

Application Number	10/0367/FUL	Agenda Item	
Date Received	22nd April 2010	Officer	Miss Catherine Linford
Target Date	17th June 2010		
Ward	Kings Hedges		
Site	Citygate Woodhead Drive Cambridge Cambridgeshire CB4 1YL		
Proposal	Erection of four one bed and four two bed flats and works to parking area.		
Applicant	C/o 6 New Street Square New Feeter Lane London EC4A 3BF		

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is situated near the junction of Milton Road and Woodhead Drive. The application site is adjacent to the existing 3-storey 'Citygate' development of 16 flats associated with car parking, built in 2002. The site is currently used as the car parking area serving the 'Citygate' development. There is some soft landscaping along the frontage and four visitor car parking spaces, beyond which are electric iron gates which secure the residents parking area. The site is relatively level with an existing direct access off Woodhead Drive. To the north-west, at Robert Jennings Close, there are five residential blocks of dwellings comprising both flats and houses owned by a housing association. To the south-west and north-east there are detached and semi-detached 2-storey dwellings.

2.0 THE PROPOSAL

2.1 This application seeks planning permission for the erection of 8 flats (four one-bed and four two-bed), on part of the parking area of the Citygate development. The proposed flats would be the second phase of the Citygate development.

2.2 The proposed building would comprise a three storey block fronting onto Woodhead Drive, reflecting the scale, mass and design of the adjacent existing Citygate development, but with a central archway to access the parking area and gardens to the rear. The top (second) floor is accommodated within the roof space. The parking area would be extended beyond the existing residents' parking area, to the rear of nos. 293 and 295 Milton Road.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

The site has extensive planning history however the following is the most relevant in this case:

Reference	Description	Outcome
02/1086/FP	Erection of 1no two storey dwelling	Refused. Appeal dismissed
09/0769/FUL	Erection of 8 (five 2-bed and three 1-bed) flats and works to parking area	Refused. Appeal pending

3.1 The decision notice for the previously refused application 09/0769/FUL is attached to this report as Appendix 1, along with the site plan for this application.

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	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 **East of England Plan 2008**

SS1 Achieving sustainable development

T9 Walking, cycling and other non-motorised transport

T14 Parking

ENV7 Quality in the built environment

WM8 Waste management in development

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.9 Cambridge Local Plan 2006

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/7 Creating successful places
- 3/11 The design of external spaces
- 3/12 The design of new buildings
- 4/4 Trees
- 4/13 Pollution and amenity
- 5/1 Housing provision
- 8/2 Transport impact
- 8/6 Cycle parking
- 8/10 Off-street car parking

Planning Obligation Related Policies

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

5.10 Supplementary Planning Documents

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

5.11 Material Considerations

Central Government Guidance

Letter from Secretary of State for Communities and Local Government dated 27 May 2010 that states that the coalition is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

Area Guidelines

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Unconvinced by parking provision. The proposal would trigger the requirement for NCATP payments.

Head of Environmental Services

- 6.2 No objection, subject to conditions relating to construction hours, deliveries, the need for a concrete crusher, and details of piling.

Arboricultural Officer

- 6.3 No objection to the proposed building. The foundation details must be agreed by condition to ensure the trees can be retained in the future.

Waste and Street Strategy Manager

- 6.4 The provision detailed on the plan is not sufficient.

Cycling and Walking Promotion and Development Officer

- 6.5 Details of the type of racks and enclosure is required. Locating cycle parking to the rear of the site is not recommended, as this does not allow for convenient access to or natural surveillance of the cycle parking.

County Archaeologist

- 6.6 Site lies in an area of high archaeological potential. If approved, a condition should be attached requiring a programme of archaeological investigation.
- 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:

- 56 Robert Jennings Close
- 10 Hopkins Close
- 291 Milton Road

- 7.2 The representations can be summarised as follows:

- Air and noise pollution
- Security problems
- Loss of privacy
- Increase in traffic

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

Principle of Development

8.2 Policy 5/1 of the Local Plan generally supports the development of windfall sites in the City, subject to the existing land use and compatibility with adjoining uses. The area is characterised by residential dwellings and as such residential on this site could be considered acceptable subject to other material planning considerations which will be explored further in this report.

8.3 Recently, amendments have been made to Planning Policy Statement 3: Housing. These amendments comprise the removal of the indicative minimum density for residential development and the removal of garden land from the definition of previously developed land. The application site is currently part of the car park that serves Citygate, and is therefore still considered to be previously developed land.

8.4 The density of the proposed development is approximately 80 dwellings per hectare, which is lower than the density of the existing Citygate. This appears to be high, but as the scheme is for flats and not houses, I am of the opinion that this would not be out of character with the area or have a detrimental impact on the area.

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

Context of site, design and external spaces

8.6 The form of the proposed development comprises a three storey block fronting onto Woodhead Drive, providing eight self-contained flats. Currently the car parking area is quite understated and unobtrusive within the street scene. The site is rather obscured from view from the northwest by the bend in the road (Woodhead Drive) and by the existing trees which line the north west boundary. The existing landscaping to the front of the site helps to soften the appearance of the car parking court and, in my opinion, is well assimilated with the adjacent Citygate development. The existing Citygate development adjacent is quite pronounced in terms of its bulk and mass, although the landscaping along the boundaries of the site, somewhat help to soften the impact of its presence on the corner of Milton Road and Woodhead Drive.

8.7 The previous application was refused for the following reason:

The proposed development by virtue of its position on the site, set forward of the existing Citygate building adjacent, together with the height, mass, scale and bulk of the building would appear unduly dominant and cramped in the street scene which is compounded by its close proximity to the road at a point where the road starts to take a corner. Furthermore, the position of the building on the site fails to make appropriate provision for landscaping to the site frontage to assist with the assimilation of the development into the street scene. The proposed building therefore fails to respond positively to the constraints of the site and relates poorly to the neighbouring building and the surrounding environment. The proposed development is therefore contrary to policy ENV7 of the East of England Plan 2008 and policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006 and to guidance provided by PPS1 'Delivering Sustainable Development'.

8.8 The previous, refused, scheme was set forward of the existing Citygate development by 2m, and Officers were of the opinion that this would have resulted in a development that would have appeared very dominant in the streetscene when viewed from both directions. Furthermore, by bringing the building forward there would have been little scope to provide landscaping to the front of the site.

- 8.9 In design terms, including scale and mass, the proposed building was more or less identical to the building adjacent (save for the central archway access). Even though in design terms the proposed building reflected the existing development adjacent, the pronounced position of it was is not felt to be appropriate in terms of its height, scale and massing.
- 8.10 The current scheme is identical in design to the previous refused scheme, but the building is situated in line with the existing Citygate development. In my opinion, this alteration in the positioning of the building means that the proposal has successfully responded to this reason for refusal. Positioning the building in line with the existing Citygate development would mean that it would not be as dominant in the streetscene and would be read as a natural continuation of the Citygate development.
- 8.11 This positioning of the building will also mean that it will be possible to provide landscaping to the front of the site, continuing the landscaping scheme that currently exists to the front of the Citygate development. This landscaping is welcomed, as it will help to assimilate the development into the streetscene. The details of this can be secured by condition (condition 4).
- 8.12 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Trees

- 8.13 The trees on the northern boundary of the site are a mixture of field maple and hazel and form significant area of landscaping. These trees would screen the gable end of the proposed building and should, therefore, be retained. The City Council's Arboricultural Officer has commented on this application explaining that the footprint of the proposed building would not encroach into the root protection area of the trees, which are situated on the site boundary, because the trees are young. However, in the future the proposed building could impact on these trees, and therefore it is felt necessary that details of the foundations are requested to ensure that building will not impact on the roots of the trees in the future, and that the trees can be retained (condition 5).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.14 The proposed building would be set further back than the previous scheme and would therefore sit 2m closer to the neighbouring properties on Robert Jennings Close (sitting side by side and not back to back). However, the proposed development would still sit 15m away from the neighbouring properties on Robert Jennings Close, which I consider to be a reasonable distance.
- 8.15 The northwest boundary of the site is heavily screened by mature trees and shrubs, which are not actually situated on the application site. However this screening helps to mitigate against any impact of overlooking. The way in which the dwellings are orientated on Robert Jennings Close, with their fronts facing a parking court, to the north, it is unlikely that the proposed development would have a significant impact on their outlook.
- 8.16 The nearest neighbours are the adjacent Citygate development. The design of the proposed development means that flank windows serve bathrooms and would therefore be obscurely glazed. I therefore do not consider that there would be a significant impact on the amenity of the adjacent occupiers in terms of overlooking. The proposed building would sit in line with the existing Citygate development, and therefore there would be no potential for overshadowing.
- 8.17 The previous application was refused for the following reason:

The proposed development would result in the existing car parking area being extended to the rear of the site and car parking spaces being located in close proximity to the rear garden area of the neighbouring property, No. 56 Robert Jennings Close. As a consequence the proposed car parking arrangement would give rise to noise and disturbance created by vehicles manoeuvring immediately adjacent to the private amenity area of No. 56 Robert Jennings Close. The proposed development therefore fails to respond positively to the constraints of the site and does not respect the private amenity that the occupants of No. 56 can reasonably expect to enjoy.

The proposed development fails to comply with policy ENV7 of the East of England Plan 2008 and policies 3/4 and 4/13 of the Cambridge Local Plan 2006 and guidance provided by PPS1 'Delivering Sustainable Development'

- 8.18 In order to respond to this reason for refusal, the number of car parking spaces has been reduced, with the two car parking spaces directly adjacent to the neighbour replaced with cycle storage. This amendment also responds to the reason for refusal relating to insufficient cycle parking. This amendment to the scheme, would mean that the occupiers of No. 56 would experience less disturbance from the manoeuvring of cars. The cycle store would create some noise, but this, in my opinion would be far less than would be experienced from cars.
- 8.19 The extended car parking area would replace a section of the rear gardens of Nos 293 and 295 Milton Road. The distance between the rear of the houses and the proposed car parking area is in excess of 32m and therefore I do not consider residential amenity would be significantly detrimentally affected given these distances.
- 8.20 Concern has also been raised about air pollution from the proposed development. I assume that the concern relates to air pollution when the building works are taken place. To mitigate against this, the constructors working hours can be controlled by condition (condition 2), details of any piling works or concrete crushers can be requested by conditions (conditions 7 and 8) and details of dust suppression can also be secured by condition (condition 11).
- 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.22 The scheme proposes two separate 'courtyard' amenity areas to the rear of the building which appear to be exclusively accessible to flats 1 and 2 only on the ground floor. The existing Citygate development has a communal amenity area to the rear to serve 16no. units. In my view it is disappointing that

a larger amenity area could not be accommodated to serve the new units, although one could argue that the occupants could utilize the existing amenity space as it is so close. However, the high number of units on this site means that more parking spaces are required, which impacts on the potential amenity provision on the site. The lack of additional amenity space is disappointing, but in light of that fact that the development proposes only eight flats, it is not expected that an amenity area is absolutely necessary if it can be proved that there are existing facilities in the vicinity. In this case, there is an amenity area associated with the main Citygate development, which is easily accessible and not restricted, and therefore I do not consider it reasonable to insist that further amenity space is provided.

- 8.23 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.24 The City Council's Waste and Street Strategy Manager commented on the application as submitted, and stated that the bin storage provision detailed on the original plans is not sufficient to serve both the existing Citygate flats and the proposed flats. Concern has also been raised about the distance the residents of the existing flats would have to walk to the store. The distance should be no more than 30m. Amendments have been made to the proposed bin store, enlarging it so it is now large enough to serve both the existing Citygate development and the proposed flats. The proposed bin store is not in a dissimilar position to the existing bin store serving the Citygate Phase 1, and therefore subject to a condition requiring details, I consider this to be acceptable in principle (condition 12).
- 8.25 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.26 There are currently 16 resident car parking spaces and 4 visitor spaces. The application is accompanied by a car parking survey which recorded the usage of the existing car parking spaces 22 times over a 2 year period. The survey concluded that the maximum occupancy was 54%. The Highways Authority commented that the survey data was collected during the day on weekdays and that to get a clearer picture the survey should have also been carried out during late evenings and the weekend, which could have indicated higher proportions of occupancy. The Highways Authority remain unconvinced of the suitability of the proposed parking provision.
- 8.27 The Council's car parking standards for residential units of up to 2 and 3 bedrooms, in a non Controlled Parking Zone are as follows:
1. Up to 2 bedrooms = 1 car parking space
 2. 3 or more bedrooms = 2 car parking spaces
- 8.28 The proposal is to provide 19 car parking spaces (including 2 disabled spaces) for the combined existing and proposed 24 flats. This is below the maximum standards (24 spaces), and the Highway Authority are not convinced that the low number of parking spaces is acceptable. The site is in close proximity to good public transport links and it can therefore be argued that the site is sustainably located and provides residents with 'greener' modes of transport other than the usage of the private vehicle. Therefore, in my opinion, I consider that it is acceptable that fewer car parking spaces are provided than the maximum standards, I do not believe it would be reasonable to insist that more car parking spaces are provided.
- 8.29 In terms of cycle parking provision, the Council's cycle parking standards expects new residential development to provide 1 space per bedroom up to 3 bedroom dwellings. This application proposes 46 cycle parking spaces, which is within the standards and is therefore accepted in principle. However, the City Council's Cycling and Walking Officer has requested further details regarding the racks and the enclosure, which can be secured by condition (condition 6). Twenty of the spaces are positioned to the rear of the site adjacent to the boundary with Robert Jennings Close. Locating the cycle parking to the rear

of the site is not recommended by the Cycling and Walking Officer as this does not allow for convenient access or natural surveillance of the cycle parking. This advice is understood, but, in my view this cycle store is in an acceptable position and would screen the adjacent neighbour from the car park.

- 8.30 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

- 8.31 The majority of the issues raised in the representations received have been discussed under the headings above. The issue not yet discussed is the impact on security for No. 56 Robert Jennings Close. The occupier of this property has suggested that a high wall is constructed on the boundary. I do not envisage the existence of the new building increasing the chances of criminal activity here, and I do not feel that is reasonable to insist that the developer erects a high wall, when this would have a negative impact on the appearance of the area.

Planning Obligation Strategy

- 8.32 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

8.33 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.

8.34 The application proposes the erection of four two-bedroom flats and 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 children's play space 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	4	1904
3-bed	3	238	714		
4-bed	4	238	952		
Total					3332

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	4	2152

3-bed	3	269	807		
4-bed	4	269	1076		
Total					3766

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	4	1936
3-bed	3	242	726		
4-bed	4	242	968		
Total					3388

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		
1 bed	1.5	0	0	4	0
2-bed	2	316	632	4	2528
3-bed	3	316	948		
4-bed	4	316	1264		
Total					2528

8.35 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 3/8 and 10/1.

Community Development

8.36 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	4	5024
3-bed	1882		
4-bed	1882		
Total			10,048

8.37 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

8.38 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	8	1200
Total			1200

8.39 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

- 8.40 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.
- 8.41 In this case, eight additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education and lifelong learning. Contributions are not required for pre-school education for one-bedroom units. Contributions are therefore required on the following basis.

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

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	4	640
Total					1280

- 8.42 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.

Transport

8.43 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. The site lies within the Northern Corridor Area Transport Plan where the contribution sought per trip is £399.

8.44 The Highway Authority has made an assessment of the proposal, on which the following assessment of expected additional trips and contributions is based.

Northern Corridor Area Transport Plan				
Existing daily trips (all modes)	Predicted future daily trips (all modes)	Total net additional trips	Contribution per trip	Total £
		68	399	27,132

8.45 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 East of England Plan policies T1 and T4, Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9 and Cambridge Local Plan (2006) policies 8/3 and 10/1.

Conclusion

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

9.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 15 October 2010 and subject to the following conditions:

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

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

2. 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)

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 - 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. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. Prior to the commencement of works, details of the foundations shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the retention of trees on site. (Cambridge Local Plan 2006, policy 4/4)

6. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

7. Given that the existing car park will need to be broken up, confirmation as to whether or not an on site concrete crusher will be used during this stage shall be submitted to and agreed in writing by the Local Planning Authority. If an on-site concrete crusher is not required, confirmation of an appropriate alternative procedure shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of works.

Reason: To minimise the disruption experienced by neighbouring residents. (Cambridge Local Plan 2006, policy 3/7)

8. Prior to the commencement of development the applicant shall submit to the Local Planning Authority for approval in writing, a report/method statement detailing the type of piling and mitigation measures to be taken to protect the local residents from noise and 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'. Development shall be carried out in accordance with the approved details.

Reason: To minimise the disruption experienced by neighbouring residents. (Cambridge Local Plan 2006, policy 3/7)

9. Prior to the commencement of development, a drawing showing two 2.0 x 2.0 metres visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The splays are to be included within the curtilage of the building. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

10. The access shall be provided as shown on the approved drawings and a width of access of 4.5 metres shall be provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

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

11. No demolition / development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the construction period has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details unless the Local Planning Authority agrees to the variation of any details in advance and in writing.

Reason: To minimise the spread of dust in the interests of health and safety. (Cambridge Local Plan 2006, policy 4/13)

12. No development shall commence until such time as full details of the on-site storage facilities for waste including waste for recycling have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be in accordance with the approved details. The approved facilities shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason; To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 4/13)

13. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

INFORMATIVE: If during the works contamination is encountered, the Local Planning Authority should be informed, additional contamination should be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The applicant/agent will need to satisfy themselves as to the condition of the land/area and its proposed use to ensure a premises prejudicial to health situation does not arise in the future.

INFORMATIVE: Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer. The developer will not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection. No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.

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

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: ENV7, T14, WM8

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/12, 4/4, 5/1, 5/14, 8/3, 8/6, 8/10, 10/1

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.

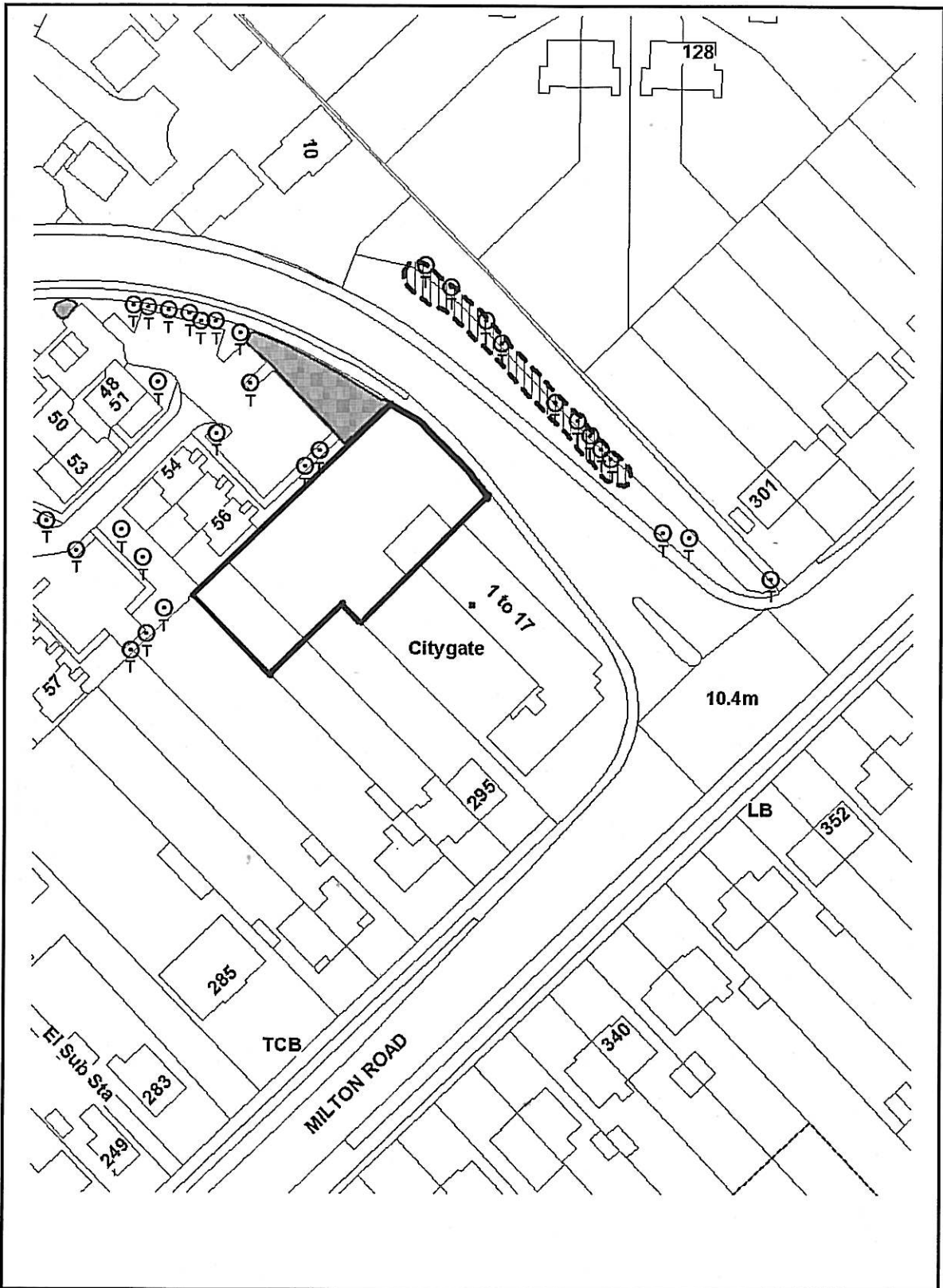
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2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

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.



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