

<b>Application Number</b>	12/1434/CAC	<b>Agenda Item</b>	
<b>Date Received</b>	12th November 2012	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	7th January 2013		
<b>Ward</b>	Market		
<b>Site</b>	37 City Road Cambridge Cambridgeshire CB1 1DP		
<b>Proposal</b>	Proposed demolition of outbuildings		
<b>Applicant</b>	Mr Paul Downham Cambridge House 91 High Street Longstanton Cambridgeshire CB24 3BS United Kingdom		

SUMMARY	The development accords with the Development Plan for the following reason:  1. The existing buildings are structurally unsound.
RECOMMENDATION	APPROVAL

## 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 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Structural Report
3. Historical Report

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
11/1578/FUL	Demolition of existing buildings and redevelopment of the site to provide three residential units.	REF
11/1579/CAC	Demolition of existing buildings and redevelopment of the site to provide three residential units.	REF
12/1434/CAC	Proposed re-building of outbuildings to form 2 No. residential units.	Pending

3.1 The decision notice for the previously refused application 11/1579/CAC is attached to this report as Appendix 1.

## **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
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 4/11 5/1 5/14 8/2 8/6 8/10 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
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27

	<p>May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Citywide:</u></p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Open Space and Recreation Strategy</p> <p>Cycle Parking Guide for New Residential Developments</p>
	<p><u>Area Guidelines:</u></p> <p>Kite Area</p>

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 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.

#### Head of Environmental Services

- 6.2 No objection. Conditions recommended relating to construction hours, construction noise, contaminated land and waste.

#### Urban Design and Conservation Team

- 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. Conditions are recommended relating to materials, glass type, rooflights, and paint colours.

## **7.0 REPRESENTATIONS**

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

- 9 City Road
- 33 City Road
- 34 City Road
- 38 City Road
- 13/14 Melbourne Place
- 61 Eden Street

7.2 The representations can be summarised as follows:

- The proposed total floor area and height far exceeds the existing structure
- Dominance
- Loss of privacy and overlooking
- Loss of light and overshadowing
- Increase in artificial light
- Access for emergency vehicles
- Overcrowding
- The existing building is out of character with surroundings and impacts on neighbours. It should not have been built
- Lack of car parking spaces

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 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 – 12/1433/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 to 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 12/1433/FUL is considered to be appropriate and acceptable and therefore this application for Conservation Area Consent is supported subject to conditions.

## **10.0 RECOMMENDATION**

### **FOR RECOMMENDATIONS OF APPROVAL**

**APPROVE** subject to the following conditions:

1. Except with the prior written agreement of the local planning authority 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)

2. Except with the prior written agreement of the local planning authority, 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)

3. The demolition hereby permitted shall not be commenced until a contract for the redevelopment for the site in accordance with planning permission 12/1433/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:

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 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 "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.