

Application Number	08/0280/FUL	Agenda Item	7.1
Date Received	26th February 2008	Officer	Mr Neville Doe
Target Date	22nd April 2008		
Ward	Castle		
Site	1 Halifax Road Cambridge Cambridgeshire CB4 3QB		
Proposal	Erection of 4 one bed duplex flats and 11 bed-sitting rooms for Graduate accommodation with 2 parking spaces and associated external works (following demolition of existing shop, offices and outbuildings/workshops).		
Applicant	Fitzwilliam College Mr Christopher Pratt MA ACIS Fitzwilliam College Storey's Way Cambridge CB3 0DG		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is the first property on the north-western side of Halifax Road approximately 50 metres north-east of its junction with Huntingdon Road. The site currently contains a dwelling on the frontage which has at some time been converted for commercial use. To the rear, and wrapping around the north-west end of the site is a range of single and two-storey brick outbuildings which have up until recently accommodated a variety of low key, B1 light industrial uses.
- 1.2 The site is bounded to the south-west by the rear gardens of houses that front Huntingdon Road, and to the north-west by the rear gardens of the houses that front Richmond Road. To the north-west of the site and immediately adjoining, is the next house in the terrace fronting Halifax Road. On the opposite side of Halifax Road to the south-west are residential properties. The street and immediate context of the application site is characterised by terraced properties mostly in occupation by families or subdivided into flats. There is a large mature tree outside the site on the south-western boundary.

1.3 The site does not fall within a conservation area neither does it fall within a controlled parking zone.

2.0 THE PROPOSAL

2.1 The proposal is to demolish the existing buildings on the site, to which there is no objection in principle, and erect a two and half-storey frontage building which is to be divided into 11 bed sits with shared facilities, including common room and kitchens, and a linked single-storey block to the rear, along the north-eastern boundary, which contains four duplex flats. The accommodation is for graduate students of Fitzwilliam College.

2.2 The application is accompanied by the following supporting information:

1. Design Statement

2.3 This proposal follows an earlier scheme that was refused permission under Delegated Powers and was dismissed at a subsequent planning appeal. The inspector concluded that while the proposed development was acceptable in principle, the large box dormer that was proposed at the front of the building was unacceptable and would have a harmful impact upon the street scene. Therefore the proposal that is now for consideration is for an identical building in terms of its footprint, height, design and number of rooms, with the only difference being that the large dormer window [of the previous refused scheme] is replaced with two smaller dormer windows.

3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
82/0872/FUL	Use of premises for restoration and sale of antiques with flat above	A/C
83/0188/FUL	Use of premises for light industrial use, ancillary shop and offices	A/C
07/0112/FUL	Erection of 4 no 1 bed duplex flats and 11 bedsits	REF dismissed on appeal

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 PPS1 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 (PPS 3) Housing :

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 **PPG13 Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.
- 5.5 **PPG16: Archaeology and Planning (1990):** Provides policy advice with regard to archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.
- 5.6 **PPS25 Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.
- 5.7 **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.
- 5.8 **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.
- 5.9 **Cambridgeshire and Peterborough Structure Plan 2003**

5.10 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
- 4/4 Trees
- 5/1 Housing provision
- 8/2 Transport impact
- 8/4 Walking and Cycling accessibility
- 8/6 Cycle parking
- 8/10 Off-street car parking
- 10/1 Infrastructure improvements

Planning Obligation Related Policies

- 3/7 Creating successful places (*public art/public realm*)
- 3/8 Open space and recreation provision through new development
- 10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.11 Material Considerations

Cambridge City Council (2003) – Sustainable Development Guidelines: Highlights issues that should be considered when drawing up policies and development briefs, appraising sites and development proposals. The Guidelines identify opportunities for mitigation of the impacts of development and for delivering environmental enhancement, giving examples of how this has been achieved in successful projects. The Guidelines include practical ways of implementing the principles of sustainable development at all stages of the development process. Applicants for major developments will be asked to complete and submit a Sustainable Development Checklist and a Sustainability Statement to accompany their planning application, setting out the key sustainable development issues relevant to the development, and describing how they have complied with the Guidelines.

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001) - This document aims to aid strategic and development control planners when considering biodiversity in both policy development and dealing with planning proposals.

Cambridge City Council (2004) – Planning Obligation Strategy: Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

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 (Engineering)

6.1 No Objection: Objection: Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

Head of Environmental Services

6.2 No objection subject to conditions to control noise and disturbance during demolition and construction.

6.3 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:

4, 25, 33a Halifax Road

7.2 The representations can be summarised as follows:

The design of the proposed replacement building would be out of character with the existing terraces of houses.
The proposed parking provision is inadequate.

Increased noise and disturbance.

The density that is proposed for the site is too high.

- 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. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligation Strategy

Principle of Development

- 8.2 Policy 7/7 of the Cambridge Local plan 2006 states that planning permission will be granted for windfall and student hostel sites subject to a) amenity considerations, b) their proximity to the institution they serve, c) supervision, if necessary, is provided as appropriate to their size, location and nature of the occupants, d) they do not result in a loss of family residential accommodation.
- 8.3 The current B1 light industrial use is not part of a site that is protected Industrial floor space through policy 7/2 of the Cambridge Local Plan 2006.
- 8.4 The site is within close proximity to Fitzwilliam College and also within an existing residential area. In my opinion, the redevelopment of this site for student accommodation would seem appropriate and the principle of the development is acceptable and in accordance with policy 7/7 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.5 The site is approximately 525 square metres, which is on average approximately twice the size of the plots on Halifax Road. The site is surrounded on 3 sides by residential properties in an area of small to medium sized family housing that is laid out in a traditional street pattern.
- 8.6 The proposed scheme is for a total of 15 units arranged in a large building comprising a two and a half storey frontage building which spans most of the width of the site, and a rear linked element of one and a half storeys which in combination with the frontage part runs the entire depth of the site along the northern boundary, which it shares with the adjoining property, number 1 Halifax Road. There are small paved areas to the front and rear of the site to accommodate cycle parking and bin storage and which also provides a limited level of amenity space for occupants.
- 8.7 Whilst the external spaces would provide a sufficient area for the storage of cycles and waste/recycling bins, it would also allow some limited opportunity to be used as private amenity space, where residents could spill out of the common room onto the area immediately outside its rear doors,
- 8.8 The proposed development is a complete new build, which replaces a C19 house and later outbuildings. The frontage building loosely follows the existing form of the existing building, albeit with an increased depth of approximately half a metre, but keeping the same roof-pitch and formal fenestration which is characteristic of the general area. In addition however there is a pair of flat-roofed dormer windows at roof level on the street elevation, and between them, two rooflights.
- 8.9 The two smaller dormers, read as subservient elements in the roof plane, and line through vertically with the fenestration pattern of the first and ground floor below. In my view this revision improves the overall design and appearance of the proposed building by reducing the bulk and removing the 'top-heavy' appearance of the street elevation, to achieve a more refined and logical composition that I find to be acceptable.
- 8.10 Subject to agreeing building materials, I am satisfied that the design and appearance of the proposed building are

appropriate to the context and that there is no harmful impact on the existing surroundings. The proposal is therefore in accordance with policies 3/4, 3/7 and 3/12 of Cambridge Local Plan 2006.

Disabled access

- 8.11 The application is accompanied by a Design and Access Statement which states that the ground floor of the main block and the 4 duplex units will be fully wheelchair accessible and will include a disabled WC. The approach to the site from either direction is virtually flat and the small level change will be taken up in ramping of the ground space. The Council's Access Officer has commented on the proposal and raised no objection to it with regard to disabled access.
- 8.12 In my opinion the proposal addresses issues of disabled access and provision of disabled facilities adequately in accordance with policy 3/12 of the Cambridge Local Plan 2006.

Residential Amenity

- 8.13 The proposed building has two distinct parts to it. The main frontage block is of a similar massing and scale to the existing and occupies an almost identical footprint. The rear-projecting element which contains the duplex flats is of similar height to the existing outbuildings at approximately 5.4 metres and is stepped in from the boundary by around 1.4 metres. Therefore in terms of impact on adjoining dwellings, there will be no greater impact than the existing built form.
- 8.14 All windows above ground floor level in the proposed building face towards the street or directly out onto the rear yard. There are no windows that look directly into neighbouring gardens or habitable room windows. I am satisfied that the proposed development would not result in any undue overlooking of residential properties or loss of privacy.
- 8.15 The Planning Inspector in her report commented that in her opinion, even if all the proposed units were in occupation at the same time, she would not expect comings and goings and general activity to adversely affect residents in Halifax Road as the access would remain on the south side.

- 8.16 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.17 The submitted plans indicate an area to the rear of the site where bins will be stored although no details are supplied of the type of enclosure that will be on the site. However the developer could be required to provide full details through a planning condition.
- 8.18 In my opinion the proposal makes adequate provision of waste storage facilities in accordance with Cambridge Local Plan 2006 policy 3/12.

Highway Safety

- 8.19 The Local Highway Authority has been consulted on this proposal and raises no objection in terms of highway safety. I am therefore satisfied that development is compliant with policy 8/2 of the Cambridge Local Plan 2006.

Car and Cycle Parking

- 8.20 The proposal provides 2 off-street car-parking spaces, which is below the recommended provision of the Council's Car and Cycle Parking Standards. As these are maximum standards and the fact that the proposed development would be within easy walking distance of the college, it is considered that this level of parking provision is acceptable.
- 8.21 The submitted application drawing shows 19 cycle parking spaces, including 3 at the front of the building for visitors, which accords with the adopted Car and Cycle Parking Standards. In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policy P8/1 and Cambridge Local Plan (2006) policy 8/2.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.23 Those concerns and objections that have been raised by third parties, have been addressed elsewhere in the assessment part of the report.

Planning Obligation Strategy

8.24 The Planning Obligation Strategy (2004) 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.

8.25 The applicant contested the necessity of a Unilateral Undertaking on the grounds that the College already made adequate provision of formal and informal open space through its existing facilities within its ownership.

8.26 The Inspector made a consideration of the open space with regard to the needs of the occupiers and concluded that because the playing fields of Fitzwilliam College are less than 450 metres away from the development site that no contribution would be necessary. The Inspector also found that the college was well provided for in terms of useable informal spaces and concluded that in these circumstances there was no necessity for there to be a contribution towards informal open space as part of the proposed development.

9.0 CONCLUSION

Given the findings and conclusion of the Appeal Inspector and the subsequent amendments to the proposed development, in my view the proposal is considered to be acceptable and is recommended for approval.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason æ To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/7 and 3/12)

4. No development shall take place until full details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted, shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan Policy 8/6)

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. 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. 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 local planning authority 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: To safeguard the amenity and health of future occupants of these residential units (Cambridge Local Plan 2006 policy 4/13)

8. Prior to the commencement of the development hereby approved (including any pre-construction, demolition or enabling works), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228 Noise and Vibration Control On Construction and Open Sites, especially Part 1: 1997 Code Of Practice (COP) for basic information and procedures for noise and vibration control, Part 2: Guide to noise and vibration control legislation for construction and demolition including road construction and maintenance and Part 4: COP for noise and vibration control applicable to piling operations, (if the construction process is to involve piling operations). Development shall be carried out in accordance with the approved details.

Reason: To protect the residential amenity of neighbouring residents (Cambridge Local Plan 2006 policy 3/4)

9. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 Part 4: COP for noise and vibration control applicable to piling operations, Development shall be carried out in accordance with the approved details.

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 residential amenity of neighbouring residents (Cambridge Local Plan 2006 policy 3/4)

10. Prior to the commencement of development, a method statement for demolition (including details of any proposed on-site concrete crushing) and details of dust suppression measures shall be submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the details agreed.

Reason: to protect the amenity of adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 3/4)

11. Before the development hereby permitted is commenced, including any works of demolition, details of proposed wheel washing and other mitigation measures in relation to dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details.

Reason: In the interest of residential amenity (Cambridge Local Plan 2006 policy 3/4).

12. 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)

13. The development hereby permitted shall be used only as a hostel for the provision of residential accommodation for students attending full-time courses of education at the University of Cambridge and who are subject to proctorial control.

Reason: Inadequate off-street parking provision is available on site to meet the car parking standards of the City Council for any use other than a sui generis hostel use, the occupation of which is restricted to students who are subject to a system of parking control administered by the University of Cambridge. (Cambridge Local Plan 2006 policy 8/10).

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).

INFORMATIVE: Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P1/3

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

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 detail on the decision please see the officer report by visiting the Council Planning Department.

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 by contacting John Summers (Ext.7103) in the Planning Department.



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