

Application Number	10/0177/CAC	Agenda Item	
Date Received	3rd March 2010	Officer	Miss Sophie Pain
Target Date	7th May 2010		
Ward	Newnham		
Site	Hat And Feathers 35 Barton Road Cambridge Cambridgeshire CB3 9LB		
Proposal Applicant	Demolition of existing single storey extension. Mr Steve Hurst The Black Barn Meridian Court Comberton Road Toft Cambs CB23 3RY		

INTRODUCTION

- A1 The associated application 10/0176/FUL, which provides the full proposal for the site, is now the subject of an appeal against the non-determination of the application by the City Council, within the prescribed period. The application is deemed refused by the City Council as local planning authority, but the appeal will be determined at appeal by an Inspector appointed by the Planning Inspectorate.
- A2 Committee can still determine this application today, as it is not the subject of the appeal. However, members should be minded that consideration needs to be given to whether the full planning application proposes a suitable replacement when determining this application.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Hat and Feathers Public House is located on the south side of Barton Road, on the corner with Kings Road. The application site is 442 sq metres with the footprint of the existing building being 225 sq metres. The existing pub garden is to the south of the building. The building has frontages onto both roads with the frontage on Kings Road extending southwards for approximately 20 metres.

- 1.2 The existing building is located on a prominent corner and contributes much to the character of the area in terms of its design and appearance. The surrounding area is predominately residential properties which are made up of large detached properties and developments of flats such as Ashworth Park to the east of the site.
- 1.3 The building is currently vacant, but was until recently a public house with 2 flats above. Along the eastern boundary with Ashworth Park, there are four lime trees, which are within the ownership of Ashworth Park but overhang the site. These trees are by virtue of being within the Conservation Area protected. The property is located within the West Cambridge Conservation Area and there are no parking restrictions on Kings Road.

2.0 THE PROPOSAL

- 2.1 This application seeks conservation area consent to demolish an existing single storey extension which is to the rear of the site and fronts onto Kings Road. The application is linked to application ref 10/0176/FUL for the conversion and extension of former Public House to provide residential accommodation (4 x studio/1bed flats and 2 x 2bed flats).
- 2.2 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
10/0176/FUL	Conversion and extension of former Public House to provide residential accommodation (4 x studio/1bed flats and 2 x 2bed flats). Works to include the demolition and rebuild of the single storey extension, along with landscaping, car	Pending with a recommendation of refusal

parking and access
arrangements.

4.0 PUBLICITY

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

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 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management

policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

5.4 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.5 **East of England Plan 2008**

ENV6 The historic environment

ENV7 Quality in the built environment

5.6 **Cambridge Local Plan 2006**

3/1 Sustainable development

4/11 Conservation Areas

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

6.1 No Objection

Historic Environment Manager

6.2 The application is not supported as although the single storey extension does not have any architectural or historic value, the proposed replacement is not a design that is typical of this part of the West Cambridge Conservation Area. Indeed a cart shed is not a typical design found in Cambridge at all.

7.0 **REPRESENTATIONS**

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

- 20 Millington Road
- CAMRA

- 37 Barton Road
- 39 Barton Road
- Cambridge Past, Present and Future
- Ashworth Park Management Company

7.2 The representations can be summarised as follows:

- The proposed development will not substantially alter the outward appearance of the Hat and Feathers, which sits well on its site;
- The destruction of a potentially viable public house;
- There is only one other pub (The Red Bull) in Newnham, so the loss of the Hat and Feathers would significantly reduce the choice of amenity in the locality;
- By converting the public house, there will be a reduction in noise during the night and feel that as the footprint will be the same, the design is sympathetic to the character of the neighbourhood;
- The re-building of the single storey extension should ensure that it matches the colour of the original building;
- The introduction of further residential properties will increase the competition for on-street parking, in order to avoid inconsiderate parking, could yellow lines be painted in front of existing garages to ensure that parking does not inconvenience existing residents?;
- Reduction in the amount of litter in the surrounding area;
- Loss of privacy to neighbouring gardens;
- The design of the communal gardens is poor, with poor planting provision and an outlook onto uncovered cycle racks;
- The proposed second storey element will cast a considerable shadow on the flats adjacent to the property and that in addition to denying natural light it will also prevent the afternoon sun to shine upon this block; and
- Concern that the proposal will damage trees on the property of Ashworth Park, especially the lime trees which may be affected when building work commences.

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.

7.4 In general these comments relate to the associated application for planning permission. I have addressed the issues raised in my report which appears elsewhere on the agenda.

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. The loss of the single storey extension
2. The merits of the replacement proposal
3. Third party representations

The loss of the single storey extension

8.2 Policy HE9.2 of PPS5 Planning for the Historic Environment (2010) states that where an application will lead to substantial harm to, or total loss of significance, consent should be refused, except where it is demonstrated that the nature of the heritage asset (i.e. the Conservation Area designation) prevents all reasonable uses of the site and there is no viable use that can be found in the medium term to enable its conservation. In this instance I do not consider that the demolition of the existing single storey extension constitutes a loss of significance and that the principle of an alternative use or residential accommodation is acceptable.

8.3 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;
- b) It cannot continue in its current use and there are no viable alternatives for; and
- c) Wider public benefits will accrue from development’.

8.4 Taking each of these criterion in turn, I believe that the proposal does not make reference to or provide evidence that the extension is structurally unsound, no marketing evidence has

been provided to demonstrate that the building to which the extension is attached can continue or be let to another publican, and that by removing this extension, I do not believe that there will be any wider public benefits.

- 8.5 No justification has been provided within the application to demonstrate that the demolition of this extension is acceptable. It is considered that the existing single storey extension does not have any architectural or historic value, but my opinion is that the proposed two storey replacement, is not of a design which is typical in this part of the West Cambridge Conservation Area.

The merits of the replacement proposal

- 8.6 The proposals for the redevelopment of this single storey extension are not acceptable in my view (assessed in detail under application 10/0176/FUL). The design of the two storey replacement is not in keeping with the character of the area, or indeed with Cambridge buildings with regard to the proposed 'cart shed' approach.
- 8.7 If Conservation Area Consent was granted now without a scheme of an acceptable standard being approved, the single storey extension would be removed and the vacant site would be detrimental to the street scene. PPS5 does not stipulate that an acceptable replacement building should be agreed prior to the demolition of the existing. However, in this context, the consequences of allowing the demolition of this extension without a suitable replacement would cause this vacant site to detrimentally impact on the character and appearance of the heritage asset (ie. Conservation Area). In my view, in order to preserve the Conservation Area, consent should not be granted until planning permission has been granted for a suitable alternative.

Third Party Representations

- 8.8 The comments which were received with regards to the poor nature of the design have been assessed in the above report. All other concerns that have been raised are matters which will be addressed in the planning application report 10/0176/FUL.

9.0 Conclusion

- 9.1 The proposed replacement building is not considered to be acceptable and the proposal does not comply with policies 4/10 and 4/11 of the Cambridge Local Plan 2006. In order to prevent the creation of a cleared vacant site, it is my view that Conservation Area Consent should also not be granted at this time.

10.0 RECOMMENDATION

REFUSE for the reason below:

1. In the absence of an acceptable replacement building, the loss of the existing extension to the building would neither enhance nor preserve the character and appearance of the Conservation Area. The demolition of the extension is therefore contrary to policy ENV6 of the East of England Plan (2008), policy 4/11 of the Cambridge Local Plan (2006) and to advice provided by Planning Policy Statement 5: Planning for the Historic Environment (2010).

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.

