

Application Number	12/1433/FUL	Agenda Item	
Date Received	12th November 2012	Officer	Miss Catherine Linford
Target Date	7th January 2013		
Ward	Market		
Site	37 City Road Cambridge Cambridgeshire CB1 1DP		
Proposal	Proposed demolition of and re-building of outbuildings to form 2 No. residential units.		
Applicant	Mr Paul Downham Cambridge House 91 High Street Longstanton Cambridgeshire CB24 3BS United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed replacement building preserves the character and appearance of the Conservation Area 2. The proposed development will not have a significant detrimental impact on the amenity of neighbouring occupiers 3. The proposal will provide high quality living accommodation
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 This application relates to outbuildings, which stand to the rear of 34-36 City Road, and are known as 37 City Road. The surrounding area is predominantly residential in character, mainly consisting of two-storey, terrace houses. The site is within City of Cambridge Conservation Area 1 (Central) in the area covered by the Kite Conservation Area Appraisal.

1.2 The buildings are largely intact and been built up over time using a mixture of materials, including a mix of brick, timber cladding and a variety of windows, doors and external staircases for access to the upper floors. There are a number of panels of stained glass, which add to the visual interest. The buildings are not Listed or Locally Listed as Buildings of Local Interest but were considered for adding to the Local List of Buildings of Local Interest, but this was not taken forward due to the structural instability of the buildings. The outbuildings are not visible in the streetscene, but they are clearly seen from adjacent gardens and make an important contribution to the character and appearance of the Conservation Area.

2.0 THE PROPOSAL

2.1 Full planning permission is sought to demolish the buildings, and replace them with a similar but larger building, which would provide two dwellings – a three-bedroom house, a two-bedroom house, and a studio flat.

2.2 The proposed building would be identical to the existing buildings but would have an additional two-storey wing at the southern end. This, along with part of the central wing would become plot 1, a 4-bed house. The central wing would be wider than the existing buildings. At ground floor level, part of this central wing, directly adjoining 35 City Road will be used as a communal bin and cycle store. The remainder of the building (the southern wing) would become a 2-bed house.

2.3 A small first-floor extension is proposed to the rear of 35 City Road, built above part of the existing single storey extension to this property.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Structural Report
3. Historical Report

2.5 An application for conservation area consent sits alongside this application for planning permission.

3.0 SITE HISTORY

Reference	Description	Outcome
11/1578/FUL	Demolition of existing buildings and redevelopment of the site to provide three residential units.	REF
11/1579/CAC	Demolition of existing buildings and redevelopment of the site to provide three residential units.	REF
12/1434/CAC	Proposed re-building of outbuildings to form 2 No. residential units.	Pending

3.1 The decision notice for the previously refused application 11/1578/FUL is attached to this report as Appendix 1.

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, 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 3/7 3/11 3/12 4/11 5/1 5/14 8/2 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)

	<p><u>Citywide:</u></p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Open Space and Recreation Strategy</p> <p>Cycle Parking Guide for New Residential Developments</p>
	<p><u>Area Guidelines:</u></p> <p>Kite Area</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The residents of the dwellings at 37 City Road will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

Head of Environmental Services

- 6.2 No objection. Conditions recommended relating to construction hours, construction noise, contaminated land and waste.

Urban Design and Conservation Team

- 6.3 No objection: The proposed development is supported. The structural engineer's report clearly shows that the majority of the building is beyond repair and, whether for its current use or for conversion. The proposed design is similar in style to the existing. Conditions are recommended relating to materials, glass type, rooflights, and paint colours.

7.0 REPRESENTATIONS

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

- 9 City Road
- 33 City Road
- 34 City Road
- 38 City Road
- 13/14 Melbourne Place
- 61 Eden Street

7.2 The representations can be summarised as follows:

- The proposed total floor area and height far exceeds the existing structure
- Dominance
- Loss of privacy and overlooking
- Loss of light and overshadowing
- Increase in artificial light
- Access for emergency vehicles
- Overcrowding
- The existing building is out of character with surroundings and impacts on neighbours. It should not have been built
- Lack of car parking spaces

7.3 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 demolition and the impact on the Conservation Area
2. Principle of development
3. Context of site, design and external spaces, and impact on the Conservation Area
4. Residential amenity
5. Refuse arrangements
6. Car and cycle parking
7. Third party representations

8. Planning Obligation Strategy

Principle of demolition and the impact on the Conservation Area

- 8.2 The existing buildings at 37 City Road are not visible from the street, but are clearly seen from adjacent gardens and make an important contribution to the character and appearance of the Conservation Area.
- 8.3 The tests of policy in this case are seen in policies 4/10 and 4/11 of the Cambridge Local Plan (2006). The supporting text to policy 4/11 of the Cambridge Local Plan (2006) states that in Conservation Areas, ‘...when considering the demolition of buildings...the same tests that would apply to the demolition of a Listed Building will be applied, making reference to policy 4/10 of the Local Plan. Policy 4/10 states that ‘works for the demolition of Listed Buildings will not be permitted unless:
- a) The building is structurally unsound, for reasons other than deliberate damage or neglect; or
 - b) It cannot continue in its current use and there are no viable alternative uses; and
 - c) Wider public benefits will accrue from redevelopment.
- 8.4 A structural survey has been submitted as part of the application to demonstrate that the building is structurally unsound, and this concludes as follows:
- The existing four buildings are in poor structural condition. If required the ground floor to building 1 may be retained though all the walls will require underpinning. The timber first floor joists to this building may be re-used but will require strengthening to enable them to be justified to support the proposed current domestic loading. We believe that buildings 2, 3 and building 4 are in such poor structural condition that it is recommended that they should not be retained in the conversion.*
- 8.5 The application also includes a report, which explains how the site has been developed in the past. The outbuildings were built over time, using materials of differing qualities and type.

8.6 The Structural Survey has given a detailed report on each of the outbuildings, their stability and their potential for reuse. The conclusion is that parts of the structures are in poor condition with inadequate support for some of the walls and roof, leading to distortion and outward lean. In order for these parts to be able to be used as they stand, they would require a great deal of added support or rebuilding. The ground floor of Building 1, as labelled on the diagram that accompanied the report, could possibly be reused but would need substantial underpinning. Therefore, it is accepted that these buildings are not capable of reuse without comprehensive rebuilding. Even if the buildings were to be retained in their current use, they would need some rebuilding and a lot of additional support added to the structure in order for them to remain stable and in viable use. Due to the severity of their condition their demolition is supported, as long as a suitable replacement is proposed. The application is in accordance with part a) of policy 4/10 of the Cambridge Local Plan (2006).

Principle of loss of light industrial use

8.7 The outbuildings were originally used as workshops and storage for Upholstery and Cabinet Making. These would be considered as light industrial, B1(c) uses. More recently, the buildings have been used by different companies including an interior designer and architects. There is no site history. There is no definitive use for the buildings and in the absence of a Certificate of Useful Use, it is necessary and reasonable to assess the application as loss of light industrial space.

8.8 Policy 7/3 of the Cambridge Local Plan (2006) states that development, including changes of use, that results in a loss of floorspace within Use Classes B1(c), B2 and B8 will only be permitted if:

- a) There is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either
- b) The proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
- c) The continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or

- d) The loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
- e) Redevelopment for mixed use or residential development would be more appropriate.

8.9 There is a lack of industrial space in the City. However, due to the layout of the buildings and because of their poor structural condition, only two offices are in regular use. Another office is in occasional use as a meeting room, and another two are temporarily occupied as storage at a token rent. The leases end next year.

8.10 The surrounding area is predominantly residential. In my opinion, whilst light industrial uses can operate successfully with residential uses, this site is clearly constrained and access is poor. These factors, together with the poor state of the buildings leads me to conclude that residential use would be more appropriate here than industrial use. It is my view that the proposal, therefore, complies with part e) of policy 7/3 of the Cambridge Local Plan (2006).

Principle of Residential Use

8.11 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. The surrounding area is predominantly residential and, therefore, in principle, residential use is acceptable here.

8.12 In my opinion, the principle of residential development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces, and impact on the Conservation Area

8.13 The existing outbuildings have been built up over time using materials that were easily to hand. The end result is an eclectic mix of brick, timber cladding, slates, pantiles and a variety of windows, doors and external staircases for access to the upper floors. There are a number of panels of stained glass, which

add to the vitality and interest of the buildings. They were considered for inclusion in the list of Buildings of Local Interest, but this was not taken forward due to the Structural Engineer's Report. The outbuildings are not visible in the streetscene, however they are clearly seen from adjacent gardens and make an important contribution to the character and appearance of the Conservation Area.

- 8.14 In terms of the design of the new buildings, the differences between the previous, refused application and this one are that the extension to the south has been reduced and the roof hipped with no windows at first floor level at the end of the new wing; and the roof terrace to what was unit 3 has been removed, adjoining 35 and 36 City Road.
- 8.15 The proposed design has taken the eclectic style of the existing buildings as its cue and the result is a welcome mixture of solids and voids, which fits into the site as an appropriate replacement to the existing buildings.
- 8.16 The materials are to be as for the existing buildings, that is a brick ground floor with mainly timber clad first floor. The roofs are to be reclaimed pantiles and slates, and there are a number of chimneystacks, which are welcome as they add to the roofscape of the area. All of the joinery is to be timber, with the windows purpose made to replicate the variety that exists in the buildings as they stand.
- 8.17 There is an opportunity to salvage some of the materials, for example the stained glass panels found in various elevations and the bricks from the ground floor walls, for re-use within the new scheme. This will be important in order to add some character to the new building. From looking at the submitted plans, it is unclear where the 'details' of the existing buildings, such as the stained glass panels, will be reused. It is recommended that details of these are required by condition (4). It is recommended that samples of all materials, including bricks are required by conditions (5 and 6).
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.19 Due to the positioning of the buildings and their orientation, it is my opinion that the neighbouring properties that may potentially be affected by the development are 33-38 City Road, 60-63 Eden Street and Eden Court.
- 8.20 In terms of window positioning the proposed situation is not vastly different to the current situation. What is different is the use and this means the impact on the neighbouring properties on City Road will be significantly different to what is currently experienced. The impact of the proposed extensions will also need to be considered.
- 8.21 The previous application was refused for the following reason:

The proposed development would, by virtue of increases in massing, scale and footprint, the introduction of new residential uses into a relatively quiet rear garden area, the intensification of use that three residential units would create, the potential and perceived overlooking and subsequent loss of privacy into neighbouring properties, result in a dominant and unneighbourly built form that, within a constrained urban site, would be detrimental to the amenity of the occupants of 33 and 34 City Road and 60, 61 and 62 Eden Street. The proposal therefore fails to adequately respond to its context, achieve good interrelations between buildings and have a positive impact on its setting and is contrary to policies 34, 3/7 and 3/12 of the Cambridge Local Plan (2006) and National Planning Policy Framework guidance (2012).

Impact on 33-34 City Road

- 8.22 34 City Road has rooms in the roof, and at the rear there are a number of large windows at first and second floor level. The proposed extension to the building will stand directly behind this neighbour, to the west, 6.6m from the common boundary.
- 8.23 The site is to the north of 33 City Road. This neighbouring property has large windows at first floor level and a conservatory at ground floor level.

Overshadowing/enclosure/dominance

- 8.24 The extended part of the building stands to the northwest of 34 City Road and will therefore overshadow the neighbour to some degree in the late afternoon. In my opinion, the level of overshadowing experienced would not be significant and would therefore not warrant refusal of the application. The extended building would stand 6.6m from the common boundary with 34, and 11m from the rear of this neighbouring house. Following the previous, refused application (11/1578/FUL), this part of the building has been reduced in height from 6.6m (to the ridge) to 6m, and the roof hipped instead of introducing a gable end. This reduces the scale and bulk of the building and, in my opinion, reduces its dominance on this neighbour to an acceptable degree.
- 8.25 The extended part of the building would stand to the northeast of 33 City Road, 1.2m from the common boundary with this neighbour. This part of the building would be 7.2m in length along the boundary, bringing it 11m from the rear of this neighbouring house. In my opinion, the use of a hipped roof greatly reduces its bulk and mass, reducing it to a scale that is acceptable.

Overlooking

- 8.26 Unlike the previous, refused application (11/1578/FUL) no windows are proposed at first floor level at the end of the new wing. There will therefore be no direct overlooking of 34 or 33 City Road from the new wing. However, windows are proposed at first floor level at the side of the increased central wing, and these windows would directly overlook 34 and 33. These windows serve bedrooms, which are dual aspect, and it is my opinion that a condition should be imposed requiring that these windows are obscure glazed (condition 9)

Impact on 35-36 City Road

- 8.27 35-36 City Road are under the control of the applicant. 36a and 36b have been internally configured so that at the rear there are kitchens at ground floor level and bathrooms and landings at first floor level. 35 has a kitchen at ground floor level and a window serving a bedroom at first floor level. The layout of

these houses greatly reduces the impact of the proposal on them.

Overshadowing/enclosure/dominance

- 8.28 When viewed from 35-36 City Road, the proposal building is not significantly different to the existing situation, and there will therefore be no increased impact on these properties in terms of overshadowing or enclosure.

Overlooking

- 8.29 The northern wing of the proposed building, which stands directly behind 36a and 36b has the same footprint as the northern wing of the existing building, it is the same height and has windows and doors in the same positions. This wing will be in use as a two-bed house, and the front part of the wing will be a hallway and study at ground floor level, and a living room at first floor level. I appreciate that the proposed wing will be in use throughout the day and evening, unlike the existing/most recent office/studio use and there is therefore greater potential for overlooking, but because of the internal layout of 36a and 36b, it is my opinion that there will be no detrimental impact on the occupiers of 36a and 36b from overlooking from the proposed dwelling.
- 8.30 35 City Road has been extended to the rear, and the central wing of the buildings adjoins this extension. It is proposed that this central wing, which stands behind 35 and 36a is widened by 0.9m to the south. This wing has no windows in the end wall, and therefore there will be no potential to directly overlook 35 or 36a from here.

Impact on 38 City Road

- 8.31 38 City Road stands on the opposite side of the archway. This dwelling has large windows at ground and first floor levels, and a balcony at second floor level. The site is to the southwest of this neighbour.

Overshadowing/enclosure/dominance

- 8.32 The proposal will abut the common boundary with this neighbour as the existing building does, and this wing of the

building will be the same scale, height, and footprint as what is there currently. Therefore, it is my opinion that the impact of the proposal in terms of overshadowing would be no greater than the current situation.

Overlooking

- 8.33 Due to the angle between the first floor window of the proposed dwelling and the windows of this neighbour, overlooking even at an oblique angle would be very difficult. It is, therefore, my opinion that that this relationship is acceptable.

Impact on 60-63 Eden Street and Eden Court

Overshadowing/enclosure/dominance

- 8.34 The proposed building will be longer and marginally taller than the existing buildings, and stand to the east of the neighbouring properties on Eden Street. Currently, the building sits in line with the side wall of 63 Eden Street. In my opinion, in terms of visual bulk, due to similarities in size between the existing buildings and proposed building, the proposed building will have no significantly greater visual impact on these properties than the current situation. The extension at the southern end of the site will bring the building in line with the side wall of Eden Court. As the building will not extend behind Eden Court, it is my opinion, that the impact on the occupiers of this building will be minimal.
- 8.35 Concern has been raised regarding the impact the choice of materials will have on neighbouring occupiers. The existing building is a light-coloured timber. The intention is that this elevation will be brick to lessen maintenance. I recommend that materials are controlled by condition. I will seek to ensure that the choice of material is light in colour.

Overlooking

- 8.36 No windows are proposed on the western elevation of the proposed building, which abuts the rear of 60-62 Eden Street and the alleyway to the rear of 63 Eden Street and Eden Court, with the exception of rooflights, serving plot 1. These windows will be above head height. Therefore, there will be no

detrimental impact on these neighbouring properties in terms of overlooking.

Noise and disturbance

- 8.37 The site is currently in industrial use, and although it is currently largely vacant, theoretically it could be brought back into use. In my opinion, the noise and disturbance experienced by the neighbours from an industrial use could be far greater than that experienced from a residential use. The number of dwellings has been reduced since the previous application and this reduces its impact on neighbours.
- 8.38 Noise and disturbance is always caused by building works, and this cannot be eliminated entirely. However, this is only temporary and in order to reduce the disturbance to neighbours as far as is practical, I recommend conditions restricting contractor working hours and delivery hours (2 and 3).
- 8.39 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.40 The proposed dwellings will share a courtyard for access. Plot 1 (the 4-bedroom house) will have a sizeable private garden and a small terrace; and plot 2 (the 2-bed house) will have a private courtyard and terrace. The amenity space for plot 2 is small, but as this development is unusual and a 'one-off', it is my view that this is a compromise that a future occupier is likely to be willing to make. Due to this, I see no reason to refuse the application on amenity grounds.
- 8.41 As the site was in industrial use a condition is recommended, relating to contaminated land (7)
- 8.42 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 3/10.

Refuse Arrangements

- 8.43 A communal bin store is proposed for use of the three proposed dwellings and the three existing dwellings (35, 36a and 36b City Road). The City Council's Waste Strategy Officer is content that the proposed bin store is large enough to accommodate the bins for all of these properties. However, the bin collection point is shown as the accessway, which is currently gated. The Refuse Team will not collect the bins from the communal store, and therefore a management arrangement will be required to ensure that bins are brought to the kerbside for collection. This can be required by condition (8)
- 8.44 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.45 No off-street car parking spaces are proposed in relation to this development. I understand that this is a concern to neighbouring residents, but considering the location, very close to the Grafton Centre, and in close proximity to the City Centre, it is my opinion that it would be unnecessary and unreasonable to insist on off-street car parking spaces here. The site is within the Controlled Parking Zone (CPZ) and the County Council has confirmed that the occupiers of the new dwellings will not qualify for Residents' Parking Permits.
- 8.46 A communal cycle store is proposed for use of the three proposed dwellings and the three existing dwellings (35, 36a and 36b City Road). This is sufficient and is acceptable.
- 8.47 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.48 The issues raised in the representations received have been addressed under the headings above.

Planning Obligation Strategy

Planning Obligations

8.49 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 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

8.50 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.

8.51 The application proposes the erection of one three-bedroom houses, one two-bedroom houses, and one studio flat. 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	238
1 bed	1.5	238	357		
2-bed	2	238	476	1	476
3-bed	3	238	714	1	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	269
1 bed	1.5	269	403.50		
2-bed	2	269	538	1	538
3-bed	3	269	807	1	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	242
1 bed	1.5	242	363		
2-bed	2	242	484	1	484
3-bed	3	242	726	1	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	0
1 bed	1.5	0	0		
2-bed	2	316	632	1	632
3-bed	3	316	948	1	948
4-bed	4	316	1264		
Total					1580

8.52 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

- 8.53 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	1	1256
2-bed	1256	1	1256
3-bed	1882	1	1882
4-bed	1882		
Total			4394

- 8.54 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

- 8.55 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	1	75
Flat	150	2	300
Total			375

8.56 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.

Monitoring

8.57 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

8.58 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 proposal is an unusual housing development which preserves and enhances the character and appearance of the Conservation Area and has been sensitively designed to respect the amenities of its neighbours. The application has been revised to take into account previous issues concerning the amenity of neighbours. The application is therefore recommended for approval, subject to conditions and the completion of the S106 agreement.

10.0 RECOMMENDATION

APPROVE subject to the completion of a S106 legal agreement and the following conditions and reasons for approval:

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

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

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

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. Prior to the commencement of works, full details of the location of the salvaged stained glassed windows within the new buildings shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the character and appearance of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

5. No brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

Reason: To preserve the character and appearance of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

6. 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

7. 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.

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 amenity of future occupiers.
(Cambridge Local Plan 2006, policy 3/7)

8. Prior to the occupation of the development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To ensure that bins can be collected. (Cambridge Local Plan 2006, policy 3/7)

9. The first floor windows on the southwestern elevation of the central wing shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: To prevent overlooking of neighbouring properties. (Cambridge Local Plan 2006, policy 3/7)

10. 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)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties.
(Cambridge Local Plan 2006 policies 3/4 and 3/14)

Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, ENV6, ENV7;

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/11, 4/13, 5/1, 73, 8/6, 8/10,;

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

Unless prior agreement has been obtained from the Head of Planning, 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 26 July 2012 it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for open space/sports facilities, community development facilities, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, and the Open Space Standards Guidance for Interpretation.

In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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

These papers may be inspected on the City Council website at:
www.cambridge.gov.uk/planningpublicaccess
or by visiting the Customer Service Centre at Mandela House.