

Application Number	11/1208/OUT	Agenda Item	
Date Received	13th October 2011	Officer	Miss Catherine Linford
Target Date	8th December 2011		
Ward	West Chesterton		
Site	2 Greens Road Cambridge Cambridgeshire CB4 3EQ		
Proposal	Demolition of workshop and erection of 4 dwellings and garaging.		
Applicant	R. Grain, B. Wilson And C.R.E. Ltd. Longacre 42 Back Road Linton Cambs. CB21 4JF		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a roughly triangular area measuring 28m from street to rear boundary at its deepest. It is approximately 16m wide over the rear half of this depth, but narrows to a point at the front. It lies to the east of Greens Road, at the point where that street makes a dog-leg turn to the west.
- 1.2 The site is currently occupied by two buildings which have been used for car repair and engineering. They lie along the northern and southern boundaries of the site. The northern building, which appears to have nineteenth-century elements in it, but which has been altered and added to on several occasions since, is partly single-storey, and partly two-storey. The southern building, which appears to date from the later part of the twentieth century, is entirely single storey. The buildings are of various types of brick, roofed chiefly in red clay pantiles, but partly in corrugated fibre-cement sheeting. The buildings have been out of use since August 2005.
- 1.3 Residential property, in the form of small nineteenth-century terraced houses lies directly to the north of the site, and to the

west on the opposite side of Green's Road. To the east lie the grounds and bungalows of Victoria Homes. To the south of the site, land is used for car parking by businesses operating on Victoria Road. To the south-west, across Greens Road, a gateway leads into the business premises of Cambridge Artworks.

- 1.4 The site does not fall within any conservation area. The site falls just outside the controlled parking zone; the boundary of the zone runs along the northern edge of Victoria Road, some 30m distant.

2.0 THE PROPOSAL

- 2.1 Outline permission for four dwellings is sought. Details of the siting, design and external appearance of the buildings are submitted as part of the application, with only landscaping of the site held back for a subsequent reserved matters submission. The proposal seeks to erect the dwellings in an L shaped block at the street end of the site. The east-west arm, along the northern edge of the site (henceforward called 'the northern arm') would measure 7m x 19.5m. A pitched roof, with a north-south ridge would run across the front of this arm at a height of 8.6m; the east-west ridge of the pitched roof over the rest of this arm, which would be hipped at the rear, would be at 8m. The north-south arm (henceforward called 'the eastern arm') would join the other section at its eastern end. It would measure 8.5m x 7.8m and would have a pitched roof in two sections, one at 8m and the other at 8.6m. The northern arm would have a single dormer facing south. Construction would be in buff brick and slate, with timber-framed vertical sash windows.

- 2.2 The northern arm would contain three units:

- Unit 1: a three-bedroom unit on the ground, first and second floors at the west end, with a garage.
- Unit 2: a one bedroom unit on the ground floor, with outdoor amenity space measuring 5.8m x 3m, and a car parking space.
- Unit 4: a three-bedroom unit on the first floor, above unit 2 and the archway leading to the rear car parking spaces. It would have a garage.

- 2.3 The eastern arm would contain one unit:

- Unit 3: a three-bedroom unit on the ground, first and second floors, with a car parking space at the rear, and outdoor amenity space measuring 5.3m x 3.3m

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Access and Traffic Statement
3. Flood Risk Assessment

3.0 SITE HISTORY

Reference	Description	Outcome
65/0153	Demolition of showrooms and workshops; erection of offices and showroom	REF
70/0221	Improvements to offices	REF
05/1174	Outline permission for five dwellings	REF
06/0324/OUT	Erection of 4 dwellings and a garage (following demolition of workshop)	A/C

3.1 The decision notice for the previously approved application is attached to this report as Appendix 1.

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 **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.

5.5 **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.

5.6 **East of England Plan 2008**

SS1: Achieving Sustainable Development

ENV7: Quality in the Built Environment

5.7 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.8 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

4/13 Pollution and amenity

5/1 Housing provision

8/6 Cycle parking

8/10 Off-street car parking

Planning Obligation Related Policies

3/7 Creating successful places

3/8 Open space and recreation provision through new development

3/12 The Design of New Buildings (*waste and recycling*)

5/14 Provision of community facilities through new development

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

5.9 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

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

5.10 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.

Strategic Flood Risk Assessment (2005) – Study assessing the risk of flooding in Cambridge.

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.

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle

parking, and other security measures, to be provided as a consequence of new residential development.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Further information required regarding visibility splays and manoeuvring of cars. This has been provided by the applicant and is acceptable. Greens Road is constrained but it is anticipated that the proposed development will reduce traffic generation from the site.
- 6.2 The proposal provides one car parking space for each dwelling but no visitor parking. The residents of the new dwellings will not qualify for residents parking permits and, therefore, there is potential for the site to generate parking demand on-street in direct competition with nearby residential uses. This parking demand will appear on the unregulated streets immediately around the site. Visitor parking in the evening would be have a wider potential spread as it would occur after the period of restriction within the nearby Residents' Parking Scheme. Vehicles accessing the garages would provide a temporary obstruction to the public highway; however, in this location the Highway Authority does not consider this to be so severe as to be unacceptable.
- 6.3 Conditions are recommended.

Head of Environmental Services

- 6.4 No objection. Conditions recommended relating to construction hours, delivery hours, piling, contractors working arrangements, and dust suppression.
- 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:
- 25 Mulberry Close (landlord of 4 Greens Road)

- Victoria Homes
- 12 Greens Road

7.2 The representations can be summarised as follows:

Support

- There should be no net reduction of car parking spaces included in the 'turning area' opposite the site
- There should be no impact on daylight to 4, 8 and 9 Greens Road
- The erection of a 1.8m tall boundary wall should be prioritised to minimise the overlooking of the garden of 4 Greens Road and reduce on site noise before and after the demolition and construction periods
- No windows should be added at a later stage
- The working/delivery hours must be adhered to and monitored by the Council

Objection

- Overlooking of the Victoria Homes site and loss of privacy
- Overshadowing of the Victoria Homes site as the roof line is higher than existing
- Insufficient parking

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

8.0 ASSESSMENT

Background

8.1 This is a resubmission of an identical application, which was approved in May 2006 (06/0324/OUT). Since this application was approved, the local context has not altered, but policy has. The proposal must now be assessed against the Cambridge Local Plan (2006) as opposed to the Cambridge Local Plan (1996).

Assessment

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

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

Principle of Development

8.3 The site is not designated as protected industrial/storage space, but policy 7/3 of the Cambridge Local Plan (2006) states that development that results in a loss of floorspace within Use Classes B1(c), B2 and B8 elsewhere in the City will only be permitted if:

- a) There is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either
- b) The proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
- c) The continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or
- d) The loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
- e) Redevelopment for mixed use or residential development would be more appropriate.

8.4 Criteria b) and d) of policy 7/3 of the Local Plan are not relevant to this proposal. Although the area to the north and east of the site is mainly residential, and the removal of the existing buildings on the site would in my opinion improve the environment, I do not consider it to be clear that the continuation of industrial or storage use on the site would be harmful either to the environment or to neighbour amenity.

However, I do consider that redevelopment for residential use would be more appropriate, for reasons of access, noise and disturbance, and visual amenity, and consequently it is my view that the proposal satisfies criterion (e).

- 8.5 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing on windfall sites will be permitted subject to existing land use and compatibility with adjoining land uses. The site is situated within a predominantly residential area and, therefore, it is my opinion that the proposal complies with policy 5/1 of the Local Plan.
- 8.6 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 7/3 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.7 As was argued in the Officer report for the previous approved application (06/0324/OUT), the proposal is, in my view, generally successful in its efforts to respect the character of surrounding buildings. The ridge heights, roof slopes, materials and fenestration are all acceptable in this respect, and although the orientation and articulation of the building would clearly be different from that of the adjacent houses, in my view the massing of the proposal would respect that of its neighbours. I have a minor reservation about the way in which the meeting of different roof slopes is resolved at the front of the site, but this is not a detail significant enough to warrant refusal.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 As before, I do not consider that the proposal would give rise to any undue noise or disturbance, and I do not consider that the proposal would unacceptably reduce the outlook of any nearby property.
- 8.10 I do not consider that the proposal would lead to any unacceptable restriction of sunlight to neighbouring houses. The

main (east-west) ridge of the roof of the northern arm of the proposed building, which lies to the south of N^{os}. 4 and 6 Greens Road would rise 1.2m higher than the ridge of the existing workshop, but because the span of the roof would be greater, it would also be 1.5m further from those houses. Accepting that the windows on the rear extension of N^o6 face towards the proposed building, I still consider that the reduction in midday and early afternoon sunlight would be very small. The removal of the west-facing dormer from the roof of the northern arm, and its replacement by a south-facing dormer has, in my view, addressed concerns about the loss of morning sunlight to N^{os}.7 and 9 Greens Road. The roof line of the proposed building would not intrude above a line at an angle of 25° from a point 2m high on the front face of N^o. 7, and the proposed building would be well below a line at an angle of 45° from a point 2m above ground in the centre of the street.

- 8.11 There are no issues of privacy to the north of the application site (where the proposal has no windows other than two small rooflights above landings) or to the south, where the only windows face along the street towards Victoria Road. To the west, the windows of units 1 and 5 face directly towards those of N^o 7 Greens Road, at a distance of 9m. This is very close proximity, but it replicates the existing pattern of the houses in the street. Although the new building would be directly opposite N^o7, the existing position of front windows in N^o 4 means that in my view there would be no significant reduction in the privacy enjoyed by the occupants of N^{os}. 7-9.
- 8.12 At the rear of the site rear windows on the ground and first floors would overlook the rear of 15-19 Victoria Homes. There is only limited overlooking of this area from the application site at present, and although N^{os} 4 and 6 have rear windows facing in this direction on both floors, the windows in the proposed buildings would be significantly closer. However, the space to the rear of 15-19 Victoria Homes is very open. There are some sheds and shrubs, but no hedges or fences, and the majority of the open space and the rear of the buildings are clearly visible from Victoria Road, and from the car park adjacent to Greens Road, between N^o.2 and Victoria Road. There is virtually no privacy at all in this area at present, and I do not think that the proposed building would reduce it in an unacceptable way.

- 8.13 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.

Refuse Arrangements

- 8.14 Originally, the City Council's Waste Development Officer objected to the application as it was felt that there would be insufficient space for bins. The applicant has now provided further information to demonstrate that the appropriate number of bins can be provided in the gardens of Units 2 and 3 and in the garages of Units 1 and 4. The City Council's Waste Development Officer no longer objects to the application, but recommends a condition requiring details of the waste storage.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.16 The proposal provides car parking at the level of one space for one unit. The four parking spaces provided are of adequate size.
- 8.17 The site is close to bus routes at Mitcham's Corner, and within easy walking and cycling distance of the city centre. In these circumstances, I consider that car parking provision at one space per unit is adequate, and that the future occupants of the units are likely to use other means of transport for many journeys, and not to choose to use a second car.
- 8.18 Cycle parking space for two cycles is shown in the garages of Units 1 and 4, and in the gardens of Units 2 and 3. The City Council's Car and Cycle Parking Standards would require three spaces for Units 1, 3 and 4, but in my view, the additional space could be provided in each case.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.20 The issues raised in the representations received have been addressed under the headings above.

Planning Obligations

8.21 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

8.22 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.

8.23 The application proposes the erection of one three-bedroom houses, two three-bedroom flats and one one-bedroom flat. 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:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357	1	357
2-bed	2	238	476		
3-bed	3	238	714	3	2142
4-bed	4	238	952		
Total					2499

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50	1	403.50
2-bed	2	269	538		
3-bed	3	269	807	3	2421
4-bed	4	269	1076		
Total					2824.50

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363	1	363
2-bed	2	242	484		
3-bed	3	242	726	3	2178
4-bed	4	242	968		
Total					2541

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0	1	0
2-bed	2	316	632		
3-bed	3	316	948	3	2844
4-bed	4	316	1264		
Total					2844

8.24 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

8.25 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	1	1256
2-bed	1256		
3-bed	1882	3	5646
4-bed	1882		
Total			6902

8.26 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

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

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75
Flat	150	3	450
Total			525

- 8.28 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

- 8.29 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.
- 8.30 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity

to meet demand for pre-school education and lifelong learning. Contributions are not required for pre-school education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	1	0
2+-beds	2		810	3	2430
Total					2430

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	1	160
2+-beds	2		160	3	480
Total					640

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 5/14 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 In my opinion, the proposed development is acceptable. The proposal does not differ from that previously granted planning permission, and continues to comply with policy. I recommend that the application is approved, subject to conditions and the completion of a S106 agreement.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 26 April 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. Approval of the details of the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To ensure that all necessary details are acceptable. (Cambridge Local Plan 2006, policies 3/4, 3/7 and 3/11)

3. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority 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 Local Planning Authority 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 Local Planning Authority. The Local Planning Authority 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. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs d), e) and f).

(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 Local Planning Authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. 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: To safeguard the amenity and health of future occupants of these residential units (Cambridge Local Plan 2006, policies 3/7 and 4/13)

4. In the event of the foundations for the proposed development requiring piling, the applicant shall provide the Local Authority with a method statement for approval detailing the type of piling and the mitigation measures to be taken to protect local residents. Development shall be carried out in accordance with the approved details. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

5. 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)

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

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

7. 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)

8. The wheel washing and dust suppression provisions shall be submitted for approval by the Local Planning Authority. Works shall be undertaken in accordance with the approved details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

9. No development shall take place until details of the proposed site lighting during demolition and construction have been submitted to and approved in writing by the Local Planning Authority .

Reason: To protect the amenity of the nearby residential properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

11. 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)

12. No development shall take place until a scheme for the provision and implementation of surface water drainage has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be constructed in accordance with, and at the time specified by, the approved details.

Reason: To ensure a satisfactory method of surface water drainage. (Cambridge Local Plan 2006, policy 4/16)

13. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

14. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan 2006, policy 8/2)

15. No part of any structure shall overhang or encroach under or upon the public highway and no gate/door/ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

16. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan 2006, policy 8/2)

17. No demolition works shall commence on site until a traffic management plan has been agreed with the Highway Authority.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

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: SS1, ENV7;

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 3/12, 4/13, 5/1, 8/6, 8/10, 5/14, 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.

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.