

<b>Application Number</b>	12/0837/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd July 2012	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	28th August 2012		
<b>Ward</b>	Petersfield		
<b>Site</b>	25 Cambridge Place Cambridge CB2 1NS		
<b>Proposal</b>	Change of use from offices (Class use B1) to form 2No. studios and 2No. 1Bed. flats with associated access arrangements, parking and external alterations.		
<b>Applicant</b>	Mr Richard Mutty c/o The Coach House 13 Woodlands Road Great Shelford Cambridge CB22 5LW		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. Office uses falling within use class B1a are not protected within the Cambridge 2006 Local Plan. The principle of development is therefore acceptable and the building lends itself to residential conversion.</li> <li>2. The use of the premises for residential purposes will not adversely harm the amenities of neighbouring properties.</li> <li>3. The scheme provides adequate refuse and bicycle parking provision.</li> </ol>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site relates to a 2 storey terraced office building situated on the north west side of Cambridge Place. The premises consist of a garage on the ground floor and office space on the first and second floors.
- 1.2 The site does not have any external curtilage area.
- 1.3 The site falls within the Central Conservation Area. There are double yellow line car parking restrictions along Cambridge Place.

## **2.0 THE PROPOSAL**

- 2.1 This application seeks consent for the change of use of the existing offices (use class B1) to form two studio flats and two one-bedroom flats.
- 2.2 There are minor changes proposed to the first and second floor fenestration and 2 velux windows will be inserted into the front roof slope.
- 2.3 The ground floor of the building would be given over entirely to and access lobby and staircase to the upper floors, one car parking space, cycle storage (six spaces), and bin storage.
- 2.4 The application is accompanied by the following supporting information:

- 1. Design and Access Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
12/0490/FUL	Change of use from offices (Class use B1) to form 3No. studios and 2No. 1Bed. flats with associated access arrangements and external alterations.	REF

- 3.1 The decision notice for the previously refused application 12/0490/FUL is attached to this report as Appendix 1.

3.2 There is doubt as to whether or not a site notice was displayed, and therefore a further site notice has been posted with a deadline for comments of 12 September 2012. It is therefore recommended that this application is approved subject to there being no further comments received. If further comments are received, the application will be brought back to Committee.

#### 4.0 PUBLICITY

4.1 Advertisement: Yes  
 Adjoining Owners: Yes  
 Site Notice Displayed: Yes

#### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6 ENV7
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8
Cambridge Local Plan 2006	3/4 3/7 4/11 4/13 5/1 5/2 8/2 8/6 10/1

### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012  Circular 11/95  Community Infrastructure Levy Regulations 2010
Material Considerations	<u>Central Government:</u>  Letter from Secretary of State for Communities and Local Government (27 May 2010)  Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u>  Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u>  Conservation Area Appraisal:  Cambridge Historic Core

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

6.1 The proposal should have no significant impact on the public highway.

### Head of Environmental Services

6.2 No objection. An informative is recommended relating to contaminated land.

## **Urban Design and Conservation Team**

- 6.3 Could be supported subject to being able to make the mullions more slender.
- 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 The owners/occupiers of the following addresses have made representations:
- 15 Cambridge Place
  - 26A Cambridge Place
- 7.2 The representations can be summarised as follows:
- The units are too small to be classed as residential and are really no more than self catering hotel/hostel bedrooms – no storage, rudimentary cooking facilities and not suitable for all ages
  - Cambridge Place should provide for a diverse, inclusive and sustainable community and accommodation should be provided for the elderly and for families
  - Insufficient car parking
  - Due to the size of the accommodation residents are likely to be young creating noise and nuisance
- 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 Office use falls within use class B1a of the Use Classes Order 1987. Local Plan policy 7/3 seeks to protect industrial (B2 and B1c) and storage uses, but offices are not included within the scope of the policy. There is no in principle policy objection to the proposed change of use.
- 8.3 The conversion of large properties is permitted by Local Plan policy 5/2 except where; the likely impact upon on-street car parking would be unacceptable; the living accommodation would be unsatisfactory; the proposal would fail to provide for satisfactory refuse storage or cycle provision or the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity. An analysis of these issues is provided in the relevant subsections below.
- 8.4 In my opinion, while I recognise that the proposal will represent a change in the character of what is currently a mixed of residential and office uses, the broad principle of the development is acceptable and in accordance with policy 5/2. The Local Plan does not promote large dwelling sizes over smaller units for this size of development. The proposal is however subject to the consideration of matters of detail.

### **Context of site, design and external spaces**

- 8.5 The key design issue is the impact of the external alterations on the character and appearance of the street scene.
- 8.6 The development will require only minor alterations of the fenestration of the property. At first and second floor level, the central mullions of the windows would be widened to accommodate a solid partition between the flats. Two rooflights would also be added to the front roof slope. This would have an impact on the symmetry of the building, but as the alterations are so minor it is my opinion that this would not warrant refusal of the application.
- 8.7 I do not believe that the alterations will cause any significant harm to the streetscene or to the character or appearance of

the Conservation Area, and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 5/2.

#### Impact on amenity of neighbouring occupiers

- 8.8 Concerns have been raised regarding the type of accommodation giving rise to increased noise, disturbance and anti social behaviour. While the proposed use may give rise to an increase in general comings and goings as compared with the existing office use, this is unlikely to create significant disturbance for the adjoining numbers 24 (in office use) or number 26.
- 8.9 I do not consider the future occupants of this type of accommodation any more likely to be a source of anti social behaviour, as compared with any other premises. Anti social behaviour could in any case be tackled by other legislation.
- 8.10 Temporary noise and disturbance created during the conversion work can be eased through the imposition appropriate planning conditions and promotion of the considerate contractors scheme (conditions 2 and 3).
- 8.11 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

- 8.12 Local Plan policy 5/2 states that conversions of non-residential buildings will be permitted except where the living accommodation provided will be unsatisfactory. I recognise that the proposed dwellings are relatively small in size, but I feel that they provide a satisfactory level of amenity for future occupiers.
- 8.13 The studio flats on the first floor are limited in overall size, but benefit from full height south east first floor windows. Given the quiet nature of Cambridge Place, which is a cul de sac, this type and size of accommodation will no doubt be the preference of many prospective occupiers. The second floor one-bedroom flats are appropriate in size and gain further light in the roof space from the 2 new velux roof lights.

- 8.14 In my opinion the proposal provides 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 5/2.

### **Refuse Arrangements**

- 8.15 The previous application was refused for the following reason:

*Cycle parking and waste storage are not successfully integrated into the design. This is likely to lead to waste bins and cycles being left outside the building, detracting from the street scene and causing inconvenience to future residents of the development and nearby occupiers. The proposal is therefore contrary to policy 3/12 of the Cambridge Local Plan (2006) and to government guidance on good design in section 7 of the National Planning Policy Framework.*

- 8.16 The refuse store has been increased in size and made more accessible through the introduction of a separate entrance door to the refuse store and cycle store, where before these areas were accessed via the entrance door to the staircase. Environmental Health have commented that the submitted plans now show adequate bin provision and the access is acceptable, and therefore it is my opinion that this reason for refusal has been satisfactorily addressed in relation to bin storage.

- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 5/2.

### **Car and Cycle Parking**

#### Car Parking

- 8.18 The previous application was refused for the following reason:

*The proposal provides no car parking space for visitors, contrary to policy 8/10 of the Cambridge Local Plan (2006).*

- 8.19 One car parking space is now provided. Concerns have been raised about the limited number of car parking spaces provided but considering the site's location close to the City Centre, and



local transport routes it is my opinion that this level of provision is acceptable and that the provision of one car parking spaces has meant that this reason for refusal has been satisfactorily addressed.

- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

### Cycle Parking

- 8.21 The previous application was refused for the following reason:

*Cycle parking and waste storage are not successfully integrated into the design. This is likely to lead to waste bins and cycles being left outside the building, detracting from the street scene and causing inconvenience to future residents of the development and nearby occupiers. The proposal is therefore contrary to policy 3/12 of the Cambridge Local Plan (2006) and to government guidance on good design in section 7 of the National Planning Policy Framework.*

- 8.22 The cycle store has been made more accessible through the introduction of a separate entrance door to the refuse store and cycle store, where before these areas were accessed via the entrance door to the staircase. In my opinion, this has made the store more likely to be used, and therefore this reason for refusal has satisfactorily been addressed in relation to the cycle store.

- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.24 The issues raised in the representations received have been addressed under the headings above.

### **Planning Obligations**

- 8.25 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 Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). 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

- 8.26 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.

8.27 The totals required for the new units are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	2	476
1 bed	1.5	238	357	2	714
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>1190</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	2	538
1 bed	1.5	269	403.50	2	807
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>1345</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	2	484
1 bed	1.5	242	363	2	726
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>1210</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0	2	0
1 bed	1.5	0	0	2	0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
<b>Total</b>					<b>0</b>

8.28 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

8.29 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:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	2	2512
2-bed	1256	2	2512
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>5024</b>

8.30 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

- 8.31 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:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	4	600
<b>Total</b>			<b>600</b>

- 8.32 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.

### Waste Management

A contribution is sought from all dwellings towards up grading existing/providing new Household Recycling Centres to mitigate the impact of new development on these facilities. This development lies within the catchment site for Milton. Contributions are sought on the basis of £190 per house for four new sites giving increased capacity as permanent replacements for the existing temporary site at Milton. A total contribution of £760 is necessary

- 8.33 Subject to the completion of a S106 planning obligation to secure the requirements of the RECAP Waste Management Design Guide SPD 2012, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan

(2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policy 10/1 and the RECAP Waste Management Design Guide SPD 2012.

### Education

8.34 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.35 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are therefore required on the following basis.

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	4	640
2+- beds	2		160		
<b>Total</b>					<b>640</b>

8.36 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.

### Monitoring

8.37 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 and £300 per non-financial head of term. Contributions are therefore required on that basis.

### Planning Obligations Conclusion

- 8.38 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 The proposed conversion of the office premises is acceptable in principle and will not detract from the character and appearance of the street scene or the amenities of neighbours. It is my opinion that the proposals satisfactorily address the previous reasons for refusal and therefore the application is recommended for approval.

## **10.0 RECOMMENDATION**

**1. APPROVE subject to no further comments being received by 12 September 2012; subject to the satisfactory completion of the s106 agreement by 06 December 2012; and subject to the following conditions and reasons for approval:**

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)

**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;

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



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

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 06 December 2012, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):**

The proposed development does not make appropriate provision for public open space, community development facilities, life-long learning facilities, waste storage, waste management facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 5/14, and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the RECAP Waste Management Design Guide SPD 2012, and the Open Space Standards Guidance for Interpretation and Implementation 2010.

**3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**

## **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](http://www.cambridge.gov.uk/planningpublicaccess)

or by visiting the Customer Service Centre at Mandela House.