

Application Number	11/1585/FUL	Agenda Item	
Date Received	28th December 2011	Officer	Mr John Evans
Target Date	22nd February 2012		
Ward	Castle		
Site	Rear Of 82 - 94 Richmond Road Cambridge Cambridgeshire CB4 3PT		
Proposal	Erection of 4no four bed link detached units, together with 11 car parking spaces, cycle parking and associated landscaping works following demolition of existing outbuildings to the side and rear of 82 Richmond Road.		
Applicant	Mr E Seaby C/o Agent		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the south east side of Richmond Road. The site is currently occupied by 22 lock up garages and storage buildings, all of which are vacant. The site has 2 accessways onto Richmond Road, adjacent to numbers 82 and 90 Richmond Road.
- 1.2 Number 82 Richmond Road is a dwelling house, which has also been vacant for many years. It has a single storey rear extension some 18m in depth, which is within the application site and which is in commercial use.
- 1.3 Richmond Road is characterised by 2 storey terraced dwelling houses set in relatively deep and narrow plots. To the south east is Proposal Site 5.07, which is a 1.47 hectare site allocated for housing in the 2006 Local Plan.
- 1.4 The site is not within a Conservation Area. Richmond Road is not within the Controlled Parking Zone.
- 1.5 There are 8 trees protected by TPO's within and immediately adjacent to the site.

2.0 THE PROPOSAL

- 2.1 This revised application seeks consent for the erection of 4, four bedroom detached dwelling houses, arranged over 3 levels of accommodation. The houses stand 5.6m to their first floor parapet level and have an overall height of 8m.
- 2.2 The 4 houses have a revised design and appearance as compared with the previously refused application 11/0921/FUL. The buildings are modern in appearance with buff brickwork and areas of horizontal oak timber boarding. The roofs are pitched to the western front elevation and will be constructed with slate.
- 2.3 Each house has an integrated car parking space to the front and a rear garden area containing an outbuilding for bicycles. Refuse collection is provided in a communal store to the rear of number 82 Richmond Road.
- 2.4 The application is accompanied by the following supporting information:
- 1 . Design and Access Statement
 - 2 . Planning Statement
 - 3 . Transport Statement
 - 4 . Archaeological desktop assessment
 - 5 . Noise Assessment
 - 6 . Phase 1 contamination study
 - 7 . Utilities report
 - 8 . Habitat and biodiversity study
 - 9 . Tree Survey

3.0 SITE HISTORY

Reference	Description	Outcome
11/0921/FUL	Erection of four 4-bed semi-detached residential units, together with 9 car parking spaces, cycle parking and associated landscaping works (following demolition of existing outbuildings to the side and rear of 82 Richmond Road).	Refused

The previous application was refused for the following reason:

The proposed development, by virtue of the scale, height, design and massing of the proposed houses, would result in a bulky and dominant scheme, the appearance of which would appear industrial and heavy in terms of the use of materials and detailing. The proposed development would therefore not respond positively to the surrounding context or setting of the site. As such, the application is contrary to policies 3/4 and 3/12 of the Cambridge Local Plan (2006).

This application is currently the subject of an appeal.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

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

- 5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.
- 5.4 **Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)
- 5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

- 5.6 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

5.7 **East of England Plan 2008**

ENV7: Quality in the Built Environment

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.9 **Cambridge Local Plan 2006**

3/4 Responding to context

3/6 Ensuring coordinated development

3/7 Creating successful places

3/10 Subdivision of existing plots

3/11 The design of external spaces

3/12 The design of new buildings

4/4 Trees

4/13 Pollution and amenity

5/1 Housing provision

7/3 Protection of Industrial and Storage Space

8/2 Transport impact

10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places

3/8 Open space and recreation provision through new development

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

5/14 Provision of community facilities through new development

10/1 Infrastructure improvements (*public open space, recreational and community facilities, waste recycling*)

5.10 **Supplementary Planning Documents**

Cambridge City Council (March 2010) – Planning Obligation Strategy

5.11 **Material Considerations**

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

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

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

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

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

Includes the following statement:

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

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

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

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

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

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

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

City Wide Guidance

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

- 6.1 The use of cobbles as a speed reducing measure should be removed from the proposal. These are unnecessary and would result in significant disturbance to adjoining residential properties.

The proposal would regularise the use of the existing accesses but would be unlikely to intensify their use.

The level of parking provision, given the location and accessibility of the site is reasonable, however any additional parking would be likely to obstruct access.

The Highway Authority recommend that parking spaces should be 2.5m x 5m with a 6m reversing space.

Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwellings will not qualify for Residents' Permits within the existing Residents' Parking Schemes operating on nearby streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

Head of Environmental Services

- 6.2 No objections subject to contamination and construction noise related conditions.

Arboriculture

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

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

Cambridgeshire County Council (Archaeology)

- 6.4 Further investigations required, imposition of condition necessary.

Cambridge County Council Education

Pre School and Life Long Learning contributions triggered.

- 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: 78 Richmond Road, 94 and 95, 96 Richmond Road,

- 7.2 The representations can be summarised as follows:

Principle of development comments

- Residential development generally welcomed.

Design comments

- The design of the buildings is essentially the same.
- The development should be 2 or 3 low rise buildings.

Amenity concerns

- Loss of amenity for number 78 as a result of the proposed new access.
- The proposed balconies will overlook the garden of number 78.
- Building mass is closer to the boundary with number 96.

Access and car parking Concerns

- There is no established vehicle access between numbers 78 and 82.
- Emergency vehicles could not turn into the site without car parking restrictions to either side.
- 11 Parking spaces for 4 houses is too many.
- Concerns with proposed rumble strips.

Richmond Road Resident's Association

- Concerns with the previous refusal related to the detailed design of the houses and the means of access.
- General agreement that the proposed changes improve the character and appearance of the proposed development.
- Modifications to the height and frontage of the proposed houses is welcomed.
- Traditional materials welcomed.
- Increase in parking spaces is an improvement.
- Screen should be included on the southern most dwelling.
- Reservations regarding access points remain.
- Yet to be convinced that there will be no loss of parking to Richmond Road or that emergency vehicles can adequately enter the site.
- The access adjacent to number 82 is of limited width. There is concern that the turning room needed would lead to further car parking restrictions on Richmond Road.
- Further clarification needed regarding the access route upkeep, fencing and boundaries.

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 . Highway safety
- 6 . Car and cycle parking
- 7 . Third party representations
- 8 . Planning Obligation Strategy

Principle of Development

8.2 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

8.3 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f). The character and amenity sections of policy 3/10 are considered in the

relevant subsections below. This site is used for commercial storage and light industrial use, and is not 'garden land'. The proposal nevertheless involves the subdivision of an existing plot for residential purposes, whereby the criteria of policy 3/10 are relevant.

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

Context of site, design and external spaces

- 8.6 The acceptability of this scheme in terms of design turns on the detailed design and appearance of the new dwellings in relation to their surrounding context. The application proposal is similar in layout and footprint to the previously refused scheme. The key difference between the application proposal and the previously refused scheme relates to the design and materials of the houses. I discuss below how this revised scheme addresses the reason for refusal.
- 8.7 The Council considered the design of the previously proposed houses unacceptable, because of their overall height, which ranged from 8.4m to 9m, and their massing. They were considered to dominate the gardenscape and the environs of this backland site, which would be incongruous. The applicant has sought to address this concern by reducing the overall height to 8m. While I accept in isolation this is a relatively modest reduction in height, more important is the remodelled proportions of the dwellings, which were previously considered incongruous.

- 8.8 The Council considered the prominent, awkward and bulky third storey roof design of the previously refused scheme out of character with the gardenscape, creating an austere appearance due to the dominant roof form. The application proposal retains a modern contemporary appearance, but has more balanced proportions. The third storey has been reduced in scale with pitched roofs. This in my opinion is more contextually appropriate and will create a more pleasing overall appearance.
- 8.9 The detailed design and materials, with extensive use of shingle cladding and the overly prominent stairwell features were previously considered unacceptable. In the view of the Council, this contributed to a heavy, industrial appearance. This revised scheme has a more rationalised, less imposing, materials palette. The overall proportion of brickwork has increased on the exterior of the building, which in my view is a positive improvement on the previously refused scheme, satisfactorily addressing the previous reason for refusal.

External spaces and trees

- 8.10 There are a number of mature trees on the site. The Council's Arboriculture Officer considered the previous scheme and did not object to the proposals, subject to suitable protection methods during the construction. The one tree which is to be removed (T004) is considered to have limited amenity value and it should not constrain development of the site. Some concerns remain regarding the pressure for future pruning from unit 3 in relation to tree T6. Tree T6 is however afforded greater protection being located outside the site.
- 8.11 Car parking is located in reasonably close proximity to each dwelling and is positioned to support the new inner street scene. In my opinion the design of the proposal is an appropriate subdivision of this plot and is compliant with East of England Plan policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The proposed new dwellings have their principal outlook towards the backs of numbers 82 and 90 Richmond Road. The overall front to back distance of 30m is acceptable and will not give rise to significant interlooking of windows. Given the angle of potential overlooking, the thick tree and vegetation screening, and the overall distances involved, I do not consider this relationship to significantly detract from the amenities of numbers 82 - 90 Richmond Road. The layout of the proposed dwellings is very similar to the previous application and was not considered unacceptable.
- 8.13 The western most new dwelling (unit 1) will be visible from the rear garden of number 78 Richmond Road. The applicant proposes 2 new trees to be planted on the common boundary which will reduce the visual impact and prominence of the development for the occupants of this property. The revised design features a first floor balcony to unit 1 which will result in some overlooking at the end of the rear garden of number 78. I recognise the potential for overlooking, although this can be resolved through the erection of a screen, secured through the imposition of a suitable planning condition. (See condition 14). I do not consider that the proximity of the building will have a harmful effect on the amenities currently enjoyed by the occupiers of 78 Richmond Road, whose garden is approximately 45m long.
- 8.14 The new dwelling to the north east of the site (unit 4) will be sited approximately 2.5m from the rear garden of number 96 Richmond Road. The garden of number 96 Richmond Road is relatively deep, the rear south section of which abuts the application site. I do not consider this part of the garden would be unduly dominated by the development, especially given the revised hipped roof treatment. There will be no windows in the flank elevation of the new building that might cause overlooking.

- 8.15 Concerns have been raised regarding the potential noise and disturbance created by the daily traffic movements and comings and goings associated with four new dwelling houses. While I note that the lockup garages currently give rise to limited numbers of trips, a commercial use such as this could in the future be used to a far greater intensity, which may not be compatible with the surrounding residential context. This notwithstanding, I do not consider the likely trip numbers from the development to create significant noise and disturbance for those residential properties either side of the access at numbers 78, 80, 90 and 94 Richmond Road. The proposed rumble strips are not considered necessary and may cause disturbance for neighbours. I have suggested the imposition of a planning condition to ensure they do not form part of the development. (See condition 15).
- 8.16 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

- 8.17 The proposed dwellings will provide desirable accommodation suitable for family occupation. The houses are served with small but useable rear garden areas. The rear gardens of plots 2 and 3 will be in some shadow during the day from the protected tree T006. I do not consider this to be so harmful as to justify refusal. The tree is located on the adjacent site, which gives greater protection against future pressure for pruning. In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.18 The houses are intended to store bins within their curtilage and a communal bin store is provided for collection day. While the pulling distances slightly exceed good practice guidance, it is considered unavoidable in this instance. There will be smooth surfaces to the access and around the bin store. The Council's Waste Officer is content that refuse vehicles could enter the site and collect from the proposed bin store. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.19 The Highways Authority is content that the proposed use of the site for 4 dwellings will result in a reduction of vehicle movements and officers do not therefore object to the proposals. I recognise concerns that the data provided in the applicants transport statement overstate the reality of the current use of the site. While the majority of the lock up garages are vacant at present, the site has the potential to be used in a significantly more intense manner.
- 8.20 While the previous application was not refused on the basis of highway safety, concerns remain as to the suitability of the access for emergency vehicles entering and leaving the site. I recognise the importance of maintaining sightlines at the junction of both accessways. The Council could retain control of the final boundary treatment through the imposition of a suitable planning condition.
- 8.21 The transport statement which has been submitted demonstrates how a fire tender can move through the site, but it does not show how emergency vehicles manoeuvre into the access itself. The applicant has agreed to revise the tracking diagram to show how an emergency vehicle could enter the site with parked cars along Richmond Road. I will provide an update on this issue on the pre Committee amendment sheet.
- 8.22 The provision of further yellow or white lines on the street is not within The Local Planning Authority's control. The control over the use and function of the highway is for the County Council acting in its role as the Local Highway Authority. The Highways Authority do not consider further car parking restrictions, in

terms of either white or yellow lines, necessary. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.23 The development provides 11 car parking spaces, an increase of 3 from the previously refused application. The Council's Adopted Car Parking Standards advise a maximum of 11 spaces should be provided. On this basis I do not consider the development to result in an over provision of car parking.

8.24 Adequate provision is made for bicycles within outbuildings in the rear gardens of each house. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.25 The points raised in the representations received have been discussed in the above report.

I will provide further comment from the Highways Authority on the revised tracking plan on the amendment sheet.

Planning Obligation Strategy

Planning Obligations

8.26 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

8.27 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.

8.28 The application proposes the erection of 4 four-bedroom houses. 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		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952	4	3808
Total					3808

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		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076	4	4304
Total					4304

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		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968	4	3872
Total					3872

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		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264	4	5056
Total					5056

8.29 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

8.30 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		
2-bed	1256		
3-bed	1882		
4-bed	1882	4	7528
Total			7528

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.

Waste

8.32 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	4	300
Flat	150		
Total			300

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

Monitoring

8.34 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

8.35 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 This revised scheme addresses the design related reason for refusal of the previous application. I do not consider significant adverse harm to either highway safety or neighbouring amenity to result. APPROVAL is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

Determined under delegated powers by:

Designation - Development Control Manager

Date:

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

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

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

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

3. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

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

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

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

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

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

- ii) contractors site storage area/compound,

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

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

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

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

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

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

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

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

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

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

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

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

9. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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

10. No demolition work shall be undertaken on the site until measures for the suppression of dust during demolition have been submitted to and approved in writing by the local planning authority.

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

11. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

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

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

13. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

14. Prior to the commencement of the development, details of a screen to the proposed first floor balcony to unit 1 shall be submitted to and approved in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interests of neighbouring amenity, to prevent overlooking of the rear garden at number 78 Richmond Road, Cambridge Local Plan 2006 policies 3/4 and 3/12.

15. Notwithstanding the details on the approved block plan P 01 rev B, the proposed vehicle rumble strips shall not be installed on either of the accessways.

Reason: In the interest of the amenities of neighbouring residential properties, Cambridge Local Plan 2006 policy 3/4.

INFORMATIVE: To satisfy standard conditions relating to Noise Insulation, the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 'Method for rating industrial noise affecting mixed residential and industrial areas' or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

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

Reasons for Approval :

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

East of England plan 2008: ENV6, ENV7, WM6

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/4, 4/13, 5/1, 5/14, 7/3, 8/2, 10/1

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess 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.

