

<b>Application Number</b>	11/0366/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	30th March 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	25th May 2011		
<b>Ward</b>	East Chesterton		
<b>Site</b>	Rear Of 152 And 154 High Street East Chesterton Cambridge Cambridgeshire CB4 1NS		
<b>Proposal</b>	Erection of two new dwellings following demolition of existing storage building.		
<b>Applicant</b>	Mr. V. Rogowitzow C/o Mr. Chris Anderson Development Land Agents 12 Back Road Linton Cambridge CB21 4JF		

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

- 1.1 The application site is a rectangular shaped plot formed from the rear garden of numbers 152 to 154 High Street, situated on the north east side of Thrifts Walk. To the east is the rear garden of number 156 High Street, the boundary of which is defined by a relatively low wall, approximately 1m in height. The southern boundary of the site is defined with a high wall rising some 3m, which screens the site from number 3 Thrifts Walk beyond. To the north is the existing 152 High Street, which is used for retail purposes on the ground floor with a residential flat above.
- 1.2 The site is currently occupied by a single storey flat roof storage building, 18m in length, which is no longer in use. It was previously used for storage purposes serving the shop at number 152.
- 1.3 Thrifts Walk falls within the Ferry Lane Conservation Area. It is a private road and a cul de sac with Tegula block paving. The northern end of Thrifts Walk is characterised by a terrace of 1920's dwellings set relatively close to the street behind a dwarf wall. To the south, Thrifts Walk has a looser grain, with houses positioned further from the street. There is a gas lamp to the front of numbers 8, 9 and 9a which is Grade II Listed.

1.4 There is a Holly tree within the neighbouring garden of number 156 High Street, close to the boundary of the site. It is not subject to a Tree Protection Order.

1.5 The site falls outside the controlled parking zone.

## **2.0 THE PROPOSAL**

2.1 This application seeks consent for the erection of a new building containing a pair of one bedroom dwellings. The dwellings have two levels of accommodation with an asymmetrical roof. The eaves level of the front elevation, which addresses Thrifts Walk, is 4.6m. To the rear, the eaves level is 2.3m. The building has an overall ridge height of 6m.

2.2 The building is to be constructed in a buff stock brick (with areas of red brick banding), a natural slate roof and painted timber sash windows.

2.3 Externally, the proposed two dwellings are served with a garden/courtyard area, which accommodates a single storey outbuilding for refuse and bicycles.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Heritage Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/93/0575	Extension to house (1 storey rear extension) and formation of 2 residential units.	Refused

## **4.0 PUBLICITY**

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

## **5.0 POLICY**

### **5.1 Central Government Advice**

Planning Policy Statement 1: Delivering Sustainable Development (2005)

Planning Policy Statement 3: Housing (2006).

Planning Policy Statement 3 (PPS3): Housing has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

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

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

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.

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

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

### **5.3 Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

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

#### 5.4 **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  
4/11 Conservation 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*)  
5/13 Community facilities in Areas of Major Change  
5/14 Provision of community facilities through new development  
10/1 Infrastructure improvements (*public open space, waste recycling*)

#### 5.5 **Supplementary Planning Documents**

Cambridge City Council (March 2010) – Planning Obligation Strategy

#### 5.6 **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.

**Advice Note on Development affecting Private Gardens June 2011** - This advice note sets out the existing policy framework within which the Council should determine applications for the erection of further residential units within garden areas or the curtilage of properties; and for developments, which propose the demolition of existing dwellings and their replacement with a greater number of residential units.

### **City Wide Guidance**

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

### **Area Guidelines**

Chesterton and Ferry Lane Conservation Area Appraisal (June 2009)

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Transport)**

- 6.1 Thrifts Walk is a private street. It is, however, recommended that a condition be placed upon any permission that the planning Authority are minded to grant in regard to this proposal to prevent doors or windows of the proposed dwellings opening outwards into the street.

The development relies on the availability of on-street parking to provide for the demand generated by their development, but provides no information on capacity of on-street parking provision.

The area experiences very high levels of competition from both existing residents and businesses for the limited space available on-street, and the residents of the proposed development would compete directly against this existing demand for the limited space available.

The cycle parking provision should be located in a more readily accessible position.

## **Head of Environmental Services**

- 6.2 No objection in principle to the above application, subject to demolition conditions. In addition to the above the proposed refuse/bike stores appear to be too small for the normal three wheelie bins and cycles, therefore the full details of the proposed stores will need to be agreed.

## **Historic Environment Manager**

- 6.3 The existing building has little effect on the character or appearance of the Conservation Area and consequently its proposed loss is not considered to have a harmful effect. Therefore there are no objections to the Conservation Area Consent for Demolition application.

Within the Conservation Area Appraisal, the 1920s terraced row to Thrifts Walk is described as ‘*an attractive group displaying many traditional details*’. The proposed new dwellings relate well to these surroundings, imitating some positive features of the terrace slightly further down Thrifts Walk. Consequently, this proposal is seen as a positive inclusion within the Conservation Area.

However, the doors proposed should be more traditional in design with perhaps panelling at the lower half and glazing to the upper level.

## **Arboriculture**

Awaiting comments, which will be reported on the amendment sheet.

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

## **7.0 REPRESENTATIONS**

- 7.1 Former Councillor Blair has commented on this application. Her comments are as follows:

*In relation to the on-street parking map submitted in the D& A Statement, can I ask that you check this for accuracy. I can't*

*imagine Highways or the police would agree that parking would be permitted on the raised junction table at the junction of High St and Church St for example as indicated by the applicants. It is a dangerous corner, one where cars frequently take the bend at speed, on occasions ending up coming off the road and where we have just installed knee rails and planting to reduce speed. Equally the High St itself suffers from congestion and parking problems, related primarily to the presence of the Tesco Express and parking bays shown are used by residents of the houses adjacent to them, businesses or the Working men's Club.*

*Ward members would be very concerned I think about an application that deliberately sought to increase onstreet parking along the High St when generally we are trying to reduce it.*

*Just also to confirm that the other matter is the surface of Thrift's Walk, an unadopted private road in which residents (and the City) have invested considerable effort and money in laying new setts to provide a hugely improved surface and the setting for an important street in the Conservation Area. It will be very important that the integrity of the surface is fully protected and maintained should any consent be given.*

7.2 The owners/occupiers of the following addresses have made representations: 156, 183, 185 and 187 High Street, Chesterton, 5 and 12, 17 and 20 Thrifts Walk, 86 Scotland Road and the Thrifts Walk Residents Association.

7.3 The representations can be summarised as follows:

*Principle of development*

- Residents generally pleased to see an improvement to the shabby outbuildings at the rear of the shop.

*Design and amenity comments*

- The proposed building is too high and an overdevelopment of the small site.
- The development would make the street feel very closed in.
- The impact of the building will seriously impact upon the amenity value of the gardens 156-164 High Street, by blocking



light. The garden of number 156 High Street is particularly narrow and will be severely affected.

- Significant loss of light to kitchen and 1<sup>st</sup> floor windows of number 156 High Street.
- The height and proximity of the building will change the feel of the terraced row, by closing it in to the south west.
- Overlooking will result from the windows of the proposed development.
- The increased height of the boundary wall will increase overshadowing.
- Increased noise and smells from the bins stored adjacent to the garden of number 156.

### Car parking concerns

- There would be addition pressure on car parking in Thrifts Walk.
- The houses should have car parking.
- The 'availability of unrestricted public on street car parking' is nonsense.
- Illegal parking on the yellow lines outside the shop in the high Street is a particular problem.

### Other matters

- Thrifts Walk is a private road in a Conservation Area. Residents made considerable financial contributions to the resurfacing of Thrifts Walk which could be damaged or destroyed.
- Future residents should not be allowed access to the rear of 168 to 185 High Street Chesterton.
- Strong concerns that recent resurfacing of Thrifts Walk will be damaged by the building works.

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

## **8.0 ASSESSMENT**

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

1. Principle of development

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

## **Principle of Development**

- 8.2 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.
- 8.3 The revised PPS3 now declassifies gardens from the definition of brownfield land, and the national minimum density for new development has been removed. Following several recent appeal decisions the Council has drafted an advice note on development affecting private gardens (June 2011). The key points from these changes are; a) more intensive development within residential curtilages remains possible; b) because residential gardens lie outside the 'previously developed land' which is a priority for development, any proposal to use garden land must be fully justified and explained, and c) considerable weight should be given to the 'open aspect' of residential gardens when assessing proposals against policies 3/4, 3/10 and 3/12. This site is a former commercial storage building, so the site should not in my view be considered as 'garden land'. The proposal nevertheless involves the subdivision of an existing plot for residential purposes, whereby the criteria of policy 3/10 is relevant.
- 8.4 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces

for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.

- 8.5 The development involves the demolition of a single storey flat roof building. The building in my view detracts from the character and appearance of the Conservation Area. There is no objection to its demolition.
- 8.6 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 and 3/10 Cambridge Local Plan 2006 and Cambridge City Council Guidance on Development which Affects Private Gardens (June 2011).

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

- 8.7 The key design issue is the design and appearance of the new building in its setting, within the Thrifts Walk Conservation Area.
- 8.8 New buildings should have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views, in accordance with Local Plan policy 3/12. New developments should also demonstrate that they have drawn positive inspiration from their setting in accordance with Local Plan policy 3/4. In addition, development within Conservation Areas should preserve or enhance its setting by faithfully reflecting its context or providing a successful contrast within it. The proposed building is acceptable because its bespoke design represents a positive response to its setting and the constraints of the site.
- 8.9 The siting and layout of the building is logical, with the front south-east elevation facing onto, and reinforcing the street

scene of Thrifts Walk. I note some concerns that the building would appear cramped at the entrance to Thrifts Walk. However, the building has relatively low eaves and a low overall ridge height, which would be subservient to number 152 High Street. This is sensitive to, and reflects the change in status of the High Street and the quiet secluded cul de sac of Thrifts Walk.

- 8.10 The dwellings are sited close to the street, but I do not consider this positioning to be out of character with the north end of Thrifts Walk. I recognise the 1920's terraces opposite have small front gardens, but the entrance to Thrifts Walk has a relatively tight grain with buildings close to the street. This is also because of the existing wall of the single storey building to be demolished, which creates a sense of enclosure at the entrance to Thrifts Walk.
- 8.11 In terms of detailed design, the building has a simple window arrangement and will incorporate a dentil eaves detailing that draws positive inspiration from the 1920's Terraces opposite in Thrifts Walk. The proposed new dwellings will also feature the attractive red brick banding of the terraces opposite, cited within the Ferry Lane Conservation Area Appraisal as a positive character in Thrifts Walk. In my view, the building will make a positive contribution to the character and appearance of the street scene, especially given the removal of the existing unkempt commercial building.
- 8.12 Externally, the development provides a small but useable rear and side garden area which adequately accommodates refuse and cycle provision. The building is well designed because it would function effectively for future occupiers. In my opinion the plot can carry a building of this size and dimension, ensuring adequate amenity and essential ancillary services of refuse and bicycle provision, and is therefore a positive design response in its context and an appropriate plot subdivision, compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12 and Cambridge City Council Guidance on Development which Affects Private Gardens (June 2011).

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.13 The proposal will have greatest impact upon number 156 High Street and to a lesser extent the rear outlook and gardens of the adjacent terraces to the north east, numbers 158 and 160 High Street.
- 8.14 I recognise that the new building is two storeys in height and will be more prominent for adjacent properties than the existing single storey flat roof building. I am also aware that planning permission was refused in 1993 for a 2 storey rear extension at number 152/154 High street, to form 2 residential flats. However, the application proposal has a sensitive design solution, which I do not feel would be unduly harmful to the amenities of number 156 High Street. The asymmetrical roof, which pitches back from a relatively low eaves height of 2.3m, would reduce the visual impact for neighbours, making the building less of an imposition. The new building may cause some shadow towards the end of the day, but I do not consider this to be significantly more harmful than the shadow created by the existing flat roof building, to justify refusal.
- 8.15 The rear of the new building is sited 1.8m tapering to 2.6m from the common boundary with number 156 High Street. I have some concerns with the proximity of the patio doors and the potential for overlooking and general disturbance from the proposed rear courtyards. The applicant proposes to improve the boundary through an additional trellis fence on top of the existing wall. The neighbouring number 156 High Street would resist any increase in height to the common boundary, although I feel a satisfactory boundary treatment could be agreed upon. This could be ensured through the imposition of a suitable planning condition.
- 8.16 The rear elevation of the building contains two velux roof lights, but these are positioned over the stairs, at a high level, and would not result in any overlooking of adjacent gardens or properties.
- 8.17 The rear outlook of the existing residential flat would not be adversely affected by the development. The principal outlook of

the flat is onto High Street Chesterton, so there would not be any harm to the amenities of current and future occupiers.

- 8.18 The proposal will also affect the privacy of the rear garden of number 150 High Street on the west side of Thrifts Walk. There is potential for overlooking from the upper floor bedroom windows of the new dwellings, which formed a reason for refusal in 1993 to the proposed extension. However, given the distance of approximately 9m to the centre of the garden of 150 High Street and the high hedge screening to their eastern boundary, I do not consider the harm so great as to recommend refusal.
- 8.19 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

- 8.20 The new dwellings would provide desirable accommodation benefiting from an outlook onto Thrifts Walk to the south west and patio doors to the north east ground floor. The external spaces provide a useable amenity garden area for refuse and bicycles, and while limited in size, will no doubt be the preference of many future occupants.
- 8.21 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

#### **Refuse Arrangements**

- 8.22 The scheme provides a refuse/cycle store outbuilding. In my view this is sufficient in size only for bicycles, although refuse provision could be adequately provided within the rear courtyard garden area. This could be ensured through the imposition of a suitable planning condition.
- 8.23 The development provides a secure covered refuse area for the upper floor flat of number 156 High Street which is acceptable. In my view the development makes adequate provision for

refuse storage in accordance with Cambridge Local Plan policy 3/12.

### **Car and Cycle Parking**

- 8.24 The development provides a separate outbuilding sufficient in size to accommodate 1 -2 bicycles which exceeds the Council's bicycle parking standards, which is acceptable.
- 8.25 The development provides a secure covered outbuilding for refuse and bicycles for the upper floor flat of number 156 High Street which is acceptable.
- 8.26 I note concerns regarding the potential impact of the scheme on the availability of on street car parking. The applicant has provided an indicative block plan showing areas of on street car parking in the vicinity. The available areas of on street car parking appear to be in high demand, so this proposal would add to that demand. However, the site is located in close proximity to public transport links and local shops and services. As such, this type of accommodation, which does not have off street parking, is acceptable in this location, and in accordance with the Council's strategy of seeking to reduce reliance on the private car.
- 8.27 The existing use of the site as a storage facility has in the past resulted in deliveries and collection of goods resulting in vehicles parking in Thrifts Walk. I do not feel therefore that the potential increase in on street car parking in the immediate vicinity and general locality would be so harmful as to recommend refusal.
- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.29 The majority of the issues raised have been discussed in the above report in the relevant design and amenity subsections. The following concern also raised:

*The development may cause damage to the private hard landscaped Thrifts Walk*

The applicant has confirmed that should the surface of Thrifts Walk become damaged by the developers vehicles during construction, they would undertake any necessary repairs.

## **Planning Obligation Strategy**

### **Planning Obligations**

8.30 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 Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

#### Open Space

8.31 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.

8.32 The application proposes the erection of one-bedroom houses. 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 provision for children and teenagers 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	714
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>714</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	807
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>807</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	726
2-bed	2	242	484		

3-bed	3	242	726		
4-bed	4	242	968		
				<b>Total</b>	<b>726</b>

8.33 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords 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

8.34 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		2512
2-bed	1256		
3-bed	1882		
4-bed	1882		
			<b>Total 2512</b>

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

## Waste

- 8.36 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	2	150
Flat	150		
<b>Total</b>			<b>150</b>

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

## Monitoring

- 8.38 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

## Planning Obligations Conclusion

- 8.39 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 dwellings would in my view make a positive contribution to the character and appearance of this section of Thrifts Walk. It would not significantly detract from the amenities currently enjoyed by neighbouring properties. Approval is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to the completion of the associated S106 Agreement by 1 September 2011 and subject to the following conditions:

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

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

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

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

3. Full details of proprietary rooflights to be submitted to and approved in writing by the Local Planning Authority [types which stand proud of the plane of the roof are unlikely to be approved; conservation types may be appropriate]. The development shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining the character and appearance of the Conservation Area, Cambridge Local Plan 2006 policy 4/11.

4. All joinery [window frames] are to be recessed at least 50 / 75mm back from the face of the wall / facade. The means of finishing of the reveal is to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining the character and appearance of the Conservation Area, Cambridge Local Plan 2006 policy 4/11.

5. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

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. 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)

8. 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)

9. 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 treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced 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)

10. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: In the interests of the amenities of future occupiers and adjacent residential properties, Cambridge Local Plan 2006 policy 3/12.

11. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

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

**Unless prior agreement has been obtained from Planning, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 1 September 2011 it is recommended that the application be refused for the following reason:**

The proposed development does not make appropriate provision for public open space, community development facilities, in accordance with policies 3/7, 3/8 and 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.

### **Reasons for Approval**

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

East of England plan 2008: ENV6, ENV7

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/11, 4/13, 5/1, 5/13, 8/2, 8/6, 8/10, 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 the Head of Planning (Ext.7103).