

Application Number	13/1720/FUL	Agenda Item	
Date Received	28th November 2013	Officer	Mary Marston
Target Date	23rd January 2014		
Ward	West Chesterton		
Site	Broadmeadows Manhattan Drive Cambridge Cambridgeshire CB4 1JS		
Proposal	Provision of an additional storey to the existing 3 storey building to provide 2 x one bedroom and 6 x studio flats. The installation of on-site renewable energy technology in the form of air to water source heat pumps on the new roof to the building. The installation of 12 no. new bicycle spaces and provision of a roof to cover 14 no. existing bicycle spaces.		
Applicant	Mayflower Manhattan Ltd Mayflower House Manhattan Drive Cambridge CB4 1JT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed development will contribute to meeting housing need and provides high quality accommodation for single people and couples for which there is high demand.</p> <p>The design of the additional storey has Clearly responded to the local context and will not harm the character and appearance of the Conservation Area</p> <p>The proposed development will not give rise To demonstrable harm in terms of overlooking, loss of privacy, or traffic generation.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Broadmeadows is a flat-roofed three storey block of flats built in 1988. It is one of five blocks of flats comprising the Midsummer Meadows development, which is accessed via Manhattan Drive and occupies a 1.6ha site between Lovers Walk to the north and west and Elizabeth Way to the east. To the south, the site boundary is located to the rear of properties on the north side of Acrefield Drive. All five buildings are of brick construction.
- 1.2 The site is not in a Conservation Area but is visible from the rear of properties on the east side of Belvoir Road, which is situated within the De Freville Conservation Area. It falls within the controlled parking zone.
- 1.3 There are no trees protected by Tree Preservation Orders but there are several mature trees present on the site. The site falls outside the controlled parking zone, but is within the floodplain.

2.0 THE PROPOSAL

- 2.1 The application seeks permission for the provision of an additional storey to the existing three storey building to form two x one bedroom and 6 x studio flats; the installation of on-site renewable energy technology in the form of air to water source heat pumps on the new roof to the building; and the installation of 12 new bicycle spaces and provision of a roof to cover 14 existing bicycle spaces.
- 2.2 The proposed additional cycle space provision will be located to the south of the access road and adjacent to the existing sub-station and gardeners shed. The existing cycle spaces to be covered are located to the rear of the apartment block and hard up to the boundary fence. There will be no additional provision for refuse storage.
- 2.3 The proposal to install air to water source heat pumps on the new roof would further raise the height of the proposed development to a maximum of 13.2m in those places where the plant is to be located (towards the northern and southern extremities of the roof).
- 2.4 It is proposed to construct the additional floor using lightweight materials faced with a matt finish bronze coloured metal panels

and is designed to complement and enhance the appearance of the building. The height to parapet would increase from about 9.1m to 12.5m, and the number of dwellings would increase from 18 to 26.

- 2.5 The largest openings are in the east elevation, but whilst larger than existing openings, the proposed picture planar windows will generally maintain the rhythm of windows in lower floors; in addition there will be access to four balconies with views across the estate. Window openings to the west elevation will also be floor to ceiling, and aligned with similar, smaller openings in the lower floors. The north and south elevations each include just one balcony, and windows will be narrower, respecting the width of existing windows in lower floors.
- 2.6 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Site layout and scaled floorplans to show existing and proposed units
 3. External elevations and cross sections of existing and proposed
 4. East, west, north and south context sections
 5. Scaled drawings to show proposed refuse and bicycle storage
 6. An arboricultural report
 7. A flood risk assessment
- 2.7 The application is brought before Planning Committee because there have been six objections.

3.0 SITE HISTORY

Reference	Description	Outcome
C/85/0644	ERECTION OF 18 NO RESIDENTIAL FLATS, AND PROVISION OF ADDITIONAL PARKING SPACES.	Approved with conditions
C/94/0816	ERECTION OF 3 AND 4 STOREY BUILDING	Refused

COMPRISING OF 11 FLATS WITH ASSOCIATED PARKING.

- 3.1 Pre-application advice was sought in June 2013. The response was supportive in principle and raised no significant concerns.

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.
- 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011		CS16
Cambridge Local Plan 2006		3/1 3/4 3/7 3/10 3/11 3/12 3/13 3/14 4/4 4/11 5/1 5/5 5/10 8/1 8/2 8/5 8/6 8/7 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
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Affordable Housing Planning Obligation Strategy

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies/there are no policies (delete as appropriate) in the emerging Local Plan are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No additional car parking provision is made for the additional residential accommodation, however following implementation

of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwellings will not qualify for Residents' Permits of any kind within the existing Residents' Parking Schemes operating on surrounding streets (this should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal).

Head of Refuse and Environment

- 6.2 The Environmental Health Officer has no objection to this application in principal, subject to the following comments and recommended conditions/informatives.

Environmental Quality

Construction/demolition pollution

- 6.3 Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. The existing tenants in the block, especially the 2nd floor are likely to experience noise and vibration from the construction and a mitigation plan is required. In the interests of amenity, the standard construction/delivery noise/hours conditions are recommended.

Plant

- 6.4 The application indicates roof mounted air source heat pumps. Noise from the use of these units has the potential to harm local amenity if not controlled. A condition requiring a full plant noise assessment is therefore recommended to ensure the rating level (in accordance with BS4142:1997) from all plant and equipment, vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Head of Streets and Open Spaces (Tree Team)

- 6.5 The Tree Officer is satisfied with the proposed species, management and removal/replacement timings and provided

the proposal is conditioned has advised she has no further concerns regarding the proposed development.

7.0 REPRESENTATIONS

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

- 24 Belvoir Road
- 28 Belvoir Road
- 32 Belvoir Road
- 38 Belvoir Road
- 40 Belvoir Road
- 68 West Street

7.2 The representations can be summarised as follows:

Appearance of west facing elevation and impact on character of area

- The view of the brick wall of Broadmeadows facing residents of Belvoir Rd in one of the city's conservation areas should be as important as the frontage of the building within Broadmeadows;
- The extra storey on Broadmeadows will disturb the transition from taller buildings closer to Elizabeth Way bridge to the mainly two/three storey buildings in Belvoir Road and Manhattan Drive.
- The proposed building will dwarf the two-storey (with loft conversion) houses that line Belvoir Road on that side.
- It is important to recognise that the area is surrounded by trees which can be seen from within the Conservation Area;
- The tree-scape of the De Freville area was/is recognised in the Appraisal document of March 2009 as an attractive feature of the Conservation Area;
- Views to the east are cherished by the residents;
- The crowns of trees within Midsummer Meadows and to its east will be hidden by the extra height;
- The assertions in the design statement are misleading - the proposed additional storey will decrease the interest in the sky line and present a brutalist view out of the Conservation Area.

Overlooking and loss of privacy

- The proposed development to Broadmeadows adds rooms whose windows, larger than the rest of the windows in the block, will look directly into the bedrooms of the houses in Belvoir Rd, especially those along the southern end of the road, with high even numbers;
- We can see clearly into the rooms of Broadmeadows flats facing our road, and therefore they can look down into our bedrooms and garden;
- screening effect of existing trees becomes very limited for 2nd and 3rd storey levels - if the additional storey is to go ahead further mature trees of species appropriate to border the De Freville Conservation area, such as silver birches, limes or willows, should be planted along the southern half of the boundary fence with Lovers Walk so that in due course they soften the appearance of the brick wall that faces Belvoir Rd and so that we do not have to rely on the existing neglected pollarded willows, which have limited future lifetime.
- Judging by the regular practice on the Midsummer Meadows estate any trees planted are likely to be regularly and brutally pollarded will not afford Belvoir Road residents any degree of privacy;
- The Design and Access is inaccurate in describing the site boundary as 'enclosed' and planting 'well developed' as the existing trees do not adequately screen the existing building;
- The site plan shows five trees are present on the boundary and notes that one should be removed and two should be reduced in height;
- If the application is accepted we would ask that trees are planted to improve the view of the expanded Broadmeadows building and reduce overlooking into the bedrooms and gardens of Belvoir Road;
- The fourth floor should be of the same height as the existing floors, and that the windows be of the same (smaller) dimensions as those on lower floors (i.e., no balconies).

Access and parking

- Access to the Midsummer Meadows flats is via a single narrow central lane in Belvoir Rd. The narrow, acute-angled corner at the junction with Manhattan Drive, has limited visibility and is a safety hazard, with cars meeting head on in the middle of the road and further residential units in Midsummer Meadows would add to this road safety risk;

- The Midsummer Meadows estate has more than doubled in size since the first building in 1969, with the most recent addition on Bridgeacre in 2011;
- The design statement relies on an outdated assessment from 1996, which takes no account of the realities of 2013, including the designation of the De Freville Conservation Area.
- The plans make no allowance for car or motorbike parking for the eight new flats, only for bicycles and they will not be part of the residents parking scheme and Broadmeadows residents will not be allowed to park on Lovers Walk instead.

Other comments

- Object to installation of heat pumps as likely to cause a noise nuisance;
- The proposal will result in additional noise due to construction traffic and building work which could result in damage to parked cars on Belvoir Road;
- Belvoir Road is very narrow, and because of parked vehicles young children would be vulnerable to passing lorries and trucks.
- Construction noise will be an extreme inconvenience to neighbouring residents.
- We are concerned that the increase in heavy vehicles will damage the surface of neighbouring streets;
- Lovers Walk belongs half to Belvoir Road properties and half to Midsummer Meadows - if permission is granted we would ask you to demand guarantees that, once construction is finished, the Midsummer Meadows estate management will repair any damage to Lovers Walk/Manhattan Drive/Belvoir Road.
- If the application is accepted we would ask that any damage to Lovers Lane due to construction traffic is repaired once the work is completed and that residents are given a point of contact to raise any concerns over noise, traffic and other disruption caused by construction activity.

- There should be a permanent veto on any future upward developments of the Mayflower and Broadmeadows buildings/ further development of this site.

7.3 The Housing Partnership (London) Limited have submitted representations in support of the application, which are summarised as follows:

- The principle of providing additional homes Midsummer Meadows is supported;
- The application is one of design merit and will provide a coherent architectural statement;
- This is not a high density development and less than 35% of residents have a car, hence additional traffic generation will be barely noticeable;
- The implementation of the Residents Parking scheme has reduced traffic and the bell-mouth to the estate has benefitted from double yellow lines;
- This proposal will have no material impact on the amenities of the estate and will enhance the neighbourhood;
- If minded to approve, the council should impose a condition to prevent noise transfer from the heat pumps to neighbouring properties.

7.4 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. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

- 8.2 The Midsummer Meadows Estate comprises a development of five apartment buildings close to the city centre, the first and largest of which was completed in 1969. The last and smallest of the buildings to be constructed, Woodvale Lodge, was completed in 2005. The estate now provides a total of 269 units, all providing small or starter home accommodation and including a proportion of affordable housing. The density of the site is currently around 166 dwellings per hectare and whilst this is relatively high, the whole estate benefits from generous landscaping.
- 8.3 Broadmeadows is located close to the western boundary of the site and the west elevation looks out across Lovers Walk to the rear of properties on the east side of Belvoir Road. A 1.8m high post and rail fence separates the site from Lovers Walk, which is an unmade track linking Manhattan Drive to Elizabeth Way, and which provides access to garages and gardens belonging to properties on Belvoir Road.
- 8.4 The orientation of the building within the plot is roughly north-south, and the elongated footprint is such that the most significant elevations are those facing east and west. The closest neighbouring properties are situated to the south and west of the application site, and lie outside the boundaries of the estate in Belvoir Road and Manhattan Drive. The east, south and north elevations of Broadmeadows look out on to access roads and/ or amenity space, and will be visible chiefly from elsewhere in the estate. The west elevation will be visible from the rear of properties on Belvoir Road.
- 8.5 The proposed roof extension will create eight new dwellings, all one bedroom units and provision will be made for additional cycle parking. The application also proposes the installation of two air to water source heat pumps on the roof, positioned on top of each of the two 'towers'. Policy 5/1 makes provision for the provision of new housing, including housing development on windfall sites, subject to existing land use and compatibility with adjoining uses; Policy 8/17 makes provision for the installation of renewable technology, subject to being satisfied that any adverse impacts are minimised. In my opinion, the principle of the development is acceptable and in accordance with these policies, subject to my more detailed assessment of the

scheme's acceptability in relation to context, design detail, and impact on residential amenity.

Context of site, design and external spaces

- 8.6 Midsummer Meadows lies immediately to the west of the De Freville Conservation Area, whose boundary runs around the perimeter of the site. The estate was built prior to the designation of the Conservation Area, and the buildings range in height from three (Broadmeadows and Woodvale Lodge) to four, five and seven storey. The design and appearance of each block differs; Broadmeadows has a simple brick and glass finish. The height of proposed building would remain lower than that of Bridgeacre, located to the north of Broadmeadows, where an additional fifth floor has been added following grant of permission in 2012. The additional floor would be clad in matt bronze metal panels.
- 8.7 The surrounding residential streets vary in age, character and appearance. Manhattan Drive has been developed in the last fifty years and is characterised by brick and timber clad two storey terraced housing, in contrast with the more substantial late Victorian brick villas of Belvoir Road, most of which have been extended to three storeys with the addition of rear facing dormer extensions.
- 8.8 The distance between the perimeter fence which forms the site boundary between Lovers Walk and Broadmeadows is approximately 8m. A number of mature trees occupy the space between the building and the boundary fence; these currently filter views looking west elevation from the upper floors of Broadmeadows, and partially screen the building when viewed from the rear of properties in Belvoir Road, looking east towards the development site.
- 8.9 The applicant has submitted a landscape strategy/management plan which indicates that three of these trees, all pollarded willows (*Salix Alba*), are to be managed in accordance with a scheme of works to be agreed with the Council's Tree Officer, so that they continue to provide a screen between Broadmeadows and the houses to the west. In addition, five new willows (*Salix Alba*) and two alders are to be planted to provide for a succession of specimen trees (over-

mature trees will be removed once these become established) and two existing hawthorn trees will be removed.

- 8.10 The nearest neighbours are located to the south of the site on east side of Manhattan Drive; of these the closest is number 1 Manhattan Drive which is approximately 15m from the south facing elevation of Broadmeadows. The closest properties on Belvoir Road are numbers 28 – 32, all separated by a distance of 40m – 45m from Broadmeadows.
- 8.11 The incremental increase in proposed density would be small, although it is recognised that it follows a previously consented increase at Bridgeacre, where 9 additional dwellings have recently been provided at fifth floor level. The development would generate an additional demand for parking (car and cycle) and refuse storage, and I give further consideration to these matters elsewhere in my assessment.
- 8.12 In design terms, I consider that the proposal adds interest to the somewhat bland appearance of the building whilst respecting its existing proportions, and that overall, the architectural quality of the estate will be enhanced. Public viewpoints from within the Conservation Area will be limited, but from Lovers Walk (a private road) the design approach will not be out of character with the scale and appearance of development elsewhere in the vicinity. I note that a number of roof extensions have been permitted within the Conservation Area which have introduced a more contemporary design treatment to the rear elevations visible from Lovers Walk.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

Residential Amenity

Impact on amenity of Neighbouring Occupiers

- 8.14 I have considered the impact on neighbouring residential amenities in terms of overlooking, overshadowing, dominance and enclosure, and have been mindful of the concerns raised in a number of representations in relation to these matters.

Overlooking

- 8.15 The nearest neighbour is No. 1 Manhattan Drive, but there will be no impact in terms of overlooking as there are no windows in the side elevation. The closest properties which have views of the application site are those located on the east side of Belvoir Road, and of these, the rear elevations of numbers 28 and 30 are approximately 44m and 45m respectively from Broadmeadows, measured from the nearest part of the building. These and other adjacent properties are currently overlooked by - and overlook - first and second floor apartments with west facing windows, but it is apparent from my site visit and from the sections submitted with this application that there is limited scope for a direct line of sight due to the presence of mature trees in the intervening space, some of which are in the gardens of those properties. The applicant intends to manage trees on the site to ensure a succession of healthy trees to replace mature specimens as they are lost, and in my view it would be inappropriate to require further planting, as this would result in an unacceptable loss of light to existing occupiers of apartments at lower levels.
- 8.16 It is clearly the case that there will be less likelihood of foliage obstructing views at third floor level, and that in any event, views will be opened up during the winter months and periodically when trees are pollarded. However, the intervening distance is more than double that between the front elevations of facing properties located on opposite sides of Belvoir Road and I do not consider that the degree of additional overlooking would be so severe as to warrant refusal. I note that there have been some objections to the size of the proposed windows but I do not consider that a reduction in height would materially alter the degree of overlooking.
- 8.17 The orientation of other apartment blocks within the Midsummer Estate and the distances between them and Broadmeadows are such that I do not consider overlooking will arise elsewhere from the proposed development.

Overshadowing and dominance/enclosure

- 8.18 The Design and Access Statement includes a shadow study comprising a number of diagrams. These show the implications of the development at 09.00, 12.00 and 15.00 hours on the

summer and winter solstices and the autumnal and vernal equinoxes. The shadows drawn show that the impact will be greatest in December and early in the morning. However the shade cast will fall principally on amenity/ garden land. The broadly north-south orientation of the building limits the degree of shading to neighbouring properties to the west, located on Belvoir Road, and whilst the shadows will be slightly longer than at present, extending across Lovers Walk to gardens, the periods of shade will not be significantly increased and will be substantially masked by the shade cast by trees to the west of Broadmeadows.

Air to water source heat pumps

- 8.19 There is a concern that noise may transfer from the heat pumps to neighbouring properties. The Environmental Health Officer has commented on this matter and I am satisfied that noise can be controlled through the recommended condition.
- 8.20 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 policies 3/4, 3/7, 3/12 and 3/14.

Amenity of future occupiers

- 8.21 The location and quality of the proposed accommodation will generally provide a high standard of residential amenity for future occupiers. I note that there is no lift in Broadmeadows and that it is not considered feasible to accommodate one. Whilst this is not ideal and would certainly not be suitable for family accommodation, the accommodation is clearly intended for occupation by single people or couples and with this in mind I consider the proposed access arrangements to be adequate.
- 8.22 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

- 8.23 No provision will be made for additional refuse storage, on the basis that existing provision is adequate. The Environmental Health Officer has raised no objection.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

- 8.25 The site lies within the controlled parking zone and no additional parking provision is proposed. The Highways Authority officer has raised no objection but there have been objections from neighbours who are concerned about increased traffic generation. The Design and Access Statement sets out the current position in relation to car ownership and likely demand for parking, which I have summarized below.
- 8.26 Surveys carried out over the past 40 years indicate that car ownership in Midsummer Meadows has fallen over this period from a maximum of around 50% and that car usage at peak times is currently about 31%. Based on recent experience, it is estimated that the occupants of the new flats will own no more than 4 spaces in total.
- 8.27 There is currently a total of 172 spaces laid out. There are 192 flats in the four buildings owned by the applicant (Bridgeacre is the fifth) and typically 60 cars are parked in these spaces overnight. Permission has previously been granted for 5 additional spaces [under c/98/0432] but at this point in time the applicants do not consider it necessary to make these available for use.
- 8.28 Recent parking restrictions have improved pressure on on-street parking in the vicinity and further traffic management measures are proposed. In my view the amount of additional traffic likely to be generated from this scheme will not result in a material worsening of current conditions.

Cycle Parking

- 8.29 Six new cycle hoops (12 spaces) are proposed in the area to the rear of 1, 3 and 5 Manhattan Drive. These will be in addition to the existing 26 cycle (including 12 visitor spaces) which currently serve 18 flats at Broadmeadows, located to the rear of Tower 2.
- 8.30 Cycle ownership has grown steadily since the 1980s from around 40% to 74%. Whilst recent surveys indicate that some spare capacity remains, the proposed additional provision in the vicinity of Tower 1 is welcomed.
- 8.31 It is proposed to cover the 14 existing cycle spaces reserved for residents with a tiled pitched roof canopy, standing approximately 3.1m to ridge height. The location of this structure to the rear of Broadmeadows alongside the refuse storage compound and beside the boundary fence will be unobtrusive, and this element of the proposal is supported.
- 8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.33 Most of the objections received from residents have been addressed above, but there remain issues relating to the construction phase, including concerns about safety, noise, and increased congestion in surrounding streets, especially Belvoir Road. A degree of nuisance to adjacent residents is likely to be unavoidable whilst construction is in progress but this is an environmental management issue. In my opinion, the Environmental Health Officer's recommended condition is likely to be sufficient to minimise these short term impacts. A further condition is recommended to limit noise and vibration to which the occupants of the second floor flats may be exposed.
- 8.34 It has been suggested that, if this scheme is approved, there should be a veto on any further roof extensions. Whilst I understand the concerns of residents in relation to this matter, I do not consider this to be a matter which can be addressed through a planning condition. The proposed additional floor very clearly has the appearance of top floor (indeed it is likened to a 'hat' in the Design and Access statement) and in any event

the loading bearing capabilities of the building would appear to preclude any further roof raising.

- 8.35 Whilst it is not possible to rule out future applications of this nature in relation to other buildings at Midsummer Meadows, there is only one (Woodvale Lodge) which is currently lower than five storeys high. Any such application would need to be considered on its merits.

Planning Obligations

- 8.36 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, Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. 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

- 8.37 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.
- 8.38 The application proposes the construction of two one-bedroom flats and 6 studios. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	6	1428
1 bed	1.5	238	357	2	714
Total					2142

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	6	1614
1 bed	1.5	269	403.50	2	807
Total					2421

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	6	1452
1 bed	1.5	242	363	2	726
Total					2178

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0	6	0
1 bed	1.5	0	0	2	0
Total					0

- 8.39 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 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

- 8.40 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
studio	1256	6	7536
1 bed	1256	2	2512
Total			2512

- 8.41 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 Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.42 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	8	1200
Total			1200

- 8.43 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 Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Education

- 8.44 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.45 In this case, 8 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	8	1280
Total					1280

- 8.46 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 Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Affordable Housing

- 8.47 The development is not required to make provision for affordable housing as only 8 units are being provided.

Transport

- 8.48 The development is not required to make provision for transport as the additional trips generated by proposed development are not in excess of 50 additional person trips to and from the site on a daily basis.

Public Art

- 8.49 The development is not of a scale required to make provision for public art.

Monitoring

- 8.50 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

- 8.51 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 National Planning Policy Framework provides a presumption in favour of sustainable development, subject to finding the proposal compliant with Cambridge Local Plan policies. The proposed development will contribute to meeting housing need and provides high quality accommodation for single people and couples for which there is high demand.
- 9.2 The design of the additional storey has clearly responded to the local context, and notwithstanding the concerns raised by residents of Belvoir Road, I do not consider that the proposed development will give rise to demonstrable harm in terms of overlooking, loss of privacy, traffic generation or impact on the character and appearance of the Conservation Area.
- 9.3 Overall, I am satisfied that the scheme should be supported and recommend approval.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 20th June 2014 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. 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)

5. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

6. Prior to the commencement of the development hereby approved (including any pre-construction and enabling works), the applicant shall submit a report in writing, regarding construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

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

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

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

8. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

9. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

10. 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)

11. Prior to the commencement of development, full details of the air to water source heat pumps shall be submitted to and approved in writing by the local planning authority. Such details shall include external dimensions and finish.

Reason: To ensure that the appearance of the external surfaces is appropriate (Cambridge Local Plan 2006 policies 3/4 and 4/12)

12. Prior to commencement and in accordance with BS5837 2012, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including demolition, storage of materials, ground works, installation of services, erection of scaffolding and landscaping. The approved AMS and TPP will be implemented throughout the development and 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 ensure the satisfactory implementation of tree planting in the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/13 and 4/4)

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).

INFORMATIVE: To satisfy standard condition C62 (Noise Insulation), the rating level (in accordance with BS4142:1997) from all plant and equipment, vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 'Method for rating industrial noise affecting mixed residential and industrial areas' or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: The residents of the new dwellings will not qualify for Residents' Permits of any kind within the existing Residents' Parking Schemes operating on surrounding streets. This fact should be made clear to prospective occupiers before any sale or lease is agreed.

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 20th June 2014, 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, and life-long learning facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, and 10/1 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, 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