

WEST/CENTRAL AREA COMMITTEE DATE 24TH JUNE 2010

Application Number	10/0176/FUL	Agenda Item	
Date Received	12th March 2010	Officer	Miss Sophie Pain
Target Date	7th May 2010		
Ward	Newnham		
Site	Hat And Feathers 35 Barton Road Cambridge Cambridgeshire CB3 9LB		
Proposal	Conversion and extension of former Public House to provide residential accommodation (4 x studio/1bed flats and 2 x 2bed flats). Works to include the demolition and rebuild of the single storey extension, along with landscaping, car parking and access arrangements.		
Applicant	Mr Steve Hurst The Black Barn Meridian Court Comberton Road Toft Cambs CB23 3RY		

INTRODUCTION

- A1 This application is the subject of an appeal against the non-determination of the application by the City Council, within the prescribed period. The application is deemed to have been refused by the City Council and the appeal will be determined by an Inspector appointed by the Planning Inspectorate.
- A2 Despite that, it is still necessary that the Area Committee consider what decision it would have made on this proposal, had it not been deemed refused as a result of non-determination within the prescribed period of time. The reason for the Council needing to reach its own conclusions about the proposal is because that will dictate whether or not the Council contests the appeal. In the event that Committee decides it would have refused the application, it must give clear and precise reasons why it would have done so and those reasons will form the basis of the case upon which the Council would contest the appeal. Should Committee decide that it would have approved the application, it must also give clear and

precise reasons why it would have done so, but would not then contest the appeal.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Hat and Feathers Public House is located on the south side of Barton Road, on the corner with Kings Road. The application site is 442 sq metres with the footprint of the existing building being 225 sq metres. The existing pub garden is to the south of the building. The building has frontages onto both roads with the frontage on Kings Road extending southwards for approximately 20 metres.
- 1.2 The existing building is located on a prominent corner and provides much character to the area in its design and appearance. The surrounding area is predominately residential properties which are made up of large detached houses and developments of flats such as Ashworth Park to the east of the site.
- 1.3 The building is currently vacant, but was until recently a Public House with 2 flats above that were used in conjunction with the public house. Along the eastern boundary with Ashworth Park, there are four lime trees, which are within the ownership of Ashworth Park but overhang the site. These trees are by virtue of being within the Conservation Area protected. The property is located within the West Cambridge Conservation Area and there are no parking restrictions on Kings Road.

2.0 THE PROPOSAL

- 2.1 The applicant seeks planning permission for the change of use of the former Hat and Feathers Public House (Use Class A4) to a residential use, comprising of four one bed flats (Use Class C3). In addition, it is proposed to demolish the existing single storey rear extension (subject of application 10/0177/CAC) and replace it with a two-storey extension, which will accommodate 2 two bed flats.
- 2.2 The former public house will be renovated and sub-divided to form the four one bedroom flats and the proposed extension will be built on the south elevation of the property fronting onto Kings Road. This proposed extension will be built on the same footprint of the existing extension and will not increase the

footprint of the building. Associated car parking, cycle parking and waste storage will be provided.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans and elevations
3. Tree Survey

3.0 SITE HISTORY

Reference	Description	Outcome
10/0177/CAC	Demolition of existing single storey extension.	Pending with a recommendation of refusal

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety

of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

- 5.4 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation

of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

5.5 Planning Policy Guidance 13: Transport (2001): This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.6 Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.7 Circular 05/2005 - Planning Obligations: Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

5.8 East of England Plan 2008

SS1 Achieving sustainable development

T4 Urban transport

T9 Walking, cycling and other non-motorised transport

T14 Parking

ENV6 The historic environment

ENV7 Quality in the built environment

WM8 Waste management in development

5.9 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.10 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/14 Extending buildings
4/4 Trees
4/11 Conservation Areas
4/12 Buildings of Local Interest
4/13 Pollution and amenity
5/1 Housing provision
8/2 Transport impact
8/6 Cycle parking
8/10 Off-street car parking
Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
5/14 Provision of community facilities through new development
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.11 Supplementary Planning Documents

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

5.12 Material Considerations

Cambridge City Council (2004) – Planning Obligation Strategy: Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

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.

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The parking provision is provided a significantly less than one space per dwelling. The likely shortfall in provision compared against demand will result in increase demand for parking on the public highway and increase competition between residential units in the area.

Head of Environmental Services

- 6.2 No objection: a noise assessment and insulation condition will be required as flat 1 faces onto Barton Road which is heavily trafficked and the flat will be subject to high levels of noise. Additionally, due to previous historic uses as a mechanical engineers and a blacksmiths, a contaminated land condition has also been recommended.

Historic Environment Manager

- 6.3 Objection: the proposed extension which will replace the existing single storey with a first floor extension is not supported as it is not of a design which is typical with this part of the West Cambridge Conservation Area. The additional storey creates a larger mass, which would be a very dominant feature in the Conservation Area. The proposals will be detrimental to the character and appearance of the conservation area and therefore refusal is recommended.

Trees

- 6.4 There are significant trees within the adjacent property, close to the building which apart from minor crown lifting to clear the new roofline should not be affected as there are no proposed works below ground. The proposed parking to the rear of the property will be in an area that is already in the main hard standing, but again there are significant visually important trees close by. Provided that the proposed construction is no deeper than that already there I do not feel that we can raise any strong objections. The centre of the site is already gravelled garden and it is proposed to remain as garden. This part of the site is probably where materials etc will be stored. The soil should be protected from compaction and spillages during the construction phase.
Our normal relevant conditions should apply.

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

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations in support of the application:
- 39 Barton Road
 - 37 Barton Road
 - 20 Millington Road
- 7.2 The owners/occupiers of the following addresses have made representations against the application:

- CAMRA
- Cambridge Past, Present and Future
- Ashworth Park Management Company

7.3 The representations in support can be summarised as follows:

- The proposed development will not substantially alter the outward appearance of the Hat and Feathers, which sits well on its site;
- By converting the public house, there will be a reduction in noise during the night and feel that as the footprint will be the same, the design is sympathetic to the character of the neighbourhood;
- The re-building of the single storey extension should ensure that it matches the colour of the original building;
- The introduction of further residential properties will increase the competition for on-street parking, in order to avoid inconsiderate parking, could yellow lines be painted in front of existing garages to ensure that parking does not inconvenience existing residents?;
- Reduction in the amount of litter in the surrounding area;

7.4 The representations against the application can be summarised as follows:

- The destruction of a potentially viable public house;
- There is only one other pub (The Red Bull) in Newnham, so the loss of the Hat and Feathers would significantly reduce the choice of amenity in the locality;
- Loss of privacy to neighbouring gardens;
- The design of the communal gardens is poor, with poor planting provision and an outlook onto uncovered cycle racks;
- The proposed second storey element will cast a considerable shadow on the flats adjacent to the property and that in addition to denying natural light it will also prevent the afternoon sun to shine upon this block; and
- Concern that the proposal will damage trees on the property of Ashworth Park, especially the lime trees which may be affected when building work commences.

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

Principle of Development

8.2 The proposal consists of two parts, a change of use from the current Class A4 use to a Class C3 use, and an extension to provide a total of 6 flats, four more than is currently on site.

8.3 The proposed change of use is not covered by policies in the Cambridge Local Plan (2006). This is because the site is located outside of the city centre and despite some opinion that considers a public house a community facility, it is not classified as such a facility in the Cambridge Local Plan (2006) and therefore policy 5/11 is not applicable.

8.4 As a result, I can confirm that there is no policy objections to the principle of change of use.

8.5 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, which is assessed in the sections below within the main body of the report.

- 8.6 Given the above I am therefore of the view that the development is acceptable and in accordance with policies 3/1 and 5/1 of the Cambridge Local Plan (2006) in principle, subject to the proposed development being assessed against these other issues and policies within the Development Plan.

Impact upon the character and appearance of the Conservation Area

- 8.7 The site is on a prominent corner which is highly visible within the West Cambridge Conservation Area. The frontage with Barton Road will not change and the fascia signs will be retained to provide a connection with its previous use. The frontage along Kings Road will be visible to neighbouring residents and there is some opportunity for views of this elevation when traveling eastwards along Barton Road, towards the city centre. It is the Kings Road frontage which will undergo significant change as part of the development.
- 8.8 There is an existing single storey rear extension which abuts the pavement with Kings Road. This existing extension is a modern addition to the building and does not provide any architectural or historic value to either the building or the surrounding Conservation Area. This application proposes to replace it with a two-storey extension. This proposed extension will cover no more than the existing footprint but will ensure that the ground floor will be structurally sound to carry the weight of an additional storey.
- 8.9 The proposal seeks to convert the existing two-storey public house to accommodate 4 one bed flats and the proposed two storey extension to the rear of the site will accommodate 2 two bed flats over two floors, with under croft parking.
- 8.10 From Kings Road, the design of the proposal looks to extend the form of the existing building at the same height and roof pitch as the existing building. However in order to achieve sufficient height for the flats in the roof a mansard roof has been proposed to replace the existing gable roof form which increases the bulk of the roof from the east and south elevations.
- 8.11 The introduction of a second storey on the edge of the pavement will create a larger mass and will result in a dominant

feature in this part of the Conservation Area. The architectural detailing has not been carefully considered and in order for this extension to work more successfully this detailing needs to be provided to demonstrate that the additional built form would not become a discordant and alien feature in Kings Road and the adjacent properties in Barton Road, but instead works harmoniously within the context of the surrounding Conservation Area.

- 8.12 The undercroft parking or 'cart shed', is not a feature which is synonymous with the immediate locality and this part of the West Cambridge Conservation Area. I am of the opinion that this feature does not contribute to an active frontage with the street and has the potential to become a 'dead space' which does not either preserve or enhance the character or the appearance of the Conservation Area.
- 8.13 The proposal to demolish the existing single detached garage at the most southerly point of the site is supported as it is modern and does not contribute positively to the Conservation Area.
- 8.14 In my opinion the proposal does not comply with East of England Plan (2008) policy ENV7 and the Cambridge Local Plan (2006) 3/4, 3/7 and 4/11 and advice provided by Planning Policy Statement 5: Planning for the Historic Environment (2010).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.15 I believe that the residents who have the potential to be most affected by the proposed development are the residents to the east in Block A of Ashworth Park. At present, the flat roof single storey extension abuts the common boundary with the Ashworth Park development at a height of 3 metres including the parapet wall. The two-storey element of the existing building sits off the boundary and projects beyond the rear wall of Ashworth House by 2.2 metres which has little impact upon the windows of the flats due to the presence of a walkway against this boundary.
- 8.16 The proposal seeks to build the second storey up against this boundary to a height of 7 metres with a blank façade. Due to

the orientation of the Hat and Feathers to Block A, there will be a loss of afternoon light to the living rooms and bedrooms on the south elevation of the block. I believe that the loss of light to these properties will be of an unacceptable level and that the occupants of the neighbouring flats will experience a sense of enclosure which will be emphasised by the loss of light. As a result, I am of the opinion that the proposal will have a detrimental impact upon the residential amenity of those occupants on the south west corner of Ashworth House.

8.17 In my opinion there are no other neighbours who may be adversely affected by the proposal.

8.18 In my opinion the proposal does not adequately respect the residential amenity of its neighbours in Ashworth House and the proposal will lead to a sense of enclosure and loss of light to these occupants. I consider that this proposal is not in compliance 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

8.19 The floor area of the flats will vary depending on if they are 1 or 2 bed flats. The two 2 bed flats, which will be accommodated within the proposed second floor extension, will span over two floors so that they also occupy the mansard roof. I believe that the size of the proposed flats is acceptable. Subject to the imposition of a noise insulation condition being fulfilled to protect the occupants in flat 1 and flat 3 I am of the opinion that this development provides 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 3/14.

Trees

8.20 There are four lime trees which are located on the adjacent property, Ashworth Park. These trees are visually significant within the Conservation Area and provide some mature screening between the two properties.

8.21 The comments that have been provided by the Tree Officer state that there are no proposed works below ground. I believe that the Officer has not realised that the existing ground floor

extension is to be demolished and rebuilt which will require substantial ground works that I believe could potentially impact upon the four lime trees.

- 8.22 Therefore, in the meantime, I propose to re-consult the Officer with this information and report any alternative comments and the outcome of these on the amendment sheet in due course.

Refuse Arrangements

- 8.23 The proposal provides a communal waste and recycling facility in the south east corner of the site, within a 2 metre high ventilated enclosure. Two 1100 litre waste bins and separate areas for the three types of recycling bins can be accommodated within this enclosure. I believe that this enclosure is somewhat inconveniently placed as its location is not on the route that occupants would take in order to leave the building. However, I am unsure that such a large facility could be successfully integrated elsewhere on the site and therefore I am of the opinion that the proposed facility is appropriate. It will ensure that there are fewer bins on Kings Road as a result of the development and it is in an appropriate location for collection vehicles.

- 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 application does not pose a danger to highway safety.
- 8.26 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

- 8.27 The application proposes one car parking space for each of the units, a total of six. This is in accordance with the Car Parking Standards (2006) which requires no more than 1 space up to a dwelling size of 2 bedrooms. I appreciate the comments made by the Highways Authority that such a development may result in additional demand for on-street car parking along Kings

Road. There are few houses along Kings Road which have the capacity for off street car parking. The development of flats opposite the site and those within Ashworth Park have allocated parking within their sites, but due to the central location and the un-restricted nature of the road, I believe that it is utilized by commuters who park and walk into the city centre.

8.28 I do not believe that the proposed development will subject the road to an unacceptable number of additional vehicles which will be competing for on-street parking and as a result I do not feel that such a proposal will harm the amenity of neighbouring residents. The Car Parking Standards are maximums and due to the sustainable location, close to public transport routes and cycle routes into the city centre, I am of the opinion that there is no need to require any additional spaces. Four spaces are located within the undercroft, with a further two at the south of the site, adjacent to the communal garden area. One of these parking spaces to the south is a disabled parking bay and has been correctly marked out and sized.

8.29 I do have some concerns with regard to the size of the car parking spaces within the undercroft due to the location and need for supports within the parking space. These are within the width of the proposed spaces and it would be difficult to manoeuvre in and out of the spaces. However I believe that this arrangement could be addressed by way of condition if the proposed design of the 'cart shed' were acceptable in principle. Therefore in my opinion 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

8.30 I believe that my report has addressed most of the concerns raised by objectors. The points that remain will be responded to below.

8.31 If the application were to be approved, there is a strong feeling that the colour and materials of the proposed extension should faithfully match the existing. A condition would therefore be imposed to ensure that all materials and colours would be submitted prior to the commencement of development. Additionally, the point raised about the introduction of yellow lines in front of existing garages is a highways matter and would

need to be raised with the Highways Authority directly. It is not a matter which can be addressed through this planning application.

Planning Obligation Strategy

8.32 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The proposed development triggers the requirement for the following community infrastructure:

8.33 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.

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

Open Space

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

8.36 The application proposes the erection of two two-bedroom flats and four one-bedroom flats. Two residential units would be removed, so the net total of additional residential units is four. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards children's play space are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Formal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	360	540	2	1080
2-bed	2	360	720	2	1440
3-bed	3	360	1080		
4-bed	4	360	1440		
Total					2520

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	306	459	2	918
2-bed	2	306	612	2	1224
3-bed	3	306	918		
4-bed	4	306	1224		
Total					2142

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

8.37 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004) and in

a accordance with the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2004), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8 and 10/1.

Community Development

- 8.38 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £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	1085	2170	2170
2-bed	1085	2170	2170
3-bed	1625		
4-bed	1625		
Total			4340

- 8.39 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Education

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

Pre-school education					
Type	Persons		£per	Number	Total £

of unit	per unit		unit	of such units	
1 bed	1.5		0		
2+- beds	2		810	2	1620
Total					1620

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1350	2	2700
Total					2700

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1520	2	3040
Total					3040

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

8.41 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

8.42 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 RECOMMENDATION

FOR RECOMMENDATIONS OF REFUSAL

Having considered all the aspects of the proposal, the recommendation is:

That, had the application not been deemed refused as a result of non-determination of the application within the prescribed period of time, the City Council, would have refused this planning application for the following reasons and, therefore, resolves to contest the appeal on the basis of the reasons set out below:

1. The proposed development, by virtue of the scale, mass and architectural detailing of the first floor extension and the inclusion of undercroft parking, would result in a dominant and alien feature in the streetscene which forms part of the West Cambridge Conservation Area. In so doing, the development fails to respond positively to its context or to draw inspiration from the key characteristics of the surrounding area and will not preserve or enhance the Conservation Area by faithfully reflecting its context or providing a successful contrast with it. The development will not create an attractive built frontage to positively enhance the townscape. The development is therefore contrary to East of England Plan 2008 policies ENV6 and ENV7, Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11 and advice as provided in Planning Policy Statement 1 (2005) and Planning Policy Statement 5 (2010).

2. The proposed first floor extension would, by reason of its overall siting within the site and orientation in close proximity to the boundary with Ashworth Park, cause an unacceptable loss of afternoon light to the flats in the south west corner of the neighbouring property and create an unreasonable sense of enclosure to the living rooms and bedrooms of those properties, detracting unduly from the level of amenity the occupiers could reasonably expect to enjoy. This is contrary to policy ENV7 of the East of England Plan 2008, policies 3/4, 3/7 and 3/14 of the Cambridge Local Plan 2006 and guidance provided in PPS1: Delivering Sustainable Development (2005) and PPS 5: Planning in the Historic Environment (2010).
3. The proposed development does not make appropriate provision for public open space, community development facilities and life-long learning in accordance with the following policies, 3/8, 5/14 and 10/1 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.

DELEGATED AUTHORITY is given to Officers to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy, prior to a decision being made on the Planning Appeal.

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.