

NORTH AREA COMMITTEE**21ST MARCH 2013**

Application Number	13/0018/FUL	Agenda Item	
Date Received	14th January 2013	Officer	Natalie Westgate
Target Date	11th March 2013		
Ward	West Chesterton		
Site	109 Chesterton Road Cambridge CB4 3AR		
Proposal	1 detached building to the rear of Whitworth House, containing 2 no. 1 bed units for supported housing		
Applicant	Mr Greg Dodds Crane Hill Lodge 325 London Road Ipswich Suffolk IP2 0BE		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none">1. The proposal conforms to development plan policies.2. The proposal is not likely to have a harmful impact upon the character and appearance of the conservation area.3. The proposal is not likely to significantly impact upon neighbouring occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is to the rear of Whitworth House and forms an area of backland between Victoria Road, Croft Holme Lane, Chesterton Road and Albert Street. There is access to the site at its north-east corner from Croft Holme Lane.
- 1.2 The property is within the Castle and Victoria Road section of the City of Cambridge Conservation Area No.1 (Central). There are no protected trees on site.

2.0 THE PROPOSAL

- 2.1 Permission is sought for the erection of a new detached building for two one bed units for supported housing. The proposed building is subservient to and smaller in scale than the nearby main detached building of Whitworth House. The new dwelling has a width of 13.7m and depth of 6m.
- 2.2 The proposed dwelling will have a rectangular garden area and a cycle store and a refuse store. There are four car parking spaces.
- 2.3 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Plans
- 2.4 An amended plan has been received on which the canopy originally proposed on the porch has been omitted.
- 2.5 The application is brought before Committee following three neighbour objections on access issues.

3.0 SITE HISTORY

Reference	Description	Outcome
None		

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, 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
Cambridge Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 4/11 4/13 5/1 5/7 8/1 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>Citywide:</u> Open Space and Recreation Strategy Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u>

	Conservation Area Appraisal: Castle and Victoria Road
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6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comment.

Urban Design and Conservation Team

6.2 The application is not supported. The proposed development is subservient to Whitworth House but it is not subservient in terms of scale and massing from the other surrounding buildings. The proposed building would appear better visual break from Whitworth House if there was more than a 2 metre separation gap between the properties. There are concerns on the design of the windows, entrance and stairs. The use of reconstituted stone sills are inappropriate in a subservient building.

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 The owners/occupiers of the following addresses have made representations:
7 Victoria Road
7 Albert Street
9 Albert Street

7.2 The representations can be summarised as follows:
☐ There is concern on the heavy duty lorry traffic along the laneway from Croft Holme Lane

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 Because additional neighbours were consulted on 6 March 2013 time must be allowed for responses. Officers therefore

recommend that any committee resolution is made subject to no further comments raising new issues being received before 27.3.2013. If further comments are raised the application will go back to the next committee.

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, Conservation Area, 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 The proposed development is for a new detached building for two one bed units for supported housing. Policy 5/7 of the Cambridge Local Plan 2006 considers the criteria for potential impact of such a development upon the residential amenity of the local area, the suitability of the site and building for the purpose and the proximity of the building to local transport links and other local services. The proposal is therefore in compliance with these policy objectives.

8.3 As the existing building is presently used as a supported housing and the proposed development seeks to extend this existing use, I am of the opinion that the site is suitable for such additional development and that it is well placed for access to a number of transport links. In my opinion, the principle of the development is acceptable and in accordance with policy 5/7, Cambridge Local Plan 2006.

Context of site, Conservation Area, design and external spaces

- 8.4 The proposed building is subservient to the main detached building of Whitworth House and has an adequate 2m separation gap between the buildings. I note the design objections from the Conservation Officer and although it might be preferable to have a smaller building on the scale of an outbuilding I feel that it would not be reasonable to refuse the application on the design and scale of the proposed building given that the proposed building is well hidden by surrounding buildings and walls and it is not visible from the streetscene so therefore it will have minimal impact upon the character and appearance of the conservation area.
- 8.5 The proposed building has been revised to remove the canopy entrance to the design of the building in order to be more subservient to Whitworth House. The proposed materials are similar to surrounding residential properties.
- 8.6 The proposal to reintroduce soft landscaping is supported and will improve the visual appearance of the property, which presently is just a car parking area.
- 8.7 An existing access will be used off Croft Holme Lane. I note another approval has been granted for a dwelling in the area at No.3 Victoria Road (12/1041/FUL) and there is another live application for a dwelling nearby this site at No.115 Chesterton Road (13/0182/FUL). I have attached conditions for construction.
- 8.8 In my opinion the proposal is compliant with National Planning Policy Framework paragraphs 134 and 135, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposed dwelling will have limited effect on the residential amenity at No.107 Chesterton Road. The proposed dwelling is built adjacent to No.107 but is largely screened from occupiers at that address by existing buildings. No side windows to the elevation on this side are proposed.

- 8.10 The proposed building will have no effect on residential amenity at the neighbouring property (No.111 Chesterton Road). The proposed building would be 4.5m from the common boundary with this site, where there is a substantial boundary wall 2.5m high.
- 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 The proposal provides a high-quality living environment and 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 3/12.

Refuse Arrangements

- 8.13 The application details an adequate proposed bin storage in the north of the site.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.15 The highway authority has made no comment on the proposal, and I am of the view that the proposed development does not endanger highway safety, as it would use the existing access, and would not increase the number of car parking spaces available on the site.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.17 The Car Parking Standards (2006) allow a maximum of 1 space per dwelling up to 2 bedrooms. The site currently provides parking for 4 spaces which will be retained. Off-street car parking for 4 cars is provided by way of parking spaces at the north western end of the site, which is accessed from a

vehicular access off of Croft Holme Lane. This arrangement will not alter the existing parking arrangement for Whitworth House. As the property is located close to a local centre and public transport routes, I consider that the provision of four car parking spaces is acceptable.

- 8.18 The proposed development is required to provide cycle parking for at least 1 cycle per bedroom in accordance with the cycle parking requirements set out in the Cambridge Local Plan 2006. The application details an adequate proposed bike storage for 2 cycles in the north of the site.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.20 The impact of construction traffic using the access off Croft Holme Lane is not a reason to refuse permission. I recommend a condition to address this issue.

Planning Obligations

- 8.21 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 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

- 8.22 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.
- 8.23 The application proposes the erection of a detached building accommodating two one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

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

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

Total	807
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Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363	2	726
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					726

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

8.24 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

8.25 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:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	2	2,512
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			2,512

- 8.26 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

- 8.27 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:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	2	300
Total			300

- 8.28 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.

Monitoring

- 8.29 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

- 8.30 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 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 18 April 2013, subject to the following conditions and reasons for approval, and subject to no further representations raising new issues having been received by 27 March 2013

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 18 April 2013, 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, education and life-long learning facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/12 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 Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership

(RECAP): Waste Management Design Guide Supplementary Planning Document 2012

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

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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice, except as required or modified by other conditions on this permission.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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)

4. 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, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policy 4/13 of the Cambridge Local Plan (2006)

5. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are:

- i. Movements and control of muck away lorries;

- ii. Contractor parking;

- iii. Movements and control of all deliveries;

- iv. Control of dust, mud and debris.

Reason: In the interest of neighbour amenity and highway setting. (Cambridge Local Plan 2006 policies 3/4 and 8/2)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

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

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):

3/1,3/4,3/7,3/12,4/11,4/13,5/1,5/7,8/2,8/6,8/10;

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.