

<b>Application Number</b>	10/1045/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th October 2010	<b>Officer</b>	Miss Amy Lack
<b>Target Date</b>	10th December 2010		
<b>Ward</b>	Coleridge		
<b>Site</b>	Land To The Rear Of 163 - 165 Coleridge Road Cambridge Cambridgeshire CB1 3PN		
<b>Proposal</b>	Erection of three 3-bed dwellings to form terrace with off street parking.		
<b>Applicant</b>	Mr Ian Purkiss 115 Glebe Road Cambridge CB1 7TE		

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## **A.0 Introduction to report**

- A.1 This application is before Committee for the second time. At the East Area Committee Meeting of 16 December 2010, Committee agreed, unanimously, to approve the application, subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and safeguarding conditions.
- A.2 Between the Committee meeting and the completion of the S106 planning obligation, a representation was received from a local resident, which revealed an administrative error in the serving of notice to all those neighbouring residents that the City Council has a statutory requirement to consult. The Town and Country Planning General Development Procedure Order 1995 (GDPO) requires publicity of an application for planning permission by site display in at least one place on, or near the land to which the development relates for not less than 21 days, or by serving notice on any adjoining owner or occupier. In this case, No.167 Coleridge Road, which shares a common boundary with the application site had not been consulted. We sought to remedy the impact of this by re-consulting neighbouring occupiers, both those who had originally been consulted but also more widely, including those who had not been notified and should have been notified previously. A copy

of the report to the committee was enclosed with a letter explaining the error.

A.3 As a result of the re-consultation of third parties, the owners/occupiers of the following addresses have made representations in objection, one of whom had responded to the original consultation:

- 16, Ashbury Close, Cambridge CB1 3RW
- 167, Coleridge Road, Cambridge CB1 3PN
- 169, Coleridge Road, Cambridge CB1 3PN

A.4 The representations can be summarised as follows:

#### Residential Amenity

- The proposal will result in a loss of privacy for 16 Ashbury Close, those windows which have a direct view of 16 Ashbury Close should be obscurely glazed, particularly those on the first floor to the side of the property referred to as P3 on the submitted plans;
- Neighbouring residents across the road from the development will suffer a loss of privacy, noise and disturbance and a sense of enclosure;
- Some residents do not agree with the statement made in paragraph 8.5 of the Case Officer's report to committee that there is a safeguard against 'an overbearing sense of enclosure and loss of privacy' and that the proposal for two storey properties is preferred to the previous outline consent for a bungalow;
- Noise disturbance and impact from smells upon 167 Coleridge Road because of cycle parking and refuse provision hard to the boundary;
- It will result in the devaluation of existing properties;
- It will result in a loss of views of trees that is currently enjoyed.

#### Character and Context

- The proposed dwellings are not in keeping with the character and appearance of the area because there are no existing two storey buildings on the southwest side of Ashbury Close;

- This represents overdevelopment of the site.

#### Highway safety and parking

- The proposed dwelling will interfere with the Cambridge City Council cycleway project for Golding Road/Ashbury Close;
- It will increase traffic in Ashbury Close. There is no capacity for further on-street car parking and because it is a narrow road with cars parked both sides access for emergency vehicles would be effected;
- Prospective occupiers are likely to have more than one car per household worsening the competition for on-street car parking.

A.5 A petition of 25 signatures has also been received in opposition to the development.

A.6 Having reviewed my previous report to the Committee I am of the view that the concerns raise above in the third party representations received have, on the whole, been addressed within the report which follows.

A.7 Concerns regarding impact upon the amenities of neighbouring properties, through loss of light, loss of privacy or an overbearing sense of enclosure have been addressed in paragraph 8.5 (a). I note some of the third party representations do not share the view I expressed there but I maintain the stance given in my assessment of the impact of the proposal upon surrounding neighbouring properties. I comment further on this in paragraph 8.14 and suggest the imposition of a condition to revoke the benefits of the General Permitted Development Amendment Order 2008 (conditions 3 and 4) to safeguard neighbouring properties from further development of the site without the permission of the local planning authority.

A.8 I do not consider the proposed siting of cycle parking and refuse, for a single dwelling, will result in any significant impact upon the neighbouring residents that share this boundary. A condition requiring details of the boundary treatments to be installed (condition 5) has been recommended. I am confident that a typical 1.8 metre close boarded wooden fence which could be secured by this condition would provide appropriate

protection for neighbours from noise, disturbance and the potential for smells generated by a single dwelling house.

- A.9 I note comments regarding the devaluation of property, which can result from new developments being built in residential neighbourhoods. While I have understanding of the concerns expressed, I do not consider the impact is as likely to cause change as the objector suggests and do not consider this can be a material planning consideration of such significance as to justify refusal. Equally the right to a view that may be currently enjoyed by an existing occupier and potentially obscured or lost to a development is not a consideration that should preclude development.
- A.10 I have addressed issues regarding character and context, assessing how suitable the proposal of a terrace of three, two storey dwellings is in this location (paragraph 8.5(c) and paragraphs 8.7-8.8).
- A.11 The issues surrounding highway safety (paragraph 8.13) and car parking (paragraph 8.14) have been addressed in the main body of the report. With regard to the cycleway project for Golding Road/Ashbury Close cited in one of the representations received, the proposed development will not have any significant impact upon a public right of way for pedestrians or cyclists. The entirety of the development proposed is on privately owned land, which does not encroach onto any public right of way or the highway. Access to and from the site by crossing over an existing public footpath is a typical arrangement for many properties within the city and likely to be infrequent as the layout of each plot only makes provision for the on-site parking of one car.
- A.12 I am satisfied the publicity requirements of the legislation have now been met. The report which follows is that which was reported to Committee on 16 December 2010, save that there have been changes to the report in the final section under the heading 'Planning Obligation Strategy', from paragraph 8.26. Since the application was last before committee a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed to the satisfaction of the local planning authority.

A.13 Notwithstanding the additional representations received, the recommendation to Committee for this proposal remains one of approval.

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

- 1.1 The application site comprises part of the rear garden land to 163 and 165 Coleridge Road. These properties are located on the east of Coleridge Road with Ashbury Close abutting their southeast (rear) boundaries.
- 1.2 165 Coleridge Road is a two storey semi-detached, hipped roof dwelling with a single storey garage extension to its northern side which is attached to the garage to the south of 163 Coleridge Road, a two storey detached dwelling. Both have large off-street parking areas to their frontages which could accommodate up to 3 cars.
- 1.3 Both host dwellings have long rear gardens enclosed by close boarded timber fencing. On the rear boundary of 163 Coleridge Road a double wooden gate provides rear access on to the northeast side of Ashbury Close. Both gardens in this rear area have a number of fruit trees but none are protected or serve any significant amenity value outside of the site.
- 1.4 The site is not within a Conservation Area, and it falls outside the controlled parking zone (CPZ).

## **2.0 THE PROPOSAL**

- 2.1 This application seeks permission for the erection of 3, three-bedroom, two storey dwellings to form a terrace fronting Ashby Close, on the rear garden land of 163 and 165 Coleridge Road.
- 2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
10/0755/FUL	Erection of three 3-bed dwellings to form terrace with off street	W/D

10/0340/FUL	parking. Part two storey part single storey rear extension and single storey side extension.	A/C
09/0777/OUT	Outline planning permission for erection of 2-bed bungalow.	A/C

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Central Government Advice

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

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

types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

- 5.4 **Planning Policy Statement 3: 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 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.
- 5.6 **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

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

P9/9 Cambridge Sub-Region Transport Strategy

**5.11 Cambridge Local Plan 2006**

3/4 Responding to context

3/7 Creating successful places

3/10 Subdivision of existing plots

4/9 Scheduled ancient monuments/archaeological areas

4/13 Pollution and amenity

5/1 Housing provision

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.

### 5.13 Material Considerations

### 5.14 Central Government Guidance

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

## 5.15 City Wide Guidance

**(For applications received on or after 16 March 2010)**  
**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.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Engineering)**

- 6.1 No Objection subject to the following amendments: the dropped kerbs are inadequate and should be splayed back towards the highway to allow vehicles to turn easily into the site; and the proposed car parking spaces should measure 2.5 metres by 5 metres. These amendments should be submitted to the Highway Authority prior to determination of the application.
- 6.2 Subject to the above amendments the proposal will not have any significant impact upon the public highway. Standard conditions should be imposed which require: bound material to driveways; no gates installed which open over the highway; sufficient drainage to prevent surface water run-off over the highway; and retention of visibility splays and access as shown on the plans.

### **Head of Environmental Services**

- 6.3 No objection to the principle of the development, but recommends standard conditions to control the hours of construction/demolition and on-site storage for waste and recycling.

## **Cambridgeshire County Council (Archaeology)**

6.4 The site lies in an area of high archaeological potential. It is therefore considered necessary that the site is subject to a programme of archaeological investigation. This should be secured through the inclusion of a negative condition.

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

### **7.0 REPRESENTATIONS**

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

- 16, Ashbury Close, Cambridge CB1 3RW
- 18 Ashbury Close, Cambridge CB1 3RW

7.2 The representations can be summarised as follows:

- The area is not suitable for this development;
- The area suffers from traffic congestion and there is a limited number of disabled parking spaces. This proposal will exacerbate an already bad situation and potentially obstruct access for emergency services;
- A disabled driver (occupier of 18 Ashby Close) relies heavily on their car and will feel threatened if parking is lost close to their home and other existing residents are likely to feel the same; and
- Even though parking is proposed on site each household is likely to have more than one car and have visitors which will then increase pressures of parking in the street.

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

### **8.0 ASSESSMENT**

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

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

### **Principle of Development**

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) explains that provision is 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, the creation 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.
- 8.3 Pertinent to this proposed backland development is PPS3, as re-issued earlier this year. This has reclassified garden areas from 'Brownfield Land' to 'Greenfield Land' and addresses the issue of minimum density. In my view the change in the legislation means that this land should be regarded as 'Greenfield'; the consequence of that change is not to preclude development altogether but to reduce the priority for this land to be developed.
- 8.4 Although the re-issued PPS3 seeks to resist 'garden-grabbing', the idea of subdivision of gardens is not always unacceptable and it is necessary also to consider the site in the light of Local Plan policy 3/4 context and to recognise the issue of avoiding excessive density. The re-issued PPS3 also seeks to create diverse and responsive built environments, and protect or re-establish the biodiversity of areas where practicable. The Local Plan already has another policy aimed at safeguarding the loss of garden land unreasonably, policy 3/10 *Sub-division of existing plots*. This policy advises that residential development within the garden area or curtilage of existing properties will not be permitted if it would;

- a. have a significant adverse impact upon the amenities of neighbouring properties, through loss of light , loss of privacy an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
- b. provide inadequate amenity space, or vehicular access arrangements and parking spaces of the proposed and existing properties;
- c. detract from the prevailing character and appearance of the area;
- d. adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
- e. adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
- f. prejudice the comprehensive redevelopment of the wider area of which the site forms part.

8.5 In this case where the proposal does not adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site; and does not adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; only criteria a, b, c and f are relevant here. Considering the proposal in each case I will address the above listed criteria a, b, c and f in turn;

- a. The proposed dwellings vary in depth from 12 metres at the north of the site to 8.1 metres at the south end to reflect the angled frontage but to retain a constant rear building line at reasonable distance from the existing 'parent' houses. This provides a separation distance, at the closest point, of approximately 23 metres between the proposed southern most dwelling and the rear of 165 Coleridge Road. The proposed units are set 6.8 metres from the common boundary with the host properties. I believe that the introduction of the terrace of buildings, with the footprint and mass detailed on the submitted

plans, into the rear gardens of 163 and 165 Coleridge Road, will undoubtedly have a presence for the existing dwellings, at the same time, however, a generous enough separation distance is provided and satisfactory garden spaces are retained for the host dwellings, so I do not consider that the proposal will result in any significant adverse impact upon the quality of this space or the amenity currently enjoyed by the occupiers of the existing dwellings. While I acknowledge the development is two storey, where the previous outline permission considered a single storey form only, I am confident that the separation distances involved offset any concerns upon the amenities of neighbouring properties, through loss of light, loss of privacy or an overbearing sense of enclosure which part a of policy 3/10 looks to safeguard against.

With regard to noise and disturbance, the subdivision of the rear gardens and the introduction of 3 additional residential units on this former garden land will result in a more intensive occupation of the site, which in turn, will result in an increase in coming and goings and, in all probability a potential increase of noise and disturbance. However, access to and from the site is via Ashbury Close, away from the host dwellings. I am confident that this road can absorb the additional movements and noise that this development will generate and given the separation distances involved I do not think that use of the rear gardens by future occupiers will result in noise and disturbance that will have any significant adverse impact upon the amenity currently enjoyed by the existing dwelling or any other neighbouring occupiers which would warrant refusal of the application.

- b. Given the dimensions of the application site and the footprint of the proposed terrace, I am satisfied that in terms of space the proposal provides adequate, usable, good quality external amenity for each unit. The required ancillary provision for cycle parking, refuse and recycling storage and onsite car parking are all successfully accommodated. As such I consider the proposal to demonstrate that it can achieve this amount of development within the constraints of the site.
- c. The introduction of a terrace of dwellings into this rear

garden area will undoubtedly have a significant presence and change the character and appearance of Ashbury Close by opening up the northwest side of the road where currently a 2 metre high close boarded fencing demarcates the end of the rear gardens to the properties of Coleridge Road from numbers 157 to 171. However, by animating this side of the road the proposal has the potential to improve the street scene and I consider the staggered two storey form, which is similar in character to the design of the housing on southeast side of Ashbury Close to be more in keeping than a detached single storey form which was approved at outline under planning reference 09/0777/OUT.

- d. The development of this double width rear garden site in isolation from neighbouring rear gardens to the dwellings of Coleridge Road does not in my view prejudice comprehensive development of the rest of the immediate surrounding area. Adjacent plots are unlikely to come forward for development in the future given additional constraints to development presented by the highway and/or the size of the rear garden. To the north of 163 Coleridge Road there is a turning head in Ashbury Close which is immediately adjacent to the rear of this property, this would impede access to and from the rear garden areas of 157, 159 and 161 Coleridge Road. South of the application site the rear gardens to 167, 169 and 171 Coleridge Road reduce significantly in depth for they are positioned on the inside of a corner on the approach to the junction of Coleridge Road with Ashbury Close. I cannot envisage any meaningful development proposals on this land and therefore do not consider that the refusal of a permission on these grounds would be justified for the proposal does not prejudice comprehensive development.

- 8.6 Substantiated by the current outline permission for residential development on this site and subject to the proposal being assessed against other material issues and policies within the development plan I am of the view that the principle of residential development acceptable and in accordance with policies SS1 and ENV7 of the East of England Plan (2008) and policies 3/1, the relevant parts of 3/10 and 5/1 of the Cambridge Local Plan (2006).

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

- 8.7 The subdivision of the rear gardens of host dwellings 163 and 165 Coleridge Road will reduce this area of these properties by almost half. While I consider this significant and recognise that it will result in garden spaces smaller than the rear gardens sizes to the north of the application site, the rear gardens from 161 Coleridge Road southwards, to the junction of Coleridge Road and Ashbury Close, reduce in length to about half the depth because of their location on the inside of a corner on the approach to the junction. I do not, therefore, consider the resulting, reduced depth rear garden areas to the host dwellings unacceptable.
- 8.8 I consider the two storey terrace form of the building proposed, with a single storey link between the southern most end dwelling and the middle dwelling a design that is more reflective and sympathetic to the existing character exhibited along Ashbury Close on the southeastern side of the road. This is likely to be more successful in responding to the character and context of the surrounding area than the still valid outline permission (reference 09/0777/OUT) which is related to about half of this application site and would bring forward reserved matters for an uncharacteristic bungalow form.
- 8.9 In my opinion the proposal is compliant with policy ENV7 of the East of England Plan (2008), policies 3/4, 3/7, 3/10 and 3/12 of Cambridge Local Plan (2006) and advice contained within Planning Policy Statement 1 (2005) - Delivering Sustainable Development.

## **Disabled access**

- 8.10 The Design and Access Statement submitted with the application confirms that the proposed dwellings will provide level access and the drawings appear to be consistent with this and that the requirements of Part M of the current building regulations will be met. As such, 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**

8.11 I have covered the issue of residential amenity under the above heading; 'Principle of development'. From this assessment I conclude that subject to conditions which revoke the benefits of the General Permitted Development Order 2008 and the imposition of a standard condition concerning boundary treatments the proposal broadly respects the residential amenity of neighbouring occupiers, provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers. The proposal is therefore considered compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12. However, given the constraints on both the existing and proposed plots I am of the opinion that the permitted development tolerances that normally apply should be revoked by condition.

## **Refuse Arrangements**

8.12 Provision for the on-site storage of three wheelie bins for recyclable, organic and residual waste in accordance with the current waste strategy operating in the city is illustrated on the plans within the rear garden area to each proposed dwelling. A 2 metre high mono-pitched shelter which will also incorporate cycle parking is proposed in all cases. The Environmental Health Officer consulted on the application suggested a condition be imposed requiring details of on-site refuse and recycling storage, however, I consider the details satisfactory, detailing ample space which is easily accessible and as such do not consider the suggested condition necessary. In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

8.13 The majority of concerns raised in the third party representations received were with regard to existing pressures upon on street parking, highway safety and access. The engineer who was consulted and commented on behalf of the Highway Authority raised no concerns with regard to these matters, subject to the submission of amended plans to demonstrate car parking spaces of a minimum of 2.5metres by 5metres and visibility splays. The applicant has submitted an

amended plan in order to address the concerns of the Highway Authority. This has been past to the Highway Engineer for further comments which at the time of writing this report are still awaited and will be reported to members on the amendment sheet or verbally at the committee meeting. However, I am satisfied that the amended plan satisfactorily addresses the concerns raised by the Highway Authority and subject to the imposition of conditions as suggest by the Highway Engineer 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 set a maximum provision of two car parking spaces per dwelling with three or more bedrooms when located outside of the controlled parking zone. This proposal makes provision for one onsite car parking space, to the front of each dwelling, accessed off Ashbury Close. As such, this provision is in accordance with the City Council's Car Parking Standards as defined in Appendix C of the Cambridge Local Plan (2006). In my opinion the proposal is therefore compliant with East of England Plan (2008) policy T14, and Cambridge Local Plan (2006) policy 8/10.
- 8.15 Secure and covered cycle parking provision is made to the rear of each proposed dwelling within their gardens attached to the proposed refuse and recycling storage. The stores accommodate three cycles which is in accordance with the City Council's minimum Cycle Parking Standards as set out in Appendix D of the Cambridge Local Plan (2006). Accordingly, I consider the proposal compliant with East of England Plan (2008) policy T9 and Cambridge Local Plan (2006) policy 8/6.

### **Archaeological Interest**

- 8.16 Correspondence received from Cambridgeshire Archaeology acknowledge this site to lie within an area of high archaeological potential, 250 metres to the west of a find spot denoting Roman pottery and 400 metres to the east of the Roman road 'Via Devana'. 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 advise 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.*

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

### **Third Party Representations**

8.18 I believe most of the issues raised by the third party representations received have been sufficiently addressed in the main body of the report above.

### **Planning Obligation Strategy**

8.19 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.

8.20 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

8.21 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.

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

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714	3	2142.00
4-bed	4	238	952		
<b>Total</b>					<b>2142.00</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807	3	2421.00
4-bed	4	269	1076		
<b>Total</b>					<b>2421.00</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726	3	2178.00
4-bed	4	242	968		
<b>Total</b>					<b>2178.00</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948	3	2844.00
4-bed	4	316	1264		
<b>Total</b>					<b>2844.00</b>

8.23 A S106 planning obligation has been completed to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8 and 10/1.

#### Community Development

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

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		

3-bed	1882	3	5646.00
4-bed	1882		
<b>Total</b>			5646.00

8.25 A S106 planning obligation has been completed to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

### Waste

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

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75	3	225.00
Flat	150		
<b>Total</b>			225.00

8.27 A S106 planning obligation has been completed to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1.

### Conclusion

8.28 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

## 9.0 CONCLUSION

- 9.1 The proposed residential development is considered acceptable in principle. The scheme is felt to provide a high-quality living environment and an acceptable standard of residential amenity for future occupiers and its neighbours. As such, I recommend the application be approved.

## 10.0 RECOMMENDATION

**APPROVE subject to the satisfactory completion of the s106 agreement by 10 February 2010 and subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. 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, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

4. 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)

5. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. 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)

7. 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)



8. Notwithstanding the details shown on the approved plans a 2 metre by 2 metre pedestrian visibility splay shall be provided from the edge of the highway by maintaining planting and walls to a height of 0.6metres or less. Thereafter these shall be retained unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety. (East of England Plan 2008 Policy T1 and Cambridge Local Plan 2006 policy 8/2)

9. No unbound material shall be used to surface the finish of the driveways within 6 metres of the boundary of the site with the public highway.

Reason: In the interests of highway safety. (East of England Plan 2008 Policy T1 and Cambridge Local Plan 2006 policy 8/2)

**INFORMATIVE:** The applicant is advised that any granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

**INFORMATIVE:** Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

**INFORMATIVE:** Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer. The developer will not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection. No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.

### **Reasons for Approval**

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

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

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

Cambridge Local Plan (2006): Policies 3/1, 3/4, 3/7, 3/8, 3/10, 3/12, 4/9, 4/13, 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.

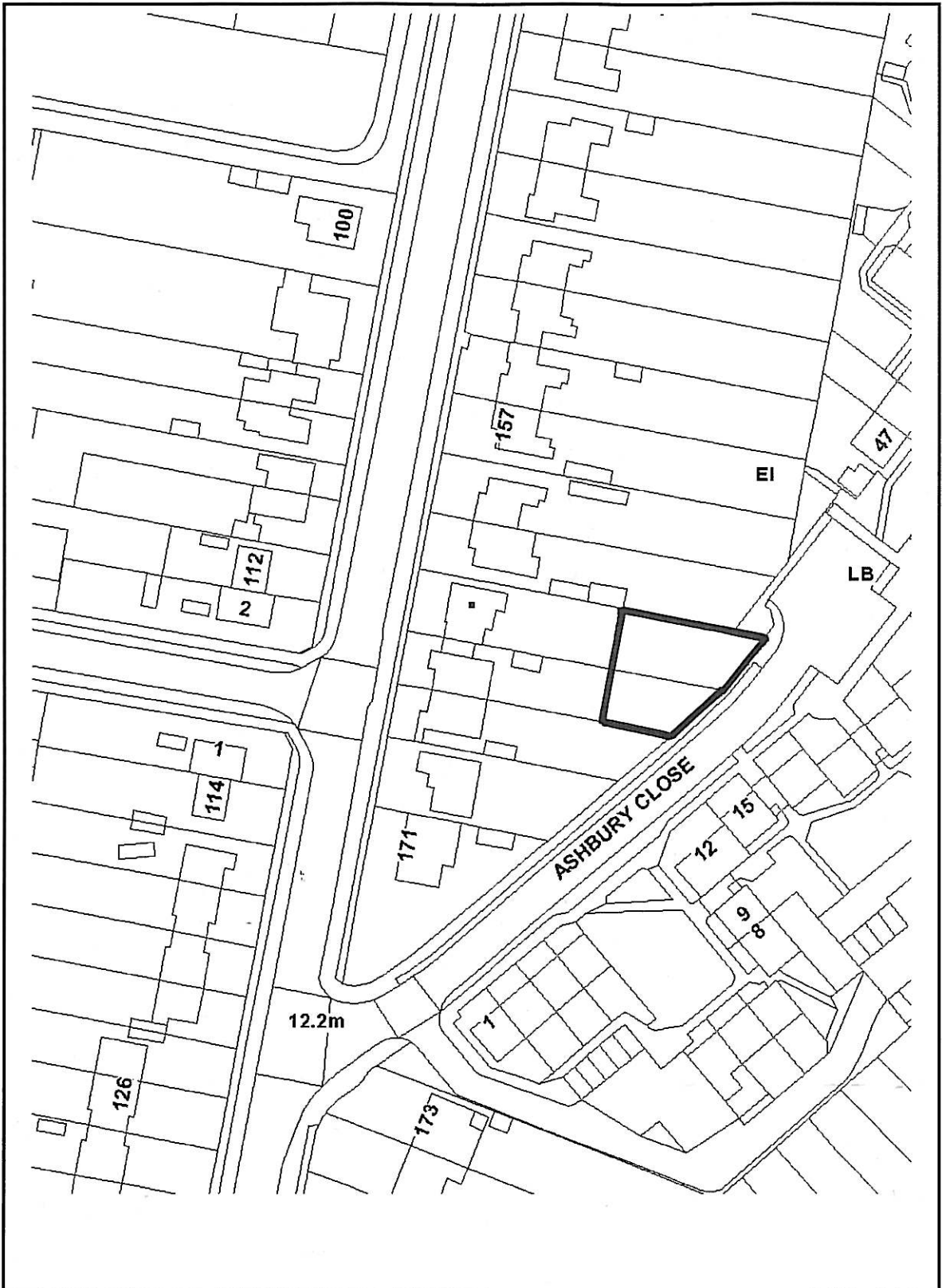
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre,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

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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

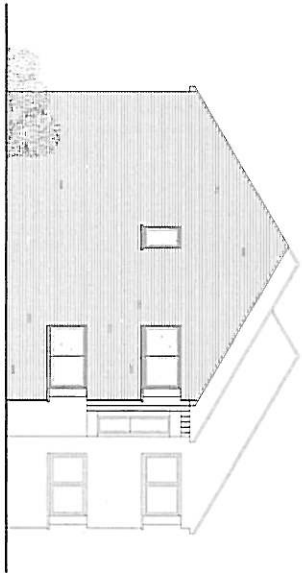
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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

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

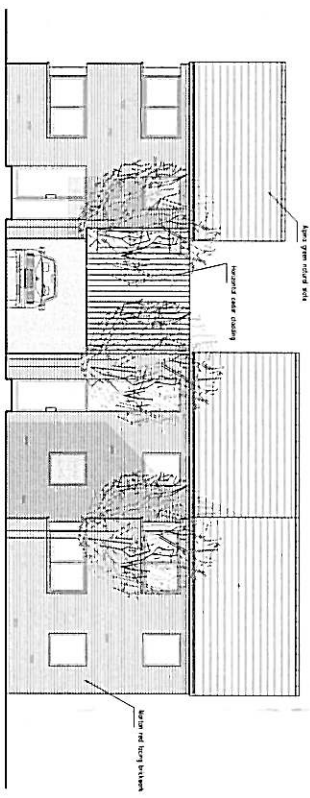


**10/1045/FUL**

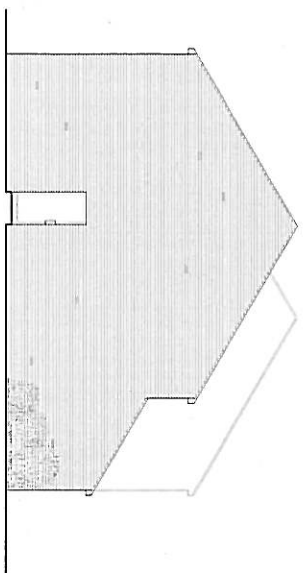
**Land To The Rear Of 163 - 165 Coleridge Road Cambridge**



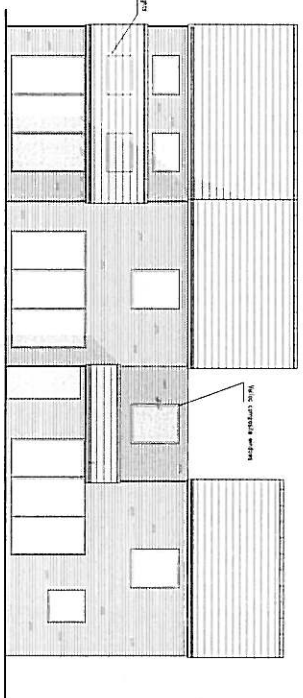
Side elevation



Front elevation



Side elevation



Rear elevation

DR 120 1 MONTH  
 client  
 Blues Property Ltd

PROJECT  
 New development r/o 163-165  
 Coleridge Rd, fronting Ashbury Park,  
 Cambridge

TITLE  
 Elevations

DRAWING STATUS  
 PLANNING

SCALE 1:100 @ A2  
 DATE Oct. 10

23 KING ST  
 CAMBRIDGE

11 GUILD STREET  
 7 GUILD STREET  
 11 GUILD STREET  
 ARCHITECTS



JOB NO. 013  
 DRAWING NUMBER PL(21)02

REV