

Application Number	11/1066/FUL	Agenda Item	
Date Received	12th September 2011	Officer	Miss Catherine Linford
Target Date	7th November 2011		
Ward	Arbury		
Site	The Carpenters Arms 182 - 186 Victoria Road Cambridge Cambridgeshire CB4 3DZ		
Proposal	Conversion of Public House and letting rooms to residential apartments and first floor rear extension.		
Applicant	Mr Carr 1 Bateson Road Cambridge CB4 3HF		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Carpenters Arms is a two-storey Public House situated on the junction of Victoria Road and French's Road, taking the corner. The character of Victoria Road differs to that of French's Road. Victoria Road is a main arterial road into the City, but this section of Victoria Road is predominantly residential, mainly consisting of terrace houses and semi-detached houses. On the opposite side of the road there is a Local Centre. French's Road is a residential street, mainly consisting of houses (detached, semi-detached and terrace houses), with flats at the far end of the Road opposite St Lukes C of E Primary School. The Cemetery is opposite the site, on the opposite side of French's Road.
- 1.2 The building is irregular in shape. It is further forward on the corner, and then steps back to bring it in line with the terrace of houses, with an angled junction between the two sections of the building. This corner section of the building is also deeper and taller, creating a projecting wing, which steps down to a single storey, 2.9m from the end.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to convert the Public House into seven flats, with three one-bed flats and one two-bed flat on the ground floor, and three one-bed flats on the first floor.
- 2.2 Small front gardens will be provided at the front of the building, where it steps back to join the terrace, with low railings. With the exception of these front gardens, there will be no external changes to the Victoria Road elevation.
- 2.3 On French's Road one of the entrance doors would be replaced by a window. A small first floor extension would also be built, above the single storey element at the end of the projecting wing, which would square off the building.
- 2.4 At the rear of the building, where it steps back there will be a communal terrace at first floor level, which will be accessed from the landing. An external fire escape staircase will also be installed to serve this terrace.
- 2.5 One disabled parking space will be provided, accessed from French's Road. A bin and bicycle store will be provided at the rear of the site, abutting the common boundary with the attached neighbour. This will replace an existing outbuilding.
- 2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

None relevant.

4.0 PUBLICITY

- | | |
|---|-----|
| 4.1 Advertisement: | No |
| Adjoining Owners: | Yes |
| Site Notice Displayed: | No |
| Public Meeting/Exhibition (meeting of): | No |
| DC Forum (meeting of): | No |

5.0 POLICY

5.1 Central Government Advice

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

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

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)

- 5.4 **Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009):** sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.
- 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**

SS1: Achieving Sustainable Development
ENV7: Quality in the Built Environment

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

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

5.9 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/12 The design of new buildings
3/14 Extending buildings
4/14 Air Quality Management Areas
5/1 Housing provision
5/2 Conversion of large properties
8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

3/7 Creating successful places
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*)

5.10 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction:

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.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted

7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

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 and South Cambridgeshire Strategic Flood Risk Assessment - in November 2010 the Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (SFRA) was adopted by the City Council as a material consideration in planning decisions. The SFRA is primarily a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

Cambridge and Milton Surface Water Management Plan (2011) – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

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

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

Air Quality in Cambridge – Developers Guide (2008) -

Area Guidelines

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The site lies just outside the Controlled Parking Zone. The surrounding streets are uncontrolled and opportunity would exist for future residents to park on the street. There is a high level of competition for on-street parking and so, whilst the parking would be unlikely to increase the risk of accident significantly on the highway network, there is significant potential for parking to affect the amenity of existing residents.

Head of Environmental Services

- 6.2 No objection, subject to conditions relating to noise insulation, construction hours, delivery hours, dust suppression, ventilation, and waste storage.

Cambridgeshire Constabulary – Architectural Liaison Officer

- 6.3 Notes the intention of providing secure cycle storage, which is essential to prevent cycle crime. It is recommended that an alpha-numeric key pad is fitted to the door. Notes the gates for the disabled parking space. It is recommended that a self-closing pedestrian gate is installed to reinforce the private space.

Cambridge Past Present and Future

- 6.4 Object to the loss of the Public House. The National Planning Policy framework (NPPF) states that Public Houses are community facilities and therefore are protected. The proposed conversion is overdevelopment. There is insufficient parking, which will exacerbate parking problems in the area.
- 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:
- Bridge Cottage, High Street, Fowlmere (owner of 2 French's Road)
 - 61 Maids Causeway (owner of 180 Victoria Road)
 - 9 Willingham Road, Over (on behalf of the Campaign for Real Ale)
- 7.2 The representations can be summarised as follows:
- Insufficient parking
 - Loss of light
 - Loss of privacy
 - The railings to the front of the building, around the front gardens will prevent parking in front of the neighbouring houses on Victoria Road
 - Overdevelopment
 - Only the Public House is part of the application. It is likely that the car park area adjacent to it on French's Road will be developed in the future

- The Public House should be protected as a community facility. It is still a viable business

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 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

Loss of a Public House

8.2 The Cambridge Local Plan (2006) defines community facilities as uses falling within Class D1 (Non-residential institutions) of the Use Classes Order, with the exception of university teaching accommodation. This Use Class includes health centres, museums and libraries, and other similar uses. In addition, the following sub-categories of Class C2 (Residential Institutions) of the Use Classes Order are considered to be community facilities: hospitals, residential schools, colleges or training centres.

8.3 A Public House falls within Class A4 of the Use Classes Order, and is not therefore considered to be a community facility. Therefore, policy 5/11 (which protects community facilities) is not applicable and could not be used to justify refusal. There are no policies in the Cambridge Local Plan (2006), which protect Public Houses outside Local Centres.

8.4 Policy EC13 of PPS4 relates to the loss of shops and services in local centres and villages. The Carpenters Arms does not lie

within a Local or District Centre and therefore this element of PPS4 is not applicable here.

- 8.5 Paragraph 126 of the draft National Planning Policy Framework (NPPF) states that planning decisions should safeguard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. The examples of community facilities given in the draft NPPF includes public houses.
- 8.6 The Cambridge Local Plan (2006) and the draft NPPF are not in complete concord on the subject. Some advice is given by the advice produced by the Planning Inspectorate for use by its Inspectors. Paragraph 3 of this advice says that the draft NPPF gives a clear indication of the Government's 'direction of travel' in planning policy, but paragraph 2 indicates that there is a presumption in favour of sustainable development, especially where the development plan is silent. The Cambridge Local Plan (2006) is silent on the protection of Public Houses. Also paragraphs 21 and 22 of the advice, which refers to the protection of community facilities indicates that the draft NPPF refers primarily to the plan making process – the draft NPPF asks 'local councils to consider the availability and viability of community facilities as part of the plan making process and to develop policies to safeguard against their unnecessary loss'.
- 8.7 In my view, notwithstanding, the reference to Public Houses as community facilities highlighted by Cambridge Past Present and Future, this aspect of the draft NPPF does not outweigh the current Local Plan position. The draft NPPF presumption in favour of sustainable development, and the fact that the Cambridge Local Plan (2006) is silent on the protection of Public Houses outside Local Centres, provides a firm basis for my view that the principle of development is acceptable and does not involve a conflict with Local Plan policy or Government guidance.

Provision of residential accommodation

- 8.8 Policy 5/1 of the Cambridge Local Plan (2006) maintains that proposals for housing development on windfall sites will be permitted subjecting to the existing land use and compatibility with adjoining land uses. This proposal, would be compatible with adjoining land uses and therefore, in my opinion, the

principle of development is acceptable and in accordance with policy 5/1 of the Local Plan.

- 8.9 Policy 5/2 of the Local Plan states that the conversion of non-residential properties into self-contained dwellings will be permitted except where the likely impact upon on-street parking would be unacceptable; the living accommodation provided would be unsatisfactory; the proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and the location of nearby land uses would not offer a satisfactory level of residential amenity. The location of nearby land uses would offer a satisfactory level of residential amenity as this is a predominantly residential area. The other sections of this policy will be assessed later on in this report.
- 8.10 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006) and part e) of policy 5/2 of the Cambridge Local plan (2006).

Context of site, design and external spaces

- 8.11 The external changes proposed to the building are minimal, and include a small first floor extension; the replacement of a door with a window on French's Road; the introduction of front gardens on Victoria Road; the replacement of an existing outbuilding with a new bicycle and bin store; and the introduction of a terrace at the rear of the building with an external fire escape staircase.
- 8.12 The first floor extension would infill the area above the single-storey section at the end of the projecting wing, introducing an asymmetrical gable end. In my opinion, this extension is in keeping with the design of the building and is acceptable visually. I have no concerns about the replacement of the door with a window.
- 8.13 Currently the space to the front of the building is hardstanding and appears to be used to store bins. With the exception of the Public House on the corner, all of the properties up to the junction with Harvey Goodwin Avenue are set back from the road. Some have hard standing to the front (which is used to park a car in some cases) and some have front gardens. In my

opinion, the introduction of front gardens here would have a positive impact on the streetscene and is acceptable visually.

- 8.14 The outbuildings have no architectural merit and their replacement is not of concern. The proposed replacement store would be simple in design, with a flat roof, and I consider it to be acceptable visually.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 The proposed terrace at first floor level at the rear of the property does have the potential to overlook the adjoining neighbour, 180 Victoria Road. The terrace has been designed to minimize this, with a screen on the common boundary with the neighbour. This screen will be constructed of glass blocks to act as a screen while allowing daylight through.
- 8.17 The proposed first floor extension, at the end of the projecting wing, would include a window at first floor, serving a bedroom, which would look out towards 2 French's Road. The flank wall of this neighbouring house includes a window on the ground floor and a window on the first floor. Due to the separation distance between the buildings (approximately 18m) it is my opinion that this would not have a significant detrimental impact on the neighbour.
- 8.18 Concerns have been raised about the impact the proposal could have on the occupiers of 180 Victoria Road, in terms of loss of light. These concerns are restricted to the screen on the common boundary between 180 Victoria Road and the proposed terrace; and the bicycle and bin store. These concerns have been addressed through the following amendments to the application.
- 8.19 The brick screen originally proposed has been replaced with a screen built of glass blocks. This will act as a screen whilst allowing light through. It is proposed that the bicycle and bin store will abut the common boundary with 180 Victoria Road, and would have a pitched roof. Due to its height, there was

concern that this would overshadow the ground floor of the neighbouring property. To overcome this concern, the pitched roof has been replaced with a flat roof. This will have a negligible impact on the neighbour.

- 8.20 Concern has been raised about noise from construction. Building works always create some level of noise and disturbance, and this cannot be completely avoided. However to try to minimize the potential impact I recommend that the hours of construction are limited by condition (condition 3). In order to minimize disruption from deliveries of construction materials and the collection of construction waste, I recommend that the hours of collections and deliveries are limited by condition, to avoid rush hour (condition 4).
- 8.21 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

- 8.22 The proposed conversion is to incorporate habitable rooms facing onto Victoria Road, a major thoroughfare road, which is known to be extremely busy with traffic. The future occupants of these rooms are likely to be subjected to a high level of road traffic noise and amenity should be considered. In order to ensure that there is no detrimental impact on the future occupants of the flats from road noise, I recommend a condition requiring a noise report and mitigation measures (condition 5).
- 8.23 This development is on a busy road inside the Air Quality Management Area. There is a diffusion tube nearby, which records levels of nitrogen dioxide above the National Air Quality Objectives. In order to ensure that there is no detrimental impact on the future occupants of the flats from exposure to high levels of air pollution and exhaust odours, I recommend a condition requiring a ventilation scheme (condition 6).
- 8.24 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 (or 3/14).

Refuse Arrangements

- 8.25 A bin store is proposed at the rear of the site. Environmental Health have commented on this, explaining that the submitted plans do not show enough bins, which means that the bin store is too small. There is, in my opinion, sufficient space on site for a larger bin store, and therefore I recommend that details of the bin store are required by condition (condition 4).
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.27 Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006) states that no more than one car parking space can be provided for each dwelling. Part 5/2 of policy 5/2 of the Local Plan explains that the conversion of non-residential buildings into residential use will not be permitted if the impact on on-street parking would be unacceptable. One disabled car parking space would be provided, accessed from French's Road, behind a secure gate. No other car parking spaces would be provided on site. The site is not within the Controlled Parking Zone, and competition for on-street parking spaces is high.
- 8.28 In terms of the demand for on-street parking spaces, the applicant has explained that, in their view, the traffic movements to and from the public house are greater than the potential traffic movements to and from the proposed flats. This would mean that the impact on demand for on-street parking spaces would reduce. According to neighbours, the customers of the Carpenters Arms were predominantly local and many of them walked. Those that did drive parked in the car park (to the rear of the building, accessed off French's Road), which is not part of the application site, and also parked along French's Road. It is their view that the introduction of flats here will increase the number of cars (as each flat may have a car), and increase the demand for on-street parking spaces, as the car park will not be available to residents of the flats.
- 8.29 Some of the houses along Victoria Road, including the adjoining neighbour, 180 Victoria Road, use the area to the front of the

house for parking. Because of the narrowness of the frontage to 180 Victoria Road, the proposed railings to the front of the application site, along Victoria Road, will prevent the occupiers of 180 Victoria Road from parking in front of their house, which will also increase the demand for on-street parking spaces.

8.30 The City Council encourages lower levels of car parking where good public transport accessibility exists. The application site is close to local amenities, the City Centre and public transport routes, and it is, therefore, my opinion that it would not be reasonable to refuse planning permission due to a lack of off-street car parking spaces

8.31 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that one secure, covered bicycle parking space must be provided for each bedroom. For this development, this equates to eight spaces. The proposed bicycles store would be secure and covered, with space for 8 bicycles. This complies with the Council's adopted standards and is therefore acceptable.

8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.33 Concern has been raised that the car park for the Public House, situated to the rear of the building and accessed from French's Road is not part of the application site and could be developed at a later date. If this site was to be developed in the future, planning permission would be needed.

Planning Obligation Strategy

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

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

(b) directly related to the development; and

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

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

Open Space

- 8.35 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.
- 8.36 The application proposes the conversion of the public house into 6 one-bed flats and one two-bed flat. In conversions, the contributions for open space are based on the number of additional bedrooms created, each additional bedroom being assumed to contain one person. Contributions for provision for children and teenagers are only required if they are in units with more than one bedroom. The totals required for the new units resulting from the proposed conversion are calculated as follows:

Outdoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
0	8	8	11	238	2618

Indoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
0	8	8	11	269	2959

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
0	8	8	11	242	2662

Provision for children and teenagers					
Existing total bedrooms	New total bedrooms	Net additional bedrooms not in 1-bed units	Assumed net additional persons not in 1-bed units	£ per person	Total £
0	8	2	2	316	632

8.37 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

8.38 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger

unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	6	7536
2-bed	1256	1	1256
3-bed	1882		
4-bed	1882		
Total			8792

8.39 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

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

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	7	
Total			1050

8.41 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.

Education

8.42 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5	6	160	6	960
2+-beds	2	1	160	1	160
Total					1120

8.43 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.

Transport

8.44 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. Due to the size of the proposed flats and the number of units, transport contributions will not be triggered.

Monitoring

8.45 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

- 8.46 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 In my opinion, the proposed conversion of the Public House into residential use is acceptable. The proposal would provide satisfactory living accommodation, with limited detrimental impact on neighbouring residents. The application is therefore recommended for approval, subject to conditions and the completion of the S106.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 24 February 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. 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)

3. 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 on Mondays - Fridays between the hours of 0700 hrs and 0900 hrs or between the hours of 1600hrs and 1800hrs. On Saturdays 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. 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 to protect the amenity of these residential properties throughout the redevelopment. (Cambridge Local Plan 2006, policy 4/13)

4. 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.

Reason; To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 4/13)

5. Prior to the commencement of development, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the living rooms to the high ambient noise levels in the area (dominated by traffic and vehicle noise), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings-Code of Practice'. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

6. Prior to the commencement of development details of the ventilation scheme for the residential units on the façade fronting Victoria Road shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: To protect the amenity of future occupants of these residential units from exhaust fumes and or odours from the traffic on Victoria Road. (Cambridge Local Plan 2006, policies 3/7, 4/13 and 4/14)

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

INFORMATIVE: To satisfy the noise insulation condition for the building envelope as recommended, the developer must ensure that these residential units are acoustically protected by a scheme, to ensure the internal noise level within the habitable rooms, comply with British Standard 8233:1999 'Sound Insulation and noise reduction for buildings-Code of Practice' derived from the World Health Organisation Guidelines for Community Noise: 2000. The code recommends that a scheme of sound insulation should provide internal design noise levels of 30 LAeq (Good) and 40 LAeq (Reasonable) for living rooms and 30 LAeq (Good) and 35 LAeq (Reasonable) for bedrooms. Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer cooling acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria. Compliance with Building Regulation AD F: Ventilation will also need consideration.

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: SS1, ENV7

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/12, 3/14, 4/14, 5/1, 5/2, 5/14, 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 or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

Unless prior agreement has been obtained from the Head of 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 24 February 2012 it is recommended that the application be refused for the following reasons.

The proposed development does not make appropriate provision for open space/sports facilities, community development facilities, life-long learning facilities, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/12, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010.

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 or by visiting the Customer Service Centre at Mandela House.