

<b>Application Number</b>	10/0990/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st October 2010	<b>Officer</b>	Hamish Laird
<b>Target Date</b>	26th November 2010		
<b>Ward</b>	Abbey		
<b>Site</b>	119 - 121 Newmarket Road Cambridge Cambridgeshire CB5 8HA		
<b>Proposal</b>	Refurbishment of basement and ground floors with change of use to the first and second floors to residential accommodation.		
<b>Applicant</b>	Mr P Homent 28 Barley Road Gt. Chishill Royston Hertfordshire SG8 8SB		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site comprises a three-storey, corner block of buff brick under a slate roof and houses a vacant ground floor shop unit with ancillary office accommodation and storage on the upper two floors. In addition, the property also has a basement, which makes it a four-storey unit. The shop frontage faces onto Newmarket Road, whilst the return frontage and rear elevation face west toward Abbey Road and Elizabeth Way. Vehicular access to the rear car park is taken from Abbey Road.
- 1.2 The surroundings are a mix of residential (Abbey Road) and commercial (Newmarket Road). The adjoining commercial uses mainly comprise ground floor commercial/retails uses with residential accommodation above.
- 1.3 The site is not specifically allocated for any particular use in the Cambridge Local Plan (2006). It lies just outside City of Cambridge Conservation Area 1 (Central) located to the north of the site. The Conservation Area boundary is marked by the north boundary of the site. The building is not Statutorily Listed, nor is it Listed as a Building of Local Interest. No Tree Preservation Order (TPO) affects the site.

- 1.4 The site falls within the Controlled Parking Zone (CPZ), and Air Quality Management Area (AQMA).

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the change of use of the first and second floors to provide seven, one-bedroom flats. The existing ground floor retail and basement office accommodation are to be retained.
- 2.2 The plans accompanying the application show the introduction of a flat-roofed dormer, and a skylight in the rear roof slope. The dormer is to replace a small Victorian dormer window and to provide light into the proposed flat 7. The skylight is to provide daylight to the staircase from the first to the second floor.
- 2.3 Changes to the existing windows by the introduction of uPVC fittings are proposed to the side (west) and front (south) elevations. No new openings are proposed into either of these elevations.
- 2.4 Car parking spaces for two cars for occupants of the flats, and the retention of a customer parking space are proposed to be laid out in the present rear parking area. This has direct access onto Abbey Road. The submitted layout plan also indicates the provision of a joint bin store for both residents and the retail uses. This is to be contained in a gated enclosure, and screened by a trellis. A stained timber monopitch-roofed, secure cycle storage shed for eight cycles is proposed to be sited adjacent to the bin store. New steps and an ambulant access to the flats are also proposed to the rear of the building.
- 2.5 The application is accompanied by the following supporting information:

1. Design Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/96/0711	External alterations to existing Class B1 office building.	A/C
C/70/0479	Alterations to existing elevations	A/C

C/69/0669	facing road Offices and conference rooms for use of Amalgamated Society of Woodworkers and allied Trade Unions	REF
C/68/0254	Conversion of existing retail shop and living accommodation into offices, with car parking space at rear	A/C

#### **4.0 PUBLICITY**

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (meeting of):	No

#### **5.0 POLICY**

##### **5.1 Central Government Advice**

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Statement 3: Housing (2006):

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)

Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)

Planning Policy Statement 5: Planning for the Historic Environment (2010)

Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)

Planning Policy Guidance 13: Transport (2001)

Planning Policy Statement 22: Renewable Energy (2004)

Planning Policy Statement 25: Development and Flood Risk  
(2006)

Circular 11/95 – The Use of Conditions in Planning Permissions  
Circular 05/2005 - Planning Obligations:

## 5.2 **East of England Plan 2008**

SS1

ENV6

ENV7

## 5.3 **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

4/11 Conservation Areas

4/13 Pollution and amenity

4/14 Air Quality Management Areas

5/1 Housing provision

5/2 Conversion of large properties

5/5 Meeting housing needs

5/11 Protection of community facilities

5/12 New community facilities

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/9 Commercial vehicles and servicing

8/10 Off-street car parking

## 5.4 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and  
Construction:

(For applications received on or after 12 January 2010)

Cambridge City Council (January 2010) - Public Art

Old Press/Mill Lane Supplementary Planning Document  
(January 2010)

## 5.5 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

Roof Extensions Design Guide (2003)

Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004).

Cambridge City Council (2010) – Planning Obligation Strategy (For applications received on or after 16 March 2010)

Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Cambridgeshire Design Guide For Streets and Public Realm (2007)

Cycle Parking Guide for New Residential Developments (2010)

Air Quality in Cambridge – Developers Guide (2008)

### Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2005)

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 No objection. Comments that the proposal will have no significant impact on the public highway. Points out that residents of the new dwellings will not qualify for Residents' Permits (other than visitors permits) within the existing Residents Parking Schemes operating on surrounding streets.

### Cambridgeshire County Council (Transport)

- 6.2 No comments received.

## **Head of Environmental Services**

- 6.3 No objection subject to the imposition of safeguarding conditions in respect of Road Traffic Noise assessment and Mitigation (PPG24); Noise Insulation; Construction Hours; and, Waste and Recycling. Comments that six air-conditioning units are sited to the rear of the building approx 15/20 ft and 10 ft off the ground. The noise from these when in operation needs to be accounted for and any potential impact on the development considered.

## **Access Officer**

- 6.4 Raises no objection. Advises that flat thresholds to all retail areas must be retained. Internal steps must be replaced with ramps or platform lifts.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **Historic Buildings Manager**

- 6.6 Raises no objection to the principle of changing the two upper floors to residential use subject to the submission of details to improve the appearance of the property. Comments that the site is in an extremely prominent position, and is highly visible from several main routes into the City. It has been the subject of inappropriate alterations in the past. Whilst it is not in the Conservation Area, the 'Approaches to the City' studies being undertaken have identified it as an important site.
- 6.7 Any approval granted should be subject to conditions requiring full details of the new box dormer to the rear roof slope to be submitted; the replacement of brick soldier course lintels to windows to be altered with stone cills; and, the use of new energy efficient windows that resemble the vertical sliding sashes that would have originally been fitted to the building.

## **7.0 REPRESENTATIONS**

- 7.1 Two letters of representation have been received which are summarised as follows:

7.2 Sustrans – the charity that promotes everyday sustainable travel by bike, foot or public transport, objects to the proposal because it is likely to increase the number of motor vehicle movements accessing the rear of the property. The access is a blind exit across a shared use pedestrian/cycle path. This path link is narrow and since the construction of the Riverside Bridge and the improvement of the Toucan Crossing of Newmarket Road close to this development, it is likely that the use of this link will have increased and will increase further. The developer should be required to fund the widening of this link, with appropriate surfaces and to make it safe and compliant with disability standards.

7.3 Occupant of No. 4 Abbey Road raising 4 issues:

- Parking – Parking for the delivery vehicle appears inadequate for anything larger than a car sized vehicle. Concerns raised that vehicles will park in front of No. 4 Abbey Road to load/unload.
- Noise – The height and proximity of the buildings at 119/121 Newmarket Road and 4 Abbey Road produce an echo chamber effect with regard to noise. Concerns raised that the air-conditioning units mounted on the rear wall of No. 119 will be on all night, whereas for the present office use they have been switched off in the evening.
- Bins. Concerns that the bins for the new development will be left on the pavement in front of No. 4 on bin collection day. Queries whether the refuse collectors will collect them directly from the bin store?
- New 2<sup>nd</sup> floor window – this will look directly into the bathroom, kitchen and garden of No.4 Abbey Road resulting in a reduction in privacy.

7.4 The above is a summary of the comments 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. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations

### **Principle of Development**

- 8.2 There are no specific Policies contained in the Cambridge Local Plan 2006 that, in principle, preclude residential development of the application site. This corner site relates well to the adjoining dwellings to the north in Abbey Road; and, to the east in respect of upper floor residential accommodation above shops and offices contained in adjoining premises in Newmarket Road. The conversion of the existing first and second floors of the office/commercial building would be in keeping with these adjoining uses whilst the present ground floor shop use and offices contained in the basement would be retained. While the provision is small scale there is also a need for small scale accommodation.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance the requirements of Policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.

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

- 8.4 Although the site is on a frontage where many of the uses at ground floor level are commercial, there is residential accommodation above and the hinterland (between the site and the river to the north) is almost entirely residential. The conversion of two upper floors of the existing building to residential would result in very little change to the external appearance of the property. External changes involve the replacement of windows to the front and side elevations; and, the addition of a new dormer and skylight window in the rear roof slope. Other changes are a new ambulant disabled access to the rear, and the introduction of cycle and bin stores in the present rear car parking area. The adjoining residential property to the rear (north) at No. 4 Abbey Road, has a plain gable wall facing the site, and its rear garden is screened by a wall from the site. I am of the view that there would be relatively



little impact on this adjoining neighbour that would arise from the siting of the bin and cycle stores as proposed on the submitted drawings.

- 8.5 The proposal shows the provision of two vehicle parking spaces for the seven flats; and, the retention of a vehicle parking space on site for shop users. The shop users parking space is shown to the front of the two residents spaces, and any vehicle parked in this space will block access to the residents spaces. No disabled parking space is shown. I consider that the parking arrangement proposed is unworkable in practice. I consider that the shop space should be deleted, and one residents space provided with a disabled/shop service space immediately to the side of it. This would result in the provision on-site of two vehicle parking spaces, both of which should be accessible at all times. Such a change to the parking provision arrangements can be conditioned as part of any permission.
- 8.6 Bin and cycle storage facilities for the new flats and existing shop/office are shown as being provided on site to the rear. I consider that the corner location of the site and the design of the new cycle storage shed is acceptable. Environmental Health have commented regarding the capacity of the bin store to serve both the proposed flats and the existing shop office units on site. However, with a change to parking arrangements as suggested earlier, enough space should be available to require adequate provision. This can be done through a condition requiring bin storage details to be submitted in accordance with EHO recommendations.
- 8.7 The comments of the Historic Buildings Manager are noted. The site adjoins the Central Conservation Area – the sites northern boundary is contiguous with the Conservation Area boundary – I consider that there will be a minimal impact on the character and appearance of the adjoining Conservation Area from the introduction of the new dormer, and the new roof-light in the rear roof-slope. While I note that this will replace an existing ‘original’ Victorian dormer, and ideally, such a feature is best retained, a similar dormer has already been added to the building on the same elevation. As any public views of this dormer are limited, I consider that the retention of the existing Victorian dormer would be unsustainable. Its retention would also limit the scope of the internal conversion works to form flat 7 which would otherwise have to be deleted from the proposal

as there would be insufficient internal space and headroom in the kitchen are serving this particular flat.

- 8.8 The Historic Buildings manager advises replacement of existing windows with new fittings that replicate sliding sash windows in respect of their character and appearance; and, the replacement of brick window sills with artificial stone are also noted. It would however, be very difficult to insist on such replacements on a building which is not Listed and which lies outside the Conservation Area. The comments regarding the sites in the ongoing 'Approaches to the City' studies is noted. However, these studies carry little weight in terms of Planning Policy as their findings have not as yet, been adopted as Supplementary Planning Documents (SPD's) by the City Council.
- 8.9 Similarly, The Abbey House – a Grade II Listed Building – lies to the north of the site beyond No.4 Abbey Road. While it can be seen from the site, the distance between it and the application property, with 4 Abbey Road between them, will mean that there is not a material impact upon the setting of the Listed Building.
- 8.10 In my opinion, it is unreasonable to insist on the changes recommended by the Historic Buildings Manager. I consider that the proposal, in its submitted form, is compliant with Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11, 4/10 and 4/11.

### **Disabled access**

- 8.11 The proposal shows an ambulant disabled access to the rear of the building – this would allow wheelchair access to the property and the flats contained therein.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan 2006 policy 3/7.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.13 The proposal seeks to introduce residential development on the first and second floors of the building. A new dormer window,

and rooflight are proposed to be inserted in the rear roof-slope as part of the development. The dormer, to be inserted in the second floor to serve flat 7, faces the blank side elevation wall of the neighbouring dwelling, 4 Abbey Street. While there will be some overlooking of the rear garden serving this property, I consider that this is likely to be minimal given the distance and angle of view, and that the amenities of occupants of this neighbouring dwelling should not be seriously impacted upon.

- 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 and Cambridge Local Plan 2006 policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

- 8.15 The size of the flats with regard to internal floor-space and layout is considered to be acceptable, by the Housing Team. Sufficient cycle parking and bin storage can be provided for the flats and for the existing shop/office on the site.
- 8.16 Comments received from the City Council's Environmental Health Section advise of the presence of air-conditioning units attached to the rear wall of the application building. Their presence, and operation may present noise issues for occupants of the flats. While raising 'No Objection' to the proposal, I consider that the comments received from the Environmental Health Section regarding the imposition of the Standard Noise Insulation Condition to any permission granted would be relevant and reasonable in securing the protection of occupants of the flats amenities in respect of any potential noise nuisance.
- 8.17 Furthermore, given the location of the application building immediately adjacent to the busy Newmarket Road/East Road/Elizabeth Way roundabout junction, the potential for noise disturbance and a possible noise nuisance in respect of the flat dwellers amenities is noted. Comments received from the City Council's Environmental Health Section advise that when Newmarket Road was widened and altered in the past some properties were given noise insulation grants to provide additional acoustic insulation. The future occupants of these rooms are likely to be subjected to a high level of road traffic noise and their amenity should be considered.

- 8.18 I consider that the potential noise issues associated with the development in respect of the air-conditioning units attached to the rear of the building and the issue of road traffic noise can be dealt with by appropriate conditions attached to any planning permission in respect of a scheme for the implementation of noise insulation; and, the submission of a PPG24 compliant Road Traffic Noise Assessment outlining any mitigation measures required, and their implementation in the course of the development .
- 8.19 In my opinion, provided the above identified noise issues are addressed, and any necessary mitigation measures that may be identified implemented, the proposal will provide a high-quality living environment and an appropriate standard of residential amenity for future occupiers. I, therefore, consider that in this respect it is compliant with Cambridge Local Plan 2006 policies 3/7 and 3/12.

### **Refuse Arrangements**

- 8.20 No objections to the waste/recycling facilities have been received from Environmental Health subject to the conditioning of these details. Comments received from the Environmental Health section advise that the bin storage/recycling facilities can be accommodated on site.
- 8.21 In my opinion, subject to the imposition of a safeguarding condition requiring the submission of details prior to the commencement of development, the proposal is compliant with Cambridge Local Plan 2006 policy 3/12.

### **Highway Safety**

- 8.22 No objections have been received from the Local Highway Authority.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan 2006 policy 8/2.

### **Car and Cycle Parking**

- 8.24 I consider that the proposal is likely to lead to a reduction in traffic movements in respect of the change of two of the floors

from offices to residential. The Local Highway Authority advises that Residential Parking Permits for the new flat occupants will not be issued (although visitor permits will be available). In respect of on-site parking, I consider that the proposed arrangement of two flat occupants spaces to the rear of one shop visitor/delivery space will lead to problems of blocking in and possible conflict. Also, no disabled space is shown on the drawings. As the site is in a central location, with easy access to the town centre and local facilities by foot or cycle, as well as being on a bus route, I consider that two spaces should be provided – one for the flat occupants, and one that doubles as a disabled/delivery parking space. Placed side by side, this would enable access to both spaces without them being blocked in. Such a requirement can be covered by a planning condition.

- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan 2006 policies 8/6 and 8/10.

### **Third Party Representations**

- 8.26 The comments received from Sustrans as a third party representation are noted. While the comments are clearly relevant, it would be unreasonable and un-enforceable to require the applicant to carry out works to the public highway in the manner described in Sustrans representation. This would involve off-site works that are not required by the Local Highway Authority. I am doubtful that the proposal would result in any material increase in the level of vehicle movements to and from the site. If anything, I consider that they may be less as movements to and from residential properties tend to be fewer than those associated with offices and commercial premises, as the flat occupants are likely to be out during the day. Therefore, the concerns raised by Sustrans, although noted, are not considered to be sustainable as an objection to the 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. Applicants are advised of these requirements and their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy, is sought.

8.28 Following a request from the Council, in this case the applicants have shown expressed a willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy.

8.29 The proposed development triggers the requirement for the following community infrastructure:

### **Open Space**

8.30 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.

8.31 The application proposes the conversion (in part) of a non-residential building to form 7 x 1-bed flats. No residential units would be removed, so the net total of additional residential units is seven. 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:

<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	7	2,499.00
3-bed	3	238	714		
4-bed	4	238	952		
				<b>Total</b>	<b>2,499.00</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	7	<b>2,824.50</b>
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
				<b>Total</b>	<b>2,824.00</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	7	<b>2,541.00</b>
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
				<b>Total</b>	<b>2,541.00</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	7	0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
				Total	<b>0.00</b>

8.32 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 3/8 and 10/1.

### **Community Development**

8.33 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	7	8,792.00
2-bed	1256		
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>8,792.00</b>

8.34 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.



## Education

- 8.35 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.
- 8.36 In this case, 7 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for 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.

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	7	1120
2+-beds	2		160		
<b>Total</b>					<b>1120</b>

- 8.37 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.

## Waste

- 8.38 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		
Flat	150	7	1,050.00
<b>Total</b>			<b>1,050.00</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 Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan 2006 policies 5/14 and 10/1.

### **Conclusion**

8.40 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 party representations, have been taken into account, and planning permission for the development proposed should be granted.

## 10.0 RECOMMENDATION

**APPROVE subject to the satisfactory completion of the s106 agreement by 31 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. 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)

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. The covered, secured facilities for parking of bicycles for use in connection with the development hereby permitted shall be provided in accordance with the approved details shown on Drawing. Nos. 110-E-01 Revision B (Ground Floor Plan); and 1110-E-200 (Elevations), before the first occupation of the flats in the development commences, and shall thereafter, be permanently maintained.

Reason: To ensure appropriate provision for the secure storage of bicycles. (East of England Plan 2008 policy ENV7; and, Cambridge Local Plan 2006 policy 8/6)

5. 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)

6. 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)

7. Prior to the commencement of the development the design of the bin store shall be submitted to and agreed in writing by the local planning authority. The bin store shall be provided in accordance with the agreed details, and shall thereafter be permanently maintained.

Reason: In the interests of visual amenity. (East of England Plan 2008 Policy ENV7; and, Cambridge Local Plan 2006 Policy 3/4 and 3/12).

8. 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 policy ENV7; and, Cambridge Local Plan 1996 policies 3/4 and 3/12)

9. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

10. PPG 24 Road Traffic Noise Assessments and Mitigation

#### Part A

Prior to the commencement of refurbishment/ development works a noise report prepared in accordance with the provisions of PPG 24 『Planning and Noise』 , that considers the impact of traffic noise from Newmarket Road upon the proposed development shall be submitted in writing for consideration by the local planning authority

#### Part B

Following the submission of a PPG 24 noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme having regard to acoustic ventilation, comply with the requirements of Approved Document F, detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise as a result of the proximity of the bedrooms/living rooms to the high ambient noise levels from Newmarket Road (dominated by traffic and vehicle noise), shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 『Sound Insulation and noise reduction for buildings-Code of Practice』 and these levels shall be achieved with ventilation meeting both the background and purge / summer cooling requirements of Approved Document F. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

Reason: to protect the amenity of nearby properties. (East of England Plan 2008 policy ENV7; and, Cambridge Local Plan 1996 policies 3/4, 3/7, 3/11 and 4/13).

11. Informative relating to condition C62

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 『Method for rating industrial noise affecting mixed residential and industrial areas』 or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

## 12. Informative relating to PPG24

To satisfy the noise insulation condition for the building envelope as recommended, the developer must ensure that these residential units are acoustically protected by a scheme, to ensure the internal noise level within the habitable rooms, and especially bedrooms comply with British Standard 8233:1999 『Sound Insulation and noise reduction for buildings-Code of Practice』 derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer cooling acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulation AD F: Ventilation will also need consideration.

## **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.