

Application Number	14/0713/FUL	Agenda Item	
Date Received	8th May 2014	Officer	Miss Catherine Linford
Target Date	3rd July 2014		
Ward	Abbey		
Site	Ditton Fields Nursery School Wadloes Road Cambridge Cambridgeshire CB5 8PG		
Proposal	Erection of 9 number family dwellings (6 flats + 3 houses) with mixed tenure (6 number Affordable + 3 number Private). Associated car parking and cycle parking and private and shared amenity space.		
Applicant	Mr Colin Rickard 950Capability Green Luton Bedfordshire LU1 3LU United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed development respects the character of the surrounding area; 2. The residential amenity of neighbouring properties is not significantly impacted upon; and 3. Car parking, cycle parking and refuse storage is successfully integrated into the scheme.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site of the former Ditton Fields Nursery School is situated on the eastern side of Wadloes Road, close to the junction of Wadlowes Road and Newmarket Road.

- 1.2 The surrounding area is mixed in character. Wadloes Road is predominantly residential consisting of terrace houses, semi-detached houses, and flats. Directly adjacent to the application site, to the north, there is a two storey block of flats (Ekin Walk), which is set back 20.5m from the highway; with two storey terrace houses directly opposite. Newmarket Road is more varied in character with commercial properties and residential properties. McDonalds and its associated car park is directly adjacent to the site to the south. The site is not within a Conservation Area. The site has been cleared of buildings.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the redevelopment of the site for housing. The proposed development comprises part affordable housing (flats and houses), which will be maintained by the City Council, and part private housing (flats and houses) to be sold by the developer.
- 2.2 This is part of the City Council's new Council House building programme. Changes in the regulations mean that the Council can develop new housing, without having to hand the site over to a housing association to develop and manage, as has been the case in the past. The Council has been successful in securing grant funding from the Homes and Communities Agency (HCA). Allocated grant funding from the HCA will be spread across a number of sites and provide 146 new homes by the end of March 2015 (The 146 Programme). This scheme, along with 9 others has been granted Executive Councillor Approval to proceed.
- 2.3 The following dwellings would be provided:

Affordable housing

2 x 1-bed flats
2 x 2 bed flats
2 x 3-bed houses

Private housing

2 x 2-bed flats
1 x 3-bed houses

- 2.4 Currently, the site is car free and an access is proposed on Wadloes Road, centrally on the site frontage. It is proposed that the site is developed as follows:

Plots 1-4: affordable flats

- 2.5 This building would be two storeys in height and would stand on the northwestern corner of the site, 5.8m from the western boundary with Wadloes Road, and 2.8m from the northern boundary with Ekin Walk.

Plots 5-6: private flats

- 2.6 This building would be two storeys in height and would stand on the southwestern corner of the site, 2.6m from the western boundary with Wadloes Road and 0.8m from the southern boundary with McDonalds.

Plots 7-8: affordable houses

- 2.7 These houses would be a pair of two-storey semi-detached houses, and would stand on the northeastern corner of the site.

Plot 9: private house

- 2.8 This house would be a two-storey, detached house, and would stand on the southeastern corner of the site.

- 2.9 Car parking spaces would be allocated, with one car parking space provided for each proposed dwelling. Each dwelling would have an individual cycle store.

- 2.10 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Sustainability Checklist
3. Waste Management Strategy
4. Code Assessment
5. 10% Planning Low or Zero Carbon Technology Feasibility Study
6. Landscape Management Plan
7. Flood Risk Assessment

- 8. Transport Statement
- 9. Materials Schedule
- 10. Incoming Services Appraisal
- 11. Ecology Report (Extended Phase 1 Habitat Survey)
- 12. Arboricultural Survey

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

- Relocation of the affordable flats 1m further from the northern boundary and relocation of the western refuse/cycle store associated with this building; and
- Relocation of the private flats 14.2 closer to the western boundary, with car parking spaces provided to the rear instead of to the front

2.12 An application of this scale would normally be considered by East Area Committee. In this case it is brought before Planning Committee because the Council's current new Council House building programme is required to be completed by the end of March 2015 and any delay in determination beyond end of August 2014 would jeopardise the delivery of new homes to this timetable. . The determination by Planning Committee has been agreed by the Chairs of East Area Committee and Planning Committee.

3.0 SITE HISTORY

None relevant.

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 Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 4/4 5/1 5/4 5/12 8/2 8/6 8/10

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)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

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 that are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 Although close to a pedestrian crossing, the position of the access is not seen as likely to have significant impact on highway safety.

Head of Refuse and Environment

- 6.2 No objection, subject to conditions relating to construction hours, collections/deliveries during construction, piling, noise and waste.

Head of Streets and Open Spaces (Landscape Team)

- 6.3 The submitted landscape plan is not considered to be satisfactory and conditions are recommended requiring a hard and soft landscaping scheme, and a maintenance plan.

Urban Design and Conservation team

- 6.4 The Urban Design and Conservation Team support the application. It is recommended that the refuse/cycle stores for the flat blocks are red brick. Conditions are recommended relating to materials and the refuse stores.

Arboricultural Officer

- 6.5 There are no arboricultural objections to the proposal, however it will be necessary to show the Root Protection Area for retained trees on the layout and retain only those trees that are suitable for retention. Adequate space must be provided for replacement trees with room to establish and mature.

City Council Cycling and Walking Officer

- 6.6 Access into the site should have a raised table across to give higher priority to cyclists and pedestrians crossing.
- 6.7 The detail of the cycle parking for the flats which are described as being under the balconies is not clear. It is not acceptable to combine cycle parking and bins in the same shed and the location of some of the sheds is also not acceptable as they will be difficult to access. A small number of visitor spaces for the flats should be provided.

Cambridgeshire County Council (Archaeology)

- 6.8 The site should be the subject to a programme of archaeological investigation, which can be secured by condition.
- 6.9 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 No representations have been received.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking

6. Planning Obligation Strategy

Principle of Development

- 8.2 As the nursery school building has been demolished the site can no longer be considered to be in D1 (non-residential institutions) use, but is in a nil use. Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing use and compatibility with adjoining land uses. Wadloes Road is predominantly residential and I am, therefore, satisfied that the proposals comply with policy 5/1 of the Local Plan.

Context of site, design and external spaces

Scale and layout

- 8.3 The proposed two storey scale of the flat blocks and house units is acceptable in design terms as they are of a similar scale to the existing two storey flat block to the north (Ekin Walk) and the terraced houses to the west.
- 8.4 As originally proposed the proposed blocks of flats were positioned differently on the site. The private flats (plots 5 and 6) were positioned further back in the site, with car parking to the front. This layout would have had a serious impact on the Ornamental Plum Tree and the group of trees on the southern boundary of the site, and the application was therefore amended with the block brought forward on the site, with parking behind. The affordable flats (plots 1-4) were originally positioned closer to the northern boundary. This resulted in north facing amenity spaces for the ground floor flats and would have had a detrimental impact on the group of Cherry Trees on the northern boundary of the site. To resolve these concerns this Block has been brought further forward and the position of the bike and refuse stores attached to the side of the building have been amended, which has reduced the impact on the Cherry Trees. The ground floor amenity spaces have also been enlarged.

The blocks would be set further forward than Ekin Walk but considering the former nursery building sat even further forward on the site, and the houses on the opposite side of Wadloes

Road are 3m from the back of the pavement, it is my view that the proposed buildings would not appear out of character with the street, or be overly dominant. The scale and layout of the proposed houses/flats is acceptable and would reflect the character of the surrounding area.

Elevations and materials

- 8.5 The proposed elevations and materials treatment are similar to the elevations and materials proposed on the other City Council housing sites and includes red facing brick, grey PVCu windows with opaque spandrel panels, flat grey concrete roof tiles, grey fascias and barge boards and black PVCu gutters and rainwater down pipes. The majority of the proposed materials are supported, and it is recommended that samples of all materials are required by condition (8).
- 8.6 The submitted elevations show that the refuse and cycle stores for the flat blocks would be buff brick. This is not considered to be appropriate as the refuse and cycle stores should read as part of the buildings and not as an 'add on'. It is, therefore, recommended that red brick is also used for these elements of the buildings. This can be secured through the suggested materials condition (8).
- 8.7 The use of the 'hit and miss' brickwork proposed for the refuse and cycle store on the east (front) elevation on the affordable flats is supported as it would help to add interest to what would otherwise be a blank elevation.

Landscape and amenity space

- 8.8 Roof terraces for the first floor affordable and private flats (Plots 2, 4 and 6) are proposed above the cycle and refuse stores. These terraces are of a generous size and provide adequate space for a table and chairs and are therefore acceptable in design terms.
- 8.9 It is proposed that 1800mm high close boarded fences topped with 300mm high trellis panels for the boundaries are used as the boundary treatment between the rear gardens of the proposed houses. This is considered to be excessively high, and it is recommended that a lower boundary treatment is used. A 1500mm high close boarded fence topped with 300mm high

trellis panels would create a 1800mm high boundary which is a more appropriate height for a rear garden. This can be secured by a boundary condition (9).

- 8.10 400mm high low rails are proposed at the front of the ground floor thresholds of the flat blocks and houses. This approach is supported and helps separate these areas from the public realm.
- 8.11 The Landscape Team are not satisfied with the submitted landscape scheme and have recommended that amendments are made to it, which includes changes to the plant species proposed; the removal of planting close to car parking spaces and the replacement of this with hard landscaping; and changes to the replacement tree species proposed. This can be secured by a condition requiring a hard and soft landscaping scheme (10) and I also recommend a condition requiring a landscape maintenance scheme (11) and details of tree protection measures to ensure the retained trees are protected (12).
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 The neighbouring occupiers that may potentially be impacted on by the development are 1 and 2 Ekin Walk to the north; and 59 Ekin Road to the east.

Impact on 1 and 2 Ekin Walk

- 8.14 The affordable flats would be situated directly to the south of 1 and 2 Ekin Walk, and would be situated between 5 and 5.4m from the common boundary. The submitted shadow diagrams demonstrate that generally the shadow cast by the proposal does not reach the Ekin Walk flats. The exception to this is December at noon when the flats are also heavily overshadowed by themselves; and March/September at noon, where the shadow just reaches the building. In my opinion this level of overshadowing is not significant enough to warrant refusal of the application and is acceptable. Windows are proposed on the northern elevation of the building. Due to the

positioning of the building and the positioning of the windows, these windows would look out towards the flank wall of the Ekin Walk building which is blank and the area of land in front of it. No proposed windows would look towards the private amenity at the rear of the building.

- 8.15 Due to the positioning of the building in relation to the common boundary and the Ekin Road flats it is my opinion that it would not have detrimental impact on these neighbours.

Impact on 59 Ekin Road

- 8.16 The proposed houses would be situated directly to the west of 59 Ekin Road. The submitted shadow diagrams demonstrate that the proposed houses would overshadow the rear garden of 59 Ekin Road in the late afternoon, most notably in March/September. The eastern boundary between the site and 59 Ekin Road is heavily planted, with a tall hedge, which is to be removed. In my view, it is likely that the rear garden of 59 Ekin Road is already overshadowed by this existing vegetation and the impact of the proposed dwellings is unlikely to be significantly worse than this. Windows are proposed in the rear elevations of the houses, which would be 7.2m from the common boundary, at the closest point and 9.2m from the house. In my opinion this separation distance is acceptable. In my opinion, the proposals would not have a significant detrimental impact on this neighbour.

- 8.17 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.

Construction Noise and Disturbance

- 8.18 Due to the proximity to McDonalds and other residential properties Environmental Health have recommended an informative relating to dust suppression (15). To minimise disruption to neighbouring residents it is recommended that the hours of construction and the hours of deliveries and collections during construction are controlled by conditions (3 and 4). Piling can create significant noise disturbance and it is recommended that if this is required a methodology and noise assessment is required by condition (5).

Amenity for future occupiers of the site

- 8.19 The site is situated adjacent to McDonalds, which has long opening hours (7am-11pm), and the Cambridge Technopark is also close to the site. There is therefore the potential for the future occupiers of the proposed dwellings to be disturbed by noise from these neighbouring uses. Environmental Health officers have recommended that a noise survey and mitigation scheme is secured by condition (6).
- 8.20 Environmental Health have no specific concerns relating to contaminated land but have suggested an informative in case any contamination is discovered (16).
- 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 each house has a refuse store in the rear garden, and that each flat has an individual refuse store, which is attached to the building. The submitted plans demonstrate that a refuse vehicle can manoeuvre in the site. To ensure that waste can be adequately stored on site and collected, Environmental Health officers have recommended that further details are required by condition (7).
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.24 The proposed access to the site is 4.8m in width, and the Highway Authority requires the access to be 5m in width. This is achievable and it is recommended that this is secured by condition (14).
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.26 Appendix C (Car Parking) of the Cambridge Local Plan (2006) states that no more than one car parking space must be provided for a dwelling with up to two bedrooms, and that no more than two car parking spaces must be provided for a dwelling with three or more dwellings. One allocated parking space is proposed for each dwelling and I consider this to be acceptable.
- 8.27 Appendix D (Cycle Parking) states that at least one covered and secure cycle parking space must be provided for each bedroom. It is proposed that each dwelling would have an individual store, with the stores for the houses situated in the rear gardens and the stores for the flats attached to the building. This approach is acceptable, but the City Council's Cycling and Walking Officer is concerned that it is not appropriate to combine cycle and refuse storage in the same store. I recommend that details are submitted by condition (13).
- 8.28 The City Council's Cycling and Walking Officer has also suggested that the access into the site should have a raised table access to give higher priority to cyclists and pedestrians crossing. This is a matter for the Highway Authority and the officer has not recommended this provision is necessary in the interests of highway safety. .
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Planning Obligation Strategy

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. 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 three three-bedroom house, four two-bedroom flats, and two 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	2	714
2-bed	2	238	476	4	1904
3-bed	3	238	714	3	2142
4-bed	4	238	952		
Total					4760

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	807
2-bed	2	269	538	4	2152
3-bed	3	269	807	3	2421
4-bed	4	269	1076		
Total					5380

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	726
2-bed	2	242	484	4	1936
3-bed	3	242	726	3	2178
4-bed	4	242	968		
Total					4840

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	2	0
2-bed	2	316	632	4	2528
3-bed	3	316	948	3	2844
4-bed	4	316	1264		
Total					5372

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 £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	2512
2-bed	1256	4	5024
3-bed	1882	3	5646
4-bed	1882		
Total			13182

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 £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	6	900
Total			1125

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		
£22 million 115,793	x 24,273	= £4,611,730
Total Developer Contribution per household = £190		

The net gain is nine therefore the necessary contribution towards HRC is £1710.

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, nine additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for primary education, secondary education, or lifelong learning. Contributions are not required for primary education of secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	2	0
2+- beds	2		1350	7	9450
Total					9450

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	2	0
2+- beds	2		1520	7	10640
Total					10640

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	2	320
2+- beds	2		160	7	1120
Total					1440

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 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. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy

8.46 For this application a monitoring fee of £1721.05 is required to cover monitoring of City Council obligations plus the County Council monitoring fee.

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 The proposed scheme will provide much needed Council housing alongside private housing. In my opinion, the proposal respects the character of the surrounding area and would have a minimal impact on neighbouring residents. The application is, therefore, recommended for approval, subject to conditions and the completion of a S106 agreement.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement by 30th November 2014 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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

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

3. 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)

4. 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)

5. 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 neighbouring residents.
(Cambridge Local Plan 2006, policy 4/13)

6. Part A

Prior to the commencement of refurbishment/ development works a noise report prepared in accordance with the provisions of British Standard (BS) 4142:1997, Method for rating industrial noise affecting mixed residential and industrial areas, that considers the impact of industrial noise upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Part B

Following the submission of a BS 4142:1997 noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise from the neighbouring industrial use shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:2014 Sound Insulation and noise reduction for buildings-Code of Practice. Where necessary, these levels shall be achieved with ventilation meeting both the background and summer cooling requirements.

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 amenities of future occupiers.
(Cambridge Local Plan 2006, policy 4/13)

7. Prior to the commencement of development, 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 the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/refuse collection vehicle access point. 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 and in the interests of visual amenity. (Cambridge Local Plan 2006, policies 3/4 and 4/13)

8. 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)

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

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

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

11. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

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

13. 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)

14. Notwithstanding that shown on the approved Proposed Site Plan (dwg no 1294_P_010), the access shall be 5m in width.

Reason: In the interest of highway safety. (Cambridge Local Plan 2006, policy 8/2)

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

Councils Supplementary Planning Document Sustainable Design and Construction 2007:https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WEB.pdf

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

INFORMATIVE: If during the works contamination is encountered, the Local Planning Authority must be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The applicant/agent 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: In relation to condition 8, buff brick is not acceptable for the refuse/cycle stores for the flats. The brick used for these stores must match the brick used for the buildings.

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 30 November 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 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