

Application Number	13/0095/FUL	Agenda Item	
Date Received	4th February 2013	Officer	Mr Sav Patel
Target Date	1st April 2013		
Ward	Coleridge		
Site	159 - 161 Coleridge Road Cambridge CB1 3PN		
Proposal	Erection of two 1 bed flats and one 2 bedroom house at land to the rear of 159 - 161 Coleridge Road, following demolition of the garage to the rear of 161 Coleridge Road.		
Applicant	Mr Carter 159 - 161 Coleridge Road Cambridge CB1 3PN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed development would complement the built form and character of the area. <input type="checkbox"/> The proposed development would not create any adverse residential amenity issues. <input type="checkbox"/> The proposed development would make efficient and effective use of the site to provide additional housing.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is ancillary garden land to the rear of 159 and 161 Coleridge Road. 159 and 161 are two storey, hipped roofed semi-detached properties located on the eastern side of Coleridge Road with Ashbury Close abutting their southeast (rear) boundaries.

- 1.2 Both properties benefit from off-street parking areas to their frontages and deep rear gardens, which are enclosed by close-boarded timber fencing. No.161 has been extended at the rear with an attached single storey granny annex.
- 1.3 The built form of the area is characterised by two storey semi-detached and terrace properties, which are set back from the highway.
- 1.4 The application site, however, relates more to the context of Ashbury Close, which comprises two storey terrace properties/flats with separate garaging and car parking spaces. Ashbury Close is accessed off Coleridge Road.
- 1.5 To the east of the site is the rear garden area for no.157. An electric sub-station is located adjacent to the rear boundary of no.157. Part of the front boundary of the application site adjoins the sub-station site, which is enclosed by a 1.8 metre high close boarded timber fence.
- 1.6 To the south of the site is a recently erected terrace row of three, two storey residential properties, which front onto Ashbury Close. The properties are located on land, which was formerly the ancillary rear gardens of 163 and 165 Coleridge Road and were approved under planning permission ref: 10/1045/FUL (dated 27.06.2011). The properties are of modern design.
- 1.7 The application site contains a number of small trees but none are protected or have any significant amenity value outside of the site.
- 1.8 The site is not within a Conservation Area, and it falls outside the controlled parking zone (CPZ).

2.0 THE PROPOSAL

- 2.1 The proposal is to sub-divide part of the rear gardens of the properties at no.159 and 161 Coleridge Road to create a two x 1bed flats over two storeys and one x 2bed two storey house in a semi-detached arrangement. The dwellings would have an Ashbury Close frontage.

- 2.2 The proposal includes provision for cycle and bin storage, landscaping and off street parking provision for three vehicles.
- 2.3 The 2bed house would be located adjacent to the boundary of no.157 and the two 1bed flats adjacent to the recently constructed property to the south known as 3 Ashbury Terrace.
- 2.4 The original proposed layout of the building has been amendment, following further discussions with the applicant about concerns that were raised in the previous planning application (12/0536/FUL), which was withdrawn. The concerns related to the impact on the residential amenity of the neighbour at no.157.
- 2.5 The amendments have resulted in the building footprint adjacent to the boundary with no.157 being moved away from the boundary. The previous scheme showed the building 2.5 metres from the boundary. Now the single storey element remains 2.5 metres from the boundary and the first floor extension has been pushed back to 4 metres without compromising the overall design and layout of the scheme. In addition, the first floor layout of the previous scheme has been rearranged, so that the window closest to the boundary with no.157, which served a bedroom, now serves a bathroom. The window would be obscurely glazed to mitigate overlooking of the garden area of no.157. The proposal also includes the planting of 4 metre high evergreen trees in the north-western corner of the application site to further reducing the possibility of overlooking.
- 2.6 The proposed development includes three car parking spaces at the front of the buildings including bin and cycle storage provision. The proposal also includes the demolition of the existing garage which fronts onto and is accessed from Ashbury Close.
- 2.7 The application is accompanied by the following supporting information:
 1. Design and Access Statement;
 2. Shadow Detailing;
 3. Tree Plan;
 4. Vehicle Tracking Plan.

2.8 The application is brought before Committee at the request of Cllr Herbert, if officers' recommendation is for approval. Also the proposal is for new residential development and there have been objections.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0536/FUL	Erection of 2 no. 1 bed flats and 1 no. 2 bedroom house	Withdrawn 25.07.2012
06/0944/FUL	(no.159) Erection of a two storey rear extension, single storey side and rear extensions.	Approved 06.12.2006
C/00/1160	Single storey rear extension to form annex and single storey garage with vehicular access from Ashbury Close	Approved 09.01.2001

4.0 PUBLICITY

4.1 Adjoining Owners: Yes
Site Notice Displayed: No

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 3/10 3/11 3/12 4/4 4/13

	5/1 8/4 8/6 8/10
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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)
	<u>Citywide:</u> Cambridge Walking and Cycling Strategy Cambridgeshire Design Guide For Streets and Public Realm Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 The Highways Authority does not see any implication that would significantly affect highway safety adversely.

Head of Environmental Services

- 6.2 No issues, which cannot otherwise be addressed by conditions relating to hours of construction/demolition and dust.

Head of Streets and Open Spaces (Tree Team)

- 6.3 No objection provided the closest parking space to T1 (Acacia tree) is removed and subject to a tree protection condition. As part of the proposed alterations, the applicant has revised the car parking layout by moving the spaces away from the Acacia tree. The Tree Officer now considers the amended plans to be acceptable, as it would allow the retention of the tree. The Officer has withdrawn the objection subject to a tree protection condition.

Head of Streets and Open Spaces (Landscape Team)

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

7.0 REPRESENTATIONS

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

- 12 Ashbury Close;
- 16 Ashbury Close
- 22 Ashbury Close
- 28 Ashbury Close
- 31 Ashbury Close
- 33 Ashbury Close
- 34 Ashbury Close
- 36 Ashbury Close

- 40 Ashbury Close
- 47 Ashbury Close
- 48 Ashbury Close
- 49 Ashbury Close

- 106 Coleridge Road
- 108 Coleridge Road
- 157 Coleridge Road
- 169 Coleridge Road

The Housing Officer for the City Council has objected to the proposed development.

A petition of 32 signatures has also been received in opposition to the development.

7.2 The representations can be summarised as follows:

- Overdevelopment of site;
- Detrimental impact on residential amenity of neighbour at no.157;
- Detrimental impact on existing trees at no.157;
- Loss of car parking spaces in Ashbury Close;
- The area suffers from traffic congestion and there is a limited number of disabled parking spaces. This proposal will exacerbate an already bad situation and potentially obstruct access for emergency services;
- Flooding and drainage concerns;

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. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety

7. Car and cycle parking
8. Third party representations
9. Planning Obligation Strategy

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) explains that provision is made for an increase of 12,500 dwellings over the period 1999-2016, and while it is recognised that most of these will be from larger sites within the urban area and urban extensions, the creation of additional residential units on sites such as this will be permitted subject to the existing land use and compatibility with adjoining uses, which is assessed in the sections below within the main body of the report.
- 8.3 Pertinent to this proposed backland development, the adopted Local Plan has a specific policy aimed at safeguarding the loss of garden land unreasonably; Policy 3/10 *Sub-division of existing plots*. This policy advises that residential development within the garden area or curtilage of existing properties will not be permitted if it would;
- a. have a significant adverse impact upon the amenities of neighbouring properties, through loss of light , loss of privacy 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 of 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 redevelopment of the wider area of which the site forms part.

8.4 In this case, where the proposal does not adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site; and does not adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; only criteria a, b, c and f are relevant here. Considering the proposal in each case I will address the above listed criteria a, b, c and f in turn;

a)

8.5 The proposed building varies in depth with the 2bed house being 11.8 metres and the 1bed block of flats being 9.9 metres. The overall building has been laid out to reflect a consistent building line with the terrace to the south. There would be a separation distance, at the closest point, of approximately two metres between the proposed southern elevation and nearest end of terrace property to the south (3 Ashbury Terrace). There are no windows in the gable end of the nearest terrace property. Therefore, no windows would be adversely blocked from the proximity of the proposed building. The proposed units would be set seven metres from the revised rear boundary with the host properties. I believe that the introduction of the semi-detached building, with the footprint and mass detailed on the submitted plans, into the rear ancillary gardens of 159 and 161 Coleridge Road, will undoubtedly have a visual presence for the existing residents. However, a generous enough separation distance is provided and satisfactory garden spaces are retained for the host dwellings, so I do not consider that the proposal will result in any significant adverse impact upon the quality of this space or the amenity currently enjoyed by the occupiers of the existing dwellings. While the development is two storey, the window to window separate distance to the main existing dwellings would be between 26 metres (to rear of 161) and 28.6 metres (to rear of 159). The window separation between 2bed dwelling and no.157 would be even greater; 26 metres are the nearest point and 34 metres to the main rear elevation. These levels of separation are considered to be acceptable for residential developments in this urban context. I am therefore confident with these separation distances would offset any concerns upon the amenities of neighbouring properties, through loss of light,

loss of privacy or an overbearing sense of enclosure which part a of policy 3/10 looks to safeguard against.

- 8.6 In terms of the impact on the neighbouring property at no.157, concerns were raised in the original scheme due to the proximity of the proposed dwellings and potential for overlooking of the private garden area from first floor windows. In response to these concerns, the applicant revised the scheme by pulling the first floor element of the 2bed two storey dwelling away from the boundary by 4 metres. The side elevation of the ground floor element would remain at 2.5 metres from the boundary. The applicant has also rearranged the internal rooms, so that the window in the first floor of the rear elevation closest to the boundary with no.157 is a bathroom, which would be obscurely glazed to further mitigate any overlooking issues.
- 8.7 There is an existing mature Acer tree within the rear garden of no.157, which is set approximately 5.8 metres from the nearest point of the proposed dwelling. This would, particularly in summer months, limit views into the rear garden area of no.157. However, this is not in the applicant's ownership. Nevertheless, the applicant has proposed to plant two, 4 metre high evergreen trees adjacent to the rear boundary of the proposed dwelling in order to further mitigate any overlooking. The trees would be located approximately 6 metres from the rear elevation of the proposed dwelling. In addition, the applicant's shadow study demonstrates that the existing trees in the neighbour's (no.157) garden would cause more of a shadowing issue than the proposed dwellings. I therefore do not consider the proposed development would cause any significant overshadowing issues. In these terms, therefore, I am confident these amendments would offset any concerns upon the amenities of neighbouring properties, through overlooking or creating a sense of enclosure which part of policy 3/10 looks to safeguard against.
- 8.8 With regard to noise and disturbance, the subdivision of the rear gardens and the introduction of three additional residential units on this ancillary rear garden land will result in a more intensive occupation of the site, which in turn, will result in an increase in coming and goings and, in all probability a potential increase of noise and disturbance. However, access to and from the site is via Ashbury Close, away from the host dwellings. I am confident

that this road can absorb the additional movements and noise that this development will generate, and given the separation distances involved I do not think that use of the rear gardens by future occupiers will result in noise and disturbance that will have any significant adverse impact upon the amenity currently enjoyed by the existing dwelling or any other neighbouring occupiers, which would warrant refusal of the application.

b)

8.9 Given the dimensions of the application site and the overall footprint of the proposed development, I am satisfied that, in terms of space, the proposal provides adequate, usable, good quality external amenity for each unit. Both rear gardens would have a depth of approximately 7 metres and would be 10 metres wide. I believe this to be an adequate level of private amenity space provision. The host properties would still benefit from ample rear garden space. The two proposed flats would be expected to share the amenity space. The required ancillary provision for cycle parking, refuse and recycling storage and onsite car parking are all successfully accommodated subject to further details on the cycle and bin storage provision. As such, I consider the proposal to demonstrate that it can achieve this amount of development within the constraints of the site.

c)

8.10 The introduction of a semi-detached building into this rear garden area will undoubtedly have a significant presence. At present a 2 metre high close boarded fence defines the end of the rear gardens to the properties of Coleridge Road from numbers 161 to 157 and presents a closed elevation to the street. By developing this side of the road and introducing an active frontage, the proposal has the potential to improve the street scene and increase natural surveillance, and I also consider the staggered form, which is similar in character to the layout and design of the terrace to the south and housing on the southeast side of Ashbury Close, to be in keeping with prevailing built form.

f)

8.11 This double width rear garden area appears to be the last parcel of land on this side of Ashbury Close that could be

developed without having to overcome significant land ownership and access provision issues. The rear boundary of no.157 Coleridge Road adjoins the existing sub-station site and the rear boundary of no.155 Coleridge Road adjoins the rear boundary of no.47 Ashbury Close. Therefore, the proposed development is unlikely to, in my view, prejudice comprehensive development of the rest of the immediate surrounding area.

- 8.12 I consider, subject to the proposal being assessed against other material issues and policies within the Local Plan, that the principle of residential development is acceptable in this location and in accordance with policies 3/1 the relevant parts of 3/10 and 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.13 The built form and character of the area consists of mainly two storey properties. The application site would have an Ashbury Close frontage and therefore would relate more to the dwellings in Ashbury Close, as opposed to Coleridge Road. The built form and character of Ashbury Close is less uniform than the ribbon and low density form of development in Coleridge Road.
- 8.14 The residential development in Ashbury Close is of higher density where the properties have much smaller gardens compared to the spacious plots found in Coleridge Road.
- 8.15 The properties in Ashbury Close are of simple design with red brick and brown tiled roofs. However there is a noticeable feature between some units at first floor level, which projects out above an undercroft access, similar to a squared bay window. These timber-clad bays appear to accommodate the stair well, which provides access to the first floor flats in each block.
- 8.16 The proposed development responds to the design of the terraced properties to the south. It avoids slavishly copying, by keeping to two storey with a conventional pitched roof form and breaking up the frontage with a lean-to elements and a projecting gable which helps to distinguish between the flats and two storey dwelling. This is also more reflective of and sympathetic to the existing character exhibited along Ashbury Close on the southeastern side of the road.

- 8.17 I am of the view that in terms of site context and design the proposed development would relate well with the existing built form and character of the area and assimilate into the site frontage without appearing out of keeping.
- 8.18 In terms of external space, the subdivision of the rear gardens of the host dwellings at 159 and 161 Coleridge Road will reduce these areas but they will retain longer garden depth than the properties to the south (163 and 165), which have subdivided their rear gardens to accommodate the terraced properties. Therefore, whilst the proposed development would reduce the garden depths of the host properties, I am of the view that the reduction would not be significant enough to have a detrimental impact on the amenity of the residents in the host property. I do not, therefore, consider the resulting, reduced depth rear garden areas to the host dwellings unacceptable.
- 8.19 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

- 8.20 I have covered the issue of residential amenity under the above heading; 'Principle of development'. From this assessment, I conclude that subject to conditions, which revoke the benefits of the General Permitted Development Order 2008 and the imposition of a standard condition concerning boundary treatment and landscaping, the proposal broadly respects the residential amenity of neighbouring occupiers, provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers.
- 8.21 The side boundary with no.157 is defined by at least 3 trees, which, particularly in the summer months, would screen any view into the garden from the proposed development.
- 8.22 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.

Refuse Arrangements

- 8.23 The applicant has shown an area to accommodate refuse storage provision but has not provided any specific details. The proposal would need to provide 3 x 140litre receptacle for each flat and 3 x 240litre receptacle for the 2 bed house. I am satisfied that subject to a condition requiring refuse and recycling storage details, that there is sufficient space within each plot to accommodate the required waste receptacles without cause any harm to the amenity of the adjoining residents or future occupants.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.25 The majority of concerns raised in the third party representations received were with regard to existing pressures upon on street parking, highway safety and access. However, the County Highways officer does not foresee any implications that would significantly affect highway safety adversely.
- 8.26 The area in front of the application site (east) is currently used for de-facto car parking but is a turning head for vehicles entering and leaving the Close. The car parking area and turning head are clearly defined by the changes in surface material. The turning head is unmarked and tarmaced, whereas stone concrete panels and paving defines the car parking areas. The proposal would also not lead to the loss of any allocated disabled parking spaces. Therefore, the proposed development would not reduce or displace any existing formally laid out car parking spaces from within Close. Whilst I appreciate that this space is relied on as car parking space by other occupiers of Ashbury Close, I do not consider that the Local Plan provides any basis for resisting the application on this ground.
- 8.27 Furthermore, there is no Local Plan policies basis on which to resist the creation of a new access onto a public highway, particularly in this instance, where the proposed access is onto what is in theory a turning area rather than car parking area, unless a formal objection has been received from the County

Highway Authority. The Highway Authority have not raised any adverse comments in this regard.

- 8.28 In my opinion, therefore, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.29 The Car Parking Standards set a maximum provision of two car parking spaces per dwelling with three or more bedrooms when located outside of the controlled parking zone. It is Local Plan policy to promote lower levels of car parking in order to encourage a modal shift towards sustainable forms of transport. The City's Car Parking Standards are therefore set as maximum levels, and in a location such as this; relatively well placed for local services, the railway station and cycle routes into the city, an application which suggests a lower level of on-site car parking would be regarded as acceptable. This proposal makes provision for three on-site car parking spaces to the front of the residential unit, accessed off Ashbury Close. One space will be provided for each flat and one for the 2bed house. As such, this provision is in accordance with the City Council's Car Parking Standards as defined in Appendix C of the Cambridge Local Plan (2006). In my opinion the proposal is therefore compliant with East of England Plan (2008) policy T14, and Cambridge Local Plan (2006) policy 8/10.

Cycle Parking

- 8.30 Secure and covered cycle parking provision is made in the rear garden area for the units adjacent to the area allocated for bin storage. However, no specific details have been provided of the stands or enclosure. Each enclosure would accommodate two cycles, which is in accordance with the City Council's minimum Cycle Parking Standards as set out in Appendix D of the Cambridge Local Plan (2006). Accordingly, I consider the proposal compliant with East of England Plan (2008) policy T9 and Cambridge Local Plan (2006) policy 8/6.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.32 The issues raised by the third party representations have been sufficiently addressed in the main body of the report above, particularly paragraphs 8.5 to 8.30.

Planning Obligations

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

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

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

Open Space

8.34 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.

8.35 The application proposes the erection of one 2-bedroom houses and 2 one-bedroom flats. No residential units would be removed, so the net total of additional residential units is three. 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	J per person	Jper unit	Number of such units	Total J
studio	1	238	238		
1 bed	1.5	238	357	2	714
2-bed	2	238	476	1	476
3-bed	3	238	714		
4-bed	4	238	952		
Total					1190

Indoor sports facilities					
Type of unit	Persons per unit	J per person	Jper unit	Number of such units	Total J
studio	1	269	269		
1 bed	1.5	269	403.50	2	807
2-bed	2	269	538	1	538
3-bed	3	269	807		
4-bed	4	269	1076		
Total					1345

Informal open space					
Type of unit	Persons per unit	J per person	Jper unit	Number of such units	Total J
studio	1	242	242		

1 bed	1.5	242	363	2	726
2-bed	2	242	484	1	484
3-bed	3	242	726		
4-bed	4	242	968		
Total					1210

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

8.36 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

8.37 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	Jper unit	Number of such units	Total J
1 bed	1256	2	2512
2-bed	1256	1	1256

3-bed	1882		
4-bed	1882		
Total			3768

8.38 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

8.39 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 J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	Jper unit	Number of such units	Total J
House	75	1	75
Flat	150	2	300
Total			375

8.40 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

8.41 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 and _300 per non-financial head of term.
Contributions are therefore required on that basis.

Planning Obligations Conclusion

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

9.0 CONCLUSION

9.1 The proposed residential development of this ancillary rear garden site is considered acceptable in principle. The scheme is considered to provide a high-quality living environment and an acceptable standard of residential amenity for future occupiers and its neighbours. As such, I recommend the application be approved.

10.0 RECOMMENDATION

1. Approve subject to the satisfactory completion of the section 106 agreement by 6 September 2013 and subject to 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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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)

4. 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)

5. No development shall commence until such time as full details of the on-site storage facilities for waste, including waste for recycling has been submitted to and approved in writing by the local planning authority. The details shall identify 3 x 140 litre bins for the flats and 3 x 240 litre bins for the dwelling, the specific positions of where wheelie bins and recycling boxes for each unit will be stationed. The approved storage facilities shall be provided prior to the occupation of the development hereby approved and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenity of prospective occupiers and nearby properties. (Cambridge Local Plan 2006 policy 4/13).

6. 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

9. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

10. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

11. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

12. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

13. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety.

14. 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)

15. 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)

16. 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)

17. 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 additional 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)

18. The window identified as having obscured glass on the west (rear) elevation at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwelling 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: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

INFORMATIVE: The demolition of the garage may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from:

Council's Supplementary Planning Document -
"Sustainable Design and Construction 2007":
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spdpd.pdf>

Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils:
http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

INFORMATIVE: No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

INFORMATIVE: Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority.

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:

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/10, 3/11, 3/12, 5/1, 8/6 and 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.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

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 Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 6 September 2013, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, in accordance with Cambridge Local Plan 2006 policies 3/8, 3/12, 5/14, and 10/1 the Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

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

