

**SECTION 106 AGREEMENT
(Report by Development Control Manager)**

Case No: 0303471FUL (FULL PLANNING APPLICATION)

Proposal: ERECTION OF EIGHT DWELLINGS AND CAR PORTS
FOLLOWING DEMOLITION OF BUNGALOW AND
OUTBUILDINGS

Location: SUNNYSIDE, PARK AVENUE, ST IVES

Applicant: JUXTA PROPERTIES

Grid Ref: 531714 271474

Date of Registration: 17.12.2003

Parish: ST IVES

RECOMMENDATION - APPROVE

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This application seeks planning permission for demolition of the existing bungalow and the erection of eight dwellings at Sunnyside, Park Avenue, St Ives; a site of approximately 0.17 hectares. It is an amendment to the initially submitted scheme for nine dwellings. The amended scheme includes improvements to the presently narrow Park Avenue from where access is obtained and comprises a mix of 2 x 3 bed houses, 2 x 2 bed flats, and a 1 bed flat in an "L" shaped mostly two-storey terrace. An arched access leads to the car parking area. The site is surrounded by a high brick wall and has several mature and important trees, the subject of a Tree Preservation Order along its Needingworth Road frontage. One of these, a Silver Birch is removed to facilitate highway improvements. The site is within a residential area of varying density.

2. NATIONAL GUIDANCE

- 2.1 **Planning Policy Guidance Note 1: General Policy and Principles**
- 2.2 **Planning Policy Guidance Note 3: Housing**
- 2.3 **Planning Policy Guidance Note 25: Development and Flood Risk**

3. PLANNING POLICIES

- 3.1 **Regional Spatial Strategy (Draft) December 2004:**

- **SS14 - development and flood risk**

- **H2** - affordable housing and mix of types

3.2 **Cambridgeshire and Peterborough Structure Plan 2003:**

- **P1/1** - approach to development
- **P1/3** - sustainable design in built development
- **P5/2** - re-using previously developed land
- **P5/3** – density
- **P6/1** - development related provision
- **P6/3** - flood defence.

3.3 **Huntingdonshire Local Plan 1995 as altered by the Local Plan Alteration Plan 2002:**

- **H31** - Residential privacy and amenity standards
- **En18** - Protection of countryside features
- **CS9** - Floodwater management
- **HL5** - Requires all new housing development to incorporate good design and layout, achieve an efficient use of land and mix of dwelling sizes, types and affordability.
- **HL6** - Seeks housing development at between 30-50 dwellings per hectare.
- **HL7** - Sets out to maximise the re-use of previously developed land
- **OB1** - Provides advice on the nature and scale of obligations sought in respect of development

3.4 **Huntingdonshire Design Guide SPG**

4. **PLANNING HISTORY**

- 4.1 Planning permission refused for a scheme of seven dwellings Jan 2003. The reasons for refusal included, poor design, loss of trees, poor housing mix, undue loss of amenity to neighbour and lack of flood risk assessment.

5. **CONSULTATIONS**

- 5.1 **St Ives Town Council - REFUSE (copy attached).** The Town Council has been requested to reconsider the amended scheme and any further comment will be reported to Panel.

- 5.2 **HDC Highways - NO OBJECTION** subject to appropriate conditions.

- 5.3 **Cambridgeshire County Council** - Seeks education contribution of £14,000.
- 5.4 **Environment Agency** - the Agency is content with an amended Flood Risk Assessment that has sought to address concerns over levels and storage capacity.

6. REPRESENTATIONS

- 6.1 **TWELVE** letters of **OBJECTION** and one from Civic Society on a wide variety of different issues ranging from traffic generation, lack of car parking, narrowness of road, visual impact (design), number of dwellings, flooding.
- 6.2 To date, **THREE** further responses have been received following re-consultation, maintaining previous objections.

7. SUMMARY OF ISSUES

- 7.1 The issues involved with this scheme focus upon compliance with policy, highway safety and access, design, trees and floodwater.
- 7.2 In determining this proposal and addressing the issues, Policy HL5 is most relevant. This requires good quality design and layout and sets out criteria to be followed for any scheme to be successful. Amongst others these include, (i) an efficient use of land, (ii) respect of the townscape and landscape of the wider locality and (iii) provides an appropriate mix of dwelling sizes, types and affordability.
- 7.3 The proposal represents the use of previously developed land, consistent with Policy HL7. It is within a residential area and is for a mixed house type scheme of 8 units, it maximises the site's full potential, it provides for the retention of the significant trees and improves the present width, visibility and access of the Park Avenue junction with Needingworth Road. The design of the scheme is entirely consistent with local form respecting the scale of adjacent properties and townscape. The design follows guidance advice and retaining the significant screen wall that is a feature along Needingworth Road. It is inevitable that such a scheme has some impact upon neighbouring properties but the scheme has been designed to maximise space about the buildings and minimise overlooking.
- 7.4 The proposal is considered compliant with policy HL5 of the development plan and in accordance with policies that generally encourage this type of development into the market towns.
- 7.5 Concerns over potential flooding have been addressed by designing the buildings with anti-flooding measures advocated by the ODPM meaning finished floor levels can remain consistent with the scheme's surroundings thus avoiding abnormal building heights and consequent poor design.
- 7.6 Section 106 Agreement. Cambridgeshire County Council Finance has indicated that there are not adequate secondary education facilities to support the proposal. As a consequence, a contribution of £18,000 to cover two secondary places is sought by way of a S106 Agreement.

The applicants have been advised of this fact and have agreed that they would be willing to enter into such an agreement.

- 7.7 Having regard to applicable national and local policies and having taken into account all relevant material considerations it is considered that subject to a S106 Agreement being reached, planning permission should be granted.

8. RECOMMENDATION – APPROVE, subject to conditions to include the following:

02001	Time limit
17003	Amended plans
05001	Buildings
Nonstand	Hard landscape
06011	Soft landscape
06012	Hard and soft landscape implementation
Nonstand	Tree protection
Nonstand	Implementation of highway works
03024	Temporary parking etc. during construction
Nonstand	Removal of permitted development rights
Nonstand	Flood Risk Mitigation

BACKGROUND PAPERS:

Planning Application File Reference: 0303471FUL
Huntingdonshire Local Plan
Huntingdonshire Local Plan Alteration
Ramsey Gateway Development SPG
Cambridgeshire & Peterborough Structure Plan

CONTACT OFFICER:

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