

<b>Application Number</b>	12/1446/LBC	<b>Agenda Item</b>	
<b>Date Received</b>	12th November 2012	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	7th January 2013		
<b>Ward</b>	Market		
<b>Site</b>	Land Rear Of 21 - 28 New Square Cambridge Cambridgeshire		
<b>Proposal</b>	Demolition of curtilage listed dis-used Coach House rear of 26 New Square.		
<b>Applicant</b>	Jesus College C/o Agent		

SUMMARY	The development accords with the Development Plan for the following reasons:  1. The demolition of the curtilage Listed coach house will not be detrimental to the character and appearance of the Conservation Area.
RECOMMENDATION	APPROVAL

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

- 1.1 The application site is a rectangular shaped plot made up of 12 pre fabricated concrete lock up garages and the end section of gardens from numbers 21 – 28 New Square. The boundary to Eden Street Backway is defined with a 2m wall, wooden gates and a single storey brick built outbuilding.
- 1.2 The site has 2 road frontages, Portland Place and Eden Street Backway both of which have a back lane character. The area is characterised by terraced Victorian residential properties.
- 1.3 The site is within the Central Conservation Area. There are numerous mature trees on the site, which are protected from felling by reason of being within a Conservation Area.

## **2.0 THE PROPOSAL**

2.1 Listed Building consent is sought for the demolition of the curtilage listed cartshed. It is a single storey brick built building with a pantile roof. It fronts onto Eden Street Backway.

2.2 The application is accompanied by the following supporting information:

1. Planning Statement
2. Design and Access Statement
3. Arboricultural plan
4. Transport Statement
5. Archaeology Statement
6. Heritage impact assessment
7. Flood Risk Assessment
8. Bat Survey
9. CGI images

## **3.0 SITE HISTORY**

No relevant history.

## **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
Cambridge Local Plan 2006	4/10 4/11

## 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
Supplementary Planning Documents	Planning Obligation Strategy
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> Open Space and Recreation Strategy
	<u>Area Guidelines:</u>  <b>Conservation Area Appraisal:</b> Kite Area

## **6.0 CONSULTATIONS**

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

- 6.1 The proposal removes any off-street parking provision for the existing dwelling units, whether currently used, or not and has potential to decant existing demand from local users onto the street in competition with other local residents.

The existing residential units will, under current protocols operated by the County Council, still qualify for Residents' parking permits and so the proposal has potential to increase competition for parking in the longer term.

The Residents' Parking Scheme in this area is already over-subscribed and, at times, residents experience difficulty in finding parking spaces. This proposal will exacerbate this situation, to the detriment of existing residential amenity.

Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwellings 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.

### **Urban Design and Conservation Team**

- 6.2 The applicant has taken cues from existing buildings in the locality when designing these buildings. There is an inherent rhythm to many of the terraces in the Kite area, especially the listed buildings. The mono-pitch roofs have taken their reference from the extensions to Portland Place Terrace and are at the same angle. The proposed properties are back of pavement edge, to replicate the feeling of narrowness of a secondary street which is part of the character of this part of the conservation area, but the building line is staggered, to reduce the massing. The scale of the proposal is also a reflection of the local area. The terraces around the local streets are generally small, two storey houses. By keeping to 1½ storeys, the new buildings will not compete in scale with the established

character. All of these elements will contribute positively to the preservation of the character of the area.

Provided that the conditions are discharged appropriately, this development will not be detrimental to the character and special interest of the listed buildings or the appearance of the conservation area. The applications comply with policies 4/10 and 4/11 of the Cambridge Local Plan 2006.

### **Head of Streets and Open Spaces (Tree Team)**

- 6.3 While it is still my opinion that the development, if permitted, will have a detrimental impact on the area in terms of tree cover, I acknowledge that this may not be sufficient reason alone for refusal. The introduction of the planting pit along the Backway frontage will allow a small tree to help soften the hard lines of the development. With regard to species I would consider a variety of fruit trees or rowan.

### **Head of Streets and Open Spaces (Landscape Team)**

- 6.4 Should this scheme be approved we require the following Conditions;
- We require fully detailed soft landscape proposals, to include detailed planting plans, written specifications (including plant schedule with size, spacing and densities of proposed plants), and an implementation programme.
  - We require fully detailed hard landscape proposals to include full construction details, levels, specifications of all hard surfacing materials, furniture, boundary treatments, lighting etc.
  - A maintenance plan for the entire site (to include a 5-year replacement-planting regime at least)

### **Design and Conservation Panel (Meeting of 14 March 2012)**

- 6.5 The conclusions of the Panel meeting(s) were as follows:

**Presentation – Land at Eden Street Backway & Portland Place (rear of New Square).** The pre-application proposal for a residential redevelopment of pre-fabricated concrete garages and brick out-buildings to provide eight new dwellings - five to be accessed from Eden Street Backway and three from Portland Place. The dwellings are of a contemporary design

and are intended to respond positively to the character of the Conservation Area. The site is currently owned by Jesus College. Presentation by Michael Hendry of Bidwells with Chris Senior of DPA Architects.

The Panel's comments are as follows:

- Urban grain. This is an area without a consistent arrangement of dwelling fronts and backs. The majority view was that it was therefore acceptable for the Portland Place dwellings to have a different arrangement to those accessed from Eden St Backway. However, some of the Panel were troubled that this arrangement left some of the corner dwellings with very small gardens.
- Materials (brick). The design team are praised for proposing to use reclaimed bricks, although reclaimable materials are becoming increasingly rare.
- Materials (zinc roofing). The Panel would encourage the use of slate rather than zinc if the detailing is crisp, and noted that a slate roof does not need a concrete capping.
- The mews development. The road surface of Eden Street Backway is in poor condition. Its closure by bollards at one end offers an opportunity to explore the possibility of a shared surface area with planting used to help to define and soften the margins instead of hard paving and road markings. Although a private road, Willow Walk was suggested as an example to follow.
- On-street parking space. The Panel would welcome the relocation of the parking space but appreciate the difficulties of this constraint and note that the design team is discussing the issue with the Highways Authority. The relocation of this parking bay would be welcomed.
- Loss of off-street parking spaces. The Panel note the likely loss of car-parking spaces as the new dwellings will not be entitled to residents' parking permits.
- Trees. The existing trees make a contribution to the area and the Panel would welcome further information on the quality of these trees and a clear statement of the rationale for the removal of three mature trees.
- West facing rear garden walls. These high walls will appear stark, casting a shadow on the garden spaces. Smaller fences between properties should be considered, along with increased planting to create a softer edge.

- Sustainable credentials. The Panel note that the sustainable policy has yet to be finalised but is to achieve Code Level 4 and to include solar panels.
- Fenestration. The Panel thought that the fenestration needed further consideration, looking to existing windows in the area for inspiration, and that an additional window on the corner unit would improve surveillance of the road.

## **Conclusion**

The Panel was generally sympathetic to the style of the proposed development but was concerned that the site was being overdeveloped. The Panel would welcome a statement on the rational for removing the existing trees and further exploration of the rational for the choice of this layout. In particular, the Panel would be interested to see the benefits of reducing by one the number of units and of trying a form of house-type without gardens on Portland Place.

The Panel also considered that much of the success of the scheme would turn on the quality of the materials and their detailing, and hoped that the detailed design would deliver the crispness suggested by the presentation.

## **VERDICT – GREEN (6), AMBER (5)**

### **Cambridgeshire County Council Archaeology**

- 6.6 No development shall take place within the area indicated until the applicant, or their agents 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.

### **Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.7 The application includes a Phase 1 habitat survey which recommended additional bats survey work. This was subsequently undertaken in July 2011. I would draw your attention to recommendation 4 within the Eden Street Backway, Cambridge – Bat Survey Report by MKA Ecology Ltd, September 2011, which states:

The results of this survey should be considered valid until Spring 2013. If works to the structure are planned beyond March 2013 then further survey effort should be employed to reassess the situation. If this is likely to be the case the tiles can be removed immediately and the building can be kept in an unsuitable condition for bats until the proposed works begin.

Could you confirm if the structure has been made unsuitable for bats or if spring 2013 surveys are planned?

I would welcome the additional recommendation for integral bat tubes within any proposed buildings and that exterior lighting is managed appropriately to encourage continued use of the site by foraging bat species.

### **Access Officer**

6.8 Awaiting comments.

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. His comments are as follows:

Looking at the Statement of Community Involvement attached to the application I am most disturbed to find this statement appearing twice: "No visitor permits will be allowed.". That is the reverse of the County Council's position which is that all residents of the new homes will be entitled to purchased visitors' permits and is part of the problem also referred to below.

I also note that despite more than one consultee raising concerns about the loss of the 12 garages, the most the agents have to say about that is that the tenants will get 3 months notice. I find that an unbelievable refusal to consider the effect of the loss of garages, even though clearly spelt out by the consultees, e.g. by Respondent 5:



"My first concern regards parking spaces. If I understand it correctly, the proposal is to remove 12 garages that are currently leased out, and the three houses planned will have no parking associated with them.

It is well known that there are too few parking spaces already in the Kite area of Cambridge – in fact it was revealed last year, 375 residents' permits had been issued for only 257 [spaces]".

7.2 The owners/occupiers of the following addresses have made representations:

23 Eden Street  
30 Eden Street  
35 Eden Street

7.3 The representations can be summarised as follows:

#### Comments on the principle of development

- An old building will be demolished.
- Support improvement to scruffy appearance of the (1 letter).

#### Design Issues

- High density of development in an already overcrowded area.
- No soft landscaping along Eden Street backway creating a tunnel like affect.

#### Amenity Issues

- Overlooking of number 30 Eden Street.
- More traffic in a crowded area.
- Rear car parking area to number 30 obstructed.

#### Trees

- Established trees would be removed.
- Birds and squirrels live in this wildlife corridor.

#### Servicing

- Extra demand on refuse disposal.
- Inadequate provision for refuse collection.

## Car parking

- Not enough car parking.
- Removal of garages will increase traffic in this enclosed area.
- Desperate shortage of car parking in the Kite area.
- Inconvenience of rented garage space being displaced.

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 development

### **Principle of Development.**

8.2 The cartshed is the only building left along the road on this site that is of historic interest. It was not indicated in the Kite Conservation Area Appraisal as a Significant Building.

8.3 Under the Cambridge Local Plan 2006, policy 4/10 demolition of listed buildings sets out the relevant tests that have to be applied. The first is that the building is structurally unsound for reasons other than deliberate damage or neglect. Despite the application documents saying that the building has subsidence, there is no structural engineer's report to support this. Unless such a document is forthcoming, this cannot be used as a reason for the demolition of this building.

8.4 The second test is that the building cannot continue in its current use and there are no viable alternatives. The cartshed has not operated as such for many years and appears to have been used only for general storage for a long time.

8.5 The third test is that wider public benefits will accrue from redevelopment. Given that the cartshed is curtilage listed to the main property, 26 New Square, it was not considered of enough special interest when the appraisal was written for it to be

highlighted on the map or mentioned in the text. It has no specific purpose as it stands, and therefore, provided that an approved scheme is forthcoming, the loss of the building may allow a redevelopment which will have wider public benefits. These benefits will be the loss of the unsightly 1950s garages and the implementation of a scheme which is appropriate for this location and which will see more pedestrian activity and natural surveillance in Eden Street Backway. The scheme will be an enhancement of the conservation area.

- 8.6 The garage adjacent to the cartshed is of no historic or architectural interest and therefore its demolition is supported. The brickwork will be salvaged and used in the construction of the new terraces. The imposition of a suitable planning condition can ensure the cartlodge is recorded and details placed in the public record. In my view the demolition of the cartilage is justified in accordance with Cambridge Local Plan policies 4/10 and 4/11.

## **9.0 CONCLUSION**

- 9.1 The principle of demolishing the cartlodge is justified and its loss is outweighed by the wider benefits that will accrue from redevelopment. APPROVAL is recommended.

## **10.0 RECOMMENDATION**

**1. APPROVE 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. No development shall take place until a full photographic record and survey by measured drawing and salvage of samples has been made depicting the exterior and interior of the building and a copy deposited with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority. The precise number and nature of the photographs, drawings and samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed with the local planning authority before the deposit is made.

Reason: To foster understanding of the buildings importance in the national and Cambridge context, and to ensure proper recording of any aspects of the buildings special interest which are to be lost. (Cambridge Local Plan 2006, policy 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: ENV6

Cambridge Local Plan (2006): 4/10, 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.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

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 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 "xempt 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.