

Application Number	14/0166/FUL	Agenda Item	
Date Received	6th February 2014	Officer	Miss Catherine Linford
Target Date	3rd April 2014		
Ward	Petersfield		
Site	40 Cambridge Place Cambridge CB2 1NS		
Proposal	Redevelopment of land adjacent to 40-42 Cambridge Place, Cambridge for the erection of a 2 storey block of 5No. 1 bed apartments.		
Applicant	Mr James Arnold Bennell Farm West Street Comberton Cambridgeshire CB3 7DS UK		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposal would preserve and enhance the established character and appearance of the Conservation Area 2. The use of the premises for residential purposes would not adversely harm the amenities of neighbouring properties. 3. The sharing of cycle and refuse storage with Ryedale House is acceptable and adequate refuse and cycle storage is proposed for both developments.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is an almost rectangular parcel of land situated on the south-eastern side of Cambridge Place, which

was most recently used as a car park. The site is situated between Ryedale House to the northwest, which is currently being converted into flats; and 44 Cambridge Place, which is the first of a row of 1.5 storey houses. Cambridge Place is mixed in character, with commercial and residential uses. The site lies within City of Cambridge Conservation Area 1 (Central).

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for a two storey building to provide three on-bedroom flats on the ground floor, and two on-bedroom flats on the first floor.
- 2.2 The proposed building would adjoin 44 Cambridge Place, leaving a gap of 2m between the proposed building and Ryedale House.
- 2.3 The ground floor flats would be accessed from individual entrance doors on the front elevation. At ground floor level, the building would extend back to the rear boundary with Glisson Road, with the rear elevation split into three and chamfered off. These flats would have small rear gardens.
- 2.4 The first floor flats would be accessed from a communal door at the front of the building. The first floor would be set back 2.2m from the rear boundary.
- 2.5 A bin storey would be provided in Ryedale House for the use of the occupants of Ryedale House and the proposed building. A shared cycle store would be provided between the two building.
- 2.6 The application is accompanied by the following supporting information:
 1. Design and Access Statement
 2. Shadow Studies
- 2.7 Amended plans have been received which show the following revisions:
 - Removal of the parapet wall to the front elevation
- 2.8 The application is brought before Committee at the request of Councillor Brown for the following reasons:

I feel there are potential issues with overlooking of adjacent properties and the visual impact upon them from this proposed development which warrant exploration at committee, and would ask this application be considered by committee if you are minded to recommend approval.

3.0 SITE HISTORY

Reference	Description	Outcome
12/1558/FUL	Conversion of existing buildings to form 4no 1bedroom flats, along with cycle and refuse store, first floor dormer side extension and part demolition of rear. [Ryedale House]	A/C
13/1262/FUL	Redevelopment of land adjacent to 40-42 Cambridge Place, Cambridge for the erection of a block of 3No. 1 bed apartments and 3No. 1 bed studios.	Refused

3.1 The decision notice for the previously refused application 13/1262/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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/8 3/9 3/10 3/12 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 Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011) National Planning Practice Consultation
	<u>Citywide:</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan

	Open Space and Recreation Strategy Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Conservation Area Appraisal: Cambridge Historic Core

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 in the emerging Local Plan are of relevance:

Policy 50: Residential space standards

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The residents of the new residential units will not qualify for Residents Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. The location would, however, support a car free development, as the street parking is safeguarded by existing restrictions. Conditions are recommended relating to a traffic management plan.

Head of Refuse and Environment

- 6.2 Conditions are recommended relating to construction hours, collections/deliveries, and construction noise, vibration and piling

Urban Design and Conservation Team

- 6.3 Providing the parapet wall section above the first floor windows to the roof on the proposed front elevation is removed, the proposal will preserve and enhance the established character and appearance of the Conservation Area. Consequently, the application adheres to Cambridge Local Plan policy 4/11 and is supported.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owner/occupier of the following address has made a representation objecting to the application:
- 23 Glisson Road
- 7.2 The representation can be summarised as follows:
- Impact on traffic movements
 - Overdevelopment
 - Loss of open space for parking and deliveries
- 7.3 The owner/occupier of the following address has made a representation neither objecting to or supporting the application:
- 19 Glisson Road
- 7.4 The representation can be summarised as follows:
- Does not address parking problems in Cambridge Place
 - It is not clear what arrangements will be made for contractors vehicles during construction
 - A condition should be added requiring that any ventilation and extraction outlets should not be towards properties on Glisson Road. This condition was imposed on the existing houses but was not adhered to and causes some disturbance

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

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is surrounded by residential uses and it is therefore my opinion that the proposed residential development is acceptable in principle, and is in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and impact on the Conservation Area

8.3 The New Town and Glisson Road Conservation Area Appraisal states that *'Cambridge Place...has been repaved and much rebuilt with largely two storey, modern houses in the narrow street...very much in scale and very much in keeping'*. The buildings to either side of the site are considered to be buildings important to the character of the area within the Townscape Analysis map of the New Town and Glisson Road Conservation Area Appraisal.

8.4 Policy 4/11 of the Cambridge Local Plan (2006) states that developments within, or which affect the setting of or impact on

views into and out of the Conservation Area, will only be permitted if the design of any new building preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it. The design of the proposed building reflects the wider context, if not the immediate context, and is supported.

- 8.5 The proposed building is different in design to the buildings directly adjacent to it on either side. Diagonally opposite the site is the recently constructed block of flats, 20-24 Cambridge Place. This building is four storeys in height but is similar to the proposed building in terms of its bulk, mass and design.
- 8.6 In my opinion, the proposed building would not appear out of place with the neighbouring properties immediately adjacent to it. The ground floor windows and doors line up with the garage door and entrance door of No. 44 and the first floor windows line up with the first floor windows on No. 44.
- 8.7 The original application included a parapet wall on the front elevation. The expansive parapet wall of brickwork that extends above the first floor windows appears incongruous and rather blank making the building appear dominant. This parapet has been removed. The Urban Design and Conservation Team accept this amendment and are supportive of the scheme. It is recommended that samples of materials are required by condition (7).
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 Due to the positioning of the proposed building, the proposals may potentially impact on 44 Cambridge Place to the southwest; 19-23 Glisson Road to the southeast; the flats at 20 Cambridge Place to the northwest; and the soon to be completed flats in Ryedale House to the northeast.

Impact on 44 Cambridge Place

- 8.10 The proposed building would stand to the northeast of 44 Cambridge Place. At two storeys the rear wall of the proposed building would stand in line with the rear wall of the 1.5 storey part of No.44. Like No. 44, the proposed building would have single storey projections at the rear, but these parts would be at an angle, bringing it away from the common boundary. As the proposed building would stand in line with the neighbouring property, it would not dominate, enclose, overshadow or overlook this neighbour to an unacceptable degree. A glazed door is positioned facing out towards the common boundary but any views from this would be screened by the boundary wall.

19-23 Glisson Road

- 8.11 The previous application (13/1262/FUL) was refused for the following reason:

Due to its height, bulk and proximity to the common boundaries, the proposed development would dominate and enclose the rear gardens of 21 and 23 Glisson Road to a significant and unacceptable degree. The proposal is therefore contrary to policies 3/4 and 3/12 of the Cambridge Local Plan 2006.

- 8.12 The set back second floor has been removed from the proposed building, and it is my opinion that this reduces the impact on 19-23 Glisson Road to such a degree that it satisfactorily responds to this previous reason for refusal. The proposed building would stand to the northwest of the neighbouring properties on Glisson Road. The single storey projecting elements would be set at an angle abutting the common boundary with 19-23 Glisson Road; with the the first floor set back a further 2.2m from the common boundary. The roof would then pitch away from Glisson Road.
- 8.13 Shadow studies have been submitted to demonstrate the impact of overshadowing, although since the studies relate only to 21st March and 21st September but not any other months I am unable to rely on them to fully assess the impact of overshadowing. Due to the orientation of the buildings, the proposed building would cast shadow over the neighbouring gardens on Glisson Road in the late afternoon. However, in my opinion, the level of overshadowing experienced is not likely to be at a level that would warrant refusal of the application. The setting of the first floor of the building back from the boundary by 2.2m would reduce its dominance, in my view, and the

introduction of a pitched roof on this side, would further reduce the bulk of the building when viewed from the gardens of the neighbouring houses on Glisson Road. In my opinion, the proposed building would not be excessively overbearing, and would not dominate or enclose the properties on Glisson Road to an unacceptable degree.

- 8.14 No windows are proposed in the rear elevation of the building on the first floor, with the exception of rooflights. These rooflights would be positioned 1.7m above floor level and would only give views of sky. There is, therefore, no potential for overlooking of the neighbouring properties on Glisson Road.

Impact on the flats at 20 Cambridge Place

- 8.15 The proposed building would stand to the southeast of the flats at 20 Cambridge Place, on the opposite side of the street. Due to the orientation of the buildings, the proposed building could cast shadow over the flats at 20 Cambridge Place in the morning. However, the submitted shadow diagrams show that the shadow would not reach the flats at 20 Cambridge Place, and the proposed building would therefore, in my view, not have a significant detrimental impact on the occupiers of these flats. As the proposed building is on the opposite side of the street to these neighbouring flats it is my opinion that the proposed building would not dominate or enclose these neighbours to an unacceptable degree.

Impact on Ryedale House

- 8.16 The proposed building would stand to the southwest of Ryedale House. The two buildings would share bin and cycle stores. As the proposed building would be no deeper than Ryedale House it would not overshadow, dominate or enclose it. Windows are proposed on the side elevation of the building, which would look out over the shared space between the proposed building and Ryedale House. In my opinion, these windows would not have a detrimental impact on the privacy of the occupiers of Ryedale House.
- 8.17 As the development is close to neighbouring residential properties the building works have the potential to have a detrimental impact on neighbours. To mitigate against this, I recommend conditions relating to construction hours, delivery

hours, dust and construction noise, and contractor working arrangements (2-6).

- 8.18 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

- 8.19 The site is relatively close to the rear of the Bodyworks Dance Studio building on Glisson Road, and there is therefore the potential for noise disturbance. Due to the proposed layout of the flats, with living rooms facing the road and bedrooms at the rear (which is recommended as the Dance Studio has restricted hours of opening), Environmental Health Officers have taken the view that a noise assessment will not be required as long as the layout of the flats is not altered. The internal layout of a building cannot be controlled by the planning process and, therefore, I recommend a condition requiring a noise assessment and mitigation strategy (8).

- 8.20 There are no known contamination issues on the site. However, Environmental Health have recommended that an informative is added to the Decision Notice advising the applicant to contact the Local Planning Authority if any contamination is discovered during the course of building works.

- 8.21 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

- 8.22 It is proposed that the refuse store is shared by the occupants of 40-42 Cambridge Place and the occupants of Ryedale House. Environmental Health are satisfied with the size of the proposed bin store.

- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and advice provided by the

Car and Cycle Parking

Car Parking

- 8.24 Attached as Appendix 2 is an Appeal Decision relating to 25 Cambridge Place (12/0490/FUL). This application was refused by Area Committee because the proposal provided no car parking for visitors, and therefore did not meet the parking standards identified in policy 8/10 of the Cambridge Local Plan (2006). In the Appeal decision, the Inspector took the view that the parking standards 'are maximum standards that allow for a reduction in number where lower car use can reasonably be expected. The site is close to the City Centre, local shops, facilities and public transport, including Cambridge Railway Station. The flats would be small units, and I consider the size together with the highly accessible location, would mean that lower than average car use would be expected for this development'. The Inspector went on to explain that 'the site falls within a controlled parking zone and there are double yellow lines along both sides of Cambridge Place. If properly controlled, this would prevent inconvenient parking or parking which might pose a risk to highway safety. Therefore, there would be no harm arising from the lack of on-site parking.
- 8.25 This application sought planning permission for three studio flats and two one bedroom flats, and is therefore a similar development to the proposed development at 40 Cambridge Place. Considering the Inspector's decision on a site so close to the application site, it is my opinion that it would be unreasonable to refuse the application due to a lack of car parking spaces.
- 8.26 The planning application to convert Ryedale House into residential use (12/1558/FUL) included a disabled parking space adjacent to the building. It is proposed that Ryedale House and the proposed development at 40-42 Cambridge Place share a bin store, which will be situated within the ground floor of Ryedale House; and a cycle store, which will be situated between the two buildings. The area of land to the front of the cycle store is the location of the disabled parking space, which

will be lost. In my opinion, the loss of the proposed disabled parking space will not render the application at Ryedale House unacceptable, and I therefore accept this

Cycle Parking

- 8.27 The proposed cycle store would accommodate ten cycles, and this meets the requirements for 40 Cambridge and Ryedale House combined. This is therefore considered to be acceptable in principle. However, I recommend that details of the appearance of this cycle store are required by condition (9).
- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.29 The issues raised in the representations received have been addressed above.

Planning Obligations

- 8.30 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

8.31 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.

8.32 The application proposes the erection of five one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards 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		
1 bed	1.5	238	357	5	1785
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					1785

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	5	2017.50
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					2017.50

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	5	1815
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					1815

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		
4-bed	4	316	1264		
Total					0

8.33 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

- 8.34 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	5	6280
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			6280

- 8.35 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.36 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		
Flat	150	5	750
Total			750

8.37 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Household Recycling Centres

8.38 A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

8.39 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.40 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.

Notes for Milton	Infrastructure/households	Source
4 sites at £5.5 million	£22 million	Cost per site sourced from Mouchel Parkman indicative costs 2009
Total catchment (households)	115,793	WMT Recycling Centre

		catchment tables CCC mid 2009 dwelling figures
New households	24,273	CCC housing trajectory to 2025 as of December 2010
<u>Infrastructure costs</u>		
Total number of households in catchment		x New households in catchment
<u>£22 million</u> 115,793	x 24,273	= £4,611,730
Total Developer Contribution per household = £190		

The net gain is five therefore the necessary contribution towards HRC is £950.

- 8.41 Subject to the completion of a S106 planning obligation to secure the requirements of the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012), I am satisfied that the proposal accords with the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16.

Education

- 8.42 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.

- 8.43 In this case, five additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong. 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	5	800
2+- beds	2		160		
Total					800

- 8.44 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.

Monitoring

- 8.45 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

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

9.0 CONCLUSION

- 9.1 In my opinion the proposed building would preserve and enhance the established character of the Conservation Area. It is my view that, subject to conditions, the proposal would provide satisfactory living accommodation and would not have a significant impact on neighbouring occupiers. I therefore recommend that the application is approved, subject to conditions and the completion of the S106 agreement.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

APPROVE subject to the satisfactory completion of the s106 agreement by 31st July 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. 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 commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition/construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

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

5. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / 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 piling and 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. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

6. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

7. 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)

8. Part A

Prior to the commencement of development a noise report prepared that considers the impact of noise from the neighbouring Dance Studio on upon the proposed development shall be submitted in writing for consideration by the local planning authority

Part B

Following the submission of a noise report and prior to the occupation of the development, a noise insulation scheme having regard to acoustic ventilation, protecting the residential units from noise as a result of the proximity of the bedrooms/living rooms to the high noise levels from the neighbouring dance studio shall be submitted to and approved in writing by the local planning authority.

The scheme shall achieve:

- o The 'good' noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings-Code of Practice,' with
- o Ventilation meeting both the background and purge / summer cooling requirements of Approved Document F.

Details shall include:

- o Glazing Specifications
- o Details of Ventilation

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

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

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

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

10. 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.

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

INFORMATIVE: The residents of the new residential units will not qualify for Residents Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets

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 31st July 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, education 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, 5/14, 8/3 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

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