

<b>Application Number</b>	14/1291/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th August 2014	<b>Officer</b>	Mr Sav Patel
<b>Target Date</b>	10th October 2014		
<b>Ward</b>	Newnham		
<b>Site</b>	83 Gough Way Cambridge CB3 9LN		
<b>Proposal</b>	Erection of one new dwelling and alterations to existing dwelling including erection of attached garage following demolition of existing garage.		
<b>Applicant</b>	Dr Mark Shaffer 83 Gough Way Cambridge CB3		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>-It would adequately respect residential amenity.</li> <li>-It would provide a high quality design that would not detract from the character or appearance of the area.</li> <li>-It would not be at significant risk to or from flooding or compromise the strategic flood alleviation channel.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is the curtilage of 83 Gough Way, a detached house in a substantial garden in the northern-west corner of the Gough Way estate. It is rectangular in shape and measures approximately 49m east/west and 35m south/north, with a short access drive about 25m in length linking the main rectangle of the plot to the street. The access drive separates the frontages to 81 and 85 and widens out from a little over 5m where it abuts the street to as much as 17m where it ‘meets’ the main rectangle.
- 1.2 To the north and west is open land that is within the Cambridge Green Belt. There is an established drainage channel that runs along the northern and western boundaries of the site, and the

property is located within the Environment Agency Flood Zone 1. There is established planting within the rear garden area of number 83, including a belt of significant trees along the rear western boundary. None of these trees are subject to protection orders. To the east and south of the site are other houses and their gardens that form part of the estate. The existing residential environment is one of two-storey detached dwellings, many of which have been extended. The street is typified by dwellings with generous rear garden areas, though the garden of no. 83 is substantially larger than its neighbours.

- 1.3 Houses in the estate were built using a mix of pitched two-storey and flat single storey roof forms.
- 1.4 The site is not within a Conservation Area, nor would it impact any listed buildings or protected trees, although I note that a number of significant and established trees exist in the vicinity of the site. The site is not in the controlled parking area.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks planning permission for:
  - the erection of one new dwelling.
  - alterations to the existing dwelling no. 83 including erection of an attached garage following demolition of the existing garage and additional turning space.
- 2.2 The new dwelling would be sited to the north of no. 83. Access to it would be along the eastern side of no. 83 following the demolition of the existing garage/porch and the western sides of the rear gardens of nos. 85 and 89 Gough Way.
- 2.3 The building footprint is irregular. Its longest side at 23m would run along the northern boundary. It would be of two storeys and flat roofed at 6.3m high. It would comprise open plan living accommodation on the ground floor and 5 bedrooms at the first floor which lead onto an open terrace with views north and west with separate stepped access from the garden.
- 2.4 The footprint is jagged, incorporating cantilevered first floor elements and a double height ground floor family room. First floor bedroom windows on the eastern elevation are angled to the north east, obliquely away from main part of the rear garden

of no.89. Due to its shape, the building would appear as an uncompromisingly modern, multi-faceted form. It would be constructed from a mixture of timber cladding (mostly at first floor level), brick and render. On top of the main roof would be a photovoltaic and solar thermal array with a sedum roof on top of a sunken lounge leading onto the garden.

- 2.5 It would be separated from the host dwelling no. 83 by a 6m gap, from no. 89 to the east by a 34m gap and from no. 81 further to the south by a 22m gap (between buildings).
- 2.6 The new dwelling would have a substantial garden to its west and south-western aspect which would be partially terraced. There would be a garden depth of 16m to the western boundary. The garden would extend to the southernmost tip adjacent to no. 81 at a width of 35m. The development would include a new garage, bin and bike store on its north eastern corner and a parking and turning area with motorised sliding gate in its south eastern corner adjacent to the rear gardens of nos. 85 and 89 Gough Way. The garage structure would measure 7.5 in length adjacent to the boundary of no. 89 Gough Way and 2.9m high with a flat roof.
- 2.7 No. 83 would retain a smaller rear garden of an average 15m depth. The new garage, following demolition, would accommodate a single car length and be 3m wide thereby creating the necessary width for the access to the new dwelling. A new area for turning and parking would be created to the front of no. 83 to ensure the shared driveway access remains clear.

### 3.0 SITE HISTORY

Reference	Description	Outcome
11/0372/FUL	Demolition of existing house and erection of 3no 5bed dwellings and garages.	Appeal dismissed
10/0121/OUT	Erection of a detached dwelling house.	Withdrawn
C/68/0287/OP	Use of land for residential purposes – Gough Way, Barton Road	A/C
C/71/0046	Erection of 30 detached houses	A/C

	and garage together with roads and sewers	
C/71/0725	Erection of 21 detached houses and garages	A/C

The appeal decision is attached to this report.

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/2 3/3 3/4 3/7 3/8 3/10 3/11 3/12 3/14  4/1 4/2 4/3 4/4 4/13  5/1 5/10 5/14  8/2 8/3 8/4 8/6  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
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Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Planning Obligation Strategy (March 2010)  Public Art (January 2010)
	<u>City Wide Guidance</u>  Cambridge Landscape and Character Assessment (2003)  Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)  Strategic Flood Risk Assessment (2005)  Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u>  N/A

#### 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 of relevance.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No objection: requests details of the parking layout, width of the access must be 4.5m for the first 10m from the highway, the car parking spaces must be dimensioned.

### **Urban Design and Conservation Team**

- 6.2 The proposal for the new dwelling is broadly acceptable in design terms, provided the height of the proposed garage is reduced to minimise impact on the neighbouring property no. 89 Gough Way. Photovoltaic cells should be positioned at a minimum possible angle to the roof plain in order to integrate them in an unobtrusive manner.

The proposal for the replacement garage for the existing house is not acceptable due to its sub-standard width. The garage should be widened to a minimum of 3.3m to comply with CCC standards.

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.3 No objection: The type of piling is far enough away and deep enough not to cause an issue to the concrete channel. The EA may require further information as it is their structure.

### **Environment Agency**

- 6.4 First Comment: Objection: Insufficient information. To assess the impact on the Flood Alleviation Channel during and after construction of the property basic information such as the distance from channel to the start of foundations is missing which is essential to check the loading. The applicant needs to demonstrate, through calculations, that there will be no loading implications on the channel.

There have been cracks in the channel in the past and the actual works themselves could promote further problems. The applicant needs to undertake a full structural engineering report

to assess any risk from this development to the Flood Alleviation Channel. It is imperative we have this information contained within the planning application to fully assess the flood risk posed by this development.

Second Comment: No objection: The applicants have provided more information regarding foundation design and the objection is removed. The Environment Agency is satisfied that the foundation design of the proposal would not compromise the flood channel. Recommend a 9m development free zone around the northern and western boundaries of the site imposed through removal of permitted development rights and other conditions.

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.

## **Environmental Health**

- 6.5 No objection. Recommend conditions relating to waste and recycling, construction hours, collection and delivery hours, piling and dust. Informatives are also recommended.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations in objection to the application:

1a Gough Way
2 Penarth Place
4 Penarth Place
9 Wootton Way
12 Wootton Way
14 Wootton Way
35 Gough Way
38 Gough Way
55 Gough Way
63 Gough Way
68 Gough Way
77 Barton Road
81 Gough Way
85 Gough Way

4 Stukeley Close
2 Penarth Place
7 Dane Drive
Moyclare, Windsor Road, Radyr, Cardiff, CF15 8BQ
1 unknown address

7.2 The representations in objection can be summarised as follows:

### **Character**

- Out of character
- Architectural design out of keeping (modern, aggressive, multi-faceted, angular, arrogant)
- Building too large, footprint twice the size of no. 83
- Shared driveway unfortunate precedent, not allowed anywhere else on Gough Way
- Contrary to garden estate layout
- Does not have a proper frontage
- Garden grabbing

### **Flooding**

- Flood risk (will increased risk from more hard surfacing, rate of run-off, existing problems in the area would be exacerbated)
- Precedent (back-land position and flooding)

### **Construction**

- Subsidence problems, impact on the channel and existing houses particular 81 and 85 Gough Way
- Construction traffic would could subsidence and noise and disturbance.

### **Highways**

- Access too narrow

### **Amenity**

- Impact on amenity, new parking/turning area on former lawn in front garden of no. 83 intrusive, overlooks no. 81 Gough Way's living room at a distance of 6m.



- Negative changes to existing house, intrusive parking, reduced garden
- Traffic impact, congestion, pollution

### **Other**

- Profit driven proposal
- Impact on wildlife
- Misleading pre-application summarisation

7.3 The owners/occupiers of the following addresses have made representations in support of the application:

7 Spens Avenue
9 Cranmer Road
10 Wootton Way
31 Oxford, OX4 4LE (address incomplete)
77 Gough Way
79 Gough Way
100 Barton Road

7.4 The representations in support can be summarised as follows:

### **Character**

- The building would be an improvement to the area
- Good new contemporary architecture
- Gough Way is not architecturally distinguished
- New house will not be visible from Gough Way
- Progressive/innovative new building design
- Plot is large enough
- Removes threat of overdevelopment
- Roofline is low, partly screened by vegetation
- Shared drive is not a problem
- House could be put on stilts

### **Flooding**

- Flood risk not an issue given the site is at a high point in Gough Way

## **Amenity**

-Respects neighbour amenity/privacy

## **Other**

-Will provide needed housing

-Appeal decision supports the proposal

A petition in objection to the application has been received. It has been signed by 102 people and can be summarised as follows:

-Location of plot and footprint out of character (garden grabbing)

-Design out of keeping

-Flood risk

-Shared driveway out of character

-New turning area adversely impacts on residential amenity.

-Precedent

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. Renewable energy and sustainability
4. Residential amenity
5. Refuse, bike and car arrangements
6. Highway safety
7. Third party representations
8. Flooding
9. Planning Obligation Strategy

## **Principle of Development**

- 8.2 The application would help meet housing need and is compatible with policy 5/1 of the Cambridge Local Plan. It would be adjacent to the Green Belt and would not constitute inappropriate development and therefore accords with policy 4/1. It would do little to impact on the setting of the City, being of a low two storey form, partially landscaped along its boundaries with no public footpaths within the adjacent landscape. It would therefore comply with policy 3/2. Neither national policy nor adopted policy 3/10 prohibits the sub-division of existing plots. Policy 3/10 sets out various criteria which have to be met in order for development to be acceptable. I address these in my assessment below.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 3/2, 4/1 and 5/1 of the Cambridge Local Plan 2006.

## **Context of site, design and external spaces**

- 8.4 The proposal would be a back-land form of development. It would have little frontage to the street. Partial views of the house would be available through the gap between nos. 81 and 83. The positioning and footprint of the house, being substantially larger than surrounding houses, would be in contrast to the established character of the area. The existing driveway to no. 83 would be shared with the new dwelling which is not typical of Gough Way.
- 8.5 Given its positioning, I do not consider that a building in the location proposed would lead to any significant harm to the appearance of the Gough Way estate. It is set some 48m back from the pavement edge and would be viewed obliquely through a 6m gap between the NE edge of no. 81 and SW edge of no. 83. A complete view of the house would not be possible.
- 8.6 The footprint is jagged. The vertical sides of the house display a broken form in different planes. It sits low on the site at 6.3m. Its varied materials break down the form further. The timber cladding at first floor level would soften its appearance. The design of the house would, however, be in stark contrast to the existing housing stock of Gough Way.

- 8.7 In my opinion, the design is of high quality and there is nothing inherently wrong with an attempt to introduce an overtly contemporary house on this plot in this position. The house would be afforded a generous external garden befitting its size. It would benefit from a sensitively positioned first floor terrace and downstairs would provide open plan living accommodation leading onto the garden space. Whilst it would share a driveway with no.83, I do not consider that there is any visual harm arising. I do not consider that it would be perceived as an aggressive form of development because of its relatively hidden location and neither would it create a precedent. The plot is uniquely large, even for Gough Way and every application has to be considered on its own merits.
- 8.8 The remaining garden for no. 83 would be more than sufficient for occupiers of that property. The tree lined western boundary would not be impacted upon or compromise the amenity of future occupants. The plot would be far from being overdeveloped and the new house, whilst of a bold design and substantial footprint, would sit comfortably and inconspicuously on it.
- 8.9 In assessing the proposal for three five bedroom dwellings, the Inspector did not consider, at paragraph 5, that 'the garden itself is important to the character of the area or the settings of the buildings in this part of the estate'. Whilst that scheme was a different layout and form to this, to my mind it opens up the possibility that development on the garden land of no. 83 is possible.
- 8.10 In conclusion, the development would not detract from the prevailing character and appearance of the area. It positively responds to its context in terms of its siting, massing, design and use of materials. Whilst not visually integrated into the street, its presence would not cause any harm to the character or appearance of Gough Way. It is compliant with policies 3/4, 3/7, 3/10 (c & e), 3/11 and 3/12 of the Cambridge Local Plan 2006.

### **Renewable energy and sustainability**

- 8.11 The proposal includes a sedum roof, solar photovoltaic and solar thermal panelling. It would be highly insulated and store

surface water run-off on site in an underground cellular storage unit.

- 8.12 Whilst there is no renewable energy policy obligation on individual dwellings, the applicants have suitably addressed the issue of sustainability and renewable energy. The proposal is in accordance with the Sustainable Design and Construction SPD 2007.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.13 The development would mainly impact upon 4 properties, the host dwelling, no. 81 Gough Way to the south and nos. 85 and 89 Gough Way to the east.

#### *The Host Dwelling*

- 8.14 The main outlook from the rear of the host property is west facing. The new building would project beyond the rear building line of this property and its visual presence would be felt by the occupiers of no. 83 looking northwards. However, the retained garden is still of a generous size, at its shortest 12m and at its longest 19m. Together with the low rise form of the building and orientation of windows, I do not consider that the host dwelling would suffer from any significant degree of enclosure, loss of light or loss of privacy.

#### *No 81*

- 8.15 The main outlook from no. 81 is east-west. The new building would be sited some 22m away to the north, between which would be landscaping along the southern boundaries of the new plot and the host dwelling. The low height of the building, its orientation of windows and distance away from no. 81, would mean that no significant impact in terms of enclosure, light or privacy would arise on the occupants of no. 81.
- 8.16 The reconfigured parking arrangement for no.83 would involve the creation of a new parking and turning area in front of its plot, some 7m away from the lounge window of no.81. The arrangements would bring car movements associated with no. 83 closer to the boundary and car movements from the new

dwelling would also be perceptible. However, I do not consider the arrangement would result in significant harm. The appeal proposal for three dwellings involved the creation of a shared access across the centre of the site. At paragraph 17 of the appeal decision the Inspector states:

- 8.17 *'the vehicular access to the development would be over the existing drive that crosses in front of no. 81. I appreciate that two additional dwellings would result in some additional traffic and pedestrian movements. However, I do not consider that this would result in such additional levels of noise, disturbance or pollution from vehicles as to cause significant harm to the living conditions of residential occupiers'.*
- 8.18 The current proposal would involve one less dwelling than previously proposed but would introduce turning movements in front of no. 81. However, I do not consider a refusal on the grounds of the impact on no. 81 of the revised parking and turning arrangements for no. 83 would be justified. In coming to this conclusion, I am mindful that permitted development rights were not removed in the historical permissions for this estate. As such, the current owners of no. 83 could construct a permeable area of hard standing in the location proposed without express planning permission.

*Nos. 85 and 89*

- 8.19 The proposal includes a new garage, bin and bike store on its north eastern corner. The access would run adjacent to the side rear garden of 85 Gough Way and rear garden of 89 Gough Way. The garage structure would measure 7.5m in length adjacent to the boundary of 89 Gough Way and would be 2.9m high with a flat roof.
- 8.20 Even though car movements are introduced into an area where there are none at present, I do not consider that the noise and disturbance from the new access and turning area associated with one additional dwelling would significantly impact upon the amenity of these two neighbours. Given the low rise form of the garage and depth and width of no. 89's garden, I do not consider its presence would be unduly dominant.

- 8.21 The main rear outlook from no. 85 is to the north. The new dwelling would be noticeable in north western views from no.85 and its garden but it is sufficiently far enough away (21m building-to-building) and set down in height so as not to cause significant impact in terms of enclosure, light or privacy.
- 8.22 First floor bedroom windows on the eastern elevation of the new building are angled to the north east, obliquely away from main part of the rear garden of no.89. I do not consider there to be a privacy issue.
- 8.23 The new building would be separated from no. 89 to the east by a 34m gap. Given this distance, the low height of the building and the landscaping within the rear garden of no 89, it would not cause significant impact in terms of enclosure, light or privacy.
- 8.24 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, 3/10(a) and 3/12.

*Amenity for future occupiers of the site*

- 8.25 I am confident that future occupiers would be generously provided for in terms of quality of accommodation and external amenity space.
- 8.26 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, 3/10(b) and 3/12.

**Refuse, Bike and Car Arrangements**

- 8.27 Sufficient space is laid out for bike and bin storage in accordance with the Council's standards. On collection day bins would have to be dragged 51m to the kerb-side for collection. This distance is almost double that recommended and is an inevitable consequence of the siting of the building. It is not ideal but future occupiers would have to accept this impracticality. I do not consider, given that the proposal is for

one dwelling, that a specific space has to be laid out for collection purposes off the shared driveway.

8.28 The new dwelling would have space for two cars and a turning head. The level of provision accords with adopted standards. The existing dwelling would have a new 3m x 5.4m garage. This is a narrow dimension and ideally it could be larger as recommended by the Urban Design Officer but this would compromise the width of the access to the new dwelling. It would, however, be useable for either car parking or storage and in combination with external parking, the level of provision, is adequate.

8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10(b) and 3/12.

### **Highway Safety**

8.30 The Highways Officer has raised no objection but has requested details of the parking layout stating that the width of the access must be 4.5m for the first 10m from the highway and that the car parking spaces must be dimensioned. I have scaled the plans and confirm that the shared driveway is 4m. It would be possible to widen the access for the majority of the shared length to 4.5m, but I do not consider this necessary. The shared access is only serving two dwellings and is straight with good visibility. Cars for both dwellings would easily be able to turn and exit in forward gear.

8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10(b) and 8/2.

### **Third Party Representations**

<b>Character</b>	<b>Paragraphs</b>
Out of character	8.4 - 8.10
Architectural design out of keeping (modern, aggressive, multi-faceted, angular, arrogant)	8.4 - 8.10
Building too large, footprint twice the size of the 83	8.4 - 8.10



Shared driveway unfortunate precedent, not allowed anywhere else on Gough Way	8.4 - 8.10
Contrary to garden estate layout	8.4 - 8.10
Does not have a proper frontage	8.4 - 8.10
Garden grabbing	8.4 - 8.10, policy 3/10 does not prohibit development in gardens
<b>Flooding</b>	
Flood risk (will increased risk from more hard surfacing, rate of run-off, existing problems in the area would exacerbated)	8.32
Precedent (back-land position and flooding)	8.32
<b>Construction</b>	
Subsidence problems, impact on the channel and existing houses particular 81 and 85 Gough Way	These are civil matters and not planning issues
Construction traffic would could subsidence issues and noise and disturbance	Construction impacts are temporary and are mitigated through condition in terms of construction and delivery times.  Damage by construction vehicles is a civil matter
<b>Highways</b>	
Access too narrow	8.30 - 8.31
<b>Amenity</b>	
Impact on amenity, new parking/turning area on former lawn in front garden of no. 83 intrusive, overlooks no. 81 Gough	8.15 - 8.18

Way's living room at a distance of 6m.	
Negative changes to existing house, intrusive parking, reduced garden	8.14
Traffic impact, congestion, pollution	8.15 - 8.24
<b>Other</b>	
Profit driven proposal	This is not a material planning consideration
Impact on wildlife	There is no evidence that any protected species or wildlife would be impacted on
Misleading pre-application summarisation	Unable to comment on accuracy

### **Flood Risk**

- 8.32 The site is within flood zone 1 (low risk) and is within close proximity to the Bin Brook Flood Alleviation Scheme channel. The Environment Agency (EA) initially objected to the proposal on the grounds of insufficient information to assess the impact of the house on the flood alleviation channel which runs around the outside of the property. The applicants have provided more information to the EA and the objection has now been removed.
- 8.33 The EA are satisfied that the foundation design of the proposal would not compromise flood channel. They have recommended that a 9m development free zone around the northern and western boundaries of the site is imposed through removal of permitted development rights. The Council's Sustainable Drainage Officer has not raised an objection.
- 8.34 The application proposes underground cellular storage of surface water. I entirely understand existing residents' concerns regarding flood risk given past flooding events in Gough Way. However, I am minded to accept the expert advice of the EA and the Council's Sustainable Drainage Officer. Subject to a surface water condition and conditions recommended by the EA, I am satisfied that the development would not lead to an increased risk of flooding and accords with NPPF guidance.

## **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 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.

<b>Outdoor sports facilities</b>					
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	1	952
<b>Total</b>					<b>952</b>

<b>Indoor sports facilities</b>					
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	1	1076
<b>Total</b>					<b>1076</b>

<b>Informal open space</b>					
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	1	968
<b>Total</b>					<b>968</b>

<b>Provision for children and teenagers</b>					
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	1	1264
<b>Total</b>					<b>1264</b>

8.37 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

8.38 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:

<b>Community facilities</b>			
Type of unit	£ per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882	1	1882
<b>Total</b>			<b>1882</b>

8.39 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

8.40 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:

<b>Waste and recycling containers</b>			
Type of unit	£ per unit	Number of such units	Total £
House	75		75
Flat	150		
<b>Total</b>			<b>75</b>

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

#### Monitoring

8.42 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

8.43 For this application a monitoring fee of £311 is required to cover monitoring of Council obligations.

#### Planning Obligations Conclusion

8.44 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 This is a high quality contemporary building set in a back-land position. Its design and position is in stark contrast to the established character of the estate but it would have an

inconspicuous presence, be set in large grounds and has been sensitively designed. It would not pose a risk to increased flooding within the Gough Road estate or to the flood relief channel.

## **10.0 RECOMMENDATION**

**APPROVE** subject to completion of the s106 Agreement by 4 January 2015 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. 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 prior to the occupation of the building or otherwise as agreed in writing by the Local Planning Authority. .

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)

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no first floor windows or dormer windows other than those expressly authorised by this permission shall be constructed.

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

6. 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)

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

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



8. 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 amenity of the adjoining properties.  
(Cambridge Local Plan 2006 policy 4/13)

9. 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 amenity of the adjoining properties.  
(Cambridge Local Plan 2006 policy 4/13)

10. Unless otherwise agreed in writing with the local planning authority beforehand, the development hereby permitted shall be constructed in line with the Structural Report set out within Gawn Associates letter dated 3rd October 2014 and drawing no. 214/0107/100 Rev B. Any proposed changes to this construction process must be agreed in writing beforehand by the local planning authority.

Reason: To ensure the structural integrity of existing flood management structures thereby reducing the risk of flooding. 2. To reduce the risk of flooding to the surrounding development and the existing occupants.

11. The Bin Brook Flood Alleviation Channel shall remain clear during and after construction and the existing boundary fence shall remain in place to protect the channel.

Reason: To ensure there is no increased risk of flooding due to the Bin Brook Flood Alleviation Channel being blocked.

12. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (GDP) Order 1995 (or any order revoking and re-enacting that order), the following class of development more particularly described in the Order are expressly prohibited in respect of the strip of land expressly within 9 metres of the top of bank of the Bin Brook Flood Alleviation channel as set out in drawing No 4127 GA 003 – EA thereon unless expressly authorised by planning permission granted by the Local Planning Authority in that behalf:- (Part 1 - (Development Within Curtilage Of A Dwellinghouse), revised April 2010, Class C3)

Reason: To ensure that extensions and outbuildings within this 9 metres strip which would not otherwise require planning permission do not lead to an increased risk of flooding due to effects on the structural stability of the Bin Brook Flood Alleviation Channel.

13. The garden land for no 83 Gough Way as shown as retained on the approved site plan shall be retained for the benefit of the occupants of that property in perpetuity and shall not in any way be reduced further in size than proposed.

Reason: In order to ensure an adequate level of amenity would be retained for the host property (Cambridge Local Plan policies 3/10, 3/12).

14. No development shall commence until details of the surface water drainage for the site have been submitted to and approved in writing by the local planning authority. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the development hereby approved.

Reason: In order to ensure adequate means of surface water drainage (Cambridge Local Plan 2006 policy 8/18).

**INFORMATIVE** To satisfy the condition requiring the submission of a program of measures to control airborne dust

above, the applicant should have regard to: Councils Supplementary Planning Document Sustainable Design and Construction 2007:

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

Guidance on the assessment of dust from demolition and construction [http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)  
Control of dust and emissions during construction and demolition supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**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 4 January 2015, 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 or community development 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.

**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.**