

<b>Application Number</b>	10/0485/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th May 2010	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	22nd July 2010		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	102 Glebe Road, Cambridge, CB1 7TA		
<b>Proposal</b>	Erection of two dwelling (following demolition of existing dwelling).		
<b>Applicant</b>	Mr. G. B Jeffery C/O Mr. Chris Anderson Development Land Agent Back Road Linton Cambridge CB21 4JF		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is a roughly square shaped plot situated on the southern side of Glebe Road, served by an unmade access track off Glebe Road, approximately 65m in length. This suburban area of the City is characterised by relatively large detached and semi detached residential properties, set within generous, and typically rectangular shaped plots.
- 1.2 The plot is currently occupied by a 2 storey detached dwelling, standing in the south-west corner of the site, which has its principal (front) elevation facing north west. To the west, north, south and part of the east boundary are gardens of other houses; the southern part of the east boundary abuts the Pelican School site.
- 1.3 The site is not within a Conservation Area. There are various mature trees and fruit trees within the site. There is 1 protected tree in relatively close proximity within the curtilage of number 100 Glebe Road.

## 2.0 THE PROPOSAL

- 2.1 This application seeks consent for the erection of 2 detached dwellings, each served by an ancillary outbuilding.
- 2.2 The larger proposed dwelling is the southernmost of the two and is a 2 storey dwelling with attic storage space in the roof, which is served by 6 velux style roof lights all of which have no glazing at a height less than 1.9m above finished floor level (I will refer to this as plot 1). The building stands at 6m to eaves level, with an overall ridge height of approximately 9.5m. The width of the building is 16m. The dwelling will have its rear and southern flank roof slope partly constructed with solar tiles, to match the main roof tile. This property will be served by ancillary office/garage outbuilding 5.5m in height.
- 2.3 On the northern part of the plot is a smaller dwelling (plot 2), rising 5.5m to eaves level, and a similar overall height of 9.5m. The total width of the building is approximately 14m. Again, solar tiles are to be integrated into the rear and flank roof slopes. This dwelling is also served by a cart-lodge double garage, standing some 5m in height. There are no dormer windows in any of the roofs.
- 2.4 The access track is shown to be 4.5 metres wide for a distance of 10.1 metres back from the edge of the Glebe Road carriageway after which it narrows before widening again when entering the main body of the plot.
- 2.5 The application is accompanied by the following supporting information:
1. Design and access Statement
  2. Tree Survey, Arboricultural Implication Assessment and Method Statement

## 3.0 SITE HISTORY

Reference	Description	Outcome
09/1129/FUL	Erection of two dwellings (following demolition of existing dwelling).	REFUSED

- 3.1 The previous application 09/1129/FUL was refused for the following reason:

The proposal is unacceptable in that the width of the site access adjacent to the junction with Glebe Road, at 4 metres, is insufficient to give adequate space for two vehicles to pass. In the absence of an access with a width of a minimum of 4.5metres for a distance of 10 metres from the boundary with the public highway, it is likely that cars will be forced to reverse out into the highway or stop abruptly on the highway, which will prejudice the safety of other users of the highway in an area where very intense on street parking on both sides of the street restricts visibility and space for manoeuvring. For this reason the proposal will have an unacceptable transport impact and is contrary to policy 8/2 of the Cambridge Local Plan (2006)

#### 4.0 PUBLICITY

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

#### 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.

**Planning Policy Statement 3 (PPS3): Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

- 5.4 **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.
- 5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary,

relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5..6 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

5.7 **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.

5.8 **East of England Plan 2008**

ENV6 The historic environment

ENV7 Quality in the built environment

5.9 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.10 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

4/4 Trees

5/1 Housing provision

8/2 Transport impact

8/6 Cycle parking

8/10 Off-street car parking

#### Planning Obligation Related Policies

3/8 Open space and recreation provision through new development

5/14 Provision of community facilities through new development

8/3 Mitigating measures (*transport*)

10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities*)

### 5.11 Material Considerations

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

**Cambridge City Council (2006) - Open Space and Recreation Strategy:** Gives guidance on the provision of open space and recreation facilities through development.

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

#### 6.1 No Objection:

The proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of the conditions.

Car parking provision within the site exceeds the Planning Authority's maximum parking standards as set out within the Local Plan.

The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m with a 6m reversing, space.

The internal dimensions for the proposed garage, should be 5.5m wide x 6m deep internally with a 6m reversing, space

The proposed access way must be hard paved for a distance of not less than 6m from the boundary of the adopted public highway and the site, to prevent debris spreading onto the adopted public highway, as shown on the submitted drawings.

The conditions suggested require that:

- the manoeuvring area shown on the drawings is maintained free of any obstruction;
- the access is provided as shown on the approved drawings (4.5 metres for a minimum distance of ten metres from the highway boundary) and retained free of obstruction; and
- granting of a planning permission does not constitute a permission or licence to carry out any works in the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

Informatives are also suggested

### **Head of Environmental Services**

- 6.3 Comments are awaited – at the time of the previous, similar, application, no objections were raised subject to conditions relating to construction hours, waste and dust suppression. Any comments received will be reported on the amendment sheet.
- 6.4 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 **No representations have yet been received. The consultation period lapses on the 7<sup>th</sup> July.**
- 7.2 At the time of the previous similar application representations were received from the owners/occupiers of the following addresses: 96 and 98 Glebe Road; 269 and 271 Hills Road; and 81 and 83 Holbrook Road.

The comments received can be summarised as:

#### Objections in principle

- Overdevelopment of the site. (1 Response).
- The majority of representations received are not against the development of 2 properties in principle.

#### Design concerns

- Plot 1 should be reduced in scale. Reducing the height would ease visual impact for neighbours.
- Additional planting to the boundaries would be beneficial.
- Use of slate for the roofs is welcomed.
- Size of garages is of concern in relation to boundary of number 271 Hills Road and 83 Holbrook Road.
- Glass balconies are unsightly and will overlook neighbouring properties.

#### Amenity concerns

- Proximity of the northerly dwelling to number 98 Glebe Road.
- Concerns regarding dormer windows in the roof of the new dwelling. To the south of the plot.
- Proximity of garage block to number 296 Hills Road.

#### Highway concerns

- Problems associated with cars waiting on Glebe Road waiting to turning into the access.
- Increase in traffic generated from the proposal.

7.3 Following amendments to the plans, further comment was received from 267, 269 Hills Road, 81 Holbrook Road and was reported on the amendment sheet.

- The proposed amended plans address some concerns, to a modest degree.
- The height of the house and garage on the southerly plot 1 is still of concern and its proximity to neighbouring boundaries.
- Plot 1 will directly look down into the private rear garden of number 267.
- The ridge height of the proposed dwelling exceeds that of the current property



- Second floor rear balconies are unsightly and will cause overlooking.
- Trees on the site have been cut down.

7.4 The above representations are a summary of the comments that were received in relation to the previous application. Full details of the representations associated with the previous application can be inspected in the file 09/1129 or on line.

7.5 Any comments received on the current application will be reported to Committee in the amendment sheet or orally.

## **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 and bicycle arrangements
5. Highway safety
6. Car parking
7. Third party representations
8. Planning Obligation Strategy

### **Principle of Development**

8.2 The principle of development of this site was accepted at the March Committee meeting when the proposal was only rejected on grounds of the inadequacy of the access and the potential consequential danger to other users of the highway.

8.3 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing, and policy H1 of the East of England Plan 2008. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses. The neighbouring uses are residential, therefore the proposal is in compliance with this policy.

- 8.4 Policy 3/10 of the Cambridge Local Plan 2006 relates to proposals for the sub-division of existing plots to allow residential development in the curtilage of existing properties. It states that residential development in the garden area or curtilage of existing properties will not be permitted if it will:
- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
  - b) Provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
  - c) Detract from the prevailing character and appearance of the area;
  - d) Adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
  - e) Adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
  - f) Prejudice the comprehensive development of the wider area or which the site forms part.

An analysis of these issues is provided in the sub sections below.

- 8.5 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. Although the recent government advice changes the definition of previously developed land to exclude private residential gardens, and removes the specified minimum density of 30 dwellings per hectare, I do not consider either of these changes so materially affects the current application as to make the principle unacceptable. Local Plan policy 3/4 has regard to context and as rehearsed above policy 3/10 allows residential development within the curtilage of existing properties where it will not have significant adverse implications for the amenity of neighbours. The density proposed (at about 9 dwellings to the hectare) was previously, and remains, well below the critical threshold.

- 8.6 In my opinion the principle of the development is acceptable and in accordance with policies 5/1, 3/4 and 3/10 of the Cambridge Local Plan 2006.

### **Context of site, design and external spaces**

- 8.7 The key design issue relates to the detailed design and appearance of the new dwellings in their context. This site is an anomaly being almost landlocked, served only by the access way linking into Glebe Road. The site is relatively large (0.236 ha – 0.58 acre), and can in my view comfortably carry the 2 residential dwellings while not conflicting with policy 3/10.
- 8.8 New buildings should however have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views, in accordance with Local Plan policy 3/12. The proposed dwellings are big but are not of a scale and height very different from other residential properties in the vicinity. The buildings are substantial in terms of the amount of accommodation that is being proposed, but the buildings would not dominate the surrounding residential gardens, nor compete with the scale of properties that front both Glebe Road and Hills Road. This is because the dimensions of the plot are generous and the useable, and regular square shaped nature of the plot lends itself to a logical layout. The new dwellings are well secluded from any street frontage and would not have a commanding appearance, which might otherwise detract from the overall character and appearance of the area.
- 8.9 In terms of detailed design, the design of the buildings is traditional, with relatively steep pitched roofs, chimney detailing, and stone cills. While Government Guidance contained within PPS1 does not prevent contemporary design, which might have been explored here, the guiding principle as rehearsed within Local Plan policy 3/4 is that buildings sit comfortably and harmoniously within their setting. Opinions may differ on the deployment of more traditional architectural detailing in this suburban location, but I do not think what is proposed is an inappropriate approach here. The development constitutes a well- designed scheme because the buildings and external spaces function effectively for their purpose, responding to the constraints of the site; they will, in my view, sit harmoniously in their setting.

- 8.10 The dwellings also have features to reduce their environmental impact, which for this scale of development is not a mandatory requirement. The roofs of both buildings have solar tiles, which are designed to seamlessly integrate with the proposed Sandtoft Calderdale roof tiles, which in turn illustrates the successful design of these buildings, in accordance with Local Plan policy 3/12 (c).
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.12 My main concern relates to the third level of accommodation to the proposed southern new dwelling, on plot 1. It is recognised that this offers some potential for overlooking from a higher level. Originally dormers were proposed but these have been replaced (as they were in the previous application) by velux rooflights. These rooflights do offer the potential for some overlooking, but all of them have no glazing below at least 1.9 metres above the finished floor level, which means that they cannot be looked out of casually and without standing on something. What is more the nearest windows are about 13 m from the common boundary with Hills Road property and 12m from the common boundary with Holbrook Road property and in both cases at an oblique angle. Given that, and the presence of planting on the boundaries I do not consider that the amenity of neighbours is unreasonably prejudiced. In my view this suitability addresses this issue. The garage/office outbuilding is sited further from the common boundary with number 269 Hills Road than was originally the case though this too was a change the applicant made before the last application was considered; what it does is ease concerns about undue enclosure of the rear garden area of 269.
- 8.13 To the south, some concerns have been raised with regard to the siting of the garage/office outbuilding. I acknowledge that this building will have some visual impact and presence from the secluded rear garden of number 83 Holbrook Road. However, as before, I do not feel that this will be so harmful as to justify refusal. The outbuilding has a relatively low eaves line

(2.5m), and a roof slope which rises away from the boundary at a distance off the boundary which increases from 0.5m to 2.5m west to east. The boundary treatment is illustrated as being a 2m boarded fence, although a mix of planting would relate better to the other boundaries of the site. This can however be agreed through the imposition of a suitable planning condition, (condition 3).

8.14 To the north, concerns were raised from the owners of number 96 and 98 Glebe Road with regard to the visual impact of the proposal on plot 2 and the impact upon trees to the northern boundary. However, the northerly dwelling on plot 2 has been set in from the common boundary by a little less than 3m and trees are to be retained and protected on the boundary. Given the overall rear to flank distance between the existing properties and the proposed plot 2 (over 30 metres), I do not consider there to be any undue harm by way of visual impact.

8.15 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, 3/7, 3/10 and 3/12.

#### Amenity for future occupiers of the site

8.16 The proposed new dwellings will in my view provide a good level of amenity for future occupants. The rear gardens are generous in size, in keeping with surrounding residential properties, and internally both properties are thoughtfully set out with bedrooms well served with natural light.

8.17 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 3/4, 3/7 and 3/12.

#### **Refuse and Bicycle Arrangements**

8.18 The ancillary outbuildings provide ample space for bicycle and refuse storage. In my opinion the proposal is compliant Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.19 The Local Highway Authority has considered this proposal and now raises no objection subject to conditions being imposed to ensure that the access is both provided and retained free of obstruction. The previous concerns about the access have been overcome and the implications for highway safety addressed to the satisfaction of the Local Highway Authority.
- 8.20 In my opinion the proposal is compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.
- 8.21 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**

- 8.22 The Highway Authority has commented that there would be an over provision of car parking on the site. However, the garages proposed are in my view proportionate to the size of the dwellings. The 2 car parking spaces provided within these outbuildings is in fact compliant with the adopted car parking standards. The Local Planning Authority cannot control car parking which is ancillary to the enjoyment of the dwellinghouse, on the other areas of hard landscaping. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.
- 8.23 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**

- 8.24 As rehearsed above, no comments have yet been received about the current planning application. The points raised about the previous proposal have been rehearsed so that Committee can have an understanding of the issues raised when a very similar proposal (save for the access which was at the heart of the refusal) was considered previously, in March 2010.

## Planning Obligation Strategy

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

### Open Space

8.26 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.

8.27 The application proposes the erection of two four-bedroom houses, where one residential unit would be removed, so the net total of additional residential units is one. The totals required for the new buildings are calculated as follows:

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

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

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

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<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		1264
<b>Total</b>					<b>1264</b>

### Community Development

8.28 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:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882	1	1882
<b>Total</b>			<b>1882</b>

8.29 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 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

### Waste

8.30 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:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75
Flat	150		
<b>Total</b>			<b>75</b>

8.31 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 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

#### Education

8.32 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 appendix 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.

8.33 In this case, one additional residential units is created and the County Council confirmation is awaited as to capacity to meet demand for pre-school education, primary education, secondary education and lifelong learning. The contributions required will be reported to Committee.

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<b>Pre-school education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		810		
<b>Total</b>					

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

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

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+- beds	2		160		
<b>Total</b>					

8.34 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003)

policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

#### Affordable Housing

- 8.35 The development is not required to make provision for affordable housing as not enough additional units are being proposed.

#### Transport

- 8.36 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. Not enough trips will be generated in this case to activate the requirement for transport contributions.

#### Public Art

- 8.37 The development is not of a scale to require provision for public art.

#### Conclusion

- 8.43 It is my view and subject to further advice from the County Council, 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 As was the case when the previous application was considered, I consider that the 2 proposed dwellings are appropriate in their context, and will not detract from the prevailing character and appearance of the area. There will not in my view be any harmful visual impact upon neighbouring residential properties. APPROVAL is recommended.

## 10.0 RECOMMENDATION

### FOR RECOMMENDATIONS OF APPROVAL

**1. APPROVE subject to the satisfactory completion of the s106 agreement by 22/7/10 and subject to the following conditions:**

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

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

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

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or 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)

4. 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

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

6. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, the applicant shall provide the local authority with a report/method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 - Part 4: COP for noise and vibration control applicable to piling operations. The development shall be carried out in accordance with the approved details.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

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

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

8. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:

a) A Tree Protection Plan, as defined in BS 5837:2005 "Trees in Relation to Construction – Recommendations", containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:  
Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;  
Arboricultural method statements for any special engineering operations within Root Protection Areas;  
Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;  
Arboricultural method statements for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air-spade technology; irrigation; and mulching where appropriate;  
Arboricultural method statement for any development facilitation pruning.

and,

b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

The developer shall appoint a competent arboriculturalist to oversee the project. The arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

Reason: In order that adequate provision is made for the retention of trees on the site, particularly to the boundaries, Cambridge Local Plan 2006 policy 4/4.

9. Prior to first occupation of either house, the access shown on the approved drawings, with a width of access of 4.5 metres provided for a minimum distance of ten metres from the metalled carriageway shall be provided to the satisfaction of the local planning authority. Once implemented it shall be retained free of obstruction.

Reason: In the interests of the safety of users of the public highway. (Cambridge Local Plan 2006 policy 8/2)

10. Prior to first occupation of either house, the manoeuvring area shown on the approved drawings shall be provided to the satisfaction of the local planning authority, which shall be given in writing, and shall be retained free of obstruction.

Reason: In the interests of the safety of users of the public highway. (Cambridge Local Plan 2006 policy 8/2)

11. Prior to the commencement of development, details shall be submitted to the local planning authority for approval, which is to be given in writing, of the proposed detailed design, including the materials to be used, of the access and vehicle parking and turning areas to be provided for the proposed dwellings. The details shall demonstrate that the areas will be made of porous materials, or that provision is made to direct run-off water from the surfaces to a permeable or porous area or surface within the curtilage of the proposed dwellinghouse. They shall also exclude any loose material for a distance of 6 metres back from the highway boundary, to minimise the chance of the carrying or inadvertent depositing of such material on the public highway. The details as agreed shall be implemented before the dwelling hereby approved is first occupied and retained thereafter.



Reason: To ensure that this aspect of the development is delivered in a sustainable manner. (Cambridge Local Plan 2006 policy 3/1, 3/4, and 4/13)

12. The developer should contact the Highway Authority, or its Agent, to arrange construction of any works within, or disturbance of, or interference with, the Public Highway, and that all costs associated with such works shall be borne by the Developer. The Developer will neither be permitted to drain roof water over the public highway.
13. The grant of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

#### Reasons for Approval

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

East of England plan 2008: ENV6, ENV7

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 3/12, 4/4, 5/1, 5/14, 8/2, 8/6,

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](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

**2. Unless prior agreement has been obtained from the Head of Development Services, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 22/7/10 it is recommended that the application be refused for the following reason(s).**

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, affordable housing, public realm improvements, public art, other as appropriate in accordance with the following policies, standards and proposals 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, Southern Corridor Area Transport Plan 2002, Eastern Corridor Area Transport Plan 2002, Northern Corridor Area Transport Plan 2003, Western Corridor Area Transport Plan 2003, Provision of Public Art as Part of New Development Schemes 2002, Guidance for Interpretation and Implementation of Open Space Standards 2006, add other references as appropriate.

**3. In the event that an appeal is lodged against a decision to refuse this application, 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.**

## **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.