

Application Number	10/0825/FUL	Agenda Item	
Date Received	11th August 2010	Officer	Miss Amy Lack
Target Date	6th October 2010		
Ward	Petersfield		
Site	Land Adjacent To 19 Sleaford Street Cambridge Cambridgeshire CB1 2PW		
Proposal Applicant	Erection of one 3-bed house. Miss Amarah Malik And Mr T Malik 35 Collier Road Cambridge CB1 2AH		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is on the north side of the road, immediately to the east of 19 Sleaford Street and to the west, the rear of, 1, 3 and 5 York Street to which properties it once served as garden land. The site, which appears to have been recently cleared - it was overgrown with a dilapidated garage to the rear - has an 8.8m wide frontage to Sleaford Street (marked by a roughly 1.5m high brick wall with a roughly central gap to allow access) and is about 12.5 metres deep.
- 1.2 The site is surrounded on all sides by residential development that is characterised by attractive terraced housing. Immediately to the east is the blank, gable end wall of 19 Sleaford Street; to the east 1,3 and 5 York Street have all been extended, with the plans showing a distance of 5.35 metres between the lean-to at the end of 1 and 3 and the eastern boundary of the site.
- 1.3 The site is within the City of Cambridge Conservation Area No. 1 (Central).

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for a two and a half storey, three bedroom dwelling which will adjoin 19

Sleaford Street as a continuation of what is currently a terrace of eight dwellings which extend to the corner of York Terrace.

- 2.2 The design of the house deliberately seeks to reflect the front character of other houses in the terrace, with a ground floor bay, sash windows and similar detailing above the windows, and a chimney. It is however, at 6.3 metres, considerably wider than other houses in the terrace which are closer to 4.5m wide. The main body of the house is slightly less deep than the main body of 19, but has a part-width, two-storey, lean-to to the rear typical of many of the late Victorian/Edwardian houses in the locality. Two pitched dormers are proposed in the main rear roof slope.
- 2.3 At the rear the cycle/bin store is shown to the rear/side of the building, against the rear boundary.
- 2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
05/0153/FUL	Erection of 1 No. four bed house.	REF
C/03/0107	Erection of 1no 2 bedroom house.	REF
C/96/0186	Erection of 6 self contained flats with associated car parking following the demolition of the existing houses.	REF

- 3.1 Previous planning application 05/0153/FUL proposing a similar extension to the existing terrace row, as is proposed by this application. However, this incorporated an additional floor at basement level and a dormer window to the front south facing roof slope. The application was refused for the four following reasons:

1. The front dormer window and ground floor basement extension would appear out of character and detract from the appearance of the street scene. The chimney stack is inappropriately proportioned and the window positioning fails to reflect the rhythm of openings along Sleaford terrace. The proposal is therefore considered to be of a poor design that would harm the appearance of the street scene and detract from the character and appearance of Conservation Area No. 1, contrary to Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2, P1/3 and P7/6, Cambridge Local Plan (1996) policies BE1, BE2, BE4 and BE32 and this Council's supplementary planning guidance in the form of the Housing Development and Design Guide (2001).
2. The inclusion of the basement would result in an overly cramped residential layout and poor level of amenity for future occupants. The bedroom would receive little light and the sunken garden would result in a dark and gloomy rear aspect with little opportunity for future occupants to enjoy the external space. The proposal is therefore contrary to Cambridge Local Plan (1996) policy BE2 and this Council's supplementary planning guidance in the form of the Housing Development and Design Guide (2001).
3. The scale and proximity of the dwelling to its boundaries would result in an overbearing and unduly dominate built form that would overshadow the rear gardens of York Street properties. Located only 4.1 metres away from the boundary, occupants would be able to look directly into the rear garden area of No. 7 York Street and adjacent gardens and this would result in an unacceptable loss of privacy. The proposal therefore fails to respect the constraints of the site and is contrary to Policy BE2 of the Cambridge Local Plan 1996 and this Council's supplementary planning guidance in the form of the Housing Development and Design Guide (2001).

4. The proposed development does not make appropriate provision for public open space and community development facilities, in accordance with the following policies, standards and proposals: Cambridge Local Plan 1996 policies RL3, RL4 and CS3, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8; and as detailed in the Planning Obligation Strategy 2004, Guidance for Interpretation and Implementation of Open Space Standards 2004 adopted as supplementary planning guidance by Cambridge City Council.

3.2 I have addressed each of the above reasons for refusal in the main body of the report below, explaining why I believe this current proposal has overcome some but not all of those reasons: Reason 1 is considered under the heading 'Context of site, design and external spaces'; reasons 2 and 3 under the heading 'Residential Amenity'; and reason 4 is addressed in under the final heading 'Planning Obligation Strategy'.

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

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

- 5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.
- 5.4 **Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)
- 5.5 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but

which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

- 5.6 **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.
- 5.7 **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.
- 5.8 **Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 5.9 **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

ENV6: The Historic Environment
ENV7: Quality in the Built Environment

WM6: Waste Management in Development

5.10 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

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

5.11 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/10 Subdivision of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
3/14 Extending buildings
4/11 Conservation Areas
4/13 Pollution and amenity
4/15 Lighting
5/1 Housing provision
5/10 Dwelling mix
8/2 Transport impact
8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings (*waste and recycling*)
5/14 Provision of community facilities through new development

10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

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

5.13 Material Considerations

Central Government Guidance

Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government 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.

Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy

in PPS4), and that they can give clear reasons for their decisions.

City Wide Guidance

Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010) Sets out how all residential developments should make provision for public open space, if not on site then by commuted payments. It incorporates elements from the Planning Obligations Strategy Supplementary Planning Document (2010) and the Open Space and Recreation Strategy (2006).

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.

Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2005)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No parking provision is made for the existing properties but parking appears to be proposed for the proposed dwelling. This area suffers from intense competition for on street parking which this proposal would exacerbate.
- 6.2 The proposed layout may encourage parking of two cars which would then be unable to access the site independently, introducing additional manoeuvring on the access, increasing the risk of accident as vehicles are likely to reverse into the highway used by a significant number of cyclists.
- 6.3 The gate which would result in vehicles waiting on the highway as this is operated should be removed; and no visibility splays are provided at the access.
- 6.4 On the grounds of highway safety and unnecessary obstruction of the public highway it is recommended the application is

refused. However, should the application be approved the following conditions should be imposed; Drainage to access; bound materials to drive; no gates; access to highway construction; and no structure to overhang the highway. Standard informatives should also be attached.

Head of Environmental Services

9 September 2010

- 6.5 Environmental Health are aware that 1 York Street currently operates as a HMO. This site has required the attention of the Housing Standards Section who have dealt with problems of rubbish on the site. Complaints have also been made with regard to Antisocial Behaviour and about the condition of the site. It is acknowledged that development of the site is likely to reduce it becoming defaced by waste and litter. The waste and litter issues associated with this site requires a contaminated land assessment and a condition should be imposed.
- 6.6 The application should be refused on insufficient information with regard to noise nuisance. Located opposite the Geldhart Public House prospective residents will be in closer proximity to noise than the majority of existing residents in the street. Noise associated with the Geldhart is likely to cause harm to the prospective occupiers who would have the right to complain to the Council about noise nuisance. The noise therefore needs to be assessed and if necessary mitigated. As such it is recommended a noise survey is produced prior to the determination of the application.
- 6.7 Should the application be approved it is recommended that a condition to control the hours of construction is imposed to protect the amenity of existing residents. A condition to mitigate against Entertainments and Noise for prospective occupiers; and given the neighbouring use of 1 York Street as a HMO it is suggested an informative is attached to notify the applicant that licensing may be required.

30 March 2011

- 6.8 Letter correspondence has been received from Anglia Consultants dated 15 December 2010 which confirms a number of visits to the Geldhart Public House which concludes that 'at

the present time, there is unlikely to be any disturbance to occupiers of the proposed dwelling'. Based on this information the recommendation of Environmental Health is one of Approval subject to conditions.

Historic Environment Manager

- 6.9 A dwelling of this size and character is acceptable on this site. The materials and detailing are key. Upvc windows and doors are not acceptable. Materials, joinery and detailing should be controlled by conditions.
- 6.10 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:

- 75 High Street, Orwell Herts SG8 5QN
- Brooke House, The Drift, Fornham St Martin, Bury St. Edmunds IP31 3SU

- 7.2 The representations can be summarised as follows:

Character and design

- This development would be completely inappropriate for the conservation area and original design of the street;

Residential Amenity

- The proposal would overcrowd and impinge on neighbouring privacy given the aspect of the building, taking light from gardens to the rear;
- It is likely this property will be used as a House of Multiple Occupation, as such will the refuse provision be sufficient, located in the corner on the boundary with Nos. 5 and 7 York Street this poses a potential health hazard if it overflows;
- The rear of the proposed property appears to be very close to boundary of No.7 York Street with the bin store or cycle

store right up to the boundary resulting in this neighbouring garden being overlooked and a loss of privacy. This arrangement will also lead to increased noise and disturbance;

- If approved during the construction phases there will be considerable disruption to local residents

Car parking

- No provision for on site car parking is made in an area that already suffers from high competition for street parking;

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

8.0 ASSESSMENT

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

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

Principle of Development

8.1 Sleaford Street is typical of the surrounding residential character of this part of the Central Conservation Area, comprising terrace rows of two-storey late Victorian/Edwardian period residential housing finished in Cambridge buff gault brick under a slate roof. The proposed dwelling has been designed to reflect this predominant character in its continuation of the terrace mimicking its scale, mass and detailing, by presenting a dwelling of similar proportions, fenestration and material finish.

8.2 In order to address the first reason for refusal of the previous planning application (05/0153/FUL) which relates to the impact the proposal had upon the character and appearance of the

conservation area this application does not incorporate a dormer window to the front, south facing roof slope, and comprises accommodation across two and a half storeys, omitting the basement level which was considered to be out of character and detract from the street scene. It was also felt that the previously refused proposal failed to present fenestration that was sympathetic to the arrangement of openings which was generally maintained along the length of the terrace row which it adjoined. The current application has given far more consideration to the rhythm of windows and doors along Sleaford Street, reflecting the size and positioning of the openings. Although rather wider than other houses in the terrace, the Conservation Officer is generally pleased with the proportions of the proposed dwelling and its design, considering the extension of the terrace in this way acceptable, but explaining that the key to it successfully working on site is the detailing of the finish and the use of materials. Should the application be considered acceptable in all ways, I am satisfied that conditions suggested by the Conservation Officer could be imposed to provide control over these details and ensure success.

- 8.3 In my opinion the design of the proposal has considered sympathetically its approach to the street scene of Sleaford Street and in turn its contribution to/impact upon the surrounding Conservation Area, when seen from the street. This has resulted in an improved proposal upon that previously refused, successfully addressing the first reason for refusal of 05/0153/FUL which concerns character and design and impact on the local street scene. As such, I consider the proposal in this regard compliant with policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/11 of Cambridge Local Plan (2006) and advice contained within Planning Policy Statement 1 (2005) - Delivering Sustainable Development and Planning Policy Statement 5 (2010) Planning for the Historic Environment.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.4 The proposed dwelling is set approximately 2.5 metres off the shared boundary with 1, 3 and 5 York Street to the east, providing a separation distance of approximately 8 metres between the proposed dwelling and rear of 1 and 3 York Street.

This separation between buildings increases to just over 11 metres between the proposed dwelling and 5 York Street. The proposed dwelling steps away from this shared boundary with a half width two storey rear projection to the rear on the west side of the north elevation; as 5 York Street does not extend as deeply into its plot as 1 and 3 York Street this increase the distance between the flank of the rear of the proposal and the rear of 5 to about 11 metres. The rear of the proposed dwelling extends to within approximately 2.2metres of the shared boundary with 7 York Street and it is this relationship which I consider most sensitive. While I acknowledge the separation distance is only 8 metres between the proposed dwelling and 1 and 3 York Street, no windows are proposed in the eastern gable elevation of the proposed dwelling and the proposed house only benefits from openings in two aspects, the front south facing and rear north facing elevations. Accordingly I do not consider there to be any increased opportunity to overlook these existing neighbouring properties or encroach upon the level of privacy they currently enjoy. However, I do not believe the proposal has entirely overcome the second reason for refusal of the previous planning application.

- 8.5 This width and mass of the house proposed will mean it has an unsatisfactory relationship as it will have an overbearing and unduly dominating impact on the neighbours to the north, overshadowing the rear gardens of the houses in this part of York Street. The scale and proximity of the dwelling to the northern shared boundary with 7 York Street has not been lessened. The main two storey body of the house is located only 4.7 metres from the common boundary with 7, but this reduces to 2.1 metres behind the half-width, two-storey rear projection; while there is only a bathroom in the rear of the rear 'wing', prospective occupiers would be able to look directly into the rear garden area of 7 York Street from a main bedroom of the house at a distance of only 4.7 metres. This potential for overlooking is exacerbated further (and more obviously than the previously refused application) by the introduction of two dormer windows in the rear roof slope, where previously only rooflights had been proposed.
- 8.6 I note concerns raised by the third party representations received with regard to the potential impact of the construction phase upon local residents. The Environmental Health Officer recommends a restrictive condition is imposed to limit the hours

of construction. Should the application be approved I would also recommend a condition which limits the hours of collections and deliveries to the site during the construction phase. I consider such conditions would be reasonable and am satisfied that they would serve to mitigate the impact that the construction phases in this residential area.

- 8.7 Given the proximity and scale of the proposed dwelling to its shared boundaries with the adjacent rear gardens of dwellings 1-7 York Street I believe the proposal would result in an overbearing and unduly dominate built form that would overshadow and unreasonably enclose these rear gardens. Prospective occupiers would be afforded to great an opportunity to look directly into the rear garden area of No. 7 York Street from first floor and above at a distance of less than 5 metres and other adjacent gardens from only a little further off and I consider that this would result in an unacceptable loss of privacy. I therefore consider the proposal contrary to East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Amenity for future occupiers of the site

- 8.8 Consultation with Environmental Health confirms the site to have suffered, historically, from blighting by litter and waste. Consequently there is a possibility that the land is contaminated. Should the application be approved, the standard contaminated land condition would have been suggested in order to protect the amenity of the future occupiers of the site. As well as the potential exposure of prospective occupiers to contamination from pollutants (unless remediated), there is also concern about noise nuisance from the Geldhart public house directly opposite the application site on the other side of Sleaford Street.
- 8.9 The Geldhart benefits from a license to play live and recorded music from 11:00 until 23:00 Sunday to Thursday and until midnight on Friday and Saturday. Initial consultation with the Environmental Health Officer highlighted the importance of assessing the noise prior to the determination of the application, in order to assess whether mitigation against the potential impact of the public house would be necessary to ensure the prospective occupiers are not subjected to an unacceptable level of noise nuisance. The applicant has since employed

Anglia Consultants to carry out a noise survey of The Geldhart. This concluded that music when playing was not audible outside of the pub and the only noise source was that of local traffic in Sleaford Street and York Road typical of a residential urban area. The Environmental Health Officer has confirmed their acceptance of the findings.

- 8.10 I am satisfied that the dwelling proposed provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers. Whilst it is positioned on a plot that is significantly smaller than that enjoyed by neighbouring properties, it manages to afford an acceptable level of external amenity space amenity and make on site provision for cycle parking and refuse storage. In my opinion the proposal is in this regard compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/7 and 3/12 and 3/14.

Refuse Arrangements

- 8.11 Provision for the storage of recyclables and waste is proposed in the rear garden area. The submitted plans show a canopied structure on the boundaries but only indicates the position of two wheelie bins. However, I am satisfied that there is sufficient space within the rear/side garden/yard for three standard wheelie bins in accordance with the City Council's current waste strategy which provides good access to the street for manoeuvring the bins to and from the store on collection days. Should the application have be approved I would suggest the imposition of a condition to agree the details of the proposed refuse and recycling store to accommodate three bins and to ensure its implementation prior to occupation of the dwelling. Subject to this I consider the proposal in this regard to be compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.12 Consultation with the County Council's Highway Engineer on behalf of the Highway Agency confirms the proposal is likely to have an adverse impact upon highway safety if on site car parking is permitted and is concerned that the current layout encourages this. However, in the Design and Access Statement submitted with the application the applicant states

that car parking is to be provided on-street as per the situation for the rest of the properties along Sleaford Street. I recognise the concerns of the Highway Engineer, as this street and the immediately surrounding streets suffer from high competition for on-street car parking because of the lack of on-site provision, a product of the prevailing terraced character of the area. If parking provision was to be made on site visibility when accessing and existing the site would be severely impaired. This is due to the high level of parked vehicles in the street, compounded by the lack of manoeuvrability on site which would result in cars having to reverse into the highway. However, if the application was recommended for approval I am satisfied that this concern can easily be overcome by precluding the parking of motor vehicles on site, enforced by the imposition of a condition. I acknowledge the impact that this conversely has upon the pressure for on street car parking and address this in the following section of my report from paragraph 8.17.

- 8.13 Subject to the imposition of a condition to require a car-free development 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

- 8.14 The Car Parking Standards recommend a maximum provision of two car parking spaces per dwelling with three or more bedrooms when located outside of the Controlled Parking Zone (CPZ). This proposal does not make provision for onsite car parking. The representations received have raised concern because of the absence of parking provision. In turn, it is argued, the absence of provision will have an unacceptable impact upon the competition between residents and visitors for on street parking, which is already significant. I acknowledge from my visit to the site that competition for on street car parking in this area is high and that the majority of properties do not benefit from on site parking spaces. However, this site falls outside the CPZ and the City Council's Car parking Standards, as defined in Appendix C of the Cambridge Local Plan (2006) are maximum levels of car parking which should not be exceeded. Although the government has recently set aside maximum standards, I nevertheless acknowledge that there is real potential for prospective occupiers of a three bedroom property to have one or more cars; it is also a fact that

properties of this size are used as houses in multiple occupation (HMO) as opposed to family homes, which can also generate high demand. That said this property would be purchased in the knowledge that there is no on site parking and in the overall demand for parking in the area I do not consider one additional building, even one of this size would so adversely affect the overall pressure on parking that refusal on that basis could be reasonably argued. 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.

- 8.15 In order to accord with the City Council's Cycle Parking Standards (2004) as set out in Appendix D of the Cambridge Local Plan (2006) this three bedroom dwelling must make secure and covered parking provision for at least three cycles. The proposal accommodates a cycle store to the rear garden. I am satisfied that in this position there is adequate space to accommodate the minimum requirement and there is easy, interrupted access to the street. However, while the plans show elevations and roof plans of the proposed cycle store which is in the form of an open sided, free standing canopy structure, no details of how the cycles are to be arranged and stored in this designated space have been provided. As such, should the application be approved a condition should be imposed which requires full details of the arrangement and that this facility is implemented prior to the occupation of the dwelling. Subject to this, the provision for cycle parking on site is satisfactory and compliant with East of England Plan (2008) policy T9 and Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

- 8.16 I am satisfied that all concerns and issues raised in the third party representations received are addressed in the main body of the report above. Issues of character have been addressed under the heading 'Context of site, design and external spaces' from paragraph 8.4, issues of privacy and noise and disturbance under the heading 'Residential Amenity' from paragraph 8.7 and issues regarding car parking provision under the heading 'Car and Cycle Parking' in paragraph 8.17.

Planning Obligation Strategy

8.17 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.18 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.19 The application proposes the erection of one, three-bedroom house. No residential units will be removed, so the net total of additional residential units is one. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards children's play space are not required from one-

bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714	1	714.00
4-bed	4	238	952		
Total					714.00

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807	1	807.00
4-bed	4	269	1076		
Total					807.00

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726	1	726.00
4-bed	4	242	968		
Total					726.00

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £

studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948	1	948.00
4-bed	4	316	1264		
Total					948.00

8.20 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and in accordance with the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010).

Community Development

8.21 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882	1	1882.00
4-bed	1882		
Total			1882.00

8.22 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.23 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75.00
Flat	150		
Total			75.00

- 8.24 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Conclusion

- 8.25 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.

Other Matters

- 8.26 A ministerial statement, 'Planning and the Budget', was issued by the Department for Communities on 23rd March 2011. The document states that: 'the default answer to development and growth will be 『yes』 rather than 『no』, except where this would clearly compromise the key sustainable development principles in national planning policy'.
- 8.27 The second half of the above sentence is crucial, however, and in my view, the advice in Planning Policy Statement 3 'Housing'

(2010) forms part of these key sustainable development principles. As I have indicated above, I am of the view that the proposal would be in conflict with PPS3 'Housing' (2010).

8.28 The Ministerial statement also requires that local planning authorities must be 'firmly on the front foot in encouraging and supporting growth'. Consequently, the benefits to the local economy of the proposed development must also be considered. I accept that any additional dwelling has the potential to benefit the local economy. The benefits flowing from one individual three-bedroom dwelling is of a limited nature, however, and I do not consider that the new presumption in favour of development set out in Planning and the Budget (2011) means that any new dwelling should be approved on this basis, regardless of harm it may cause. I am not convinced that, on its own, the house proposed here would be likely to make a contribution to economic growth or employment sufficient to outweigh the conflicts created with policies 3/4 and 3/7 of the Cambridge Local Plan (2006) and government guidance in PPS1 Delivering Sustainable Development and PPS3 'Housing' (2010).

8.29 I note the requirement to encourage growth, and the presumption in favour of sustainable development contained in the ministerial statement 'Planning and the Budget' (2011), but in my view these issues do not provide a basis for ignoring the harmful impact of the proposal.

9.0 CONCLUSION

9.1 I consider the proposed dwelling to have overcome two of the previous four reasons of refusal of previous planning application reference 05/0153/FUL. This has essentially been achieved by omission of a basement level and improving the character of the fenestration presented to the street scene of Sleaford Street. However, I believe the proposal still fails to successfully address the constraints of the site. This is demonstrated in its unneighbourly positioning so close to its shared boundary with the rear gardens of existing dwellings along York Street. It would appear overbearing and unduly dominant, overshadowing the rear gardens of 1-7 York Street. 7 York Street would be most significantly impacted upon with its privacy compromised by the introduction of openings affording views into its rear garden and dwelling. The applicant has also

failed to secure the requirements of the Planning Obligation Strategy (2010). I recommend the application be refused.

10.0 RECOMMENDATION

REFUSE for the following reasons:

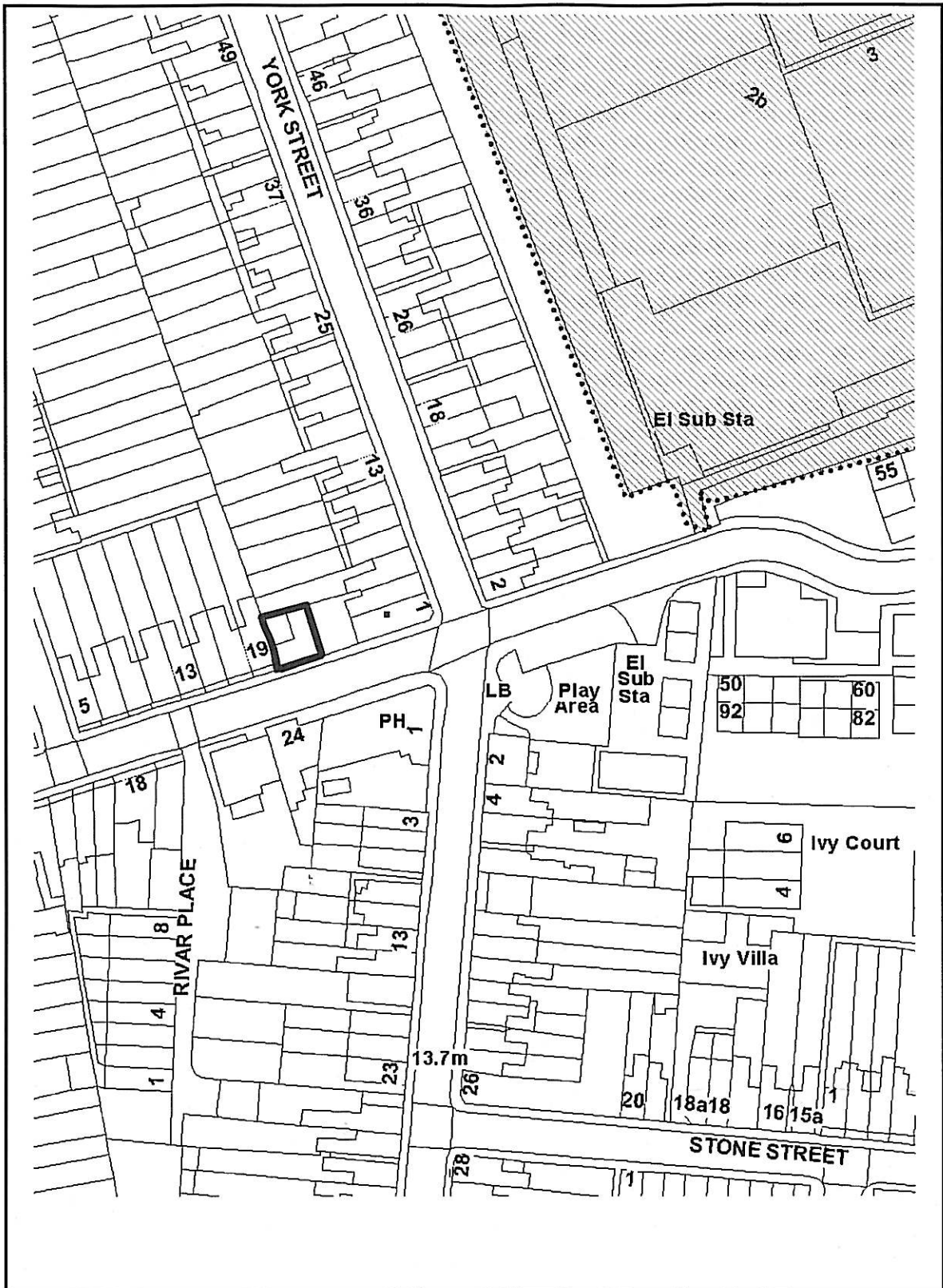
1. The scale and proximity of the dwelling to its shared boundaries with residential properties on York Street to the east would result in an overbearing and unduly dominant built form that would overshadow and unreasonably enclose the rear gardens of these neighbouring dwellings. Located close to the boundary with No. 7 York Street, prospective occupiers would be able to look directly into the rear garden area of this neighbour at a distance of less than 5 metres and also into adjacent gardens, causing a loss of privacy and a diminution in the amenity that the occupiers should properly expect to enjoy. The proposal is therefore contrary to policies SS1 and ENV7 of the East of England Plan (2008) policies 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006 and to government guidance contained within Planning Policy Statement 1 - Delivering Sustainable Development (2005). It follows that the proposal has failed to recognise the constraints of the site or to respond to its context and is therefore also contrary to policy 3/4 of the Cambridge Local Plan 2006.
2. The proposed development does not make appropriate provision for public open space, community development facilities, waste storage or monitoring, in accordance with policies 3/8, 3/12, or 5/14 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 2010, and Guidance for Interpretation and Implementation of Open Space Standards 2010.
3. **In the event that an appeal is lodged against a decision to refuse this application, DELEGATED AUTHORITY is given to Officers to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy.**

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:

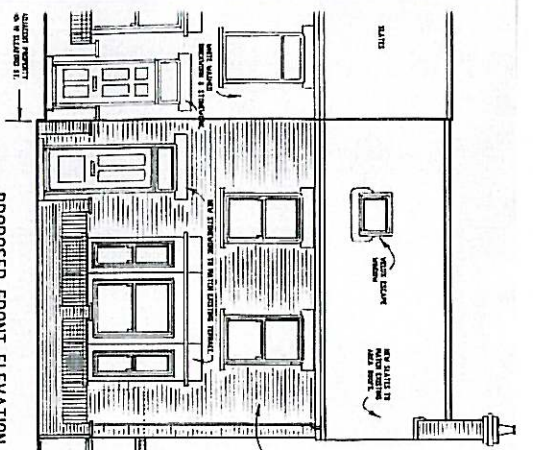
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received 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.

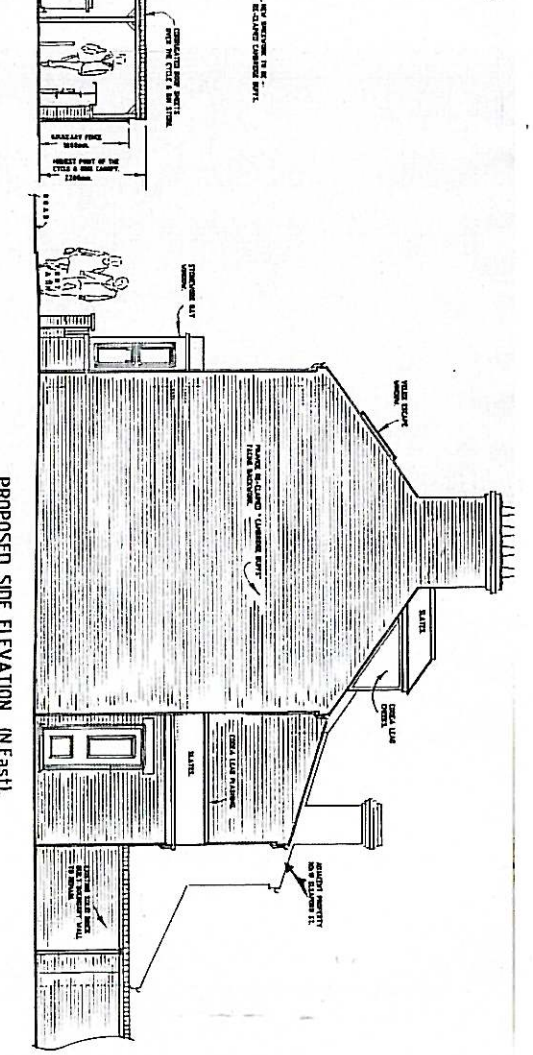


10/0825/FUL

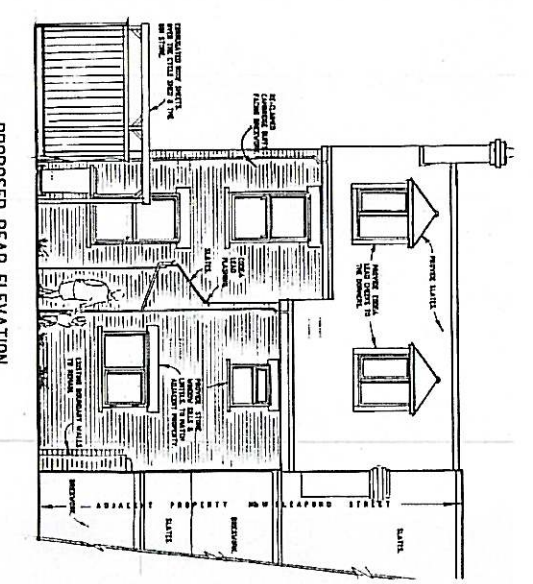
Land Adjacent To 19 Sleaford Street Cambridge



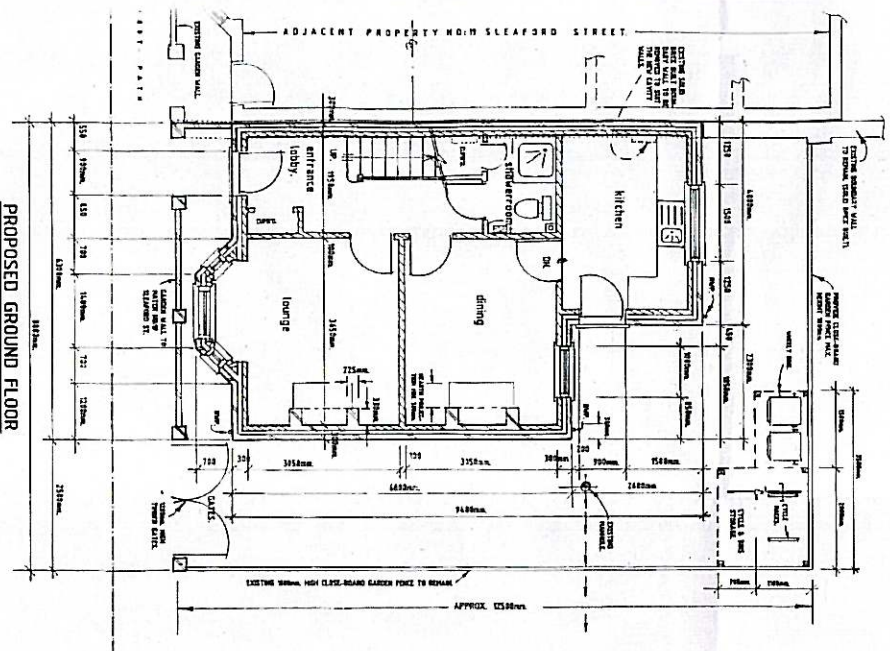
PROPOSED FRONT ELEVATION



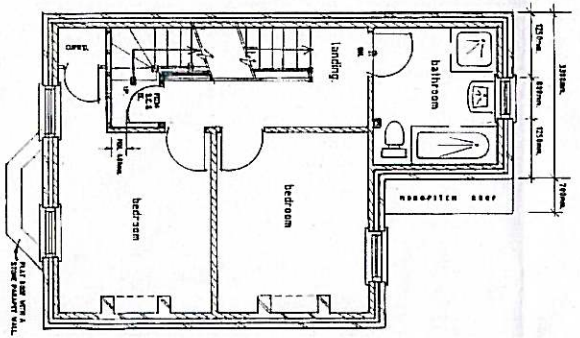
PROPOSED SIDE ELEVATION (EAST)



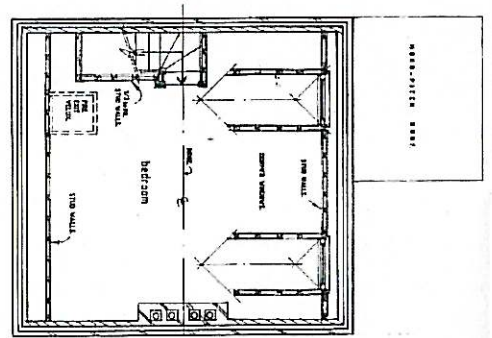
PROPOSED REAR ELEVATION



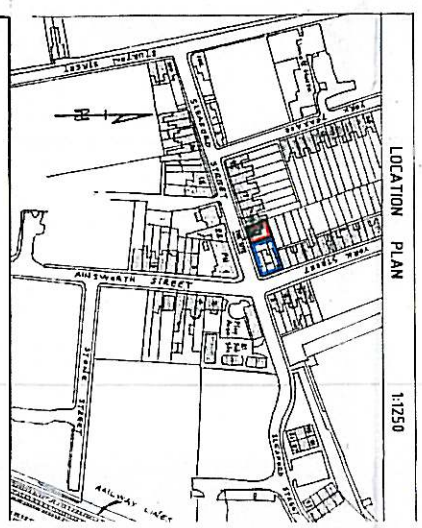
PROPOSED GROUND FLOOR



PROPOSED FIRST FLOOR



PROPOSED ATTIC FLOOR



LOCATION PLAN 1:1250

STRUCTURAL & BUILDING CONSULTANTS
 ARCHITECTURAL CONSULTANTS, STRUCTURAL CALCULATIONS AND PROJECT MANAGEMENT
 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000.

JOB TITLE : PROPOSED 1 No. THREE BEDROOM HOUSE AT ADJACENT TO 19 Sleaford Street Cambridge

CLIENT : A.MALIK

DRG. No : 9438

DATE : JULY 10
REVISION : 0
SCALE : 1:50
THIS DRAWING TO BE READ IN CONJUNCTION WITH DRG. NO. 9438