

Application Number	10/0815/FUL	Agenda Item	
Date Received	10th August 2010	Officer	Mr John Evans
Target Date	5th October 2010		
Ward	Queen Ediths		
Site	Queen Edith Public House Wulfstan Way Cambridge Cambridgeshire CB1 8QN		
Proposal	Erection of 8 dwellings (following demolition of existing Public House).		
Applicant	Jubilee House Second Avenue Burton-on-Trent Staffordshire DE14 2WF		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a rectangular parcel of land approximately 65 m (east-west) by 30m (north-south) that is separated from the Wulfstan Way carriageway by a distance of about 12.5m; it is on the east side of the street, about 55metres north of the junction of Wulfstan Way with Queen Edith's Way. A 7.0m wide access, divided into two by a narrow grass strip, links the two, with a grass verge/footpath/planted grass verge to the south of the access, and a grass verge/footpath and car parking area for other adjacent land, to the north.
- 1.2 At the back of the site is the Queen Edith Public House, a detached 2-storey building with a large single storey element to the front and side, set about 37m from the front of the site (50metres from the carriageway). On the north side of the building is an access to a domestic garage, to the south a brick shelter, and to the rear and in the southeast corner a domestic garden/play area. In front of the pub is a substantial area (approximately 37m x 29m) given over to car parking, down part of the centre of which is some tree planting. There is hedging along the south and north boundaries of the site and some scattered tree planting around the perimeter.

- 1.3 To the north of the site is a detached building, set about 21 metres back from the Wulfstan Way carriageway, which accommodates a parade of 4 shops; an access to garages at the rear separates the application site from that building. To the north and east of that building, wrapping around it, is the very substantial 3-storey Dunstan Court care home complex, which comes to within 4 metres of the application site boundary. East of the application site are the Queen Edith's primary school playing fields within which, close to the common boundary, are some substantial trees. Along the southern boundary are the ends of rear gardens of houses in Queen Edith's Way.
- 1.4 The site does not fall within a Conservation Area.
- 1.5 The site falls within the Wulfstan Way Local Centre, which comprises only the two small staggered rows of shops with residential over, one on each side of the road and the public house and its grounds. There are Church Halls to the north, one on either side of the road, which are used by the public as well as the respective churches.

2.0 THE PROPOSAL

- 2.1 This application seeks consent for the demolition of the Queen Edith Public House and the erection of 8, three bedroom dwellings. The dwellings have 3 levels of accommodation, are 2 storey in height with an eaves level of 5.5m and an overall ridge height of 9.4m.
- 2.2 The dwellings are arranged as 2 pairs either side of a central access close to the front of the site; and a terrace of four, 2 pairs linked over a central pedestrian access at the rear. All houses have their front, principal elevations facing west, with car parking provided within an inner courtyard. The site is to be accessed through a central shared surface road to the inner courtyard.
- 2.3 The application is accompanied by the following supporting information:
1. Design and access Statement

3.0 SITE HISTORY

3.1 No history.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area

rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

- 5.4 **Planning Policy Statement 3 (PPS3): Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)
- 5.5 **Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)**: sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.
- 5.6 **Planning Policy Guidance 13: Transport (2001)**: This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a

sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

- 5.7 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.8 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

- (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.

5.9 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.10 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

4/13 Pollution and amenity

5/1 Housing provision

5/11 Protection of community facilities

5/12 New community facilities

8/2 Transport impact
8/6 Cycle parking

10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings (*waste and recycling*)
4/2 Protection of open space
5/14 Provision of community facilities through new development
8/3 Mitigating measures (*transport*)
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.11 Supplementary Planning Documents

Cambridge City Council (January 2008) - Affordable Housing: Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.

(For applications received on or after 16 March 2010)
Cambridge City Council (March 2010) – Planning Obligation Strategy: provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

5.12 Material Considerations

Central Government Guidance

Letter from Secretary of State for Communities and Local Government dated 27 May 2010 that states that the coalition is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

City Wide Guidance

Cambridge City Council (2002)–Southern Corridor Area Transport Plan:

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

6.0 CONSULTATIONS

Cambridge City Council (Planning Policy)

- 6.1 Policy EC13 of PPS4 should be applied as the Queen Edith Public House (PH) is located within the Wulfstan Way Local Centre. There are few public houses located close to the Queen Edith PH that could act as an alternative to the local community. There are no other public houses within 1km of the Queen Edith (para 5.9 of the Design & Access statement), and this would imply that it is capable of being an important service to the local community that provides for people's day-to-day needs.

The applicant needs to provide further information to demonstrate that they can meet criteria a. & b. of this policy, as currently they do not appear to be able to prove that this is not an important facility meeting people's day-to-day needs.

Cambridgeshire County Council (Transport)

- 6.2 The proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of the conditions and informatives.

Head of Environmental Services

- 6.3 No objections. The Council's standard contaminated land condition is considered necessary.

Cambridgeshire County Council (Education)

- 6.4 The County Council's education requirement to be secured through a s106 agreement to any planning permission granted, would be as follows:

Assuming there is currently accommodation on the site, the net development is $8 - 1 = 7$ units.

Pre-school education = $7 \times \text{£}810 = \text{£}5670$

Primary education (Queen Edith's primary is currently full) = $7 \times \text{£}1350 = \text{£}9450$

Secondary (Netherhall secondary has capacity to meet the needs of this development) = $\text{£}0$

Life Long learning = $7 \times \text{£}160 = \text{£}1120$

Cambridgeshire County Council (Archaeology)

- 6.5 There is potential for Iron Age remains. The imposition of a programme of archaeological work is considered necessary.
- 6.6 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 Councillor Amanda Taylor has commented on this application. The representation is set out below:

Dear Myles and Sara,

There is a planning application to demolish the Queen Edith Pub on Wulfstan Way to replace it with housing and Peter Carter suggested I should ask your advice. The pub itself is not owned by the council although it is adjacent to a council parade of shops and opposite other council property. We own the forecourt, over which any vehicles would need to drive to get in, I think.

It is the only pub in our ward; I understand that much of Queen Edith's is governed by a temperance covenant.

Peter was saying that we failed to designate pubs as community resources in the Local Plan, but I am wondering whether we have any other policy that would assist us in retaining some sort of community provision on this site, even if the present pub cannot be saved?

Look forward to hearing from you.

Cllr Amanda J Taylor

County Councillor Geoffrey Heathcock has commented on the application. The representation is set out below:

- Highly speculative application by Punch Taverns.
- The proposed soulless townhouses are wholly inappropriate and do not meet the legitimate need for affordable housing.
- Queen Edith has no discernable centre and to take away the only building which provides that role would be harmful to the immediate surrounds and wider area.
- No attempt to market the premises.

- 7.2 The owners/occupiers of the following addresses have made representations: The Queen Edith Pub, 36 Godwin Way, 5 Lambourne Road, 18 Chalk Grove, 59, 84 Glebe Road, 9 Cowper Road, 86 Jack Warren Green, 9 Willingham Road, 16, 42 Spalding Way, 54 Beaumont Road, 150 Cromwell Road, 57

Gloucester Avenue, Scunthorpe, 2 Worts Causeway, Sheltered Housing Officer, Shelford, 64 Netherhall Way, 527 Coldhams Lane, 8 Valerian Court, 145 Perne Road.

7.3 The representations can be summarised as follows:

Objections in principle to the loss of the pub.

- Too many pubs are closing down.
- The entire catchment for which it was originally designed will be without a licensed premises.
- The pub is a big part of the local community.
- No need for further housing in the area.
- It is ridiculous the Council are trying to build more and more housing making this lovely City even more packed.
- Excellent pub food and beer.
- The pub is a hub of the neighbourhood and great employer.
- We want and need the Queen Edith.
- The pub is an example of mid 20th Century pub architecture.
- The landlord has turned the pub around.

Design Comments

- The gardens are relatively small and face north east.

Cambridge Past, Present and Future

- Government Guidance in PPS 4 states that where a public house is located within a local centre the planning authority must take into account a public house's importance to the local community or economic base of the area.
- This is an important local centre within which the local authority is investing under its environmental improvements programme.
- Removal of the facility would downgrade the economic base.
- There is no other pub within 1km to provide for peoples 'day-to-day needs'.
- Current landlord has improved the pub.
- Pub has not been advertised for potential new landlords.

Cambridge Branch of Campaign for Real Ale (CAMRA)

- Loss of valuable community asset.
- The business is viable.
- No attempt has been made to market the premises.

- Another example of the pub company cashing in on Cambridge development value.

In addition, a petition of 271 signatures has been received objecting to the loss of the pub in principle.

7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

8.2 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. 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, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

8.3 The main focus of the representations received apposing the proposal, relate to the loss of the pub. Local Plan policy 5/12 seeks to protect existing community facilities in the city from redevelopment, although pubs are not defined as a 'community facility' which would otherwise fall within the scope of the policy. As such, the Cambridge Local Plan 2006 does not contain any policies which protects public houses.

8.4 Government guidance in Planning Policy Statement 4 (PPS4), which is a material consideration, does however make reference to community facilities and public houses. Policy EC13 is relevant to the determination of planning applications affecting shops and services in local centres and villages. It states that when assessing planning applications affecting shops, leisure uses including public houses or services in local centres local planning authorities should:

a take into account the importance of the shop, leisure facility or service to the local community or the economic base of the area if the proposal would result in its loss or change of use

b refuse planning applications which fail to protect existing facilities which provide for people's day-to-day needs

c respond positively to planning applications for the conversion or extension of shops which are designed to improve their viability

d respond positively to planning applications for farm shops which meet a demand for local produce in a sustainable way and contribute to the rural economy, as long as they do not adversely affect easily accessible convenience shopping

8.5 Policy EC13 should be applied as the Queen Edith Public House is located within the Wulfstan Way Local Centre. There are few public houses located close to the Queen Edith public house that could act as an alternative to the local community. There are no other public houses within 1km of the Queen Edith, and this would imply that it is capable of being an important service to the local community that provides for people's day-to-day needs. The strength of objection and petition signed by 271 people illustrates that the pub is a valued facility.

8.6 Notwithstanding the above, in my view the premises does not have a longer term future. I think it unlikely that it would be viable to redevelop the site incorporating a new pub in this location. The building itself requires significant maintenance and investment to bring the premises up to a standard that the owners, Punch Taverns, consider necessary.

8.7 The applicant argues that the Queen Edith, like other public houses has been significantly hit by the downturn, the shift in the pub market and the smoking ban. The pub itself has a

limited offer which does not attract significant custom beyond it's local area. I recognise that it might be a worthy aspiration for every local area in the City to have a viable public house. However, in my view a pub is unlike other services, (for example a convenience store which is protected by policy), because consumer tastes and preferences are so very different. In my view, the spirit of the policy EC13 within PPS4 is aimed at protecting shops and services within rural villages, rather than a city suburb, where there are good transport links to other pubs.

8.8 I recognise that the Queen Edith falls within an identified local centre, which itself is benefiting from City Council Environmental Improvement initiatives. However, the Queen Edith sits deep into its plot and is peripheral to the local centre and is not its principal community focus. There are other buildings which perform that function such as St James's Church. It is unlikely in my view to significantly contribute to the economic base of the area, or cater for the majority of the local population's 'day to day needs'. Policy EC13 does not stipulate that the applicant would need to demonstrate viability of the premises through a marketing exercise. Furthermore, the expanse of car parking, is not only an inefficient use of the site, but also detracts from the character and appearance of the street scene an the local townscape.

8.9 On balance, I do not believe it would be reasonable for the Local Planning Authority to insist upon the retention of the Queen Edith, for which there is no Local Plan policy backing. The contribution to family housing in the locality and the aesthetic improvement redevelopment would bring, in my view outweighs the loss of the pub to the community.

Context of site, design and external spaces

8.10 The key design issue relates to the design and layout of the scheme within the surrounding context.

8.11 The building layout utilises the full depth of the plot, and creates a new building frontage to Wulfstan Way. This is a positive response to the context of the site, which is a much more consistent with the adjacent terrace of the shops to the north which is much more consistent.

- 8.12 To the east of the site, the rear inner terrace would step only slightly forward of the building line of the southern wing of the nursing home, which I think is appropriate. There is adequate depth for a front to back relationship of buildings here because of the overall generous site depth. There would be 29m separating the rear terrace from the 4 semi detached dwellings fronting onto Wulfstan Way, which is an acceptable distance.
- 8.13 The building types which propose 3 levels of accommodation, with the top level in the roof are appropriate for the context of Queen Ediths Way, including the retirement bungalows opposite. The new dwellings would be set in from the site boundaries, and a distance back from the street, that would mean they would not be overly dominant in the street scene; Wulfstan Way as a suburban street, near the junction of the link road of Queen Ediths Way in which they would site comfortably.
- 8.14 In terms of external space, I recognise that the inner courtyard area contains a relatively high number of surface car parking spaces. I do feel however that there is adequate space for landscaping for this to be a varied, visually attractive space.
- 8.15 The site contains several large trees, particularly a beech, an ash and a lime to the Wulfstan Way frontage. The beech and ash do not have a long term future and are very close to the existing building and will be lost. However, the lime to the front of the site is to be retained, to the benefit of the street scene. To the east, the mature trees to the boundary of the school playing field will be unaffected by the proposed building layout. The relationship would not prejudice the trees in the long term.
- 8.16 The new dwellings all benefit from rear access to their generous garden areas. There is ample space within each garden for bicycle and refuse storage.
- 8.17 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

- 8.18 The proposed design and layout will have some implications for the upper level flats to the shop terrace to the north, and the detached properties along Queen Ediths Way.
- 8.19 In terms of the flats to the north, while there would be some overlooking possible into the garden of plots 1 and 2, given the overall separation of some 16m, I do not believe this to be so harmful as to recommend refusal of the scheme.
- 8.20 To the south, there would be on average, over 30m separating the residential properties along Queen Ediths Way to the flank walls of the new dwellings. They would be visible, although there would not be any undue sense of enclosure created. Although there is some potential for looking across the ends of the rear gardens, I am of the view that the angle involved, the existing planting at the ends of the gardens, and the overall distance should not prejudice development proceeding.
- 8.21 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.22 The design and layout in the round, is relatively low density. There is therefore generous external spaces and are suitable for family occupation. 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 3/4, 3/7 and 3/12.

Refuse Arrangements

- 8.23 The proposal integrates refuse facilities within the rear garden spaces of each new dwelling. Each property benefits from a separate side access for bins and they will be away from the public domain. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.24 The County Highways Authority have considered this scheme and do not consider there to be any significant adverse impact upon highway safety. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.25 The scheme provides car parking in accordance with adopted maximum standards and the rear terrace incorporates integral garages. There is ample external space for bicycle storage. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.26 The majority of the points raised have been adequately considered within the above report. The following issue has been raised:

I understand that much of Queen Edith's is governed by a temperance covenant.

I am unaware of a covenant governing the Queen Edith, although a private covenant would not be a material consideration in the determination of the planning application.

Planning Obligation Strategy

- 8.27 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. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.28 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.

8.29 The application proposes the erection of 8 three-bedroom houses, 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 children's play space 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 £
3-bed	3	238	714	8	5712
Total					5712

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
3-bed	3	269	807	8	6456
Total					6456

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
3-bed	3	242	726	8	5808
Total					5808

Community Development

8.30 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	8	15056
4-bed	1882		
Total			15056

8.31 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 Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Waste

8.32 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	8	1200
Flat	150		
Total			1200

8.33 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 Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1.

Education

8.34 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 appendix 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.

8.35 In this case, 8 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education/primary education/lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
2+- beds	2		810	8	5670
Total					5670

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
2+- beds	2		1350	8	9450
Total					9450

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
2+- beds	2		160	8	1120
Total					1120

8.36 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Conclusion

8.37 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 redevelopment of the Queen Edith public house is, on balance, acceptable. While I understand the concerns which have been raised, I do not feel that the public house provides so important a service to the local community or forms an integral part of the economic base of the area. I do not believe that its loss would materially adversely affect the local area's provision for people's day-to-day needs. In addition, I do not believe that it is well integrated into the local centre, being set so far back from Wulfstan Way. The design and layout of

the proposal is acceptable and would not unduly detract from neighbouring amenity. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 1 January 2011 and subject to 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 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. No unbound material shall be used in the surface finish of the driveway 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 2006 policy 8/2.

4. 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 access.

Reason: In the interests of highway safety, Cambridge Local Plan 2006 policy 2006.

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

6. 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 to 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)

7. Prior to the commencement of the use hereby permitted, the on-site storage facilities for waste including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall thereafter be maintained 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 policy 3/12.

8. No demolition / development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition and construction period has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details.

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

9. No development shall take place within the site until the applicant, or their agent 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.

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

10. 1. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts) until:

- a) A Tree Protection Plan, as defined in BS 5837:2005 "Trees in Relation to Construction - Recommendations", containing the following Arboricultural Method Statements/specifications has first been submitted and agreed to, in writing, by the Council's Principal Arboricultural Officer:

Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to, the site, in order to establish Root Protection Areas and construction exclusion zones;

Arboricultural method statements for any special engineering operations within Root Protection Areas;

Arboricultural method statements for root pruning and root barrier installation; including specifications for root-barrier material; and root-soil back-fill;

Arboricultural method statement for any development facilitation pruning.

and,

- b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Council's delegated Arboricultural Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection must be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection"

Reason: In the interests of making adequate protection for the retention of protected trees, Cambridge Local Plan policy 4/4.

Reasons for Approval

1. This development has been approved subject to conditions and following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8, P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 3/12, 4/2, 4/13, 5/1, 5/11, 5/12, 8/2, 8/6, 10/1

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.