

Application Number	08/1149/FUL	Agenda Item	9.2
Date Received	19th August 2008	Officer	Mr John Evans
Target Date	14th October 2008		
Ward	Castle		
Site	36 Huntingdon Road Cambridge Cambridgeshire CB3 0HH		
Proposal	Erection of 2 one bedroom maisonettes for fellows of Murray Edwards College with bin and bicycle storage.		
Applicant	Mr Nicholas Wright Huntingdon Road Cambridge CB3 0DF		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is the rear garden of number 36 Huntingdon Road, which is a 19th Century terraced house situated on the north eastern side of Huntingdon Road and is in the ownership of the Murray Edwards College. The plot is rectangular in shape, approximately 100m² in area and is situated at the end of a terrace fronting onto Benson Street to the west and Westfield Lane to the north.
- 1.2 The surrounding area is predominantly residential. A short terrace of houses faces the site on the opposite side of Benson Street. These are two-storey houses, standing at the rear of the footway. There is another terrace of houses directly on the footway on the south-east side of Benson Street. The south-west gable of the end house in this terrace (2-4 Benson Street) faces the north-east side of the application site across Westfield Lane. The gable has three windows at ground floor level and two at first-floor level.
- 1.3 At the north end of the site are two garages, which both open on to Benson Street.
- 1.4 The site is not within a conservation area, and there are no protected trees on the site. The site falls within the controlled parking zone.

2.0 THE PROPOSAL

2.1 This application seeks consent for the erection of a new building containing 2 one bedroom maisonettes for the fellows of the Murray Edwards College. The building measures 13.3m in width and stands at 5.5m in height at its highest point. The roof features 3 distinct planes and is similar to a mansard roof in style and appearance. The building will be constructed with traditional gault brickwork and a modern zinc roof.

2.2 The development is would be served by a communal garden area and a covered refuse and cycle area.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
08/0313/FUL	Erection of 2 one bedroom flats for fellows of New Hall with bin and bicycle storage.	Withdrawn

4.0 PUBLICITY

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

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 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.

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

5.8 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/10 Sub division of existing plots

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

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development

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 (January 2008) - Affordable Housing: Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.

5.10 Material Considerations

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 (Transport)

6.1 No objection. Future residents will not qualify for residents parking permits.

Head of Environmental Services

6.2 No objections, subject to conditions.

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: 5 and 7 Benson Street, 34 Huntingdon Road.

The representations can be summarised as follows:

The appearance of the building will not match the locality
Overbearing sense of enclosure for number 34 Huntingdon Road

Lack of precedent for the development

Direct overlooking of neighbouring properties with no recess from the pavement.

Noise pollution

7.2 A petition has also been received, signed by the following properties: 41 Sidney Street, 8 Canterbury Street, 5, 7 and 29 Benson Street, 14 Chamberlin Court, 3 Priory Street and 32 and 34 Huntingdon Road.

7.3 The petition argues the following points:

The development will cause overcrowding and is over compromising. Occupiers will face each other across the road without any recess.

Inappropriate design. The building is not recessed from the street and has an inappropriate metal roof. The owner of the proposed development has kept the existing property in a state of disrepair with little regard to the property values of neighbours.

Development will cause noise pollution, due to the proximity of the houses to Benson Street.

Overshadowing and loss of light will result.

Quality of life will be diminished and there will be an impact upon property values.

7.4 In addition, 1 letter of support has been received:

Bursar Fitzwilliam College: The revised application has the support of the college.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The provision of additional dwellings on previously developed land, and the provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing, and policy H1 of the East of England Plan 2008. 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. The proposed development is within the residential curtilage of an existing house, and the neighbouring uses are also residential. The proposal is therefore in compliance with this policy.

8.3 In principle, policy 3/10 of the Cambridge Local Plan 2006, supports proposals for the sub-division of existing plots to allow residential development in the garden area or curtilage of existing dwellings. Development of this nature will not be permitted however if it will have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, light or an overbearing sense of enclosure, provide inadequate amenity space or detract from the prevailing character and appearance of the area. An analysis of these issues is provided in the design and amenity sub sections below.

- 8.4 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion, the principle of the development is acceptable and in accordance with policy 5/1, Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.5 The acceptability of this scheme in terms of design, turns on the detailed design and appearance of the new building in relation to the surrounding urban environment and street scene.
- 8.6 New buildings should have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views, in accordance with Local Plan policy 3/12. The previously withdrawn planning application in March 2008, proposed a new building comparable in size and scale with the main dwelling house at number 36 Huntingdon Road. This not only competed visually with the main dwelling at number 36, but was considered out of context with the smaller outbuildings which characterise the rear Westfield Lane elevation. The current application proposes a building markedly reduced in height, scale and overall bulk. The building now rises to only 5.5m which is an appropriate response to the context of single storey outbuildings that front Westfield Lane, following the principles of policy 3/4.
- 8.7 To the front street scene elevation, the eaves level of the new building will rise to approximately 2.5m, which is broadly consistent with the height of the existing boundary treatment along Benson Street. From this height, the main roof consists of 2 planes, initially pitching back from the street at an angle of 70 degrees, with the second plane at an angle of some 15 degrees. The roof configuration has been carefully designed to provide sufficient internal accommodation and also to create a positive appearance in the street scene, contributing to local distinctiveness in accordance with PPS1. The design seeks to reflect other design precedents in the locality, notably the Alms houses in Orchard Street.
- 8.8 Concerns have been raised regarding the proximity of the new building to the pavement and the need for windows within the Benson Street elevation. However, any new building in this location should address Benson Street and provide active

edges onto the public space by providing entrances and windows of habitable rooms next to the street. This design principle is in the interest of providing natural surveillance and an attractive street scene in accordance with policy 3/7 of the Cambridge Local Plan 2006.

- 8.9 In terms of the detailed design and materials, whilst the proposed metal sheet roofing would be unique in the immediate locality, its appearance would in my view provide a successful contrast with the traditional materials of the terraces opposite. The roof area would be broken up with the vertical timber louvres in the centre of each unit, the overall result of which provides visual interest and balance to the building.
- 8.10 In terms of the external spaces of the development, each unit will have access to a small communal garden area, in addition to parking and bin storage. Whilst the provision of garden area is limited, given that these units are designed to be small mews style accommodation and are close to the city centre, this is not considered sufficient reason to justify refusal.
- 8.11 In summary, the design and appearance of the building in my view makes a positive contribution to the street scene, in accordance with policy 3/12 and will not detract from the prevailing character and appearance of the area, the key design consideration for development involving the sub-division of existing plots. As such the proposal considered compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

Residential Amenity

- 8.12 The neighbouring property which would be most affected by the development would be the adjacent number 34 Huntingdon Road. In amenity terms, policy 3/10 details that residential redevelopment within the garden area or curtilage of existing properties will not be permitted if there is a significant impact on amenity through loss of privacy, an overbearing sense of enclosure or inadequate amenity space. The principal first floor bedroom windows of this property are however situated over 17m to the south west of the new building. The indirect view of the rear garden of number 36 is also screened by the flank wall of number 36, which projects some 6m beyond the established rear building line along Huntingdon Road. The new building

features only patio doors at ground level and as such no direct overlooking would result.

- 8.13 In terms of the sense of enclosure created by the development, the scheme is dramatically reduced in scale from the previously withdrawn proposal. The design now features a roofline which pitches back at an angle of 45 degrees at a height of 2.5m, which considerably reduces the sense of enclosure for number 34 Huntingdon Road. The scale of the new building is consistent with the other outbuildings to the rear of Huntingdon Road, which combined with the overall distance from number 34 would not create an undue sense of enclosure or oppressive visual impact.
- 8.14 Concerns have also been raised regarding the potential overlooking of the terraced properties along Benson Street. However, the design of the dwellings would result in a conventional front to front relationship in the public domain with the existing properties along Benson Street, which is a typical configuration of terraced properties. The window openings are likely to be obscured with blinds for mutual privacy from the street and only the end window serves a main living room, with the central openings serving the kitchen areas which are limited in size.
- 8.15 With regard to the impact upon number 2 Benson Street to the north east, the development will not be unduly dominant to the flank elevation of this property.
- 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, Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/10.

Refuse Arrangements

- 8.17 The application proposes to accommodate refuse in a covered, secure area to the south west of the building. This position will enable ease of use and will not detract from the appearance of the street scene and public domain. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.18 The maximum level of car parking permitted under the City Council's Car Parking Standards for two units of this size would be two spaces. The proposal does not include any car parking spaces. In my view, the location of the site is such that it is reasonable to expect that the occupants would use means of transport other than the private car.
- 8.19 The scheme provides adequate space for the secure covered storage of 4 bicycles in accordance with adopted standards. In my opinion therefore the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Renewable energy and sustainability

- 8.20 The development represents an efficient use of land in a sustainable location for residential development. The proposal also seeks to provide solar thermal panels on the south eastern roof plane to meet some of the energy requirements of the new dwellings.
- 8.21 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance Cambridge Local Plan (2006) policy 3/12.

Third Party Representations

- 8.22 The majority of the points raised in letters of representation received have been addressed in the above assessment. The following additional issues have also been raised:

Noise Pollution

Whilst there will be some increase in noise associated with domestic dwellings, the disturbance is not considered to be so great as to justify refusal of planning permission.

Impact upon property values

This is not a material consideration within the remit of Planning Legislation.

Planning Obligation Strategy

- 8.23 In accordance with the Adopted Planning Obligation Strategy (2004), the development of small sites should not escape the infrastructure costs resulting from cumulative increases in demand, e.g. open spaces. Therefore, while the City Council will consider the impact of each development proposal on the physical and social infrastructure of the city, it will seek to use pro-rata contributions where appropriate.
- 8.24 If a planning obligation is not completed within the target time for making a decision on the planning application, planning permission may be refused on the grounds that the impact of the proposal will not be mitigated and it is therefore contrary to development plan policies.
- 8.25 Whilst student accommodation which is tied to Cambridge University or Anglia Ruskin University might enjoy exemption from certain contributions, there is no Legal Agreement linking the dwellings with the Murray Edwards College. The dwellings could therefore be used by non-college occupiers in the future. In accordance with this strategy the scheme should contribute the following:
- Community facilities £2,170.00
Formal Open space £1,080.00
Informal open space £918.00
- Total: £4,298.00
- 8.26 The applicant has served the Planning Authority with a signed Unilateral Undertaking to provide the above contributions which accords with the Planning Obligation Strategy.

9.0 CONCLUSION

This application proposes a new building which has positively responded to the context of the site and will not unduly detract from the amenities of neighbouring properties. The scheme successfully accommodates refuse and cycle provision and secures the required contributions in line with the Council's Planning Obligation Strategy. Approval is recommended.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 30 November 2008 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. 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. 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)

4. 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)

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. Prior to the commencement of the development, the on site storage of facilities for waste including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall thereafter be maintained unless alternative arrangements are agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, Cambridge Local Plan policy 3/12.

INFORMATIVE: The applicant is advised that neither the existing residents of the site nor the future residents will qualify for residents parking permits (other than visitors permits) within the existing residents parking scheme.

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 following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: SS1and ENV7

Cambridgeshire and Peterborough Structure Plan 2003: P6/1

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/4, 5/1, 5/14, 8/2, 8/4, 8/6, 8/10, 10/1

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

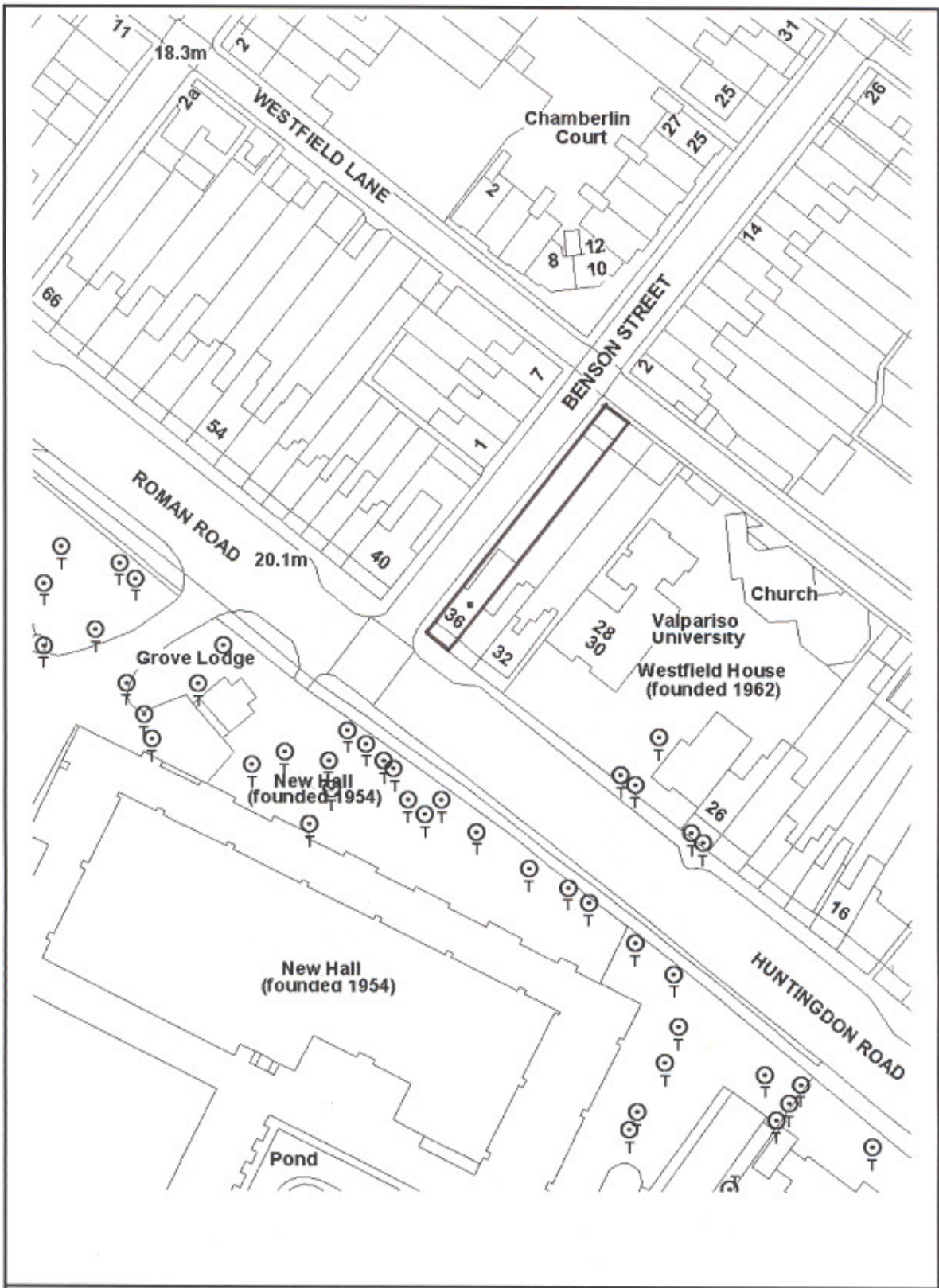
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

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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