

<b>Application Number</b>	11/0921/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd August 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	27th September 2011		
<b>Ward</b>	Castle		
<b>Site</b>	82 Richmond Road Cambridge Cambridgeshire CB4 3PT		
<b>Proposal</b>	Erection of four 4-bed semi-detached residential units, together with 9 car parking spaces, cycle parking and associated landscaping works (following demolition of existing outbuildings to the side and rear of 82 Richmond Road).		
<b>Applicant</b>	Richmond Road (Cambridge) LLP & Mr E Seaby C/o 7 Dukes Court 54 - 62 Newmarket Road Cambridge CB5 8DZ		

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

- 1.1 The application site is situated on the south east side of Richmond Road. The site is currently occupied by 22 lock up garages and storage buildings, all of which are vacant. The site has 2 accessways onto Richmond Road, adjacent to numbers 82 and 90 Richmond Road.
- 1.2 Number 82 Richmond is a dwelling house, which has also been vacant for many years. It has a single storey rear extension some 18m in depth, which is within the application site and which is in commercial use.
- 1.3 Richmond Road is characterised by 2 storey terraced dwelling houses set in relatively deep and narrow plots. To the south east is Proposals Site 5.07, which is a 1.47 hectare site allocated for housing in the 2006 Local Plan.
- 1.4 The site is not within a Conservation Area. Richmond Road is not within the Controlled Parking Zone.

1.5 There are 8 trees protected by TPO's within and immediately adjacent to the site.

## **2.0 THE PROPOSAL**

2.1 This application seeks consent for the erection of 4, four bedroom semi detached dwelling houses, arranged over 3 levels of accommodation. The dwellings have a rectangular plan form and stand 6m to the parapet of the first floor, rising to an overall height of 9m at the top of the 3<sup>rd</sup> floor sloping, recessed mansard style roof.

2.2 The dwellings have a modern contemporary design with stained cedar shingle cladding and areas of buff brickwork. The roof will be constructed with a smooth slate in blue/black.

2.3 Each house has a garden area containing an outbuilding for bicycles. Refuse collection is provided in a communal store to the rear of number 82 Richmond Road.

### **Amended Plans**

2.4 Since the original submission amended plans have been received with the following alterations:

- Minor alterations to the accessway adjacent to number 82 extending the block paving.
- Following the applicants consultation exercise there has been a revised materials palette. The materials as proposed are described in paragraph 2.2.
- Proposed 2 new birch trees along the common boundary with 78 Richmond Road.

These changes are not considered so significant as to justify reconsultation of the scheme.

2.5 The application is accompanied by the following supporting information:

1. Design and access Statement
2. Planning Statement
3. Site Waste Management Plan
4. Archaeological desk assessment

5. Environmental Noise assessment
6. Phase 1 desk study
7. Utilities report
8. Phase 1 habitat and biodiversity report
9. Transport statement
10. Tree Survey

### 3.0 SITE HISTORY

No history.

### 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 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.
- 5.6 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.

**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

## 5.7 **East of England Plan 2008**

ENV7: Quality in the Built Environment  
WM6: Waste Management in Development

## 5.8 **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

## 5.9 **Cambridge Local Plan 2006**

3/4 Responding to context  
3/6 Ensuring coordinated development  
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  
4/4 Trees  
4/13 Pollution and amenity  
5/1 Housing provision  
7/3 Protection of Industrial and Storage Space  
8/2 Transport impact  
10/1 Infrastructure improvements

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 (*public open space, recreational and community facilities, waste recycling*)

## 5.10 **Supplementary Planning Documents**

Cambridge City Council (March 2010) – Planning Obligation Strategy

## 5.11 **Material Considerations**

### **Central Government Guidance**

#### **Draft National Planning Policy Framework (July 2011)**

The National Planning Policy Framework (Draft NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

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

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

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

Includes the following statement:

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

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

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

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

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

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

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

### **City Wide Guidance**

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

## **6.0 CONSULTATIONS**

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

6.1 The Transport Statement is clear that the proposed development will result in a reduction in motor vehicles movements to and from the site and therefore the development will not be detrimental to highway safety.

Contractors access should be agreed.

## **Head of Environmental Services**

- 6.2 No objections subject to demolition, construction and contamination conditions. The refuse pulling distances from the dwellings to the bin store exceed good practice. There is however no practical solution to this, but minor alterations to the proposed access will mitigate this issue.

## **Environment Agency**

- 6.3 No objections, subject to ground contamination and runoff related conditions.

## **Cambridge City Council Arboriculture**

- 6.4 The layout allows for construction without causing material damage to trees, providing tree protection methods are adopted. My only concern therefore is for future pressure for trees to be pruned to improve light or stop conkers dropping. From a visual perspective it is the trees T1, T2 and T3 that offer the greatest amenity contribution. With suitable fenestration to the front of the houses the impact of these trees on the development can be minimised.

T6 to the rear of the site, will shade the adjacent new garden and drop conkers, which I suspect will be a nuisance to residents. The tree is however afforded additional protection as it is located off site.

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

- 6.5 Further investigations required, imposition of condition necessary.
- 6.6 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 Councillor John Hipkin has commented on this application. I have set out his comments below:



*I am pretty sure that a decision has already been made to have this application determined by the WC Area Committee but for the removal of doubt I should like it to be brought forward to the committee for determination on the grounds outlined in Richard Footitt's letter to you.*

7.2 Councillor Simon Kightley has also commented on this application. I have set out his comments below:

*It seems likely that the development would have a considerable impact within a localised area and I would request that this comes to committee if you are minded to approve.*

7.3 The owners/occupiers of the following addresses have made representations: 38 Oxford Road, 73, 74, 76, 78, 84, 85, 96, 104 Richmond Road.

7.4 I have summarised the representations below:

#### Comments on the principle of development

- General support for some form of residential development.
- This proposal is extremely alarming. (1 letter)
- The latest plans are an improvement on those of 6 July.
- No problems with the proposed 4 houses (1 letter).
- Return to occupancy of number 80 welcomed.
- Firmly support the proposal. (1 letter).

#### Design comments

- The development does not adequately respond to the characteristics of the area.
- The buildings will be higher than those on Richmond Road and have completely different materials.
- The buildings have a completely different roof form.
- The glazed stairwell and unbroken window lines is totally inappropriate.
- The proposed development will be visible from Richmond Road.
- The design should be less office like.

#### Amenity issues

- The increase in traffic movements will create a considerable increase in noise levels for number 78.

- The end building would overlook number 76.
- The development should be lower in height.
- Boundary planting is essential within the boundaries of the application site adjacent to number 78.
- The gardens of the proposed development will receive little sunlight.
- Massive loss of privacy to number 96, the balcony comes within 10 feet of the boundary.
- Loss of planting when demolition starts.
- Increase in noise and disturbance to number 73 Richmond Road from the access road. The occupiers would like the developers to offer compensation by planting a hedge or suitable plants in the front garden of number 73.

### Access Concerns

- The site currently has very few vehicle movements. The current claim of 84 vehicle movements per day is not recognised.
- The vehicle movement figures are contrived and totally misrepresentative.
- The construction of only 2 family homes would reduce vehicle movements.
- The development will lead to an increase in traffic and noise. The planning committee should obtain independent data of traffic numbers.

### Other issues

- There is no confidence that there is a satisfactory gradient to drain sewerage.

### **Richmond Road Residents Association**

- The Richmond Road residents Association is supportive of sensitive housing development.
- The association recognises the diversity of property styles and appearances in Richmond Road.
- The development is a little too intense for the restricted site.
- The overall impression is of a scheme that is not as harmonious as it might be and therefore fails to integrate fully with its surroundings.
- Different views have been expressed on the proposed number and design of the dwellings.
- Planting and screening is important.

- The before and after predicted traffic movements are disputed.
- There will be noise and disturbance during construction.
- Cycle parking is welcomed.
- The association supports the idea of a restricted one way system, although there are concerns about its safety.

7.5 The representations can be summarised as follows:

7.6 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. Highway safety
6. Car and cycle parking
7. Third party representations
8. 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 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. This site is used for commercial storage and light industrial use, and is not 'garden land'. The proposal nevertheless involves the subdivision of an existing plot for residential purposes, whereby the criteria of policy 3/10 are relevant.

- 8.4 The site has a lawful use for commercial offices within Use Classes B1c and B8. Local Plan policy 7/3 seeks to protect industrial uses and their loss is only permitted subject to a number of criteria. The proposed redevelopment of this site clearly satisfies point Part e of policy 7/3, whereby redevelopment for housing in this residential context would be more appropriate.
- 8.5 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria set out in policy 3/10 and other relevant development plan policies. In my opinion, the principle of the development is acceptable and in accordance with policy 5/1, 3/10 and 7/3 Cambridge Local Plan 2006.

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

- 8.6 The acceptability of this scheme in terms of design turns on the detailed design and appearance of the new buildings in relation to the surrounding context.
- 8.7 Local Plan policy 3/12 considers that new buildings should have a positive impact on their setting in terms of location on the site, height, scale, form, materials, detailing and wider townscape views. The dwellings are arranged in logical fashion with their principal front elevations facing north west. In my view the site

can adequately carry four dwellings in the proposed layout. I do not consider that this layout will adversely affect the future development of the allocated housing site 5.07, to the south east.

- 8.8 In terms of scale and massing, I consider the proposed dwellings to have a positive impact on their setting. I recognise that they are larger than the existing lock up garages that occupy the site, but I do not consider this to be harmful. Their design is articulated to break up the mass of the buildings, with the recessed upper mansard roof set back 1m from the main parapet height of 6m. As such, although the buildings rise to 9m at their highest point, I do not consider that their presence will be out of scale with the surrounding residential context.
- 8.9 Government Guidance contained within PPS1 does not prevent contemporary design, the guiding principle as rehearsed within Local Plan policy 3/4 is that buildings sit comfortably and harmoniously within their setting. The proposed buildings have a contrasting detailed design in relation to the main Richmond Road frontage, but again, I consider this approach acceptable in this context. The use of timber shingles for the first floor is intended to reflect the secluded position of the site, which is framed by a number of protected trees. The proposed buff brick to the ground floor will complement the modern appearance of the buildings, providing a reference to other dwellings in the locality. The upper mansard roof of the buildings is prominent, but will not in my opinion detract from the overall composition of the design. PPS1 is clear that Planning Authorities should not seek to impose architectural styles or particular tastes. As such, given the appropriate scale and massing of the buildings, I consider their contemporary detailed design acceptable in accordance with East of England Plan policy ENV7 and Local Plan policies 3/4 and 3/12.

#### External spaces and trees

- 8.10 There are a number of mature trees on the site. The Council's Arboriculture Officer has considered this scheme and does not object to the proposals, subject to suitable protection methods during the construction. The 1 tree which is to be removed (T004) is considered to have limited amenity value and it should not constrain development of the site.

8.11 Car parking is located in reasonably close proximity to each dwelling and is positioned to support the new inner street scene. In my opinion the design of the proposal is an appropriate subdivision of this plot and is compliant with East of England Plan policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/4.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

8.12 The proposed new dwellings have their principal outlook towards the backs of numbers 82 and 90 Richmond Road. The overall front to back distance of 32m is acceptable and will not give rise to significant interlooking of windows. There will be a distance of 22m between the first floor windows of the proposed new dwellings and the centre of the gardens of numbers 82 to 90 Richmond Road. Given the angle of potential overlooking, the thick tree and vegetation screening, and the overall distances involved, I do not consider this relationship to significantly detract from the amenities of residential properties to the north west.

8.13 The western most new dwelling will be visible from the rear garden of number 78 Richmond Road. The applicant has provided an amended plan detailing 2 new birch trees to be planted on the common boundary which will reduce the visual impact and prominence of the development for the occupants of this property. I do not consider that the proximity of the building will have a harmful effect on the amenities currently enjoyed by the occupiers of 78 Richmond Road.

8.14 Concerns have been raised regarding the potential noise and disturbance created by the daily traffic movements and comings and goings associated with four new dwelling houses. While I note that the lock garages currently give rise to limited numbers of trips, a commercial use such as this could in the future be used to a far greater intensity, which may not be compatible with the surrounding residential context. This notwithstanding, I do not consider the likely trip numbers from the development to create significant noise and disturbance for those residential properties either side of the access at numbers 78, 80, 90 and 94 Richmond Road.

- 8.15 I do not consider there to be any harm to the amenities of number 73 on the north west side of Richmond Road. Further tree planting to the front garden of this property is neither reasonable nor necessary.
- 8.16 The new dwelling to the north east of the site will be sited approximately 7m from the rear garden of number 96 Richmond Road. The garden of number 96 Richmond Road is relatively deep, the rear south section of which abuts the application site. However I do not consider this part of the garden would be unduly dominated by the development, and there will be no windows in the flank elevation of the new building that might cause overlooking.
- 8.17 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

- 8.18 The proposed dwellings will provide desirable accommodation suitable for family occupation. They benefit from generous rear gardens and south east facing 2<sup>nd</sup> floor balconies.
- 8.19 The rear gardens of plots 2 and 3 will be in some shadow during the day from the protected tree T006. I do not consider this to be so harmful as to justify refusal. The tree is located on the adjacent site, which gives greater protection against future pressure for pruning. 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**

- 8.20 The houses are intended to store bins within their curtilage and a communal bin store is provided for collection day. While the pulling distances slightly exceed good practice guidance, it is considered unavoidable in this instance. Amended plans have been received ensuring smooth surfaces to the access and around the bin store. The Council's Waste Officer is content

that refuse vehicles could enter the site and collect from the proposed bin store. In my opinion the proposal is compliant with East of England Plan policy WM6 and Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.21 The Highways Authority is content that the proposed use of the site for 4 dwellings will result in a reduction of vehicle movements and officers do not therefore object to the proposals. I recognise concerns that the data provided in the applicants transport statement overstate the reality of the current use of the site. While the majority of the lock up garages are vacant at present, the site has the potential to be used in a significantly more intense manner. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.22 The development provides 8 car parking spaces. Adequate provision is made for bicycles within outbuildings in the rear gardens of each house. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.23 The majority of the points made in the representations have been considered in the above report. The following issue has been raised.

*There is no confidence that there is a satisfactory gradient to drain sewerage.*

The applicant has submitted a service report to accompany the application and is confident the development can integrate with existing drains.

### **Planning Obligation Strategy**

- 8.24 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

- 8.25 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.
- 8.26 The application proposes the erection of 4 four-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-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952	4	3808
<b>Total</b>					<b>3808</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		
4-bed	4	269	1076	4	4304
<b>Total</b>					<b>4304</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		
4-bed	4	242	968	4	3872
<b>Total</b>					<b>3872</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		
4-bed	4	316	1264	4	5056
<b>Total</b>					<b>5056</b>

8.27 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

8.28 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		
4-bed	1882	4	7528
<b>Total</b>			<b>7528</b>

8.29 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

- 8.30 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	4	300
Flat	150		
<b>Total</b>			<b>300</b>

- 8.31 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

- 8.32 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

- 8.33 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 redevelopment will make a positive improvement to the character and appearance of this backland commercial site. The development will not in my view adversely affect neighbouring amenity or highway safety. Approval is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to the satisfactory completion of the S106 Agreement by 31 January 2012 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. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

4. 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: To protect the amenity of residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

5. 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)

6. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

i) contractors access arrangements for vehicles, plant and personnel,

ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

7. 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)

8.
  - 1) No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.
    - (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
    - (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: In the interests of the amenities of future occupiers, Cambridge Local Plan 2006 policy 4/13.

9. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with 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. No demolition work shall be undertaken on the site until measures for the suppression of dust during demolition have been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan 2006, policy 4/13)

11. 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)

12. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

**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).

### **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, WM6

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8, P9/9

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/4, 4/13, 5/1, 5/14, 7/3, 8/2, 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 on the City Council website at:  
[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)  
or by visiting the Customer Service Centre at Mandela House.