loss would be confined to relatively short periods, and is not a sufficient reason to refuse planning permission.
- 8.16 The proposed building would have a visual presence when seen from the gardens and rear windows of neighbouring houses. This

presence would be greater than that of the existing pub building, because the proposed terrace would be higher, would extend further west, and would have a greater mass. (The reduction in the profile of the building when seen from the west, by the use of a hipped roof at this end, is in my view a significant alteration to its visual impact when compared to the previous, withdrawn, application). Despite this greater presence, however, I do not consider that the building would be unduly visually dominant, nor that it would give rise to an unacceptable sense of enclosure for any neighbouring occupiers.

8.17 I do not consider that the level of noise to be expected from this number of residential units would cause undue harm to the amenity of neighbouring occupiers.

8.18 Representations question the neighbourliness of the positions proposed for waste storage. The application proposes enclosed stores for waste, which are not adjacent to the common boundary with 75 Catharine Street. I do not consider that this arrangement is likely to create problems of noise or odour for the occupiers of that house. I acknowledge that at collection times, the positioning of bins from this development on the pavement between the two proposed flats and 75 Catharine Street will be inconvenient. There will, however, be some opportunity to position bins alongside the car parking space without preventing pedestrian access. Until such time as households generate less waste, obstruction of the highway by bins on collection days is inevitable in tight-knit residential areas such as this. I do not consider that the additional inconvenience in this respect arising from the proposed development is sufficient to merit refusal of the application.

8.19 I appreciate the concern expressed by neighbouring residents to the north about the security of the access passage to their gardens, which runs alongside the site. The elimination of built form from alongside this passage at its forward end has the potential to make unlawful access easier. In my view the risk here is not sufficient to require refusal of the application, but the security of this boundary should be addressed by a condition.

8.20 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.

Amenity for future occupiers of the site

- 8.21 The proposed houses would be provided with rear gardens measuring approximately 4m x 4.5m. These gardens would face north, and would hence be shaded almost all the time. The two flats would not have any external amenity space. Although the gardens provided are small, I consider them acceptable. I also consider it acceptable for small flats to be without external amenity space, a principle accepted previously by this Committee on sites nearby.
- 8.22 In my opinion, the proposal can provide 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12 .

Refuse Arrangements

- 8.23 The Environmental Health department considers the waste storage provision to be adequate. I recommend a condition to ensure secure gating of the rear access area to prevent fly-tipping.
- 8.24 In my opinion, the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.25 The highway authority has suggested that the proposed car parking spaces, which would require vehicles to reverse into the highway, are too close to the junction of Catharine Street and St Phillip's Road, and would represent a threat to highway safety. I am of the view that although visibility is limited, the narrow size of the street and intensive parking encourage all highway users to exercise caution, and that the risk is limited enough to be tolerated.
- 8.26 The security bollards initially proposed were acceptable to the highway authority; but raised issues about the security of the spaces in a location without much natural surveillance. I do not believe that the proposed amendment to up-and-over doors (which pass above highway land in part of their trajectory) would be permitted by the highway authority, and I consider that a condition

is necessary to ensure that the security of the car parking spaces is achieved without transgressing over highway land. (A roller shutter may be an appropriate solution).

- 8.27 The highway authority has raised no concerns about the capacity of the network with respect to this development. I do not consider that the proposal is likely to lead to increased congestion. The low level of on-site car parking proposed will be a disincentive to additional car journeys. 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

- 8.28 The application proposes two car parking spaces on site, and indicates that the Streetcar car club has expressed an interest in taking up one of these places. The application also indicates that although one current on-street car parking place would be lost in order to enable access to the proposed car parking spaces, two new on-street car parking spaces in St Phillips Road could be enabled by the removal of the present access point to the yard of the pub. There would consequently be a net gain of three car parking spaces. The City Council Car Parking Standards would permit up to seven car parking spaces for a development of this size. This location is only moderately close to the city centre. However the Mill Road (East) local centre, is less than 200m distant, where there is a good bus service, and travel by cycle to the city centre is very possible.
- 8.29 I am aware that the concerns very strongly expressed by neighbours about the pressure on on-street car parking space are supported by the highway authority. However, I am of the view that the current pressure on on-street space is already beyond saturation point, a situation which could to some extent be alleviated by the introduction of residents-only parking and other schemes such as the promotion of car club use, but which is not likely to be significantly improved by prohibition of development. I am also of the view that the difficulty of parking in the area will in itself be an incentive to future residents of the proposed development not to keep a private car.
- 8.30 I welcome the interest expressed by the applicants in working with Streetcar. In my view, the positioning of a car club vehicle on this site would be beneficial to future occupants of the development

and to the area as a whole. I do not consider, however, that the development plan provides a basis for requiring such provision, either via a planning condition, or through a Section 106 agreement. Travel by means of transport other than the private car is very feasible in this area, and in my view, the level of car parking provided is acceptable, and in accordance with East of England Plan (2008) policy T14, Cambridge Local Plan (2006) policy 8/6 and government guidance in PPG13.

- 8.31 The highway authority's concerns about the dimensions of the car parking space have been addressed by the submission of a revised drawing showing the dimensions of the spaces as 2.5m x 5m.
- 8.32 The proposal includes space for cycle parking for four of the terraced houses within their gardens. Six cycle parking spaces (for the fifth house, the flats, and visitors) are provided by three hoops immediately inside the gate to the communal circulation and waste storage area along the north boundary of the site. This level of provision is in accordance with the City Council Standards, but no indication is given as to how the six communal hoops are to be covered. In my view a condition is necessary to secure this.
- 8.33 In my opinion, subject to such a condition 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

- 8.34 I have addressed above all of the issues raised in representations except for the following matters.
- 8.35 Sewerage: the Environment Agency has not identified the application as giving rise to any issues. I do not think it likely that a development of this size would overburden the sewer system. Any issues about the point(s) of connection would have to be addressed by the developers directly with Anglian Water.
- 8.36 Rights over alleyway to west: this issue has been addressed by the amendment giving access to all gardens from the east.
- 8.37 Bats: there does not appear to be any evidence that bats are present. Since the demolition of the existing buildings does not require consent, planning conditions do not provide a route to

address this possibility.

Planning Obligation Strategy

8.38 This application was submitted during the currency of the Planning Obligation Strategy (2004), which 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

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

8.40 The application proposes the erection of five houses and two studio flats. One residential unit would be removed (the pub), so the net total of additional residential units is six. A house or flat is assumed to accommodate one person for each bedroom; although one-bedroom flats are assumed to accommodate 1.5 people, studio flats are assumed to accommodate only one. Contributions towards children's play space are not required from one-bedroom or studio units. The totals required for the new buildings are calculated as follows:

Formal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	360	360	2	720
1 bed	1.5	360	540		
2-bed	2	360	720		
3-bed	3	360	1080	4	4320
4-bed	4	360	1440		
Total					5040

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	306	306	2	612
1 bed	1.5	306	459		
2-bed	2	306	612		
3-bed	3	306	918	4	3672
4-bed	4	306	1224		
Total					4284

Children's play space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0	2	0
1 bed	1.5	0	0		
2-bed	2	399	798		
3-bed	3	399	1197	4	4788
4-bed	4	399	1596		
Total					4788

8.41 The applicants have not yet submitted a unilateral agreement to make the above contributions. Subject to such a submission, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8 and 10/1.

Community Development

8.42 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1085 for each unit of one or two bedrooms and £1625 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 £
studio	1085	2	2170
1 bed	1085		
2-bed	1085		
3-bed	1625	4	6500
4-bed	1625		
Total			8670

8.43 The applicants have not yet submitted a unilateral agreement to make the above contributions. Subject to such a submission, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Education

8.44 Commuted payments are required towards education facilities where four or more additional residential units are created. In this case, six additional residential units are created, but contributions are not required for pre-school education for studio units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
studio	1		0	2	0
1 bed	1.5		0		
2-bed	2		810		
3-bed	3		810	4	3240
Total					3240

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
studio	1		0	2	0
1 bed	1.5		0		
2-bed	2		1520		
3-bed	3		1520	4	6080
Total					6080

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
studio	1		160	2	320
1 bed	1.5		160		
2-bed	2		160		
3-bed	3		160	4	640
Total					960

8.45 The applicants have not yet submitted a unilateral agreement to make the above contributions. Subject to such a submission, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

9.0 CONCLUSION

9.1 Objections to this application centre on three main issues: harm to neighbour amenity, inappropriate size and orientation, and pressure on car parking. I consider that the removal of the rear dormers proposed in the previous withdrawn application, and the careful configuration of rear windows on the first floor has eliminated any significant loss of privacy to neighbours. The height of the building, which is similar to that of neighbouring buildings, and the east-west orientation of the block, which replicates other terraces in St Phillip's Road, are both, in my view, an appropriate response to the local context.

9.2 In my view, the pressure on on-street car parking in the locality, which is intense, cannot be alleviated by a prohibition on residential development, but can only be addressed by other measures, such as the use of residents-only car parking schemes and the encouragement of car club development. The car parking provision proposed here is in accordance with Development Plan Policy, and a refusal of the application based on the level of on-site car parking space provided would be in conflict with government guidance in PPG13, which states that developers of residential sites should not be required to provide more car parking spaces than they themselves propose.

- 9.3 The application will provide additional residential accommodation, and I do not consider that any of the objections raised would constitute a justifiable reason for refusal. Approval is recommended.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 31st July 2010 and subject to the following conditions:

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

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

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

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 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)

4. 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 or altered, nor any alteration to the shape of the roof be made, 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)

5. The lower edge of the rooflights to be inserted shall be no lower than 1.75m above the finished floor level of the second floor.

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

6. The north-facing high-level windows hereby permitted at the rear of the first floor of the building shall be obscure-glazed and fixed shut, and shall not be altered from that configuration.

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

7. No residential unit shall be occupied until details of the boundary treatment to be used for the northern and western boundaries have been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to occupation.

Reason; to ensure the security of neighbouring occupiers.
(Cambridge Local Plan 2006 policy 3/4)

8. No residential unit within the development shall be occupied until details of protection from the weather for cycles in the communal area have been submitted to, and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to occupation.

Reason: to ensure appropriate cycle storage. (Cambridge Local Plan 2006 policies 3/7, 3/12 and 8/6)

9. No development shall take place until the means of securing the car parking spaces without transgressing over highway land have been submitted to and approved in writing by, the local planning authority. The approved scheme shall be implemented prior to occupation.

Reason: to ensure appropriate car parking provision and to discourage crime and anti-social behaviour. (Cambridge Local Plan 2006 policies 3/7 and 8/10)

10. The car parking spaces hereby permitted must be hard-surfaced.

Reason: to prevent debris spreading on to the highway.
(Cambridge Local Plan 2006 policy 8/2)

11. No demolition work shall commence until a traffic management plan has been submitted to, and approved in writing by, the local highway authority.

Reason: to avoid adverse impact on the highway. (Cambridge Local; Plan 2006 policy 8/2)

12. 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)

INFORMATIVE:The applicant is advised that any granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

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.

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: policies SS1, T2, T9, T14, ENV7, WM6.

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

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/7, 3/11, 3/12, 5/1, 8/6 and 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 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 31st July 2010 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, or education and life-long learning facilities in accordance with policies 3/8 and 5/14 of the Cambridge Local Plan 2006; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004, and Guidance for Interpretation and Implementation of Open Space Standards 2006.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.