

Application Number	14/0575/FUL	Agenda Item	
Date Received	17th April 2014	Officer	Miss Catherine Linford
Target Date	12th June 2014		
Ward	East Chesterton		
Site	7 Church Street Cambridge CB4 1DT		
Proposal	The demolition of No.7 Church Street, garage and outbuildings and the erection of 4No. four bedroom dwellings with associated landscaping, access and parking arrangements.		
Applicant	Mr Drew Moore Sheraton House Castle Park Cambridge Cambridgeshire CB3 0AX United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed development will contribute towards meeting a recognised need for family housing.</p> <p>The design of the development will make have a positive impact on the character of the area which is a Conservation Area.</p> <p>The development will not have a significantly adverse impact on the amenity of nearby residents.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 7 Church Street is a detached two storey house on the south west side of Church Street, Chesterton. The application site includes the house and its substantial garden which has a road frontage of 38 m and is 35 m in depth. The site area is approximately 1275 sq m.

- 1.2 To the south of the site is the Chesterton Recreation Ground, which is an area of Protected open Space. The north west boundary is formed by the curtilage of 5 Church Street, beyond which is Chesterton House which is a grade II listed building. On the opposite side of Church Street to the north east are the Cannon Court and New Court housing developments which are two storey with pitched roofs. The curtilage of the plot currently has a 2m high boarded fence on the boundary separating the site with the recreation ground. There are a number of fruit trees currently within the site and a Walnut tree. They are not protected by a Tree Protection Order.
- 1.3 The site falls within the Chesterton Conservation Area. Church Street is not within the Controlled Parking Zone (CPZ). The Pigeon House which forms part of 5 Church Street is also listed Grade II.

2.0 THE PROPOSAL

- 2.1 It is proposed to demolish the existing house and erect four detached dwellings. The dwellings will be set back from the street by between 9m and 12m to accommodate parking space to serve each dwelling under a pergola. The ridge of each house runs parallel to the street and on the street elevation a simple sloping roof is proposed. To the rear the elevations are much more complex, accommodate four floors of accommodation and include external seating areas. The buildings will be finished in facing brick under a zinc roof.
- 2.2 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Topographic Survey
 3. Tree Survey/Arboriculture Impact Assessment
 4. Landscape Concept Plan
 5. Computer Generated Images (CGI)
 6. Statement of Community Involvement
 7. Transport Statement
- 2.3 Amended plans have been received which show the following revisions:

Removal of access gates

3.0 SITE HISTORY

Reference	Description	Outcome
08/0636/CAC	Demolition of No 7 Church Street.	Withdrawn
08/0635/FUL	Erection of 8no 2 bed flats and 1no 1bed single storey dwelling together with the erection of 5no covered parking spaces and 5no open parking spaces including 1no disabled parking space.	Withdrawn
08/1181/FUL	Erection of 3 2-bed and 1 3-bed flats with parking	A/C
11/1250/EXP	Extension of time for implementation of 08/1181/FUL	A/C expires August 2016

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Development Control Forum (meeting 16/06/2014)	Yes
	Public exhibition/meeting (Developer pre-app)	Yes

The Minutes of the Development Control Forum were not available at the time of writing this report. They will be attached to the Amendment Sheet along with any relevant officer comments.

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 Development Plan (Core Strategy Development Plan Document July 2011)	CS16
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/2 4/4 4/9 4/10 4/11 4/13 4/15 5/1 5/14 8/2 8/4 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 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2003)–Northern Corridor Area Transport Plan:</p> <p>Chesterton and Ferry Lane Conservation Area Appraisal (2009)</p>
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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, there are no policies in the emerging Local Plan are of relevance/the following policies in the emerging Local Plan are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 *Application as submitted*

The application documents show gated access to the public highway. This would be unacceptable to the Highway Authority as vehicles waiting to open or close the gates would obstruct the public highway, therefore the Highway Authority recommends that the proposal be REFUSED planning permission unless and until the gates are removed from the development proposal.

The applicant proposes the amendment of the existing Traffic Regulation Order governing the use of on-street parking. The proposed changes to the on-street parking would be subject to consultation and the outcome of that consultation cannot be predicted. It is recommended that a condition be added to require amendment to the Traffic Regulation order prior to commencement of any works on site. The applicant should also confirm that an appropriate sign can be displayed on the boundary wall. The applicant would be required to bear the full cost of the process to amend the Traffic Regulation Order, irrespective of the outcome of the process.

No dimensions are provided for the proposed amendments to the on-street parking bays.

The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m.

Conditions are recommended in relation to the use of unbound material, access gates, the layout of access to the public highway, drainage, visibility splays, obstructions and a traffic management plan. Informative are also recommended.

Application as amended

The application has been amended to remove the gates from the accesses. This addresses the concerns of the Highway Authority, and thus the Authority withdraws its recommendation of refusal. Other comments remain relevant

Head of Refuse and Environment

- 6.2 No objection in principle subject to imposition of conditions relating to construction hours, piling, dust suppression and on-site storage facilities. There is no evidence of contaminated land on the site.

Head of Streets and Open Spaces (Landscape Team) Urban Design and Conservation team

- 6.3 This application is supported with conditions as it will not be detrimental to the conservation area.

This application relates to a site within the Chesterton Conservation Area. The Chesterton Conservation Area Appraisal makes particular mention of the front wall to the existing property being a positive element in the streetscape. The concern is the impact of the proposal on the character or appearance of the conservation area.

The existing house is depicted as neutral in the Chesterton Conservation Area Appraisal. The stepping back of the houses should give better views towards the grade II listed Pigeon House, and the style of the houses does not contrast greatly with the character of Church Street which has a mixture of properties of various ages and designs.

It is questioned whether there is a need to remove the majority of the trees on the site, especially those in the rear garden which are mature/semi-mature and form a natural boundary between the site and the adjacent garden. In addition, they would provide an established, mature garden for the future residents. The applicants should revise their plans to retain many of the trees as possible.

The demolition of the wall and rebuilding of it to a higher level is acceptable as it is a feature that was worthy of particular mention in the conservation area appraisal. However, the use of gates within it does not appear to be necessary and does project a keep off character which contrasts heavily with the open nature of this part of the conservation area, particularly the recreation ground behind the site. The access to the site should be reconsidered.

The new brick boundary wall to the east of the site will be an improvement on the existing corrugated iron.

Conclusion:

The proposed development will not be detrimental to the character or appearance of the conservation area provided that the suggested conditions are appropriately discharged. The application complies with policy 4/11 of the Cambridge Local plan 2006.

Conditions are recommended in relation to a sample brick panel, roof materials, joinery and landscaping.

Cambridgeshire County Council (Archaeology)

- 6.4 The site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 A petition containing 59 signatures has been submitted in support of the application for the following reasons:
- o Need for new housing
 - o Delivery of high quality family housing close to recreation area
 - o The development is an improvement on either a single house/vacant plot or the existing approved scheme.
 - o High quality energy efficient buildings
 - o Meets need for family houses.
 - o The existing house is unattractive, energy inefficient and in poor condition and the overgrown derelict plot an eyesore and decreases the safety of the area
- 7.2 A petition containing 38 signatures has been submitted in objection to the application on the following grounds:
- o Removal of trees
 - o Loss of existing house which was one of the first houses to be built in Cambridge after the Second World War and is possibly the only example of this type of building in Cambridge
 - o Proposed dwellings are unsympathetic to the area
 - o Density and height of the proposed housing on such a small site is totally out of keeping with the area
 - o Inadequate parking
 - o Loss of habitat for wildlife
 - o The neighbouring property and No.5 Church Street (The Old Dovecote) (Grade II listed building) will be overshadowed by the proposed development resulting in

loss of light, in particular to the two main bedrooms on the ground floor and to the courtyard garden.

7.3 Representations have been received from the following addresses:

25 Cannon Court, Church Street
5 Church Street
28 Pepys Court

7.4 These representations are in objection to the application for the following reasons:

- o Loss of existing house which was one of the first houses to be built in Cambridge after the Second World War and which is very rare in contravention of Local Plan policy 4/12. (3)
- o Design is inappropriate in a conservation area
- o Buildings are too high
- o Materials have not been shown to residents
- o Density too high
- o Density of development too high/loss of green space – two or three houses would be more appropriate
- o Loss of light to ground floor bedrooms and courtyard garden at 5 Church Street
- o Loss of privacy to 5 Church Street as a result of the balcony on the top floor
- o Increased density of housing within the area will increase traffic in contravention of policy 4/11
- o Inadequate car parking for residents and visitors (2)
- o Green areas may be lost to accommodate additional car parking
- o Increased noise and disturbance arising from additional people (2)
- o Construction noise impacts
- o Removal of all trees and shrubs will reduce wildlife habitat (2)

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 external spaces
3. Residential amenity
4. Disabled access
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligation Strategy

Principle of Development

8.2 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations are generally supported by central government advice contained in the NPPF. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses. In this case the extant consent for the flatted development on the garden serving 7 Church Street and the dwelling itself establish that residential development is appropriate on this site.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 3/1 and 5/1.

Context of site, design and external spaces and impact on the Conservation Area

Demolition of the existing house

8.4 7 Church Street is not a listed building nor a Building of Local Interest. It does form part of the Conservation Area which is a 'heritage asset' but the contribution that it makes is regarded as 'neutral' in the Conservation Area appraisal. The previous scheme for the site was amended to retain the house in response to local opposition against its removal. However, in my view there are no policies in the Local Plan or guidance in

the NPPF which would justify refusal of planning permission on the basis that the house should be retained. This view is shared by the Urban Design and Conservation (UDC) team and some local residents.

The proposed houses

- 8.5 The site context is an eclectic mix of styles and ages of building including the two listed buildings (Chesterton House and the Dovecote) which are to the north west. There is no strong layout of buildings with some sitting directly behind the pavement edge and others being set back. Tree and shrub planting is a feature of the street. There will be a reduction in green space with a consequent impact on wildlife. There is no evidence of protected species on site and the need for additional housing is acute therefore while regrettable this is not, in my view, sufficient justification for refusal of planning permission. The UDC team has not raised an objection to the development on the grounds of loss of garden which makes a contribution to the character of the Conservation Area.
- 8.6 The proposed houses will set back from the street behind a high wall. I agree with the UDC team that a replacement wall is necessary to reflect the existing front boundary treatment and the contribution that it makes to the character of the Conservation Area. The landscape plan indicates that trees could be accommodated behind the wall which again would replicate the existing arrangement to a degree. I have recommended a landscaping condition to secure this (condition 2). While it is possible to encourage the developer to retain as much existing planting as possible this cannot be secured formally.
- 8.7 The development will increase the density of development on the site in the same way as the extant flatted scheme but to a greater extent. This in itself is not a reason for refusal but the consequences of such action in terms of character of the site and impact on residential amenity are relevant planning considerations. The latter is dealt with in the following section of my report.
- 8.8 In terms of impact on the site context the increased density results in a greater site coverage. In common with the flatted scheme the development will effectively double the extent of the

street elevation. The scale, mass and height of buildings on the site are also increased. The following table compares the relative footprints and heights of the existing house, the flatted scheme and the proposed houses.

	Existing house	Approved flats	Proposed houses
Set back from Church Street	8.8m	10m	9m – 12m
Minimum distance from boundary (north west) – existing garage/proposed single storey element	abuts boundary	N/A	2.2m
Minimum distance from boundary (north west) – main house	4.8m	N/A	5.4m
Minimum distance from boundary (south west)	N/A	1.2m	0.8m
Maximum height to ridge (Church Street)	8m	8m (transverse ridges) 7.5m (main roof)	9.2m
Maximum building depth	6.8m	10m	15.6m

This table demonstrates that in terms of location in relation to boundaries and building height on Church Street the proposed houses and the existing house/extant flatted scheme are comparable. The key difference is in the depth of the buildings. This has implications for both the scale and mass of the buildings.

- 8.9 Viewed from the street, the proposed houses have a comfortable relationship with their surroundings. The third floor is accommodated in the roof space thereby reducing the appearance of the houses to two storey in scale. To the rear and side the houses are more bulky and the three/four storey form becomes more apparent. To the south mature tree planting significantly restricts the view of the development but it will be visible in the public domain from the south and the entrance to the recreation area. The northern most house will also be visible from the gardens to the north west. This view is not in

the public domain and is dealt with in the following section on Residential Amenity.

- 8.10 In my view although bulky the rear elements of the building are successful. The buildings step up from a lower ground floor to an upper ground floor with a carefully screened balcony. The first floor is then partially inset to provide a 'tower' feature which accommodates the second floor study room and provides a large screened terrace area. This arrangement makes for an interesting building when viewed from the public domain and one which make a positive impact on the Conservation Area. The buildings will not compromise the setting of nearby listed buildings. These views are shared by the UDC team. I have recommended the conditions suggested by the UDC team in terms of detailed design (conditions 3, 4 and 5)
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/10 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The nearest residential property is 5 Church Street which is to the north west of the application site. This property is takes the form of a single storey building which in part abuts the north-west boundary. The garage serving 5 Church Street extends 7 m along this boundary, there is then an open courtyard behind the boundary wall measuring 6.6 m long (against the boundary) and 4 m wide. The building then abuts the boundary for a further 10m and the garden (12 m) adjoins the final part of the north-west boundary.
- 8.13 The close proximity of 5 Church Street to the application site raises the potential for a number of adverse impacts on the amenity of the occupiers of 5 Church Street which are considered below.

Overshadowing and loss of light

- 8.14 There is potential for both the internal courtyard and bedroom windows to be overshadowed. The applicants have produced studies to demonstrate this impact both as part of the Design and Access Statement and in more detail modelling the

windows serving the courtyard bedrooms. These demonstrate that there is likely to be some additional overshadowing in the winter months but at other times of the year there will be no overshadowing and there may be a marginal improvement in the degree of overshadowing. The courtyard is a useful outdoor space and provides amenity particularly in association with the bedrooms which are located off the space. However the larger garden area which relates to the main habitable rooms will not be affected. The courtyard area is already affected by overshadowing by the boundary wall and the existing house at 7 Church Street and the whole area is overshadowed by the very tall trees on the recreation ground to the south. Given these circumstances and the limited amount of additional overshadowing I do not consider that a refusal on the grounds of loss amenity on the grounds of overshadowing and loss of light could be justified.

Enclosure and overbearing impact

- 8.15 The comparative distances between the existing and proposed dwellings are set out in paragraph 8.8. The new dwelling adjacent to 5 Church Street will present a wall facing 5 Church Street associated with the single storey side projection 2.2 m high to eaves and 7.2 m wide, set 2.2 m off the boundary. This projection rises in height under a mono-pitch roof to connect to the main part of the dwelling at a height of 3m. The main part of the dwelling is 15.6 m wide and set 5.4 m off the boundary. It rises from an eaves height of 7 m to the Church Street frontage to a maximum ridge height of 9.6m and then drops down from 7.6 m to 2.8m from terrace height to upper ground height.
- 8.16 The existing dwelling already encloses 5 Church Street. As a result of the design of the rear part of the new dwelling there is potential for a greater enclosing or overbearing impact. However the relation between the two buildings needs to be carefully considered. The courtyard serving 5 Church Street begins at a point 7 m back from the street. The single-storey part of the new dwelling is set back 2.2m and the main house 5.4 m which means that the courtyard will not be fully enclosed. The degree of enclosure will, in my view, be similar to that associated with the existing house and its garage.
- 8.17 The proposed house projects approximately 3 m beyond the rear wall of 5 Church Street at a distance of 5m from the

boundary. This arrangement allows for planting between the house and the boundary and will not have a significant enclosing or overbearing impact in my view. I do not consider that a refusal on the grounds of loss amenity on the grounds of overbearing or enclosing impact could be justified.

Overlooking and loss of privacy

- 8.18 There is potential for overlooking and consequent loss of privacy arising from windows in the side elevation of the new house adjacent to 5 Church Street and its rear terrace at fourth floor level.
- 8.19 The potential for overlooking from side windows is dealt with or can be dealt with by the use of obscured glazing (condition 6). These windows are secondary windows serving bedrooms and do not require clear glass. The windows serving the study at fourth floor level are in my view at such a distance from 5 Church Street (9.5m) and oriented in such a way as to limit views towards No.5. and do not require obscure glazing, but in my view the orientation of the door to the terrace from the study is such that it should be obscure-glazed.
- 8.20 The terrace is at high level and the side elevation of the house projects upwards to provide a screen 1.2 m in height. In my view it would be possible to look over the screen towards the private garden area serving 5 Church Street; although this view is restricted by the pigeon house and other structures on the boundary. However the addition of further screening would reduce the potential for overlooking to a satisfactory degree. I have recommended a condition to require an increase in height of the side screen to a total of 1.6 m high (condition 7). Views will be possible from the terrace to the south west which may allow some overlooking towards the rear garden of 5 Church Street but I do not regard this impact as significant enough to justify additional screening.
- 8.21 Chesterton House and dwellings within Cannon Court and New Court are in my view sufficiently distant not to be affected by the impacts that I have considered above. Concern has been expressed by local residents about the additional noise and disturbance arising from an increased density of people on the site. Given the fact that the site is in the heart of a densely populated area I do not think that this impact will be significant.

I have recommended the conditions suggested by the Environmental Health Officer which I think will satisfactorily control amenity impact during the construction phase (conditions 8, 9 and 10) and also recommended the Considerate Contractors informative.

- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Amenity for future occupiers of the site

- 8.23 The development offers a high standard of accommodation to local resident including a range of outdoor amenity space. There is potential for interlocking between gardens but this is not unusual in an urban context.

- 8.24 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.

Disabled access

- 8.25 Disabled access has been provided which is compliant with current Part M of the Building Regulations. There will be a ramped access to the principle entrances to each individual unit. The Design and Access Statement sets out that 'WC accommodation has been designed which is suitable for the disabled, and light switches and electrical socket outlets are located at a height suitable for disabled use'.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.27 A designated external paved area has been provided to each garden behind the boundary wall, to accommodate at least 3No. coloured 240 litre wheeled containers (allocated for green waste, dry recyclables, and residual waste). Gate widths are to be a minimum of 1m and steps have been avoided to facilitate

ease of access. The Environmental Health Officer has recommended a condition to secure detailed provision of waste storage that I have recommended (condition 11).

- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.29 There are parking bays on the site frontage which will require adjustment via an amendment to the existing Traffic Regulation Order to accommodate access into the site. The Highway Engineer has recommended a condition to require amendment of the TRO prior to commencement of development which I have included in my recommendation (condition 12). I have also recommended the other conditions suggested by the Highway Engineer in the interests of highway safety (conditions 13 to 18)

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

Car and Cycle Parking

- 8.31 There is space to park one car per dwelling within the pergolas on site frontage. There will be two pergolas each measuring 5m by 5m internally. Application of the car parking standards allows for a maximum of 2 spaces on the site. In my view one space per dwelling is adequate given the accessibility of the site. Visitors by car and tradesmen servicing the site will need to use on street parking which is available in the locality.
- 8.32 All houses are to be provided with a covered, secure cycle store with minimum space to accommodate three cycles. This provision meet the cycle parking standards for the size of dwelling proposed.
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations/Outstanding Consultee responses

- 8.34 I have addressed the issues raised by third parties in the preceding sections. I have recommended the condition that was suggested by County Archaeology (condition 20).

Planning Obligation Strategy

Planning Obligations

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

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

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

Open Space

- 8.36 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.

8.37 The application proposes the erection of four four-bedroom houses, one four-bedroom house would be removed, so the net total of additional residential units is three. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ 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		
4-bed	4	238	952	3	2856
Total					2856

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		
4-bed	4	269	1076	3	3228
Total					3228

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		
4-bed	4	242	968	3	2904
Total					2904

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	3	3792
Total					3792

8.38 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

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

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882	3	5646
Total			5646

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

Waste

8.41 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	3	225
Flat	150		
Total			225

8.42 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

8.43 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.

8.44 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.

8.45 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 3 dwellings therefore the necessary contribution towards HRC is £570.

- 8.46 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

- 8.47 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. In this case only additional three units are created.

Transport

- 8.48 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The Transport Assessment that supports the application estimates the development will generate 25.5 additional two-way 24 hour trips on the network.

Monitoring

- 8.49 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub- Committee on 25 March 2014 that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. For this application a monitoring fee of £962 is required.

Planning Obligations Conclusion

- 8.50 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 development delivers four family houses which will contribute to the need for such housing in the City. The design is compatible with the character of the surrounding area and will enhance the Conservation Area. There is some potential for adverse impact on the amenities enjoyed by the occupiers of 5 Church Street. However this constraint has been recognised in the design of the proposed dwellings and additional controls can be delivered by compliance with planning conditions.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement and the following conditions:

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

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

2. 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. Landscape works shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area and 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, 3/12 and 4/11)

3. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

4. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

5. All new joinery [window frames, etc.] shall be recessed at least 50 / 75mm back from the face of the wall / façade. The means of finishing of the reveal shall be submitted to and approved in writing by the local planning authority prior to installation of new joinery. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

6. The windows on the side elevation of the dwelling on Plot 4 serving the Bed 1 and Bed 3 which face the boundary with 5 Church Street shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

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

7. Prior to commencement of construction of the dwelling on Plot 4, full details of the means by which the screen serving the side elevation of the terrace on the second floor facing 5 Church Street will be increased in height to a total height of 1.6 metres shall be submitted to and agreed in writing by the local planning authority. The approved screen shall be provided in advance of first occupation of the dwelling and maintained thereafter.

Reason: To restrict overlooking of 5 Church Street in the interests of protection of residential amenity (Cambridge Local Plan policies 3/4 and 3/12)

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

Reason: To protect the amenities of nearby residents/occupiers. (Cambridge Local Plan 2006 policies 3/4 and 4/13).

9. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents' noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. 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 amenities of nearby residents/occupiers. (Cambridge Local Plan 2006 policies 3/4 and 4/13).

10. 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: To protect the amenities of nearby residents/occupiers. (Cambridge Local Plan 2006 policies 3/4 and 4/13).

11. Prior to occupation, full 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. Such details shall identify the specific positions of where wheeled bins, will be stationed and walk distances for residents including the specific arrangements to enable collection from the kerbside of the adopted highway/ refuse collection vehicle access point [or within 5m]. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4 and 4/13).

12. No development shall commence until amendments have been made to the Traffic Regulation Order (TRO) which regulates on street parking on the site frontage to Church Street. The developer shall be responsible for all costs associated with amendment of the TRO and the local planning authority shall be advised in writing by as soon as the amendment to the TRO has been agreed.

Reason: In the interests of highway safety and ensure appropriate access to the site (Cambridge Local Plan policy 8/2)

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan policy 8/2)

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

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

15. Prior to the commencement of the first use the vehicular accesses where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan policy 8/2)

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

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan policy 8/2)

17. 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilages of the new dwellings. One visibility splay is required on each side of each access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

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

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

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

19. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.

- iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: in the interests of highway safety (Cambridge Local Plan policy 8/2)

20. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. Developers will wish to ensure that in drawing up their scheme, the timetable for the investigation is included within the details of the agreed scheme.'

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

21. 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: This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

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

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

INFORMATIVE: 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).

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 August 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, waste facilities, waste management and monitoring in

accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14 and 10/1, 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 and 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