

Application Number	12/1558/FUL	Agenda Item	
Date Received	10th December 2012	Officer	Ms Lorna Gilbert
Target Date	4th February 2013		
Ward	Petersfield		
Site	Ryedale House 40 Cambridge Place Cambridge Cambridgeshire CB2 1NS		
Proposal	Conversion of existing buildings to form 4no 1 bedroom flats, along with cycle and refuse store, first floor dormer side extension and part demolition of rear.		
Applicant	Ryedale House 40 Cambridge Place Cambridge Cambridgeshire CB2 1NS		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1) The principle of converting the building into residential use is considered acceptable. 2) The use of the premises for residential purposes would not adversely harm the amenities of neighbouring properties. 3) The scheme provides adequate refuse and bicycle parking provision.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 40 Cambridge Place is a building, which was most recently in commercial use, which is attached to another commercial building. The building is two storeys in height, where it abuts the neighbouring building, dropping down to a single storey in height. The building has an asymmetrical roof, with a dormer

on the south-western side. Cambridge Place is mixed in character, with commercial and residential uses. The site lies within City of Cambridge Conservation Area 1 (Central).

- 1.2 The building is being used as a warehouse/store for architectural ironmongery.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to change the use of the building to residential to provide four one-bedroom flats. The dormer window to the side would be extended and part of the building, at the rear, would be demolished. Refuse and cycle storage would be provided at the rear of the building.

- 2.2 New first floor window openings would be formed on the north elevation.

- 2.3 The current planning application follows on from a similar planning application reference 12/0260/FUL for the conversion of the building to form 4no 1bedroom flats, along with cycle and refuse store, first floor dormer side extension and part demolition of rear. This was refused at committee for two reasons. One of these was because proposed development did not make appropriate financial contributions and the other was:

- In the absence of a noise report to demonstrate the impact of the noise generated by the adjacent use, Bodyworks Dance Studio, on the living conditions of future occupants and mitigation measures to ensure that internal and external noise environment for future residents will be acceptable in terms of residential amenity, the development is contrary to policies 4/13 and 5/2 of Cambridge Local Plan 2006.

- 2.4 Following concerns expressed by the environmental health team on the present application, amended drawings have been submitted, reconfiguring the flats so that bedrooms are to the rear of the building, with living rooms facing out on to Cambridge Place.

- 2.5 The application is accompanied by the following supporting information:

1. Design and Statement
2. Glazing Acoustic Specification

3.0 SITE HISTORY

Recent history:

Reference	Description	Outcome
12/0260/FUL	Conversion of existing buildings to form 4no 1bedroom flats, along with cycle and refuse store, first floor dormer side extension and part demolition of rear.	Refused 12.9.12

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
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/14 5/1 5/2 7/3 8/6 8/10 10/1

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012</p> <p>Circular 11/95</p> <p>Community Infrastructure Levy Regulations 2010</p>
<p>Supplementary Planning Documents</p>	<p>Sustainable Design and Construction</p> <p>Waste Management Design Guide</p> <p>Planning Obligation Strategy</p>
<p>Material Considerations</p>	<p><u>Central Government:</u></p> <p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Citywide:</u></p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide</p> <p>Cycle Parking Guide for New Residential Developments</p>
	<p><u>Area Guidelines:</u></p> <p>Conservation Area Appraisal:</p> <p>The New Town and Glisson Road Conservation Area Appraisal</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Removal of a business use would be seen a benefit. Some additional information is required. Location would support car-free development. Conditions and informatives sought. Future residents would not qualify for residents' parking permits.

Cambridge City Council (Environmental Services)

Noise

- 6.2 Further information on noise from the dance studio is required if the application is to proceed with the current layout.

Contaminated Land

- 6.3 The site is currently occupied by a warehouse and is adjacent to a former depot. Contaminated land condition required.

Housing Standards

- 6.4 There should be means for cooling during hot summer weather, either by natural ventilation or by air conditioning. Natural daylight penetration to the rear rooms of all flats could be restricted. To prevent problems with traffic and other outside noise, double, secondary or triple glazing and lobbies to external doors may be necessary. However where double or triple glazing is provided to protect occupiers from noise, there must be adequate alternative provision for ventilation.

Waste Strategy

- 6.5 Content with the distances for residents to take their waste to bins and with the distance for collection staff to move bins.

Cambridge City Council (Conservation Officer)

- 6.6 This application is supported.

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

7.0 REPRESENTATIONS

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

- Cambridge Performing Arts at Bodyworks Company
- 15, 40, 47 Cambridge Place
- (Chair GTARA) 23 Glisson Road
- 19, 21 Glisson Road

- 7.2 The representations objecting can be summarised as follows:

Principle of development

- Not in accordance with the NPPF definition of sustainability.
- Overdevelopment.
- Not family housing.

Amenity of neighbours

- Upwards extension will impact on Glisson Road gardens.
- Loss of privacy.
- Windows overlooking dance studio compromise the safety of the young people.
- Visual domination of Glisson Road gardens.
- Restrict light in dance studio.

Amenity of future occupiers

- Loud music from Bodyworks will cause flat occupants distress.
- Rear courtyards will cause noise to reverberate.
- Screens to dance studio unsatisfactory.
- Living conditions will be dark, airless and noisy.

Car Parking

- Insufficient car parking provision.

Other issues

- Party wall replacement unclear.
- Section 106 obligations will not benefit the new or existing local developments.

7.3 The representations objecting can be summarised as follows:

- In line with the calm tranquil area of Cambridge Place.

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

8.0 ASSESSMENT

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

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

Principle of Development

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

- a) There is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either

- b) The proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
 - c) The continuation of industrial or storage uses will be harmful to the environment or amenity of the area; or
 - d) The loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
 - e) Redevelopment for mixed use or residential development would be more appropriate.
- 8.3 Cambridge Place is a narrow road and is not a suitable street for an industrial or storage business. The road is not ideal for servicing an industrial business as it would be difficult to manoeuvre large vehicles along it. There are a number of residential units along Cambridge Place, which would be disturbed by an industrial use. In my opinion, residential use is a far more appropriate use than industrial.
- 8.4 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. Although there are commercial premises on Cambridge Place, there are residential properties, and it is my opinion that residential use would be compatible with adjoining land uses.
- 8.5 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of non-residential buildings into self-contained dwellings will be permitted except where:
- a) The residential property has a floorspace of less than 110m²;
 - b) The likely impact upon on-street parking would be unacceptable;
 - c) The living accommodation provided would be unsatisfactory;
 - d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
 - e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

- 8.6 Part a) of policy 5/2 of the Local Plan does not relate to this application as the building is not currently in residential use. The other sections of this policy will be discussed later on in this report.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 7/3 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

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

extension to the dormer and alterations to the building would not prejudice the development of the adjacent land. The neighbouring site would be more overlooked than it currently is, but it is my view that this would not necessarily prevent the site from being developed in the future.

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

Residential amenity

Impact on amenity of neighbouring occupiers

Noise and disturbance

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

Car parking

- 8.16 Concern has been raised that only one car parking space is proposed, and the future residents will not be able to apply for parking permits. I understand the concern raised regarding residents blocking the road with their cars or parking on neighbouring streets without permits. However, paragraph 39 of the National Planning Policy Framework (NPPF) states, in relation to parking standards, that Local Planning Authorities should take into account the accessibility of the development, and the availability of and opportunities for public transport. Cambridge Place is close to the City Centre, the railway station

and bus routes, and as it is in such a sustainable location, I see no reason to insist that off-street parking spaces are provided.

- 8.17 An appeal was allowed at 25 Cambridge Place for the change of use of offices to form 3 x studios and 2 x one bedroom flats. No on-site parking was included for this scheme. The Inspector found this to be acceptable because of the size of the units, its highly accessible location and because the site falls within a controlled parking zone. I therefore consider the provision of one car parking space to be acceptable for the proposed scheme.

Impact on 21, 23, 25-29 Glisson Road, and 44 Cambridge Place

- 8.18 The existing dormer window allows oblique views towards the rear of 21 and 23 Glisson Road, but at a distance as there is a void in front of the windows. The extension of the dormer, and the replacement of the mezzanine floor with a complete floor, will mean that oblique views towards the rear of 21 and 23 Glisson Road will be more likely. However, in my opinion, as the views would be oblique, they would not be significant or harmful enough to justify refusal of the application.
- 8.19 Concern has been raised by a neighbour with respect to overlooking of and loss of light to the Bodyworks, 25-29 Glisson Road. Drawing 11/1312/05 shows the proposed screening of part of the first floor windows of the Dance Studio. The areas where obscure screens are suggested would be fixed to a metal frame, unless the Dance Studio gives consent to fit this off their wall. The reordering of the rooms in the proposed flats means the bedrooms would be located at the rear. These rooms are less likely to be used when the dance classes takes place. I do not consider the screening proposed to be essential unless the Dance Studio wishes the screening to be installed. The Bodyworks building is located to the southeast of the proposal. It is considered that the scale and position of the extensions would not cause an unreasonable loss of light to this neighbour. There is a large tree between the properties that would provide shading.
- 8.20 No.44 Cambridge Place has a blank flank wall facing the application site. It is considered the proposed dormer for the first floor flat would not lead to an unreasonable loss of privacy

to this property or garden because of its positioning and distance of 16m between the properties.

- 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 and part b) of policy 5/2.

Impact on amenity of future occupiers of the site

- 8.22 Local Plan policy 5/2 states that conversions of non-residential buildings will be permitted except where the living accommodation provided will be unsatisfactory. I recognise that the proposed dwellings are relatively small in size, but I feel that they provide a satisfactory level of amenity for future occupiers.

Living accommodation

- 8.23 Concern has been raised that the proposed flats will be dark due to the taller dance studio building behind it on Glisson Road. All four of the proposed flats have a lot of glazing, which will make them as light as possible, and the enlarged dormer window will increase the light at first floor level. In my opinion, the flats will not be so dark as to warrant refusal of the application, and the living accommodation proposed is satisfactory. Environmental Health have not raised concerns about light or living conditions.
- 8.24 Third party comments have been raised about the ventilation of the flats if the windows need to be shut to reduce noise levels. An amended floor plan was received that rearranges the rooms so the living areas and kitchen are located at the front of the property. These front windows would not face the BodyWorks dance studios. It is considered that these front windows are far enough away to be able to be opened without noise levels being excessive. Ventilation measures are proposed in the rooms at the rear of the building. It is considered there would be acceptable levels of ventilation within the flats.
- 8.25 The proposed one bedroom flats offer modest sized accommodation. Cambridge Place is a cul-de-sac that is within walking distance from the town centre and railway station. This

type and size of accommodation is likely to be in demand in this location.

Noise and disturbance

- 8.26 The previous planning application reference 12/0260/FUL involved the conversion of the property into four x one bedroom flats with first floor dormer side extension and part demolition at the rear. This application was heard at East Area Committees in June and September 2012. One of the reasons for its refusal at committee was due to the absence of a noise report to demonstrate the impact of the noise generated by the adjacent use, Bodyworks Dance Studio, on the living conditions of future occupants and mitigation measures to ensure that the internal and external noise environment for future residents would be acceptable in terms of residential amenity.
- 8.27 There have been recent improvements to the acoustic insulation of the dance studio. However, they did not cover studio 3, which is adjacent to the development site. Therefore noise from the dance studio still needs to be assessed in terms of its impact.
- 8.28 A Glazing Acoustic Specification was submitted as part of the current application. This was reviewed by Environmental Services.
- 8.29 The BodyWorks classes finish at 9.00pm weekdays and the building is vacated by 9.30pm. Bodyworks closes to the public at 3.00pm Saturdays and it does not open on Sundays or Bank Holidays. Environmental Services raised concerns with the original layout of the flats, where the living rooms were located to the rear and bedrooms at the front. They recommended they be reconfigured so the bedrooms are at the rear and living rooms to the front to overcome noise concerns. The flats proposed are all one bedroom and are designed for adults without children. Adults are unlikely to go to bed before 9.00pm. The living rooms at the front of the units would offer quiet leisure space in the evenings.
- 8.30 The measured data given in the report suggests the noise levels in the courtyards may exceed the levels recommended in BS 8233:1999. Environmental Services have concerns with

noise levels if the courtyards are to be used as private amenity space. They have suggested they could be used for storage. The two proposed courtyards measure 2.3m wide by 5.3m in length and 2.3m wide by 5m in length. They are accessed through the bedroom. The courtyards would be overlooked by the first floor flats and be enclosed by the three storey high BodyWorks dance studios building to the southeast and the two storey application site building to the north. The flats are one-bedroom flats and are not designed as family units. Planning permission (reference 12/0490/FUL) at 25 Cambridge Place was granted on appeal in December 2012, for the change of use from offices (class B1) to form 3 x studios and 2 x one-bedroom flats. This approved scheme did not include private amenity space for the flats.

- 8.31 I argue that the proposed courtyards would fail to offer quality private amenity space due to their size, overshadowing from surrounding buildings, lack of privacy and the sense of enclosure. In my opinion the courtyard areas are not considered appropriate for use as private amenity space. A lack of private amenity space is considered acceptable for one bedroom flats in this location as a similar scheme at 25 Cambridge Place was allowed on appeal.
- 8.32 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7 and part c) of policy 5/2.

Refuse Arrangements

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

Car and Cycle Parking

- 8.35 Car parking is assessed under the heading 'Residential Amenity' above.

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

Third Party Representations

The proposal will not provide family housing, which Cambridge needs

- 8.38 The Local Planning Authority must assess the acceptability of what is proposed, and there is no policy basis to refuse the application because it proposes one-bedroom flats rather than family houses.
- 8.39 The proposal involves for four separate residential flats. There is no specific request for these to be used as student accommodation. I consider there is no need to include a condition in relation to the occupancy.

The S106 will not benefit the local development

- 8.40 The financial contributions requested are in line with The Planning Obligation Strategy (2010). They would contribute towards the cost of the provision of services and facilities created through the new development.

Demolition of a party wall

- 8.41 A condition can be attached for details of any new boundary treatment to ensure any replacement party wall is of an acceptable standard.

Planning Obligation Strategy

Planning Obligations

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

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

(b) directly related to the development; and

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

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

Open Space

8.43 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.

8.44 The application proposes the erection of four one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to

accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

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

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

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

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0

1 bed	1.5	0	0	0	0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
Total					0

- 8.45 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

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

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

- 8.47 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. 48 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

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

8. 49 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Education

8. 50 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. 51 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are not required for pre-school education, primary education and

secondary education for one-bedroom units. Contributions are therefore required on the following basis.

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

- 8.52 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.

Strategic Waste Infrastructure

- 8.53 The County Council have requested a Strategic Waste Infrastructure Contribution because the site is in the catchment area for Milton Household Recycling Centre, for which contributions are sought in line with Cambridgeshire County Council's guidance.

Strategic waste infrastructure					
Type of unit			£per unit	Number of such units	Total £
1 bed			190	4	760
Total					760

Monitoring

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

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 In my opinion, the proposed change of use is appropriate and the proposed alterations to the building would have no detrimental impact on the appearance of the building or the street. It is my view that, subject to conditions, the proposal would provide satisfactory living accommodation and would not have a significant impact on neighbouring occupiers. The submission of information on noise has adequately addressed the previous reason for refusal on this site. I therefore recommend that the application is approved, subject to conditions and the completion of the S106 agreement.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

3. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday to Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

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

4. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

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

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

6. 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: to protect the health and amenity of future occupiers and to accord with policy 4/13 of the Local Plan 2006.

INFORMATIVE: The Councils document Developers Guide to Contaminated Land in Cambridge provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Councils website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-andnuisance/land-pollution.en>.

Hard copies can also be provided upon request.

INFORMATIVE: The Council has produced a guidance to provide information to developers on waste and recycling provision which can be accessed from the City Council website via the following link:-
<http://www.cambridge.gov.uk/ccm/content/planning-and-building-control/waste-and-recyclingprovision-information-for-developers.en>

1. APPROVE subject to the satisfactory completion of the s106 agreement by 14th March 2013 and subject to the following conditions and reasons for approval:

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 14th 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, life-long learning facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14 and 10/1, the Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

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

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.