

<b>Application Number</b>	11/1579/CAC	<b>Agenda Item</b>	
<b>Date Received</b>	23rd December 2011	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	17th February 2012		
<b>Ward</b>	Market		
<b>Site</b>	37 City Road Cambridge CB1 1DP		
<b>Proposal</b>	Demolition of existing buildings and redevelopment of the site to provide three residential units.		
<b>Applicant</b>	Mr Paul Downham Cambridge House 91 High Street Longstanton Cambridgeshire cb24 3bs		

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## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 This application relates to outbuildings, which stand to the rear of 34-36 City Road, and are known as 37 City Road. The surrounding area is predominantly residential in character, mainly consisting of two-storey, terrace houses. The site is within City of Cambridge Conservation Area 1 (Central) in the area covered by the Kite Conservation Area Appraisal.
- 1.2 The buildings are largely intact and been built up over time using a mixture of materials, including a mix of brick, timber cladding and a variety of windows, doors and external staircases for access to the upper floors. There are a number of panels of stained glass, which add to the visual interest. The buildings are not Listed or Locally Listed as Buildings of Local Interest but were considered for adding to the Local List of Buildings of Local Interest, but this was not taken forward due to the structural instability of the buildings. The outbuildings are not visible in the streetscene, but they are clearly seen from adjacent gardens and make an important contribution to the character and appearance of the Conservation Area.

## 2.0 THE PROPOSAL

2.1 Conservation Area Consent is sought to demolish the buildings and redevelop the site for residential use.

2.2.1 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Structural Report
3. Report on 35, 37 and 37 City Road

## 3.0 SITE HISTORY

Reference	Description	Outcome
11/1578/FUL	Proposed conversion and re-building of outbuildings to form 3 No. residential units.	Pending

## 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	No

## 5.0 POLICY

### 5.1 Central Government Advice

#### **National Planning Policy Framework (March 2012)**

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

The NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led

2. planning should proactively drive and support the development and the default answer to development proposals should be “yes” , except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

## 5.2 **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.

**5.3 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.

**5.4 East of England Plan 2008**

SS1: Achieving Sustainable Development

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

**5.5 Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

**5.6 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

4/11 Conservation Areas

4/13 Pollution and amenity

5/1 Housing provision

7/3 Protection of industrial and storage space

8/6 Cycle parking

8/10 Off-street car parking

Planning Obligation Related Policies

3/7 Creating successful places

3/8 Open space and recreation provision through new development

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

5/14 Provision of community facilities through new development

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

## 5.7 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.

5.8 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document February 2012:** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.

## 5.9 Material Considerations

### Central Government Guidance

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

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on

housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

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

Includes the following statement:

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

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;
- (v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy

in PPS4), and that they can give clear reasons for their decisions.

## **City Wide Guidance**

**Cambridge and South Cambridgeshire Strategic Flood Risk Assessment** - in November 2010 the Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (SFRA) was adopted by the City Council as a material consideration in planning decisions. The SFRA is primarily a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

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

**Cambridge and Milton Surface Water Management Plan (2011)** – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 No objection. The proposal increases the number of dwelling units at the site of 37 City Road. Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the dwellings at 37 City Road will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding 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 objection, subject to conditions relating to contaminated land, a Demolition and Construction Environmental Management Plan (DCEMP) and waste.

## **Historic Environment Manager**

- 6.3 No objection. The proposed development is supported. The structural engineer's report clearly shows that the majority of the building is beyond repair and, whether for its current use or for conversion. The proposed design is similar in style to the existing, which is a surprising delight which is hidden from many, and will fit well into the site. Conditions are recommended relating to materials, glass type, rooflights, and paint colours.
- 6.4 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 Councillor Rosenstiel has commented on this application regarding neighbour consultations, explaining that Eden Court should have been consulted.
- 7.2 The owners/occupiers of the following addresses have made representations:
- 60 Eden Street
  - 61 Eden Street
  - 33 City Road
  - 38 City Road
- 7.3 The representations can be summarised as follows:

### Context and Character

- The boundary wall is in poor condition and may need to be completely rebuilt
- Development on garden land
- The site is already overdeveloped. The proposal will reduce the garden space further, which is increasing the overdevelopment

### Residential Amenity

- Due to the materials, the existing buildings are unobtrusive. The replacement with a solid brick wall would make the gardens darker and the view oppressive.
- Overlooking
- Loss of privacy



- Loss of amenity space for 35 City Road
- The proposed building is taller than the existing building and will overshadow neighbours
- Loss of light. The current white weatherboard reflects light
- Increase in noise. The current building acts as a sound barrier

#### Car Parking

- Lack of car parking spaces

#### Other

- As the building will be up to the boundary with the Eden Street property it will have to be maintained from these gardens
- Inadequate notification of neighbours

7.4 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 demolition and the impact on the Conservation Area Third party representations

8.2 All other issues will be addressed within the report for the linked planning application – 11/1578/FUL.

### **Principle of demolition and the impact on the Conservation Area**

8.3 The existing buildings at 37 City Road are not visible from the street, but are clearly seen from adjacent gardens and make an important contribution the character and appearance of the Conservation Area.

8.4 The tests of policy in this case are seen in policies 4/10 and 4/11 of the Cambridge Local Plan (2006). The supporting text to policy 4/11 of the Cambridge Local Plan (2006) states that in

Conservation Areas, ‘...when considering the demolition of buildings...the same tests that would apply to the demolition of a Listed Building will be applied, making reference to policy 4/10 of the Local Plan. Policy 4/10 states that ‘works for the demolition of Listed Buildings will not be permitted unless:

- a) The building is structurally unsound, for reasons other than deliberate damage or neglect; or
- b) It cannot continue in its current use and there are no viable alternative uses; and
- c) Wider public benefits will accrue from redevelopment.

8.5 A structural survey has been submitted as part of the application to demonstrate that the building is structurally unsound, and this concludes as follows:

*The existing four buildings are in poor structural condition. If required the ground floor to building 1 may be retained though all the walls will require underpinning. The timber first floor joists to this building may be re-used but will require strengthening to enable them to be justified to support the proposed current domestic loading. We believe that building 2, 3 and building 4 are in such poor structural condition that it is recommended that they should not be retained in the conversion.*

8.6 The application also includes a report, which explains how the site has been developed in the past. The outbuildings were built over time, using materials of differing qualities and type.

8.7 The Structural Survey has given a detailed report on each of the outbuildings, their stability and their potential for reuse. The conclusion is that parts of the structures are in poor condition with inadequate support for some of the walls and roof, leading to distortion and outward lean. In order for these parts to be able to be used as they stand, they would require a great deal of added support or rebuilding. The ground floor of Building 1, as labelled on the diagram that accompanied the report, could possibly be reused but would need substantial underpinning. Therefore, it is accepted that these buildings are not capable of reuse without comprehensive rebuilding. Even if the buildings were to be retained in their current use, they would need some rebuilding and a lot of additional support added to the structure in order for them to remain stable and in viable use. Due to the

severity of their condition their demolition is supported, as long as a suitable replacement is proposed. Planning permission for the replacement buildings is sought under the linked planning application, and the proposals are considered to be appropriate and acceptable.

## **9.0 CONCLUSION**

- 9.1 Due to the extremely poor condition of the buildings, their demolition is supported, as long as a suitable replacement is proposed. The proposed replacement building, considered under planning application ref 11/1578/FUL is considered to be appropriate and acceptable and therefore this application for Conservation Area Consent is supported subject to conditions.

## **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. 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)

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

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

4. The demolition hereby permitted shall not be commenced until a contract for the redevelopment for the site in accordance with planning permission 11/1578/FUL or any other scheme approved by the local planning authority, has been let.

Reason: To avoid the creation of cleared sites detrimental to the character and appearance of the Conservation Area. (East of England Plan 2008 policy ENV6 and ENV7 and Cambridge Local Plan 2006 policies 3/4 and 4/11)

### **Reasons for Approval**

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

East of England plan 2008: SS1, ENV6, ENV7;

Cambridge Local Plan (2006): 3/1, 4/11;

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](http://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**

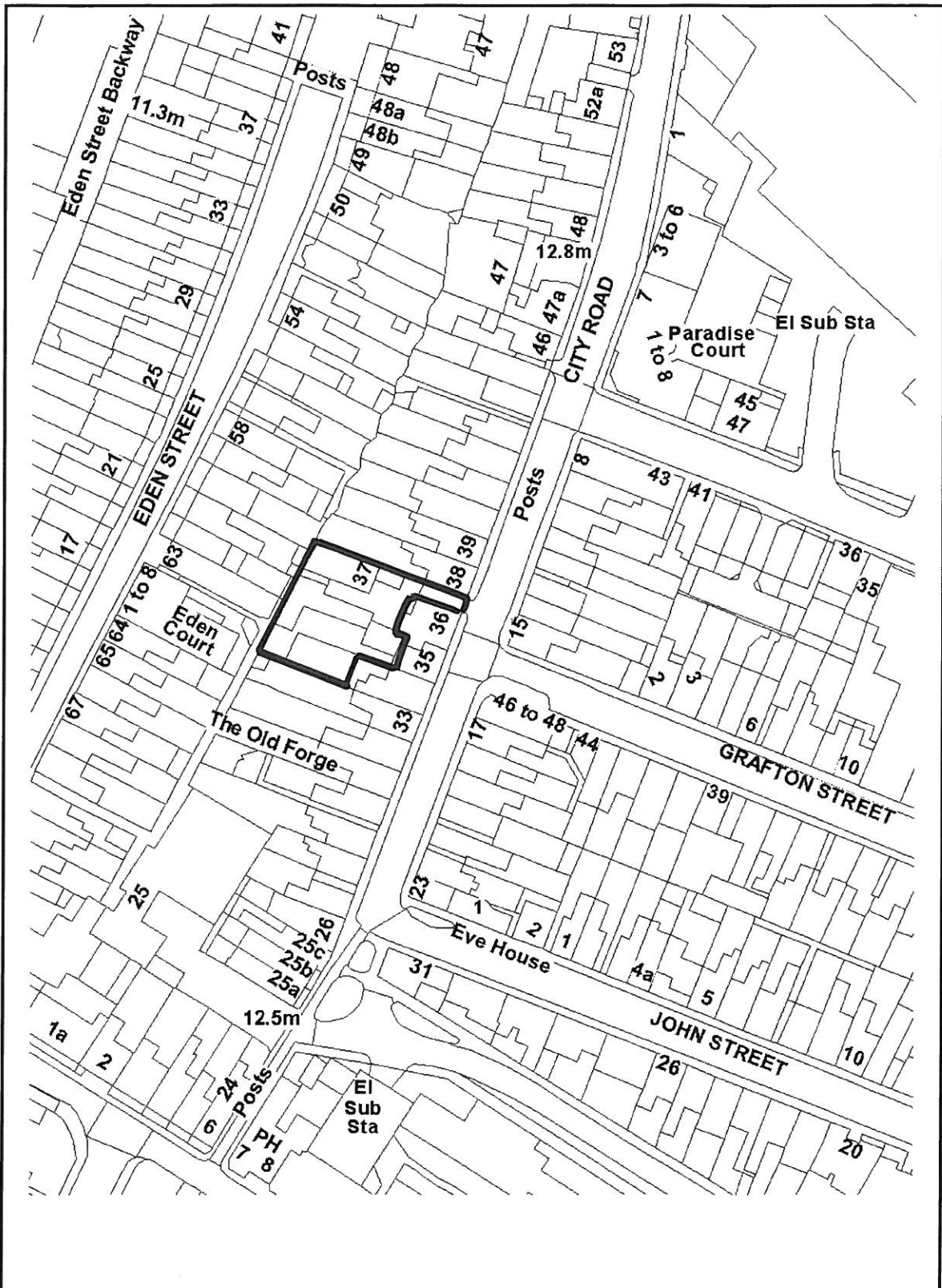
Under Section 100D of the Local Government Act 1972, the following are □ackground papers\_ for each report on a planning application:

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:

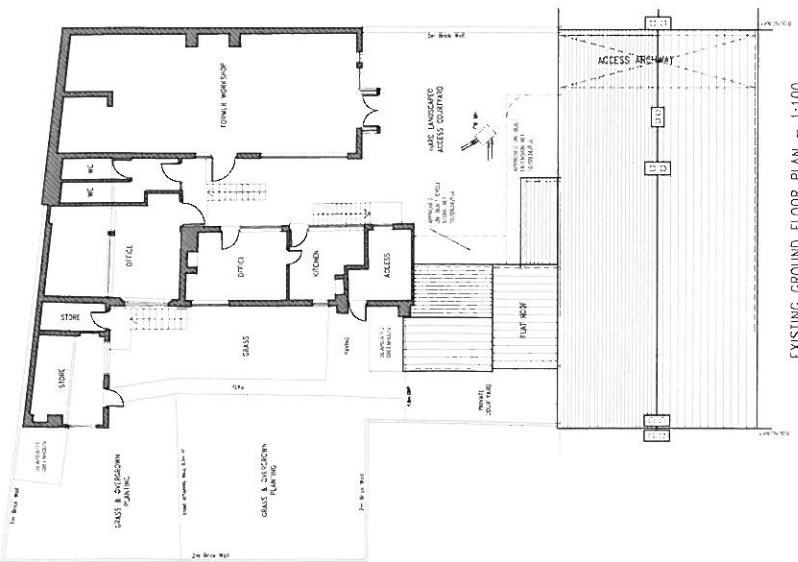
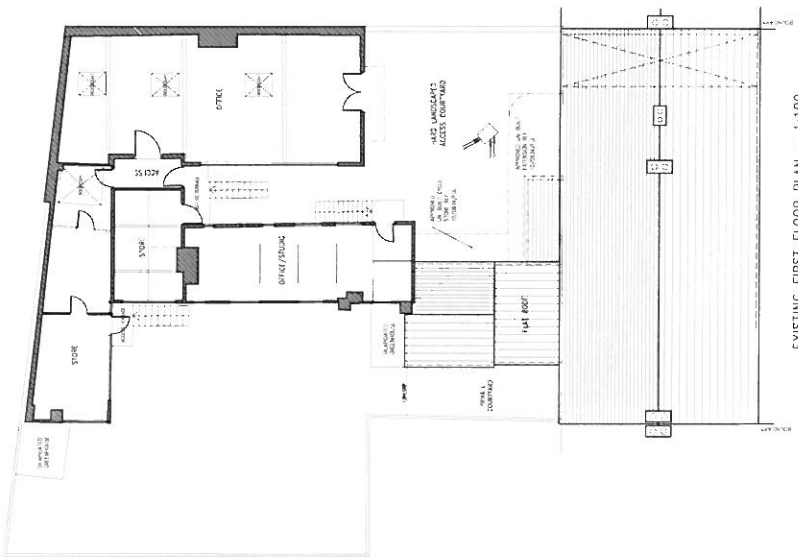
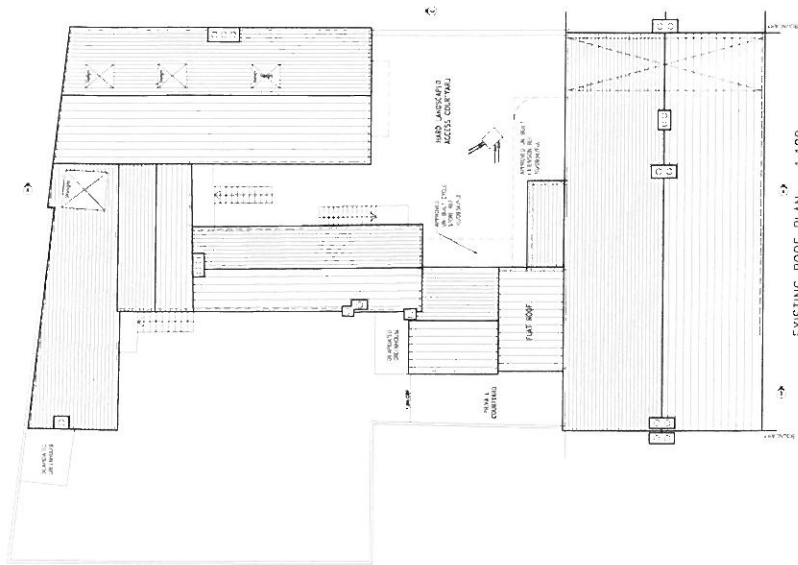
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or by visiting the Customer Service Centre at Mandela House.



**11/1579/CAC**  
**37 City Road Cambridge CB1 1DP**

111579/CAC



PROJECT  
 CLIENT

CONVERSION/BUILDING OF OUTBUILDINGS  
 37 CITY ROAD, CAMBRIDGE,  
 CB1 1UP  
 DRAWING TITLE

DATE  
 SCALE  
 DRAWING NUMBER

DATE: JULY 11

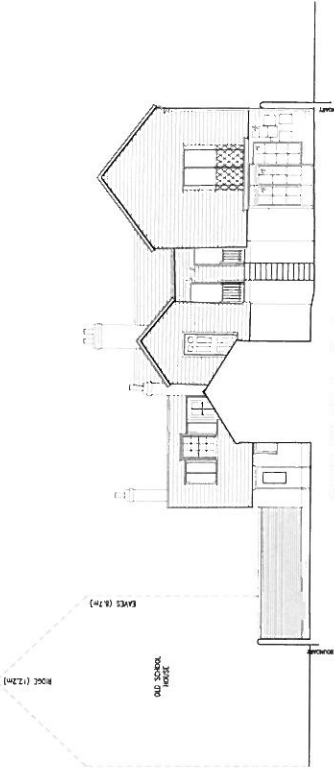
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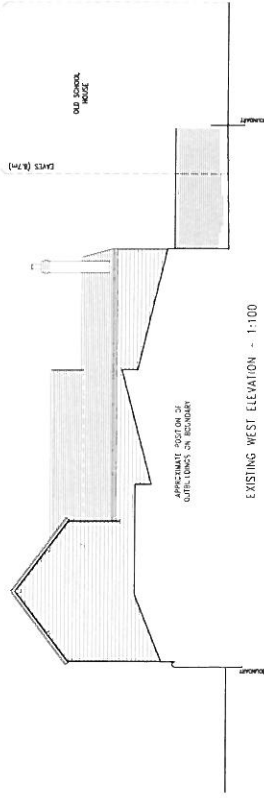
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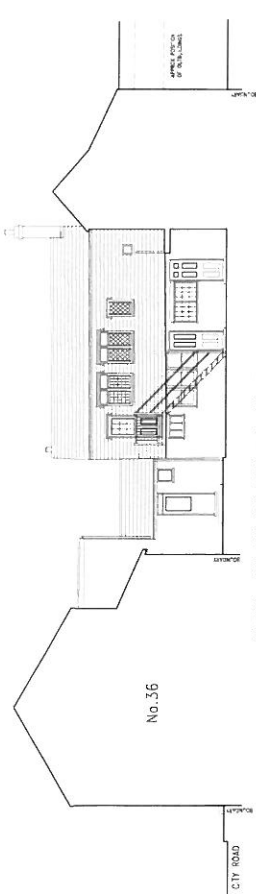




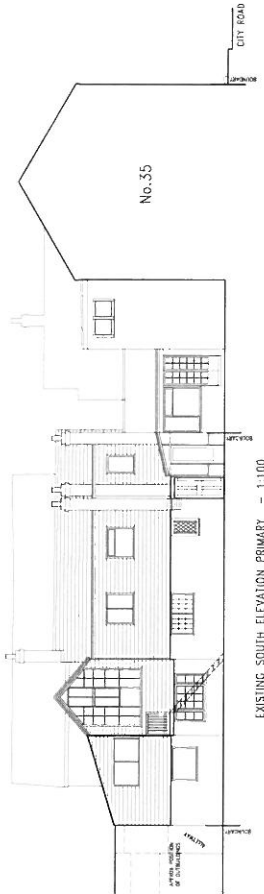
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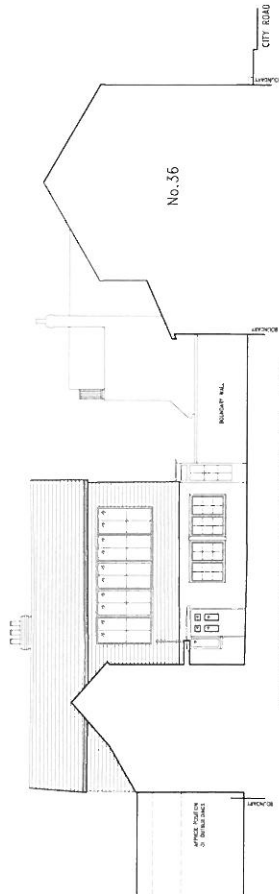
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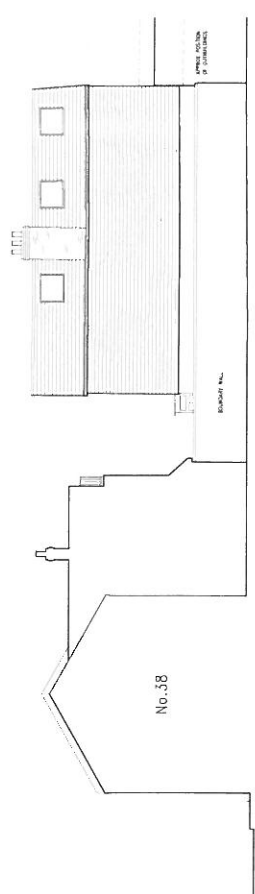
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EXISTING SOUTH ELEVATION PRIMARY - 1:100



EXISTING SOUTH ELEVATION SECONDARY / SECTION A-A - 1:100



EXISTING NORTH ELEVATION - 1:100



ROOF PLAN - 1:200

PROJECT	CONVERSION/REBUILDING OF DUBUILDINGS
CLIENT	LEACH PROPERTIES
TITLE	EXISTING ELEVATIONS
DRAWN	WTM
CHECKED	
SCALE	1:100, B A1
DATE	JULY 11
DRWG NO.	25B
ISSUE NO.	003
REV	

