

Application Number	09/1095/FUL	Agenda Item	
Date Received	15th December 2009	Officer	Miss Amy Lack
Target Date	9th February 2010		
Ward	Romsey		
Site	274 Coldhams Lane Cambridge Cambridgeshire CB1 3HN		
Proposal	Erection of one 2bedroomed house on land adjacent to 274 Coldhams Lane, Cambridge.		
Applicant	Mrs Gracie Tao 274 Coldhams Lane Cambridge Cambridgeshire CB1 3HN		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises an area of land on the north-west corner of Coldham's Lane and Vinery Way. It butts hard up to the south-east flank wall of 274 Coldham's Lane, the south-eastern half of a pair of semi-detached dwellings. The site has a return frontage to Vinery Way, which is screened by 1.8m high close-boarded fencing. The site is roughly rectangular in shape, a maximum 6metres wide and 21 metres deep, but with a chamfered corner. It measures a little less than 126 sq. metres in area.
- 1.2 The surroundings are residential comprising a mix of two-storey, terraced and semi-detached dwellings. The side elevation of No. 9 Vinery Road - one of a pair of two-storey semi-detached properties abuts the rear boundary of the host property at No. 274 Coldham's Lane.
- 1.3 The site lies outside any Conservation Area, the Controlled Parking Zone, or Air Quality Management Area. On-street parking is available along the site frontage with Vinery Way. An existing dropped kerb runs contiguous with the site along part of the Vinery Way frontage.

2.0 THE PROPOSAL

- 2.1 The proposal seeks full planning permission for the erection of one, two-bedroom house on land adjacent to 274 Coldhams Lane, Cambridge.
- 2.2 The submitted plans indicate a 2-storey dwelling to be attached to the existing end terraced house at 274 Coldhams Lane. They indicate that it will have a front and rear garden/amenity area, with a 1.0 m wide gap between the side elevation and the boundary fence to Vinery Way. Parking spaces for two vehicles are proposed to be provided to the rear of the new dwelling – one of these spaces will serve the existing dwelling at No. 274. Cycle racks and bin storage will be provided to the rear of the existing and proposed dwellings within their respective rear garden/amenity areas.
- 2.3 The application is accompanied by the following supporting information:

1. Design & Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/0906	Erection of 1 no two bedroom dwelling.	A/C
C/03/0749	Erection of two storey side extension to form 2No. flats.	REF (Appeal dismissed)

4.0 PUBLICITY

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

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** (June 2010) 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.

5.5 **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.

5.6 **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.

5.7 **East of England Plan 2008**

SS1 Achieving sustainable development
T1 Regional transport strategy objectives and outcomes
T9 Walking, cycling and other non-motorised transport
T14 Parking
ENV7 Quality in the built environment
WM8 Waste management in development

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision
P9/8 Infrastructure Provision

5.9 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/10 Subdivision of existing plots
3/11 The design of external spaces

- 3/12 The design of new buildings
- 3/14 Extending buildings
- 4/13 Pollution and amenity
- 5/1 Housing provision
- 5/10 Dwelling mix
- 8/2 Transport impact
- 8/6 Cycle parking
- 8/10 Off-street car parking

Planning Obligation Related Policies

- 3/8 Open space and recreation provision through new development
- 5/14 Provision of community facilities through new development
- 10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.10 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.11 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.

5.12 City Wide Guidance

(For applications received before 16 March 2010) Cambridge City Council (2004) – Planning Obligation Strategy: Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

Cambridge City Council (2006) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No objection in principle but the applicant must show the dimensions for the proposed car parking spaces to be a minimum of 2.5 metres by 5 metres and these should be hard paved from the boundary of the public highway to prevent debris from being taken onto the highway. Visibility splays should also be shown on the submitted plans.
- 6.2 Subject to plans being amended to accommodate these requirements the Highway Authority is satisfied that there will be no significant adverse impact upon the public highway. A condition requiring details and maintenance of visibility splays should be imposed and standard highway informatives should be attached.

Head of Environmental Services

- 6.3 No adverse comments.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

- 219, Coldham's Lane. Cambridge CB1 3HY
- 272, Coldham's Lane, Cambridge CB1 3HN
- 7, Vinery Way, Cambridge CB1 3DR
- 9, Vinery Way, Cambridge CB1 3DR
- 22, Vinery Way, Cambridge CB1 3DR

The following institution have made representations:

- St. Philip's C.E. Community Primary School, 2, Vinery Way, Cambridge CB1 3DR

7.2 The representations can be summarised as follows:

- The proposal will result in an unacceptable number of cars between 274 which is rented and the prospective occupiers of the proposed dwelling. Already a congested area the junction with Vinery Way is dangerous and this could be made worse.
- The customers using the post office, hairdressers and shop, combined with parents dropping-off and picking up children in Vinery Way makes this a busy road. An additional property with vehicular access onto this road will pose a risk to children using the footpath;
- The small estate of 4 semi-detached houses on the corner of Vinery Way and Coldham's Lane will have its character significantly altered, squeezing a property into an inappropriate footprint of a former garage. The loss of the large garden to no.274 will result in a garden area that is out of proportion with the surrounding area;
- The materials of the new build element are unlikely to site comfortably next to the materials of the existing houses;
- The application is for a two bedroom house, the surrounding house houses have three bedrooms and will therefore look out of place;
- The proposed cycle parking and the associated movements will cause noise and disturbance to the residents of 9 Vinery Way.

7.3 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 site lies within a residential area and is located within the City development boundary. Surrounding land-uses are predominantly residential. There are no specific policies contained in the Cambridge Local Plan 2006 that, in principle, preclude residential development of the application site. Policy 5/1 of the Cambridge Local Plan (2006) explains that provision is to be made for an increase of 12,500 dwellings over the period 1999-2016, and while it is recognised that most of these will be from larger sites within the urban area and urban extensions, development of additional residential units on sites such as this will be permitted subject to the existing land use and compatibility with adjoining uses. I am of the view that the proposal would respect the character of this section of Coldhams Lane and the surrounding area. This view is further to the assessment I have made in the section below within the main body of the report.

8.3 Planning permission for the development of the site by the erection of 1 No. two-bedroom dwelling was granted under planning ref: C/04/0906. This has since lapsed. The current application is for the renewal of that permission which had not lapsed when this application was made. There have been material changes in circumstances since the previous C/04/0906 permission was granted in the form of the Cambridge Local Plan 2006, the East of

England Plan 2008 and most recently in the re-issuing in 2010 of PPS3.

- 8.4 PPS3, as re-issued earlier this year has reclassified garden areas from 'Brownfield Land' to 'Greenfield Land' and addresses the issue of minimum density. In my view the change in the legislation means that this land should be regarded as 'Greenfield'; the consequence of that change is not to preclude development altogether but to reduce the priority for this land to be developed.
- 8.5 Although the re-issued PPS3 seeks to resist 'garden-grabbing', the idea of subdivision of gardens is not always unacceptable and it is necessary also to consider the site in the light of Local Plan policy 3/4 context and to recognise the issue of avoiding excessive density. The re-issued PPS3 also seeks to create diverse and responsive built environments, and protect or re-establish the biodiversity of areas where practicable. The Local Plan already has another policy aimed at safeguarding the loss of garden land unreasonably, policy 3/10 *Sub-division of existing plots*. This policy advises that residential development within the garden area or curtilage of existing properties will not be permitted if it would;
- a. have a significant adverse impact upon the amenities of neighbouring properties, through loss of light, loss of privacy an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - b. provide inadequate amenity space, or vehicular access arrangements and parking spaces of the proposed and existing properties;
 - c. detract from the prevailing character and appearance of the area;
 - d. adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
 - e. adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
 - f. prejudice the comprehensive redevelopment of the wider

area of which the site forms part.

8.6 In this case where the proposal does not adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site; does not adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; or prejudice comprehensive redevelopment given its corner plot which is constrained by highways or existing residential development, only criteria a, b and c are relevant here. Considering the proposal in each case I will address the above listed criteria a, b and c in turn;

a. The proposed dwelling is an extension to the existing terrace to the southeast of 274 Coldhams Lane, continuing the front and rear building line of this terrace row, maintaining its depth and its height. The very nature of terrace developments accepts a degree of overlooking of back garden amenity space given the close proximity to neighbouring occupiers. This situation will be intensified somewhat by the creation of an additional unit in the row but I do not consider that it will result in any significant adverse impact upon the quality of neighbouring residential amenity through loss of light, loss of privacy or an overbearing sense of enclosure which part a of policy 3/10 looks to safeguard against.

In considering noise and disturbance the subdivision of the garden and the additional residential unit on this former garden land will result in a more intensive occupation of the site and in turn this will see an increase in coming and goings, so I accept that there is a potential increase of noise and disturbance. However, given the density of the surrounding residential development and net increase of only one moderate dwelling house I am happy that any additional movements and noise that this property will generate can be satisfactory absorbed by the surrounding area and the development is unlikely to have significant adverse impact upon the amenity currently enjoyed by the existing dwelling or any other neighbouring occupiers which would warrant refusal of the application.

b. Given the dimensions of the application site and the footprint of the proposed terrace, I am satisfied that in terms of space the proposal provides adequate, usable, good quality

external amenity for the proposed dwelling and the host dwelling which is losing space to the new dwelling. The required ancillary provisions for cycle parking and refuse and recycling storage in addition to the onsite car parking are all successfully accommodated without eroding this space. As such, I consider the proposal to demonstrate that it can achieve this amount of development within the constraints of the application site whilst retaining adequate space for similar ancillary provision for the host dwelling.

- c. The extension of the existing terrace form into this garden area will undoubtedly have a visual presence by closing down this corner on this side of Vinery Way. However, the proposed dwelling retains the front and rear building line of the existing terrace and reflects its design, the details of which I am happy can be satisfactorily ensured by imposition a condition to control the materials and finish.

- 8.7 Despite the changes to the development plan and Central Government advice, the principle has not changed and the development accords with the requirements of policies SS1 and ENV7 of the East of England Plan (2008) and policies 3/1, 3/10 and 5/1 of the Cambridge Local Plan (2006), subject to the proposed development being assessed against the other relevant issues and policies within the development plan.

Context of site, design and external spaces

- 8.8 This corner site relates well to the host dwelling and to its surroundings. The addition of the proposed new dwelling would extend the existing terrace, and its design reflects that of the existing terrace. Whilst it would occupy the present vacant, corner and side garden of No. 274, a gap between the side elevation wall and the site boundary would be maintained, and the existing boundary fencing to the Vinery Way road frontage can either be retained, or replaced once development operations have been largely completed. The neighbours comments that the new dwelling would look out of place owing to the clash between new and old materials is noted. However, while it is likely there will be a contrast in the joining together between the old and the new, it is unlikely that this will be visually intrusive and out of keeping with the host terrace.

- 8.9 The proposal will result in the provision of one car parking space for the new dwelling. Refuse and cycle storage facilities for the dwelling are shown as being provided within the rear garden area. Any requirement for the facilities for the new dwelling to be screened can be controlled via the imposition of a suitable condition. I consider that the corner location of the site and the design of the new dwelling, which is in keeping with its host terrace of dwellings, is acceptable. There is sufficient distance between the application site and neighbouring dwellings to the rear (south-east) in Vinery Way; and, on the opposite sides of both Coldham's Lane to the north-west; and, Vinery way to the south-east, for it to be in keeping with its surroundings.
- 8.10 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 The comments received from occupants of the neighbouring dwellings in Coldham's Lane and Vinery Road, and from the nearby St. Philip's C.E. Community Primary School, 2, Vinery Way, are noted.
- 8.12 Highway safety issues are dealt with separately. The proposal will generate additional traffic movements for one dwelling in a residential area where traffic movements throughout the day are common, and especially on Coldham's Lane during the morning and evening peak periods. I consider it unlikely that there would be undue noise and disturbance to occupants of adjoining properties arising from the additional traffic movements associated with the proposed dwelling, which for a 2-bed dwelling are likely to be very low.
- 8.13 No other concerns regarding the planning merits of the application have been raised by occupants of neighbouring properties.
- 8.14 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 East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.15 I consider this to be acceptable. The new 2-bedroom dwelling will be served by both front and rear garden areas, and will have a side access passage between the side elevation and the boundary fence to Vinery Way. The internal accommodation size and layout is acceptable, and on-site parking, refuse and cycle storage to meet the Council's adopted standards can be achieved.
- 8.16 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 East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/7, 3/12 and 3/14.

Refuse Arrangements

- 8.17 Provision for the on-site storage of two wheelie bins is illustrated on the plans within the garden area to the rear of the proposed dwelling. While I consider there ample space within this area to locate this provision here, the plans do not provide any elevational detail of a store or how this spaces works and it is required to make on site provision for three wheelie bins for recyclable, organic and residual waste. Subject to the imposition of the standard condition regarding onsite refuse and recycling storage to control the details of this provision for the reason suggested above, should the application have been recommended for approval I consider the proposal compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.18 With regard to the extra vehicle movements generated by the new dwelling, space on site is shown as being provided for one vehicle. The submitted plans show a space for a vehicle to serve the existing dwelling. There is also an existing drop kerb to the site frontage with Vinery Way. In the absence of the current application, a specific planning permission would not be required to install two car parking spaces in this area of the site. The drop-kerb to serve the spaces is in place, and no permission for works to the public highway would be required from the Local Highway Authority (LHA) in this regard.

8.19 The concerns of the neighbours regarding traffic generation; highway safety; on-street parking; and the proximity of the site to the junction of Coldham's Lane with Vinery Way – which is a busy road – are noted. The LHA has raised no objection to the application subject to safeguarding conditions in relation to the provision of 2.0m x 2.0m pedestrian/vehicle visibility splays. The LHA has advised that the proposal will have no significant adverse effect on the public highway, therefore, whilst the concerns of the neighbours in this regard whilst noted, they do not form the basis of any reason to refuse permission on highway safety grounds. I consider the proposal compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.20 The Car Parking Standards set a maximum provision of two car parking spaces per dwelling with three bedrooms or more when located outside of a controlled parking zone. This proposal makes provision for one onsite car parking space to the rear of the proposed dwelling, accessed off Vinery Way. This provision is in accordance with the City Council's Car Parking Standards as defined in Appendix C of the Cambridge Local Plan (2006). In my opinion the proposal is therefore compliant with East of England Plan (2008) policy T14, and Cambridge Local Plan (2006) policy 8/10.

8.21 A pair of cycle racks is proposed to the rear of the site adjacent to the proposed car parking space. Policy 8/6 of the Cambridge Local Plan 2006 requires developments to provide cycle parking in accordance with the Parking Standards, in number, location and design. These are contained in Appendix D of the Local Plan. For residential purposes the Cycle Parking Standards require cycle parking to be within a covered, lockable enclosure.

8.22 The previously approved 04/0906/FUL planning application showed the provision of two racks in the rear amenity space serving the new dwelling as per the submitted plans. These were not enclosed. Since the approval of the previous permission, the Council's adopted Cycle Parking Standards now require that cycle parking for new residential properties be contained within a covered, lockable enclosure. I consider that these requirements can be met by the imposition of a suitable condition attached to any permission that may be granted. In my opinion the proposal is

compliant with East of England Plan (2008) policy T9 and Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

- 8.23 The comments received from neighbours objecting to the proposal are noted and are summarised at paragraph 7.2. Neighbours concerns, particularly those relating to the principle of development, the design, context and loss of the existing side garden; and, traffic generation and noise issues have been examined. I consider that none of the concerns raised would result in any refusal of planning permission being substantiated by the City Council at appeal. I also note that there has been a previous permission for the same form of development for this site, and consider that a renewal of that permission is acceptable.

Planning Obligation Strategy

- 8.24 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 (2004) 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

- 8.25 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 formal open space, informal open space and children's play areas. The total contribution sought has been calculated as follows.

8.26 The application proposes the erection of one, three bedroom dwelling. No residential units would be removed, so the net total of additional residential units is one. 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:

Formal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	360	540		
2-bed	2	360	720	1	720.00
3-bed	3	360	1080		
4-bed	4	360	1440		
Total					720.00

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	306	459		
2-bed	2	306	612	1	612.00
3-bed	3	306	918		
4-bed	4	306	1224		
Total					612.00

Children's play space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	0	0		

2-bed	2	399	798	1	798.00
3-bed	3	399	1197		
4-bed	4	399	1596		
Total					798.00

8.27 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004) has not yet been completed but subject to the completion of a unilateral undertaking 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 3/8 and 10/1.

Community Development

8.28 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1085 for each unit of one or two bedrooms and £1625 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	1085.00		
2-bed	1085.00	1	1085.00
3-bed	1625.00		
4-bed	1625.00		
Total			1085.00

8.29 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004) has not yet been completed but subject to the completion of a unilateral undertaking 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

8.30 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 I consider that the development proposed by the application is acceptable. All material considerations including third part representations, and the previous approval for the same development of the site have been taken into account, and planning permission of the development proposed should be granted.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 10 February 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. 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)

4. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

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

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

5. 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)

6. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

7. No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of the earthworks are acceptable. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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 method statement for approval detailing the type of piling and the mitigation measures to be taken to protect local residents. Development shall be carried out in accordance with the approved details. Potential noise and vibration levels at the nearest noise sensitive location shall be predicted.

Reason: To protect the amenity of nearby residential properties. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

9. Unless otherwise agreed in writing by the local planning authority there will be no off-site storage of waste including waste for recycling associated with the use hereby permitted.

Reason: In the interests of visual amenity. (East of England Plan Policy ENV7; Cambridge Local Plan 2006 Policy 3/4)

10. Before the development hereby permitted is commenced details of proposed wheel washing and other mitigation measures in relation to dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and residential amenity (East of England Plan Policy ENV7; and, Cambridge Local Plan Policies 3/7, 3/10 and 3/12).

11. Notwithstanding the details of refuse storage illustrated on the approved plans, 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 wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 ENV7 and WM6 and Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

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:

East of England plan 2008: Policies SS1, T1, T9, T14, ENV7 and WM8;

Cambridgeshire and Peterborough Structure Plan 2003: Policies P6/1 and P9/8;

Cambridge Local Plan (2006): Policies 3/1, 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 3/14, 4/13, 5/1, 5/10, 5/14 8/2, 8/6, 8/10 and 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.

Unless prior agreement has been obtained from the Head of Development Services, and 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 10/02/11 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 in accordance with the following policies of the Cambridge Local Plan 2006; 3/8, 5/14 and 10/1 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004.

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.



09/1095/FUL
274 Coldhams Lane Cambridge