

Application Number	10/0298/FUL	Agenda Item	
Date Received	1st April 2010	Officer	Mr James D'Arcy
Target Date	27th May 2010		
Ward	Abbey		
Site	Murdoch House 30 Garlic Row Cambridge Cambridgeshire CB5 8HW		
Proposal	Single storey side extension.		
Applicant	Murdoch House 30 Garlic Row Cambridge Cambridgeshire CB5 8HW		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is at the western end of Murdoch House, 30 Garlic Row, to the north of Newmarket Road and adjacent to Stourbridge Common. Murdoch House was built in 2000 and is 7.2m high to the top of the curved roof; it is a modern, metal-clad, two-storey building containing offices and light industrial uses associated with the Munro Group.
- 1.2 There is a large area of car parking to the building frontage (the south side), and cycle parking at the western end of the building. Access to the building is from Garlic Row. The site is surrounded by metal fencing although substantial planting on the western and northern sides significantly reduces the extent to which the building is seen.
- 1.3 There are two tall, well-established trees (Leylandii?) at the north-western corner of the site, which are not subject to a Tree Protection Order, strong hedging along the site frontage to Garlic Row and good planting outside the site along the Stourbridge Common (an area of Protected Open Space) located directly to the north. There is a recent residential development to the south of Murdoch House, on what was a

commercial site, and an older development of residential properties to the west, those of Oyster Row and Garlic Row.

- 1.4 The building is not within a Conservation Area, but is directly south of the aforementioned area of Protected Open Space, which is in the Green Belt. The property is also located under 35 metres from an Environment Agency designated Flood Zone. The public highway immediately west of the site, which terminates for motor vehicles when it reaches Stourbridge Common, includes what is a very important pedestrian/cycle link from east Cambridge, across the common and river, to north Cambridge.

2.0 THE PROPOSAL

- 2.1 The application seeks permission to erect an extension to the western elevation of the main building to improve storage facilities. This extension will be flat-roofed, and occupy the same footprint (approximately 80 square metres) as the recently refused application for a two-storey building. The extension is single storey, and is approximately 4.0 metres in height.
- 2.2 The proposed extension will essentially occupy the whole of the area between the western end of the existing building and the hedge that abuts the highway. Because the road and building are at an angle to one another, the proposed extension will be much deeper at the northern end than the southern end. It is slightly set back (600mm) from the south face of the building, where it is 3.6m deep, but extends across the full width of the building and beyond (by 2.8 metres) toward the Common; its overall width is 13.8 metres and its maximum depth at the northern end is 7.6m. Replacement cycle parking provision is suggested at the eastern end of the building. The building extension is to be metal clad, similar to the previous application.
- 2.3 Replacement cycle parking provision is proposed nearby.
- 2.4 The application is accompanied by the following supporting information:
 1. Design Statement

3.0 SITE HISTORY

3.1 The existing building was erected in 2000 under planning reference C/99/0146/FP.

There is one prior application, reference 10/0063/FUL for the erection of a side extension to the building, which was refused for the following reason:

The proposed extension to the building, because of its height, mass, and positioning, flush to the boundary of the site, would compound and make yet more intrusive a building which is not typical of the character or appearance of what is predominantly a residential area. It would alter the balance of the character of the area, and visually dominate the neighbouring residential properties and, as a consequence erode the amenity of adjacent occupiers. The intrusive nature of what is proposed demonstrates a failure show that the proposal has responded to context and relates to the characteristics of its surroundings. For these reasons the proposal is contrary to the East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/14.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: 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 4: Planning for Sustainable Economic Growth (2009):** sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.
- 5.4 **Planning Policy Statement 9: Biodiversity and Geological Conservation (2005):** Paragraph 1 states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- 5.5 **Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.
- 5.6 **Planning Policy Statement 22: Renewable Energy (2004):** Provides policy advice to promote and encourage the

development of renewable energy sources. Local planning authorities should recognise the full range of renewable energy sources, their differing characteristics, location requirements and the potential for exploiting them subject to appropriate environmental safeguards.

5.7 **Planning Policy Statement 25: Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.

5.8 **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.

5.9 **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.

5.10 **East of England Plan 2008**

SS1 Achieving sustainable development

SS7 Green Belt

E2 Provision of land for employment

T14 Parking

ENV7 Quality in the built environment

WM8 Waste management in development

CSR3 The Green Belt in the Cambridge subregion

5.11 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.12 Cambridge Local Plan 2006

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/7 Creating successful places
- 3/14 Extending buildings
- 7/2 Selective Management of the Economy
- 4/1 Green Belt
- 4/4 Trees
- 4/13 Pollution & Amenity
- 7/2 Selective management of the Economy
- 8/6 Cycle parking

Planning Obligation Related Policies

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

5.13 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.

Cambridge City Council (March 2010) – Planning Obligation Strategy: provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

5.14 **Material Considerations**

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

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

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

Cambridge Sub-Region Culture and Arts Strategy (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

6.1 No objections, concerns detailed regarding cycle provision.

Head of Environmental Services

6.2 No objections, concerns detailed regarding cycle provision.

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 A petition from 29 local residents has been received, citing the mass and positioning of the extension, flush to the boundary, as being intrusive and adversely impacting the local environment. The petition also cites the potential detrimental impact upon the character and balance of the local environment.

7.2 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. Cycle parking
5. Planning Obligation Strategy

Principle of Development

8.2 The proposal seeks to extend the existing Munro light industrial building, an established use within the local environment. The proposal is a result of a need for increased secure storage space to store valuable materials currently housed in the open at the front area of the site. The proposal is relatively modest in scale and the nature of what is proposed is in conformity with the requirements of Local Plan policy 7/2, regarding employment development.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policies SS1, & ENV7 of the East of England Plan 2008, and policies 3/1 and 7/2 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.4 The existing building is a large, visually striking structure located in close proximity to the much smaller semi-detached and terraced properties of Garlic and Oyster Row. The building is a style that contrasts strongly with the adjacent residential property, both in terms of scale and materials, but was constructed at a time when the adjacent site to the south was in commercial use and occupied by an unattractive building. The impact of the building is accentuated by the fact that it is set up a little above the road, but very definitely softened by the presence of a tall hedge and the fact that the building is set back a little way (about 7-11m) from the public highway carriageway. The building is hardly visible from the Common because of the planting.
- 8.5 The building however is still highly visible above this hedge, and is apparent in the streetscene, particularly from Oyster Row. There is a pair of tall established trees to the north-west of the building, at the corner of the site nearest the residential properties which also helps the building to be absorbed into its surroundings.
- 8.6 The roof structure of the building features a metal “capping/overhang” around the edges, which is reflective and emphasises the scale of the building, and increases its presence mass and visibility. The nearest neighbours (numbers 37 & 39) are 19 and 22 metres away at the closest points respectively.
- 8.7 The extension now proposed, while seeking to reflect the existing in terms of materials, is single storey only. It would nevertheless bring the edge of the building to less than 16 metres from the residential properties. The reduction in height is such that I am of the view that what is shown would not be very apparent or too intrusive if it could be guaranteed that the planting could be kept. The applicant has been asked to advise on what foundations might be used to try and ensure the planting is retained and whether the extension could be reduced by a metre in depth so that it would be possible to construct without irreparable damage being done to the planting.
- 8.8 If such changes cannot be achieved, I consider that the proposal would be unacceptable and would detract from the

visual quality of the street scene, which in turn would impact upon the amenity of nearby residents. I am of the view that without the reduction the proposal would be in conflict with policies 3/4 and 3/14, being out of context and not relating well to its surroundings, very much the reasons given for refusing the previous, larger application.

- 8.9 In my opinion the proposal as it stands is not compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, and 3/14, but if amended could conform to those policies.

Residential amenity

Impact on amenity of neighbouring occupiers

- 8.10 I consider that the impact that the proposal would have on neighbours will be entirely dependent upon whether the scale of the proposal is reduced. The changes made since the previous, refused application have already made a substantial difference to the potential impact upon neighbours. If the bringing forward of the smaller building form is changed, so that it is less close to the highway boundary and can therefore secure the retention of the planting, I do not consider the increased proximity to the houses across is as significant when the building is 3.2m lower than the existing building and will be substantially masked by the planting. Subject to that reduction in depth being achieved, I do not consider the extension would be unduly dominant or such that it will have an adverse impact upon the outlook from the houses immediately west of the highway, detracting from the amenity they should reasonably expect to enjoy.

- 8.11 In my opinion the proposal as it stands is not compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, and 3/14, but if amended could conform to those policies.

Cycle parking

- 8.12 The proposal will result in the loss of existing cycle parking provision. Alternative provision is made, though in a slightly less user friendly location. The current provision is very little used. I am of the opinion that adequate provision can be made on the site and in the event of permission being approved, a condition

could be used to address this issue. I am therefore of the opinion that with a condition the proposal could be made compliant with Cambridge Local Plan (2006) policy 8/6.

Planning Obligation Strategy

8.13 The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The application is not of a scale to require any contributions under the Planning Obligation Strategy.

9.0 CONCLUSION

9.1 I understand that changes will be made to the scheme prior to it being considered by Committee. Subject to the scheme being amended so that it is set back at least 1 metre from the highway boundary, I am of the opinion that the scheme can be supported subject to the imposition of conditions.

Recommendation

APPROVAL OF THE SCHEME AS AMENDED, SUBJECT TO THE FOLLOWING CONDITIONS:

10.0 RECOMMENDATION

APPROVE subject to the receipt of amended plans setting the proposal back at least 1m further back from the road, 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. Prior to commencement of development details of the proposed foundations of the extension hereby approved, full details of the means of construction shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the details agreed.

Reason: To safeguard the character and context of the locality and trees adjacent to the site (Cambridge Local Plan 2006 policies 3/4 and 4/4)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local planning authority with a method statement for approval detailing the type of piling and the mitigation measures to be taken to protect local residents. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of adjoining properties during the construction period (Cambridge Local Plan 2006 policies 3/14 and 4/13).

5. No development shall commence until full details of facilities for the covered, secure parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The agreed facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

6. 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)

7. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

8. Development may not commence until such time as details of the specification and position of fencing, or any other measures to be taken for the protection of any trees and planting adjacent to the site from damage during the course of development, have been submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

9. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To ensure that all potential contamination issues are properly addressed before the commencement of development (Cambridge Local Plan 2006 policy 4/13)

10. 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 to Saturday inclusive and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To safeguard the amenity of nearby residents (Cambridge Local Plan 2006 policy 3/14)

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, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England Plan 2008: Policy ENV7 Quality in the Built Environment.

Cambridge Local Plan (2006): Policies 3/4, 3/14, 4/4, 4/13

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 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 “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.