

NORTH AREA COMMITTEE

Application Number	09/1200/FUL	Agenda Item	
Date Received	29th December 2009	Officer	Miss Amy Lack
Target Date	23rd February 2010		
Ward	East Chesterton		
Site	Penny Ferry 110 Water Street Cambridge Cambridgeshire CB4 1PA		
Proposal	Erection of five 4-bed houses (following demolition of former public house).		
Applicant	Mr Neo Anstee 17a Fulbourn Road Cambridge CB1 9JL		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site lies between Water Street and the River Cam and comprises a 0.185 hectare parcel of land that currently accommodates a vacant former public house known as 'Penny Ferry'. The site has a 78 metre frontage and tapers in depth from 34 metres on the western boundary to 12 metres on its eastern boundary. To the west of the site lie allotments, whilst to the immediate east lies a public car park. Across Water Street to the north lies residential development of mixed character and design. To the south lies the River Cam with open common land known as Stourbridge Common beyond.
- 1.2 The site lies within the Flood Plain as designated on the Proposal Map of the Cambridge Local Plan (2006) and has a number of trees fronting the river that are the subject of Tree Preservation Orders. The public house itself dates from the mid-nineteenth century. It is a two-storey building of simple design fronting onto Water Street. The building has been extended with a substantial single storey rear conservatory wing.
- 1.3 The site falls outside the controlled parking zone; is not located within a City of Cambridge Conservation Area; and is not within a designated district or local centre.

2.0 THE PROPOSAL

- 2.1 The application as amended seeks planning permission for the demolition of the existing public house and the erection of five, four bedroom, two-storey dwellings and associated parking and landscaping. The proposed dwellings are gable fronted to Water Street and are designed in a style that reflects existing boathouses on the River Cam.
- 2.2 The dwellings run west-east across the plot and have been designed to incorporate a communal garden to the rear with balconies and extensive glazing affording views over the Cam and Stourbridge Common beyond.
- 2.3 In its original iteration, as submitted, the scheme presented the five dwellings as a staggered row comprising two detached units (plots 1 and 5) and the three central units (plots 2, 3 and 4) as a linked terrace. Plots 1 and 4 benefited from mono-pitched, two storey side elements which adjoined the main element of the dwelling from eaves height, whilst plot 2 and 3 benefited from two smaller flat roof linking elements. This resulted in a series of smaller two storey elements, all different in form from one another that reduced the impact of the main tall pitch roofed element, intended to replicate the style of a boathouse. A single storey pitched element projection from unit 5 continued the building line adjacent to the pavement of Water Street and upon termination of the built element a 1.8 metre high close-boarded fence continued this line to the far north eastern end of the application site. The units were also significantly greater in depth than the amended proposal now being considered. Inclusive of the balcony to the southern elevation plot 1, set back 4 metres from the pavement along Water Street was 18 metres in depth, extending to within 11 metres of the closest point of the bank with the River Cam.
- 2.4 Predominantly in response to comments from the Environment Agency to address concerns with regard to the impact of the development upon the flood plain the proposed development has been significantly scaled back and in turn this has improved the design and visual impact.
- 2.5 Each dwelling is now of near identical design, 13.2 metres in depth (a reduction in depth of 4.8 metres to plot 1), being gable fronted and each having a flat roofed two-storey side wing to the east that incorporates a carport at ground floor. All units are now detached

and demonstrate a clearly defined main element with the smaller side element clearly a subsidiary/minor element. Plot 5 is the only variation on this design incorporating a side wing to its eastern flank which extends along the street frontage and now has windows improving its relationship with the street. A break in the fencing which previously continued on from this element has also been introduced to allow for parking, again improving the relationship of the development with Water Street and views through to the River Cam.

2.6 The properties have been designed to be raised above the ground by 1.2m with a void below to allow for floodwater to flow beneath. Each dwelling has been designed with an external rear decking area and have integral refuse and cycle stores accommodated within the side projection.

2.7 The application is accompanied by the following supporting information:

1. Design and Access Statement;
2. Flood Risk Assessment; and
3. Arboricultural Impact assessment, survey and method statement.

3.0 SITE HISTORY

3.1 None relevant to this proposal.

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes
Site Notice Displayed:	No
Public Meeting/Exhibition	No
DC Forum	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.

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)

- 5.4 **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.
- 5.5 **Planning Policy Statement 9: Biodiversity and Geological Conservation (2005):** Paragraph 1 states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- 5.6 **Planning Policy Statement 25: Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.
- 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.
- 5.9 **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.

5.10 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

WAT 4: Flood Risk Management

WM6: Waste Management in Development

5.11 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.12 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

4/4 Trees

4/13 Pollution and Amenity

4/16 Development and Flooding

5/1 Housing provision

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 new communities through new development Community Facilities
- 10/1 Infrastructure Improvements

5.13 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.

Cambridge City Council (2004) – 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.

5.14 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.

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.

Strategic Flood Risk Assessment (2005) – Study assessing the risk of flooding in Cambridge.

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

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Comments regarding footpath widths, visibility splays and hard landscape areas have been incorporated within the revised plans. Further to this the Highway Authority raise no objection to the proposal on the grounds of highway safety.

Environment Agency

- 6.2 Originally a consultation response received on 4 February 2010 objected to the development due to a lack of information regarding development in the floodplain. However, following lengthy and extensive negotiation between the agent and the Environment Agency, the objection was withdrawn on 29 July 2010 subject to the imposition of a number of conditions. These include: no raising of ground; finished floor levels; design of carports; surface water drainage; design and maintenance of undercroft; invent level of void beneath buildings; garden area; landscaping scheme; hard landscaping scheme; signage; revoking of permitted development

rights; and a topographic survey.

Cambridgeshire County Council (Archaeology)

- 6.3 The site lies in an area of high archaeological significance. As such it is considered necessary that a condition is imposed to require the developer, at their own cost, to undertake a programme of archaeological investigation prior to any development commencing on site.

Cambridgeshire County Council (Education)

- 6.4 The County Council have requested contributions to Pre-school and Life Long Learning Contribution calculated as £4050.00 for Pre School and £800 for Lifelong Learning required. This amounts to a total of £4850 to be secured through a S106 agreement.

Joint Urban Design Team

- 6.5 The proposal provides a row of dwellings which generally complement their context and reflect what can be found elsewhere on this part of the river Cam in Chesterton, namely college boathouses comprising simple gable ended, timber clad structures. Selection of building details and finishes will be crucial to ensure the design intent is followed through, and so details of materials should be conditioned in the event the application is approved. Subject to revisions to the north elevations of the dwellings facing Water Street to improve and increase the proportion and amount of fenestration (particularly on plot 5 where a long flank wall is proposed), the application is generally acceptable in design terms.

Arboricultural Officer

- 6.6 The footprint of the existing building will have constrained the root activity of the mature trees on the site and may influence the area of development. So whilst the new buildings may fall within the Root Protection Area of the horse chestnut trees and sycamore the impact may be very limited.
- 6.7 The trees on the site are significant because they enrich the garden of the public house, continue the riverside planting on the north bank of the river, support the planting on the Common and are a feature of Water Street. A character that should be

encouraged on this site.

- 6.8 There are eight trees on the site: an ash, three sycamore, three horse chestnut and a walnut. The three sycamores and three horse chestnut trees are protected by City of Cambridge (Penny Ferry, 110 Water Street) Tree Preservation Order No 13/2009. One of the sycamores (middle one) and the walnut are in a poor condition and should not constrain the development. The ash tree adjacent to the highway is multi-stemmed and will in the future present issues with the carriageway. Of limited visual amenity value to the street it will be necessary to remove the tree in the future but it should be replaced.
- 6.9 The group of sycamores present a positive feature. The centre tree has been damaged while the two outer trees are taller and in reasonable condition. The centre tree could be removed to improve the growing conditions of the outer trees and allow the canopies to spread. The space would also allow some replacement planting. The horse chestnuts have grown as a group of three all of which have cavities which require monitoring. However they are a positive and significant feature in the landscape to the Common, river and street.
- 6.10 The trees are well clear of the actual built area. The Root Protection Area of a number of the trees is within the current developed area of the site but since this accords with the footprint of the existing building any damage to the roots should be minimal. However, care must be taken to avoid root damage when the site is cleared. A Method Statement and foundation details should be conditioned. A landscaping scheme should also be agreed.

Planning Policy

- 6.11 In principle there is no objection to the loss of the Public House. Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4) has one policy in the Development Management section of the PPS, pertaining to planning applications for the loss of public houses, policy EC13. This policy is potentially useful for applications where public houses are being lost in local centres, but it should be highlighted that many public houses lie outside local centres, including the Penny Ferry. This policy is therefore not applicable for planning applications on this site for change of use.

6.12 Public houses are not included within the community facilities section of the Cambridge Local Plan 2006. Therefore policies pertaining to community facilities, including policies 5/11 – 5/15 do not apply.

Environmental Health

6.13 No objection in principle but in order to protect the amenity of neighbouring occupiers during the demolition and construction phases of the development please attach the following standard conditions: noise and vibration impact assessment; concrete crushing; piling; demolition/construction; collections/deliveries; and dust suppression.

6.14 Conditions should also be attached requiring implementation of the proposed refuse/recycling storage and details of any noise from potential plant should be attached to safeguard the amenity of neighbouring occupiers once the dwellings are occupied. Informatives should also be attached to advise the applicant of what is required for impact assessments and should contaminated land be encountered.

6.15 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:

- 145, Water Street, Cambridge
- 157a, Water Street, Cambridge
- 159, Water Street, Cambridge
- 169 Water Street, Cambridge
- 3, Fen Road, Cambridge
- 5, Fen Road, Cambridge

7.2 The representations can be summarised as follows:

Character and context

- New buildings are excessively large and will harm the character

- of Water Street;
- Extension to plot 5 eastern flank would visually detract from the area;
 - The dwellings will be higher than the existing public house and will thus be more imposing;
 - The cedar cladding proposed would soon erode and be visually unattractive;
 - The existing building contributes to the character of the area and should be retained;
 - Five houses is too many to be crammed into this site;
 - Gable ends presented to the road frontage are oppressive;
 - Greater use of brickwork as opposed to timber is preferred;
 - The public realm has not been given sufficient consideration and a landscaping scheme for the front gardens would help in this respect;
 - The design is unimaginative and inappropriate for the locality;

Residential Amenity

- Noise and disruption during development;
- Loss of light and privacy to 157a Water Street and other nearby properties;

Highway safety

- Insufficient car parking
- Speed hump adjacent to plot 3 may make access difficult;

Trees

- Tree Preservation Orders should be maintained;

7.3 Additionally an anonymous objection has been received concerned with the density being out of keeping with the area, overshadowing and loss of visual amenities.

7.4 An objection has been received from Cambridge Past, Present and Future concerned with the following:

- Object to the demolition of the public house and the building should be included on the list of Buildings of Local Interest;
- Object to the loss of a semi-public space on the water front;
- The proposed buildings are not typical of buildings on the River Cam and are out of character with the locality and will have an

- adverse effect on the river corridor and the Green Belt beyond (Stourbridge Common); and
- Greater design guidance should be provided to allow for retention of the building.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Development and flooding
7. Archaeological Interest
8. Trees
9. Highway safety
10. Car and cycle parking
11. Third party representations
12. Planning Obligation Strategy

Principle of Development

8.2 The proposed development consists of the loss of the existing Public House 'Penny Ferry' (Class A4) and redevelopment for five, four bedroom dwellings (Class C3). Demolition of the public House does not require planning permission. Further to this, the Cambridge Local Plan 2006 does not contain any policies which protect public houses. Although some may consider a public house a community facility, it is not classified as such in the Cambridge Local Plan (2006) and therefore policy 5/11 is not applicable.

8.3 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

8.4 Policy EC13 cannot be applied here because the Penny Ferry is not located within a Local or District Centre. Further to this the Penny Ferry is not trading and suffers from neglect and lack of maintenance. Consequently it has a negative impact upon the character of the surrounding area, both the street scene and the setting of the River Cam. There are a number of public houses located nearby that provide the local community with the facility of a Public House. I think it unlikely that it would be viable to redevelop the site incorporating a new pub in this location and the building itself requires significant maintenance and investment. Whilst I acknowledge the aspirations of policy EC13 within PPS4, 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 very different. In my view, the spirit of the policy EC13 is aimed at protecting shops and services within rural villages, rather than a city suburb where there are good public and sustainable transport links to other pubs. Notwithstanding this, as argued, this site is not within a local centre and as such the requirements of PPS4 do not apply to the Penny Ferry. Moreover the contribution to family housing in the locality and the aesthetic improvement that redevelopment would bring to the street scene and the river frontage, would in my view outweigh the loss of this vacant pub.

8.5 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, which is assessed in the sections below within the main body of the report.

- 8.6 Accordingly, there are no policy objections to the principle of loss of the Public House and use of the site for residential development. Given the above I am therefore of the view that the development is acceptable and in accordance with policies 3/1 and 5/1 of the Cambridge Local Plan (2006) in principle, subject to the proposed development being assessed against other detailed issues and policies within the Development Plan.

Context of site, design and external spaces

- 8.7 The proposal will result in the demolition of the existing public house and its replacement with five dwellings, associated parking and landscaping. The scheme will undoubtedly result in a significant visual change to the locality and I have given consideration as to its likely impact on the character and appearance of both the street scene of Water Street to the north and the setting of the River Cam and Stourbridge Common beyond to the south. Whilst the site is a prominent one, fronting onto both Water Street and the River Cam, it is not within a conservation area or area of other design control, where specific design constraints exist.
- 8.8 The existing building dates from the mid 19th Century and contributes to the character of the area to some degree. However, the building is now vacant and its condition is deteriorating. The building is not on the Statutory List of Buildings and nor is it included as a Building of Local Interest (BLI). Consideration has been given as to whether it could be included on the local list at the request of Cambridge Past, Present and Future who raised concern at the loss of the building, but from informal discussions with the Conservation Officer, it is considered that the building would not be of sufficient quality to merit its inclusion.
- 8.9 Two storey in height with a smaller flat roof element to their eastern side the design of the dwellings reflects boathouses that can be found elsewhere on the River Cam and the use of brickwork and timber adds to this theme. Although the design is

not of a traditional design and brick finish which is predominantly the character of residential development on the other side of Water Street, and the proposal introduces a different design theme to the streetscape, it will, in my view provide visual stimulation and contribute positively to the character of the locality and river setting where currently a run down, blighted and vacant public house stands. Further to this Government Guidance contained within PPS1 does not mandate against modern design; the guiding principle being whether a development responds positively to its context. In addition, new buildings should have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views, in accordance with Local Plan policy 3/12. What constitutes good design can, of course, be something of a moot point, but I am satisfied that the design is of acceptable quality in this instance, the detailing of which should be controlled by conditioning materials (condition 2) as suggested by the Joint Urban Design Team (JUDT).

8.10 The JUDT considered the proposal in the later stages of the application's determination but their input was considered important, even on this relatively small residential development given the sensitivity of the site. They were of the view that the proposed dwellings generally complement their context and reflect what can be found elsewhere on this part of the river Cam in Chesterton, namely college boathouses comprising simple gable ended, timber clad structures. They consider the building details and finishes to be crucial to ensure the design intent is followed through (condition 2 and 3). It was felt that the northern street elevation could be improved by increasing the amount of fenestration particularly on plot 5. The applicant has responded to these comments by inserting additional windows to the long flank wall presented by the single storey element improving the relationship of the development with Water Street.

8.11 I note the comments received from third parties regarding the development being too large and prominent in the street but I do not share this view. The existing building on the site is largely two-storey fronting onto Water Street and in my view its replacement with the proposed dwellings spaced across the site would not be overly imposing or dominant in the street. The maximum ridge height of the main element of each units stands at approximately 9.3metres, the subsidiary side elements to the east of each dwelling rise to a maximum height of 5.7 metres. I consider this rhythmic break in the mass of a staggered row will significantly

lessen the impact of the development in Water Street, improving upon the presence of the existing building in the street scene, the building line of which runs hard along the pavement edge.

8.12 In terms of density, 5 dwellings on a 0.185 hectare site gives an overall density of development of 27 dwellings per hectare. This is slightly below earlier policy advice of a minimum of 30 dwellings per hectare and although this advice has now been removed from the relevant section in Planning Policy Statement 3 (Housing), it serves to illustrate in my view that the proposals would not represent an overdevelopment of the site. The dwellings themselves will have a communal garden at the rear and although not extensive the garden will afford pleasant views over the River Cam and provide an acceptable level of amenity space for the development, I suggest a standard hard and soft landscaping condition is imposed (condition 4 and 5) to ensure that the implemented scheme sits comfortably with the river bank setting and the common beyond.

8.13 I consider the row of dwellings to be carefully and sympathetically designed. Mimicking the style of boathouses they have responded and are in keeping with the character of the built form seen along this bank of the river. They are well designed in their response to the flooding constraints of the site, with finished floor levels above the minimum required. Lengthy consultation with the Environment Agency has resulted in a scheme that confidently responds to the potential threat of flooding and is addressed in greater detail under the heading 'development and flooding' below from paragraph 8.21. The development will be prominent from views across the open common land and river frontage to the south, but will make a positive contribution. The buildings are of comparable height to the adjacent residential properties along Water Street, but the relatively low density of the proposed scheme will allow for meaningful landscaping to frame the new buildings in their setting. The buildings are set back into the site in a staggered arrangement, which is deeper into the site than the existing extended public house building. I am of the view that the site can be successfully subdivided in this manner with a communal garden to the rear without harm to the character and appearance of the area.

8.14 For the reasons given above, subject to conditions. I consider the proposal compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, and 3/12.

Disabled access

- 8.15 Disabled access is provided which is compliant with Part M of the Building Regulations. Ramped access up to the principle entrance from Water Street is proposed with a maximum gradient of 1:15. However, handrails have not been included on the drawings so I recommend this be drawn to the applicants attention by way of an informative for I consider these important to aid inclusive access.
- 8.16 Notwithstanding the lack of hand-railing to the ramped entrances to the proposed dwellings I am satisfied that the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12 with regard to inclusive access.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.17 The proposed new dwellings will all sit on the southern side of Water Street, with the nearest residential properties being on the opposite side of the road other than No. 86 to the west. The nearest dwelling (plot 1) will be approximately 14 metres to the east of this property and any impact on light or outlook would not be significant and I do not consider there to be any implications for the privacy of the occupants of this property. In respect of the properties on the opposite side of Water Street, given a separation distance of between 16metres and 17metres to the nearest dwellings at Nos. 141 to 161, I do not consider that the proposal would give rise to any significant impact on light or privacy to these properties. While the outlook from neighbouring properties will change I am satisfied this will not be significantly worse, in fact the breaks between the proposed dwelling will allow for limited views through the development to the south where currently the main mass of the existing building does not. I do not believe that the proposed buildings would lead to an unacceptable loss of privacy to neighbouring occupiers, but this view is subject to the imposition of a condition (condition 11) to prevent the addition of further windows.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site subject to

conditions to control noise and disturbance during the demolition and construction phases of the development. I recommend the following be imposed further to the advice of the Environmental Health Officer: a demolition/construction noise and vibration impact assessment (condition 22); piling (condition 24) collections and deliveries to site (condition 25) construction hours (condition 27); control of airborne dust (condition 28) wheel washing (condition 29); and concrete crushing (condition 23). Prior to the occupation of the proposed dwellings the Environmental Health Officer has requested that a condition requiring details of any plant be imposed in the event that flues may be installed to control the impact of the occupied dwellings upon neighbouring occupiers (Condition 21). Subject to these I consider the proposal compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity of prospective occupiers

- 8.19 I am satisfied that the development will provide adequate amenity for future occupiers of the development. The properties will benefit from communal gardens (a requirement also of the Environment Agency – condition 9) and all have their own decking and patio areas to the rear. In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers. As such, I consider that in this respect the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.20 Provision for the storage of recyclables and waste is proposed at ground floor within the smaller element to the eastern side of each dwelling as a shared space with the cycle parking. Sufficient space has been allocated for three standard wheelie bins in accordance with the City Council's current waste strategy with good access to the street for manoeuvring the bins to and from the store on collection days. Subject to the imposition of a condition as suggested by Environmental Health to require the implementation of the proposed refuse and recycling store prior to occupation of the units (condition 26) I consider the proposal compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Development and flooding

8.21 Cambridge Local Plan (2006) policy 4/16 requires development within Flood Zones detailed on the Proposals Map to demonstrate that it, and its means of access are not at risk of flooding and do not increase the risk of flooding elsewhere. The floodplain is also important in terms of landscape setting, biodiversity and for informal recreation, the latter even more important given the adjacent Stourbridge Common to the south.

Development will not be permitted;

- (a) In an area with an unacceptable risk of flooding;
- (b) If it would increase the risk of flooding elsewhere; or
- (c) If it would have a detrimental effect on flood defences or inhibit flood control and maintenance work.

8.22 Initial consultation with the Environment Agency (EA) on the scheme as originally submitted resulted in their objection to the proposal. This was largely based on a lack of information to allow full assessment of the associated flood risk. Although a Flood Risk Assessment was submitted with the application this failed to consider a number of issues that could result in loss of floodplain and increase flooding elsewhere, contrary to policy 4/9 and Government Guidance contained within PPS25: Development and Flood Risk (2006).

8.23 Lengthy discussions have taken place between the agent and the EA to evolve the scheme in such a way that it would address the concerns of the EA. This has resulted in a scheme that now is considered to comply with policy 4/9 but this is subject to a number of conditions given the constraints of the site in the context of the flood plain. Suggested conditions from the EA include: restriction on ground raising and depositing within the floodplain (condition 12); finished floor levels (condition 13); design of carports and their levels (conditions 14); scheme for surface water drainage (condition 15); control of dwelling undercrofts (condition 16); levels of voids beneath dwellings (condition 17); implementation and retention of communal garden (condition 9); landscaping scheme for garden (condition 4 and 5); installation of warning signs (condition 18); revoking of permitted development regarding development in the garden area (condition 10 and 20); and a topographical survey of the site prior to occupation (condition 19).

8.24 I consider all of the conditions above as suggested by the EA necessary and reasonable and recommend they are attached should permission be granted to ensure the proposal is compliant with policy WAT4 of the East of England Plan (2008), policy 4/9 of the Cambridge Local Plan (2006) and Government Guidance contained within PPS25: Development and Flood Risk (2006). It is worth noting that those conditions which are suggested by the EA which concern landscaping of the communal garden are pertinent when considering the importance of the character of the garden to successfully tie in with the character of the Stourbridge common and the river, and to deliver the replanting of any trees that are removed as discussed below under the heading 'Trees' from paragraph 8.27.

Archaeological Interest

8.25 Consultation with Cambridgeshire Archaeology confirms this site to lie within an area of high archaeological potential. Various finds near to the site include; two Saxon Scramasax daggers; Iron Age pottery; and Roman coins. Recent excavation to the northwest of the application site has also revealed structural remains dating from the Prehistoric period to the Late Medieval. It is therefore considered necessary that the site should be subject to a programme of archaeological investigation to be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition as directed by paragraph 30 of PPG16 Archaeology and Planning (1990) and advice contained within PPS5 Planning for the Historic Environment (2010) which reads;

In cases when planning authorities have decided that planning permission may be granted but wish to secure the provision of archaeological excavation and the subsequent recording of the remains, it is open to them to do so by the use of a negative condition.

8.26 Subject to the imposition of such a condition (condition 8) I consider the proposal compliant with policy 4/9 of the Cambridge Local Plan (2006)

Trees

8.27 The likely impact of the proposal upon the existing trees on site has been fundamental to the recommendation that I make to

committee. While the design, scale, mass and bulk of the proposed dwellings must be able to successfully stand alone, preserving and enhancing the setting of the River Cam and views across Stourbridge Common, the retention and nurturing of the existing trees on site is key to preserving the character of this almost rural landscape in this sensitive riverside location.

- 8.28 The trees on the site are significant in that they continue the riverside planting on the north bank of the river, support the planting on the Common and are a feature of Water Street and continue the existing character of the riverside which is quite heavily planted with trees at intervals along the bank. This is a character that should be encouraged and continued on this site and it is considered important that the large scale trees should remain along the river frontage for not only do they enhance the riverside planting but they will remain clearly visible from the street and contribute to its amenity value.
- 8.29 The site contains eight trees, comprising: an ash; three sycamore; three horse chestnuts; and a walnut. Of these the three sycamores and three horse chestnut trees are protected by City of Cambridge (Penny Ferry, 110 Water Street) Tree Preservation Order No 13/2009. The Arboricultural Officer acknowledges that it is likely that the footprint of the existing building will have constrained the root activity of the mature trees and may influence the area of development so that whilst the proposed dwellings may fall within the Root Protection Area of the horse chestnut trees and sycamore the impact may be very limited.
- 8.30 Of the eight trees one of the sycamores (the middle one) and the walnut tree are in a poor condition and the Arboricultural Officer is of the view that these two specimens should not constrain the development. The sycamore is showing signs of severe damage in the past and no sign of renewed growth. The walnut tree growing by the access has been damaged several times by vehicles.
- 8.31 The ash tree to the far northeast of the site is multi-stemmed and will in the future present issues within the carriageway given its position close to the pavement of Water Street and the adjacent public car parking. It is of limited visual amenity value to the street. It is acknowledged that it will be necessary to remove the tree in the future but it should be replaced to ensure the townscape is enhanced. This replacement will link with the

riparian and rural landscape without impacting unacceptably upon the residential amenity of its prospective occupiers.

- 8.33 The group of sycamores present a positive feature. The central tree has been damaged but the two outer trees are taller and in apparent reasonable condition. The centre tree could be removed to improve the growing conditions of the outer trees and allow the canopies to spread. The space would also allow some replacement planting. The horse chestnuts have grown as a group of three and their overall shape and appearance reflect this. While all three suffer from wounds from pruning they appear to be in reasonable condition and are a positive and significant feature in the landscape to the Common, river and street.
- 8.34 To achieve uninterrupted views to the river and the Common I am aware that it is likely that there will be pressure from the prospective occupiers. However, the river frontage trees are an important amenity that is enjoyed by not only immediately local residents but also the many people using the Common for recreation, commuting and leisure purposes and for those travelling along the River Cam. In my view the proposal has responded to the need to balance the requirements of private individuals and the general public.
- 8.35 The development retains the current massing of the building at the back of footpath leaving the trees well clear of the actual built area. The dwellings benefit from a dual aspect open plan living space at ground floor, as such I am satisfied that the prospective occupiers will enjoy acceptable lighting levels southward views without the need to request the removal of the trees, which are protected by a TPO. The Root Protection Area of a number of the trees is within the current developed area of the site but since this accords with the footprint of the existing building any damage to the roots should be minimal. It is still important that care is taken to avoid root damage when the site is cleared, therefore it is recommended that standard tree protection conditions are imposed (conditions 6 and 7). These conditions will also require agreement of foundation details ensuring there is no invasive excavation within the Root Protection Area.
- 8.36 Subject to the conditions recommended I am confident that those trees on site that provide an important amenity value and contribute to the enhancement of the character of the site, the street scene, the river setting and the common can be retained

and maintained and that the proposal complies with policy 4/4 of the Cambridge Local Plan (2006).

Highway Safety

- 8.37 The majority of the issues raised by the Highways Officer when considering the application in its originally submitted form have been addressed by applicant and amended plans have been submitted. These amendments have been considered by the Highway Authority who have confirmed that only one of their concerns remain outstanding. This relates to the positioning of the proposed cycle parking which does not present any implications for highway safety and as such is addressed under the heading 'Car and Cycle Parking' at paragraph 8.40 below.
- 8.38 In light of the fact that the concerns of the Highway Authority Officer have been fully addressed by the applicant with regard to highway safety and no further issues being raised I am satisfied that the proposal is compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.39 The proposal provides one on site car parking space per dwelling for plots 1-4 and two car parking spaces for plot 5. For plots 1-4 this provision is made to the eastern side of the dwelling beneath a covered area on the driveways which separate each plot. To plot 5 provision is made to the far east of the plot adjacent to the single storey side projection. This site falls outside the Controlled Parking Zone (CPZ) and the City Council's Car parking Standards, as defined in Appendix C of the Cambridge Local Plan (2006) suggest a maximum on site provision of 2 car parking spaces for dwellings of 3 bedrooms. Whilst I acknowledge that there is real potential for prospective occupiers of four bedroom properties to require more than one car per household, these properties will be purchased in the knowledge that there is only one allocated parking space per dwelling. It is not possible for the local planning authority to enforce reduced car ownership and given that the proposed provision for car parking is in accordance with the City Council's Car Parking Standards, in my opinion the proposal is compliant with East of England Plan (2008) policy T14, and Cambridge Local Plan (2006) policy 8/10.

8.40 Provision for the parking of cycles is proposed to the ground floor of the smaller side element of all of the plots in an area also designated for the storage of refuse and recyclables. The Highway Authority commented that cycle parking would be better located to the very front of the site closer to Water Street, thereby making this sustainable transport more accessible and encouraging its use over the car. However, I consider the proposed location of the cycle parking to serve each individual unit to do this and utilise the most practicable area for the storage of the cycles. It is secure, covered and in this location does not present any concerns with regard to the character of the street scene. If provision for all of the five dwellings proposed was sited adjacent to the highway it could have a negative visual impact. Nor do I believe that in this location an effective solution could be found to secure and cover the cycles as successfully as the proposed solution offers. The proposed parking has direct, uninterrupted access via a ramp past the entrance door to the street. In the case of plot 5 access is level and as direct to the street as the access for the cars. Contrary to the view of the Highway Authority I consider the provision for cycle parking very well considered, in accordance with the minimum provision of the Cycle Parking Standards as defined in Appendix D of the Cambridge Local Plan (2006) and compliant with East of England Plan (2008) policy T9 and Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

8.41 The issues raised by third parties, where pertinent to the determination of this application are considered above within the main body of the report. The concerns with regard to the lost of the public house have been addressed under the heading 'Principle of Development' from paragraph 8.2. I have addressed concerns raised with regard to the impact of the proposed development's design and materials, scale, massing and its presence upon the character of surrounding area, including the streetscape of Water Street, the River Cam and Stourbridge Common under the heading 'Context of site, design and external spaces' from paragraph 8.7. Consideration of the proposal by a Highway Authority Officer has addressed concerns raised regarding 'Highway Safety' as covered in paragraphs 8.37 and 8.38. Arboricultural issues raised by third party representations are addressed from paragraph 8.27.

Planning Obligation Strategy

8.42 This application was registered prior to the introduction of the Planning Obligation Strategy (2010). As such the Planning Obligation Strategy (2004) framework for calculating the expenditure of financial contributions collected through planning obligations has been applied.

8.43 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.

8.44 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Planning Obligation Strategy (2004). The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.45 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.

8.46 The application proposes the erection of five, four-bedroom houses. As stated on the application form this will represent a net total of five residential units on the site. A house or flat is assumed to accommodate one person for each bedroom. 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		
3-bed	3	360	1080		
4-bed	4	360	1440	5	7,200.00
Total					7,200.00

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		
3-bed	3	306	918		
4-bed	4	306	1224	5	6,120.00
Total					6,120.00

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		
3-bed	3	399	1197		
4-bed	4	399	1596	5	7980.00
Total					7980.00

8.47 The applicant has agreed to these head of terms in principle but a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004) remains outstanding. Subject to the completion of a S106 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

- 8.48 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		
2-bed	1085		
3-bed	1625		
4-bed	1625	5	8125.00
Total			8125.00

- 8.49 The applicant has agreed to these head of terms in principle but a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004) remains outstanding. Subject to the completion of a S106 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

- 8.50 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.
- 8.51 In this case, five additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education and lifelong learning. Contributions are therefore required on the following basis:

Pre-school education				
Type of unit	Persons per unit	£per unit	Number of such units	Total £
1 bed	1.5	0		
2+-beds	2	810	5	4050.00

Total	4050.0 0
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Life-long learning				
Type of unit	Persons per unit	£per unit	Number of such units	Total £
1 bed	1.5	160		
2+-beds	2	160	5	800.00
Total				800.00

8.52 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

8.53 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 the proposal significantly enhances the street scene of Water Street, the setting of the River Cam and the character of Stourbridge Common by replacing a vacant public house which is in a state of disrepair with a row of dwellings that will provide much needed family sized dwellings and have been designed in sympathy with the constraints of this sensitive site. Accordingly I consider the proposed scheme acceptable and therefore recommend the application be approved.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 30th June 2011 and subject to the following conditions:

Declaration of Interest for case officer

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. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/12)

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

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development and to ensure that floodwater can move across the site with no loss of flood storage. . (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

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

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, and positioning of site huts) until:
 - a) A Tree Protection Plan has been submitted to and agreed in writing by the local planning authority.

(b) The developer has appointed a competent arboriculturalist and there has been a site meeting between the site agent, the developer's arboriculturalist, and the Council's Arboricultural Officer.

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

(d) All tree protection barriers and ground protection measures have been installed to the satisfaction of the local planning authority

Reason: To protect the health and welfare of the protected trees on the site. (Cambridge Local Plan 2006 policy 4/4)

7. 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.

The developer's arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

Reason: To protect the health and welfare of the protected trees on the site. (Cambridge Local Plan 2006 policy 4/4)

8. 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)

9. The communal area to the south of the application site shall remain as an open garden area with no delineated sections. No buildings, fencing, walls or ground raising shall be permitted in this area as stated in paragraph 5.3.2 of the FRA, ref 8885, Final amendment 21 July 2010, and illustrated on drawing P-02 Rev E unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that floodwater can move across this area freely. (Cambridge Local Plan 2006 policy 4/16).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, overdevelopment of the site and to ensure that extensions and outbuildings which would not otherwise require planning permission do not lead to an increased risk of flooding to other land/properties, due to impedance of flood flow and reduction in flood storage capacity. (Cambridge Local Plan 2006 policies 3/4, 3/14 and 4/16)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

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

12. No ground raising, heaps or spoil shall be deposited within the 1 in 100 year floodplain as defined by the 5.42 metres Above Ordnance Datum contour, during and after construction of the development unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure the floodplain regime is maintained for the lifetime of the development, and to prevent the increased risk of flooding to existing property. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

13. The finished floor level of the residential units hereby approved shall be set at least 5.92 metres Above Ordnance Datum unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a reasonable freeboard against flood damage. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

14. The carports hereby approved shall remain open in nature and the finished floor level will be set no higher than 300mm below the 1 in 100 year flood level of 5.42 metres Above Ordnance Datum as stated in paragraph 5.1.3 of the Flood Risk Assessment, ref 8885, Final amendment 21 July 2010, unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure floodwater can move onto this area of land and ensure no net loss of flood storage thereby preventing the exacerbation of flooding to existing property. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

15. No development shall commence until such time as a scheme for the provision and implementation of surface water drainage has been submitted to and agreed in writing, by the Local Planning Authority. All surface water disposed to soakaway systems as part of the scheme shall be designed and constructed in accordance with BRE365. The scheme shall be implemented prior to the completion of any part of the development, unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason To ensure the runoff from the site is adequately disposed of without increasing the risk of flooding to others. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

16. The Undercroft to the residential units hereby approved shall remain open in nature for the lifetime of the development. The Undercroft shall be designed in accordance with the Flood Risk Assessment and the lowest underside beam (soffits) of the buildings shall be no lower than 5.80 metres Above Ordnance Datum as stated in paragraph 5.1.2 of the FRA, ref 8885, Final amendment 21 July 2010, unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the flood flow regime remains across the site with no loss of flood storage. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

17. The hard invert level of the void beneath the residential dwellings hereby approved shall be set no higher than 4.85 metres Above Ordnance Datum as stated in paragraph 5.2.2 of the FRA, ref 8885, Final amendment 21 July 2010, and shown on drawings 239 P-03 Rev B and 239 P-07 Rev B unless agreed otherwise, in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the flood flow regime remains across the site with no loss of flood storage. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

18. Prior to occupation of the units hereby approved warning signs shall be erected within car parking and carport areas and the communal garden area and shall warn of the dangers of flooding to the garden and undercrofts. The design and proposed locations of the signage shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure residents and visitors are aware of the flooding hazard. (East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16).

19. Upon completion of the development and prior to the occupation of the residential dwellings hereby approved, a full Topographic Survey of the site including land levels, finished floor levels, soffit levels and void invert levels, shall be carried out in metres O.D.N, shall be submitted to and approved in writing, by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that development has been constructed in accordance with the approved Flood Risk Assessment, ref 8885, Final Amendment 21 July 2010, and the drawings 239 P-02 Rev E, 239 P-03 Rev B, 239 P-07 Rev C, 239 P-02 rev D.(East of England Plan 2008 policy WAT4 and Cambridge Local Plan 2006 policy 4/16)

20. Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.

Reason: To protect the amenity of adjoining properties, overdevelopment of the site and to ensure that structures which would not otherwise require planning permission do not lead to an increased risk of flooding to other land/properties, due to impedance of flood flow and reduction in flood storage capacity. . (Cambridge Local Plan 2006 policies 3/4, 3/14 and 4/16)

21. 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)

22. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works and piling if required), the applicant shall submit a report in writing, regarding the demolition/construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 'Noise and Vibration Control On Construction and Open Sites'. Thereafter the development shall be carried out in accordance with the approved details.

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

23. No development shall commence until such time as confirmation as to whether or not an on site concrete crusher will be used during the demolition stage will be required. If not, confirmation of an appropriate alternative procedure that will be used is required.

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

24. In the event of the foundations for the development hereby approved requiring piling, a method statement shall be submitted, in writing, for the approval of the local planning authority. This shall detail the type of piling and the mitigation measures to be taken to protect local residents. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted. Thereafter the development shall be carried out in accordance with the approved details.

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

25. 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 nearby residential properties. (Cambridge Local Plan 2006 policy 4/13)

26. Prior to the occupation of the residential units hereby permitted, the on-site storage facilities for waste including waste for recycling and the arrangements for the disposal of waste and cycle parking provision 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 character of the surrounding area, the amenity of adjoining properties, the amenity of the prospective occupiers and encourage sustainable forms of transport (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/11 and 4/13)

27. 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)

28. No development shall commence until a programme of measures to minimise the spread of airborne dust and mud from the site during the construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of neighbours and highway users, and to avoid pollution. (Cambridge Local Plan (2006) policies 3/4, 4/13 and 8/2)

INFORMATIVE: The applicant is advised that only direct piping of surface water from roofs to an approved surface water system using sealed downpipes is acceptable. Open gullies should not be used. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. And an acceptable method of foul drainage disposal would be connection to the public foul sewer. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

INFORMATIVE: The applicant is advised that soakaways should be designed in accordance with BRE365 and building control regulations. If infiltration systems are not possible due to ground conditions then an onsite attenuation system may be required before a discharge to the River Cam would be sanctioned. Early consultation with the Environment Agency is therefore recommended.

INFORMATIVE: The applicant is advised that prior written consent from the Environment Agency is required for any works or structures in, under, over, or within 9.00m of a designated Main River (River Cam) under the Water Resources Act 1991 and the Environment Agency's Land Drainage Byelaws. Consent under the Land Drainage Byelaws is also required for any ground raising within a Main River floodplain. This includes all and any proposed planting such as trees and shrubs and would also include any other structures such as fixed picnic benches or children's play equipment. This permission is required irrespective of any Town and Country Planning Act approvals/permissions.

INFORMATIVE: The applicant is advised that when water becomes coloured due to suspended solids at times of flood, 150mm of water can become critical. Deep-water areas and lifted manholes are masked, providing a significant danger to Health and Safety. There are a number of reported incidents across the county where people/children have been lost down open manhole chambers. The Emergency services recognise this as a hazard during flood events. We strongly recommend that manhole chambers be proposed on the site with this in mind, i.e. the main access road, garden and pathways are free from such chambers. We also recommend that all manholes covers are lockable.

INFORMATIVE: The applicant is advised that if during the works contamination is encountered, the local planning authority should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future.

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: The applicant is advised that when submitting details to satisfy the condition requiring the submission of a demolition/construction noise and vibration impact report, the following should be included in any report: details regarding the phasing of the demolition/construction, the demolition/construction activities of each phase, the timetable for that phasing, associated predicted noise and vibration levels at the nearest noise sensitive locations, details of any noise/vibration mitigation measures and noise/vibration monitoring. The report should also detail liaison, consultation and public relation arrangements. This report could detail phase schemes as they progress. In relation to environmental construction noise impact we recommend the developer uses the standard the City Council requires in relation to noise levels when letting contracts, known as clause 109 Noise Control and Department of the Environment (DoE): Control of noise on building sites Advisory Leaflet 72 (1976).

INFORMATIVE: To satisfy standard conditions relating to Noise Insulation, the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

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.

INFORMATIVE: The applicant is advised that when submitting details for the discharge of conditions 21-24, 28 and 29 they have regard to the Council's Supplementary Planning Document, in particular Section 2.7 on Pollution. In addition with regard to dust suppression provisions the following documents should be referred to: BRE document 'Control of Dust from Construction and Demolition Activities' February 2003, ISBN 1 86081 6126; London Best Practice Guidance: The control of dust and emissions from construction and demolition(November 2006) http://www.london.gov.uk/mayor/environment/air_quality/docs/construction-dust-bpg.pdf .

Reasons for Approval

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

East of England plan 2008: Policies SS1, T1, T9, T14, WM6, WMT4 and ENV7;

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

Cambridge Local Plan (2006): Policies 3/1, 3/4, 3/7, 3/11, 3/12, 4/4, 4/13, 4/16, 5/1, 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 IN it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, in accordance with the policies 3/7, 3/8, 3/11, 5/14 and 10/1 of the Cambridge Local Plan 2006; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

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.



09/1200/FUL

Penny Ferry 110 Water Street Cambridge