

Application Number	13/0310/FUL	Agenda Item	
Date Received	11th March 2013	Officer	Miss Catherine Linford
Target Date	6th May 2013		
Ward	Trumpington		
Site	Land Between 2 And 3 Shaftesbury Road Cambridge Cambridgeshire CB2 8BW		
Proposal Applicant	Construction of a new dwelling. Mr Geoffrey Race 6 Aberdeen Avenue Cambridge CB2 8DP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. It enhances the character and appearance of the Conservation Area. 2. It does not have significant detrimental impact on the residential amenity of neighbouring occupiers 3. The development would be unique for this part of the Conservation Area, and be of a high quality design, and successfully contrast with it
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated between Nos. 2 and 3 Shaftesbury Road, on the east side of the street, within City of Cambridge Conservation Area 10 (Brooklands). The site was formerly a car park, when No 2 was occupied by the Red Cross as offices.
- 1.2 The 'square' of roads formed by Shaftesbury Road, Brooklands Avenue (north), Clendon Road (east), and Fitzwilliam Road (south) contains a mix of housing types and styles. Buildings are predominantly in residential use, though there are school

and CUP premises south of Fitzwilliam Road, offices east of Clarendon Road and at 5 Shaftesbury Road a house has been converted to office use. Nos. 2 and 3 Shaftesbury Road are substantial, double-fronted, Victorian villas, in residential use. The Accordia development, a scheme of approximately 380 houses and flats, is opposite the site on the west side of the road, set back behind trees and an area of green space. The Accordia development is now within the Conservation Area.

2.0 THE PROPOSAL

2.1 Full planning permission is sought for the erection of a three storey, detached dwelling with basement. The house would be circular in footprint, covering the full width of the plot, and would consist of a basement, ground floor and a set back first floor, and second floor.

2.2 The accommodation would be laid out as follows:

Basement/Lower ground floor: Utility room, studio and store.

Ground floor: Entrance hall, kitchen/dining room, cloakroom and bin and cycle store.

First floor: Salon, and two bedrooms both with ensembles.

Second floor: Study, and bedroom with ensuite bathrooms.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

2.4 Amended plans have been received which show the following revisions:

- Removal of the terraces at the rear at first and second floor levels;
- Alterations to the fenestration at the rear, to include obscure glazing;
- Modifications to the design of the parapet wall to the front;
- The removal of two of the proposed four trees at the front; and
- Amendments to the proposal materials – stone replaced with white Cambridge gault bricks or equivalent, and copper coloured roof replaced with raised seam roof to be formed in pre-weathered graphite zinc.

Reconsultation on the amended plans has been undertaken.

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/1040/FUL	Erection of one detached 3 bed dwelling house (following demolition of out buildings.	A/C
10/1143/FUL	Erection of eco-friendly house.	REF
12/0438/FUL	Construction of a new dwelling.	REF
12/0505/FUL	New dwelling on land adjacent to 2 and 3 Shaftesbury Road.	Withdrawn

3.1 The decision notice for the previously refused application 12/0438/FUL is attached to this report as Appendix 1.

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/4 4/11 5/1 5/14 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction 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>Area Guidelines:</u> Conservation Area Appraisal: Brooklands Avenue (2002 and 2013)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The application states that a new dropped kerb or kerbs will be provided on the frontage of the site but provides no further details. The site is fronted by a residents parking bay, which is not shown on the plans. The proposed access would require the removal of the bay, which would require an amendment of the existing Traffic Regulation Order. The residents of the proposed dwelling would not be eligible for Residents Parking Permits. A condition is recommended relating to the materials used for the driveway.

Head of Environmental Services

- 6.2 A condition is recommended restricting construction hours.

Urban Design and Conservation Team

- 6.3 Following the amendments to the application, it is now supported. Their comments are attached as Appendix 2.

Head of Streets and Open Spaces (Tree Team)

- 6.4 Satisfied that the remaining tree on the site can be excluded from the construction area and remain unaffected by the development subject to installation of tree protection barriers at the edge of the root protection area.

Design and Conservation Panel (Meeting of 16 January 2013)

- 6.5 The conclusions of the Panel meetings at the pre-application stage were as follows:

The Panel were reminded that the previous proposal for this site was refused principally on grounds of amenity and not design. However, as the owners of both adjacent properties have sold this site with planning permission it is clear that the principle of the development of the site has been established and the Panel feel that the issue of amenity can be resolved despite the constraints imposed by the narrowness of the site.

The Panel feel that the drum like form of the house would be considerably less oppressive in its impact on the neighbouring gardens but consider that the pure cylindrical form will need modification to address the boundary problems on either side. While persuaded that this approach has the potential for success, the Panel feel that the simplicity of the starting point for the design will need careful detailed handling of questions like the fenestration, the relationship between basement and garden in order to realise its promise.

The design has been amended since this meeting. The relevant section of the minutes of the panel meeting(s) are attached to this report as Appendix 2

7.0 REPRESENTATIONS

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

- 1 Shaftesbury Road
- 2 Shaftesbury Road
- 3 Shaftesbury Road
- 4 Shaftesbury Road
- 7 Fitzwilliam Road
- 22 Brooklands Avenue
- 22A Brooklands Avenue
- 3 Clarendon Road
- 5 Clarendon Road
- 7 Clarendon Road
- 9 Clarendon Road
- 15/17 Clarendon Road (x3)

7.2 The representations can be summarised as follows:

Character, context and impact on the Conservation Area

- The proposed building is very wide and tall relative to its plot and would detract from the feel of the Conservation Area
- A house with a similar design was rejected in 2010 and 2012. The proposal is very similar to those and has not changed enough to be an enhancement to the area
- Out of context
- The footprint is too large for the plot
- The rounded shape does not respect the character of the area

- If approved it would set a precedent for the infilling of gaps between houses, which would lead to the loss of important green space in the City
- Would alter the symmetry and the spacing between buildings
- Prevent views between buildings into gardens
- Balconies and large areas of glazing would be out of character with the rest of the street
- In a neighbourhood of detached houses there should be at least 4 feet either side of any dwelling, between the dwelling and the boundary wall or fence. This is the general pattern in the Conservation Area
- Overdevelopment
- The removal of gates and boundary walls in the drawings falsely create an appearance of space that does not exist
- A house on this plot should be subservient to the houses on either side
- The bin and cycle stores within the building are inadequate. These will therefore be stored outside which will have a detrimental impact on the Conservation Area

Amendment

- Juliet balconies are proposed in an area where balconies of any sort are alien

Residential amenity

- Loss of privacy caused by the extensive glazing and balconies at the rear
- Overshadowing and overlooking of neighbouring properties
- Dominance
- Light pollution from the large, modern windows
- The garden is not large enough for the house

Amendment

- The occupant will want to replace the obscured glass to the rear of the building with clear glass and to relocate the railings to give balcony space leading to unacceptable overlooking
- Conditions are unlikely to be enforced relating to obscure glazing. The City Council has a poor record with respect to enforcement and there is pressure on local government finance

- Due to the sliding floor-to-ceiling glass doors behind the Juliet balconies it would still lead to high-level noise, motion and disturbance in close proximity to the private areas of neighbouring gardens
- First floor – the bannister of the Juliet balcony is not obscured which means there would be overlooking
- First floor – the door of the Juliet balcony to bedroom 2 looks like a partial screen but that depends on its hinge being fixed on the window side of the wall
- Obscure glazing would mean that fewer window coverings would be used so there would be significant light pollution from the upper floors.

Car parking

- Insufficient parking spaces
- The loss of the on-street parking bay would be detrimental to existing households

Other

- High water table and potential flooding of the basement
- Why has the applicant been given time to amend long after the due date has passed

7.3 Brooklands Avenue Residents Association have made representations as follows on the original application:

Any house being built on the plot in question needs to be in due proportion to the houses surrounding it and must respect the context of the Brooklands Avenue Conservation Area, and of Shaftesbury Road in particular. The current design fails to do this, both as regards massing and design. The proposed new dwelling would encroach unacceptably, in terms of both the plot boundaries and the open “terraces” on both numbers 2 and 3, and in the case of the rear “terraces” in particular would also encroach on the amenity and privacy of the back gardens of all the properties in Brooklands Avenue (south side) and Clarendon and Shaftesbury Roads and possibly even Fitzwilliam Road as well. We urge that this application be refused.

Brooklands Avenue Residents Association have made representations as follows on the amended application:

The revisions do not make any material difference to the application, and the objections remain valid. The plot is simply too small for a house with the bulk of the present design, I understand that it is now proposed that the terrace windows would be of frosted or otherwise opaque glass. Whilst this might seem to be an acceptable approach, there would be nothing to prevent the occupants, or their successors in title, from replacing them with clear glass in five years or so, under the regulations for general permitted development. Making the provision of opaque glass a condition of any planning consent would simply be unenforceable. We again urge that this application be refused.

7.4 Cambridge Past Present and Future/Cambridge Cycling Campaign have made representations as follows:

7.5 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 impact on the Conservation Area
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Background

8.2 There have been a number of applications for single dwellings submitted for this plot. In 2004, planning permission was granted for a 'coach house' (04/1040/FUL) but this was not built. In 2010, another planning application was submitted for a large house (10/1143/FUL) which was refused.

- 8.3 In 2012 two applications were submitted. The first (12/0505/FUL) was a resubmission of the 2004 application. This was withdrawn before it could be determined. The other application, (12/0438/FUL) was for a contemporary building. This application was refused under delegated powers due to the dominance of the proposed building which abutted the common boundaries with numbers 2 and 3 Shaftesbury Road, and loss of privacy to the neighbours due to the levels of glazing and terracing to the rear.

Principle of Development

- 8.4 The provision of extra housing in the City is supported in the Cambridge Local Plan (2006). Policy 5/1 of the Cambridge Local Plan (2006) maintains that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. There is previous planning permission for residential development on this site (a detached, two-storey 'coach house') and therefore the principle of residential development is acceptable.

Context of site, design and impact on the Conservation Area

- 8.5 The site is currently vacant and overgrown with vegetation and was formerly the garden to what is now 2 Shaftesbury Road. When the Brooklands Avenue Conservation Area Appraisal (2002) was written, 2 Shaftesbury Road was still the County Headquarters of the British Red Cross Society 'part of whose rear and side garden has been taken over by car parking and storage sheds'. The Brooklands Avenue Conservation Area Appraisal (2013), which has recently been adopted refers to the fact that No.2 has now been converted back into a family home. It also mentions the poor condition of this site which 'needs to be developed sensitively'.
- 8.6 The Cambridge Local Plan Policy 4/11 (b) states that the design of any new building should preserve or enhance the character or appearance of the conservation area by 'faithfully reflecting its context or providing a successful contrast with it'. The National Planning Policy Framework in section 12, Conserving and Enhancing the Historic Environment, refers to the

'desirability of new development making a positive contribution to local character and distinctiveness', and that new development in conservation areas should enhance 'or better reveal their significance'. These matters must be taken into consideration when determining any application on this site.

- 8.7 The character of Shaftesbury Road is one of detached dwellings in plots that allow views through to the trees in the gardens beyond. This is somewhat curtailed by the modern extension to No.5. In addition, due to a number of single storey side extensions, and garages, the original layout of the houses has been heavily altered and some of the gaps have been lessened as a result, albeit only at ground floor level.
- 8.8 The applicants have submitted a new application for a single dwelling on this site which has taken the form of a round house in order to retain a strong design principle. The proposed design helps to keep it back from the boundary of the site as far as possible in order that it can overcome one of the reasons for refusal for the previous application, that of being overbearing. The architect gives the semi-circular bay to the front of number 5 as a local reference for this form.
- 8.9 Innovative design in Conservation Areas can be supported when it enhances the character or appearance of that area. It also should be executed in an appropriate manner. Generally, the footprint of buildings in the locality is square or rectangular, and the circular footprint will therefore be unique. In my opinion, this form would be a positive addition to the streetscene. A plan has been submitted showing the massing of all the buildings in the road, and it shows that the proposal is of appropriate mass to fit with the rhythm of the street. The space between buildings is at its widest between numbers 4 and 5, but towards the Brooklands Avenue end, the gaps are smaller due to a number of single storey extensions to dwellings.
- 8.10 It has been suggested that in order to be acceptable, a building on this site should be subservient to those on either side. I do not agree with this. The proposed dwelling is not an annexe to either of the neighbouring houses and should not, in my view read as such. Instead, in order to enhance the streetscene the building should complete the row, continuing the rhythm of the street, and it is my strong opinion that the proposal is successful in achieving this.

- 8.11 The 'columns' on the front elevation go some way towards replicating the predominant three bays that are on the Victorian villas in the street and were evident in the previous application. However, in the original design, this was weakened by the 'attic' storey which was lost above the heavy parapet at first floor level. To respond to this concern, the parapet detail has been revised to create a more balanced proportion between the three floors of the building; and provide a better balance of proportions of windows and solids/voids for the front elevation.
- 8.12 The material choice was also of concern to the Urban Design and Conservation Team. Stone, which was originally proposed, is not used characteristically in facades as a principal component in this part of the Conservation Area; and the use of copper as a roofing material is uncharacteristic of Shaftesbury Road. The building materials have been amended to much better reflect that of neighbouring residential buildings. The previous stone facing material and copper coloured roof have been replaced with white Cambridge Gault bricks or equivalent and the roof cladding is now a raised seam roof to be formed in pre-weathered graphite zinc. This would appear grey to match the slates on adjoining buildings. Both of these materials are considered to be appropriate for this building and this part of the Conservation Area. It is recommended that a condition is added requiring samples of all materials used on the external surfaces of the building (4)
- 8.13 Originally the plans showed four trees to the front, close to the common boundary with the highway. Concern was raised that this would make it extremely difficult for vehicles to gain access to and from the site, and therefore this has been amended, removing two trees, one on either end. I recommend that details of the landscaping to the front of the proposed dwelling are required by condition (6)
- 8.14 The character of the frontages to the existing houses is of brick walls between the properties which come down to the back of pavement. In some cases this is topped with railings and/or a short wall and railings to the front of the site. Originally, the submitted plans for this building showed just a railing along the side boundaries, with Nos. 2 and 3 Shaftesbury Road, which did not sit well with the character or appearance of the Conservation Area. This has now been amended, to provide

dwarf walls with railings along both side boundaries, matching the existing boundary treatment between the site and No. 3 Shaftesbury Road. This is considered to be acceptable and in keeping with the Conservation Area. It is recommended that full details of the boundary treatments are required by condition (7).

- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 The previous application was refused for the following reasons:

1. *The positioning of the proposed house, abutting the common boundaries with 2 and 3 Shaftesbury Road, combined with its height and depth, would result in a built form that would appear dominant and overbearing on the amenity of the occupiers of 2 and 3 Shaftesbury Road and their ability to enjoy rooms and spaces immediately facing the north and south boundaries of the site. For these reasons, the proposal is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).*
2. *The positioning of the proposed house, its combined height and width, the proposed level of glazing and size of the rear 2nd floor terrace, would result in the occupiers of the neighbouring properties at nos. 2 and 3 Shaftesbury Road experiencing a loss of privacy, a degree of noise and disturbance from the terrace and an overbearing visual impact from the assertive presence of the building in otherwise spacious and secluded rear garden areas. The development would therefore significantly detract from the privacy, enjoyment and use of the rear garden areas for the occupants of nos. 2 and 3 Shaftesbury Road and is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).*

- 8.17 In my opinion, the new proposal satisfactorily addresses these reasons for refusal, as discussed below.

Dominance and enclosure

- 8.18 I have visited the houses and gardens of 2 and 3 Shaftesbury Road. 2 Shaftesbury Road has single storey extensions on its southern side, and the side extension at the front only has windows on the side, which serve a ground floor room with a mezzanine floor above, facing the development site. 3 Shaftesbury Road has an extension on the northern side, which includes windows on the side serving a utility room and study.
- 8.19 The side walls of the proposed house would be 8m in height. Although the proposed dwelling is not dissimilar in height to the previous refused dwelling, the circular footprint will, in my view, greatly reduce the dominance of the building when viewed from both 2 Shaftesbury Road and 3 Shaftesbury Road. The proposed dwelling will abut the common boundaries, but it has been positioned so that when looking out of the side windows of the extensions to both neighbouring properties, views will be possible past the building, with the built form moving away from view.
- 8.20 The previously refused dwelling was deeper in footprint than the dwelling proposed here, and was refused (in part) due to concerns regarding the built form appearing dominant and overbearing and it being an assertive presence when seen from the neighbouring rear gardens. The rear wall of the proposed house would stand in line with the original rear walls of both 2 and 3 Shaftesbury Road, and as views would be possible past the building, because of the shape of the building, it is my opinion that the building would not be dominant or oppressive when viewed from the neighbouring houses. As it would stand in line with the neighbouring houses, it is also my opinion that it would also not be oppressive when viewed from neighbouring gardens.

Overshadowing and loss of light

- 8.21 Shadow diagrams have been submitted as part of the application. Due to the height of the proposed house, its close proximity to the neighbouring properties, and the orientation of the buildings, the proposed dwelling would cast some shadow over 2 Shaftesbury Road, as it would stand to the south of this neighbour. However, due to the positioning of the proposed house and layout of the neighbour's main rooms and size of its

garden, it is my view that it will not significantly impact on the level of light reaching any of the neighbour's main living spaces or garden area.

8.22 I acknowledge that the windows in the side extension of No. 2 would experience less light as a result of the proposal, but this would not be to an extent that would be any significantly worse than the previously approved scheme. The occupiers of no. 2 Shaftesbury Road would also likely have been aware of the existing consent for the approved dwelling at the time of building the more recent side extension. I have no concerns regarding the impact on light into the existing flat roofed games/utility room, attached to no. 2, set further back from the front on the side of the house. The potential level of overshadowing, therefore, does not warrant the refusal of planning permission.

Overlooking and loss of privacy

8.23 Currently the rear gardens of 2 and 3 Shaftesbury Road are predominantly private spaces. The most private part of the rear garden of 3 Shaftesbury Road (i.e. the area closest to the house) is overlooked by windows at the side of 2 Shaftesbury Road but at a distance of 20m. Interlooking into the remaining gardens between the properties is limited by tree planting, the generous space between the buildings and the angle of view.

8.24 At the rear of the house, the original application included a significant amount of glazing and a terrace at first and second floor level. Due to Officer concerns regarding the overlooking of immediate neighbours, the terraces have been removed and alterations have been made to the glazing to include obscured glass screens outside the windows. Concern has been raised that the obscure glazing would be replaced with clear glass in the future. To prevent this, I recommend a condition requiring that all obscured glass shown on the submitted plans will be installed prior to occupation and remain as such (8). If this condition is breached, it will be open to the local planning authority to consider enforcement action.

8.25 At first floor level, the windows at the rear serve the Salon and Bedroom 2. It is proposed that clear glass is used in the centre of this elevation, which will effectively create two windows, one serving the Salon and one serving Bedroom 2. This replicates

exactly the positioning and size of the clear glazing on the rear elevation of the approved coach house. This level of glazing and, and the associated overlooking, has already been accepted through this previous permission and therefore there is no valid reason to resist it. The other windows serving these rooms would be obscured, preventing any views from the areas of the proposed dwelling closest to the boundaries.

- 8.26 At second floor level, all of the glazing would be obscured, with the exception of a strip at the top of the windows. This could not be looked out of easily, and any views from here would be of such a distance that privacy would not be affected.

Light pollution

- 8.27 The windows are large, and concern has been raised that the obscured glazing will mean that window coverings will not be used by the occupants, leading to light pollution. Light will be generated by the building but in my opinion that this would not be so significant as to warrant refusal of planning permission.

Dust

- 8.28 All building works create dust, and therefore I recommend a condition requiring details of dust suppression (9).
- 8.29 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.30 The proposal includes a garden at the rear of the property of approximately 11m. This garden is not large, and is considerably smaller than the rear gardens of other houses in the area, but I consider it to be acceptable.
- 8.31 In my opinion, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.32 Bin storage is proposed with the building. Concern has been raised that this store is not large enough and therefore bins will be stored at the front of the house, and will look unsightly. No concerns have been raised by Environmental Health but to address this I recommend a condition requiring details of bin storage (10).
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

- 8.34 Off-street parking spaces will be available at the front of the house, and it is proposed that vehicles will be able to enter and leave the frontage in a forward gear. Originally, four trees were proposed along this frontage, but due to concerns regarding the maneuvering of vehicles, the number of trees has now been reduced to two, in the centre of the frontage. Due to the existence of an on-street parking bay and the positioning of a lamppost, access will be problematic but will be possible. It is my view that this is acceptable. It will be for the applicants to pursue any necessary Traffic Regulation Orders to relocate the parking bay.

Cycle Parking

- 8.35 A cycle store is proposed within the house. This meets the standards detailed in Appendix D (Cycle Parking Standards) of Cambridge Local Plan (2006) and is acceptable.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

High water table and potential flooding of the basement

- 8.37 This is not a planning consideration.

Why has the applicant been given time to amend long after the due date has passed

8.38 The decision to allow an application to be amended is discretionary.

The removal of gates and boundary walls in the drawings falsely create an appearance of space that does not exist

8.39 This has been rectified in the amended plans.

Planning Obligations

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

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

(b) directly related to the development; and

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.41 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.

- 8.42 The application proposes the erection of one three-bedroom house. A house or flat is assumed to accommodate one person for each bedroom. 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		
2-bed	2	238	476		
3-bed	3	238	714	1	714
4-bed	4	238	952		
Total					714

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		
2-bed	2	269	538		
3-bed	3	269	807	1	807
4-bed	4	269	1076		
Total					807

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		
2-bed	2	242	484		
3-bed	3	242	726	1	726
4-bed	4	242	968		
Total					726

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

8.43 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

8.44 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	£ per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882	1	1882
4-bed	1882		
Total			1882

8.45 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

- 8.46 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	£ per unit	Number of such units	Total £
House	75	1	75
Flat	150		
Total			75

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

Monitoring

- 8.48 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

- 8.49 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 proposal is a controversial one, and there have been a number of objections to the application relating to concerns regarding the visual impact of the proposal on the Conservation Area and the impact the proposal would have on the residential amenity of the occupiers of neighbouring properties. Taking all views into consideration, on balance, it is my opinion, that this proposal is of a high quality design and will enhance the streetscene and the wider Conservation Area; and will not have a significant detrimental impact on the occupiers of neighbouring properties. The proposal has satisfactorily addressed the previous reasons for refusal, in my view, and the application is therefore recommended for approval.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 31 October 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. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

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

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

4. 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. This should include a brick sample panel constructed on site. 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)

5. 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)

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

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

8. The screens identified as having obscured glass on the east elevation at first and second floor levels shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and fixed shut prior to occupation and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

9. Prior to the commencement of development full details of a method for of dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

10. Prior to occupation of the use hereby permitted, details of the on-site storage facilities for waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. The approved arrangements shall be retained thereafter.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

11. 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 windows or dormer windows other than those expressly authorised by this permission shall be constructed.

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

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).

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:

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/14, 4/11, 5/1, 5/14, 8/6, 8/10, 10/1;

2. The decision has been made having had regard to all other material planning considerations, and the representations received relating to character, impact on the Conservation Area and residential amenity, 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 31 October 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, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16 and as detailed in the Planning Obligation Strategy 2010.

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