

<b>Application Number</b>	13/1081/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	23rd July 2013	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	17th September 2013		
<b>Ward</b>	West Chesterton		
<b>Site</b>	T Harmer Garage Corona Road Cambridge Cambridgeshire		
<b>Proposal</b>	Conversion of redundant vehicle workshop into 1 no single bed dwelling.		
<b>Applicant</b>	Mr Brian Sewell River Farm House Harston Road Haslingfield Cambridge CB23 1JX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The development would preserve the character and appearance of the Conservation Area;</li> <li>2. The development would not have a significant detrimental impact on the occupiers of neighbouring properties; and</li> <li>3. Adequate cycle and bin storage would be provided</li> </ol>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site is situated on the northwestern side of Corona Road, and is currently occupied by a single storey building. The building is now vacant but was most recently used as a vehicle repair garage. The building is situated to the rear of 34 Victoria Road (which stands to the south of the building) and is accessed via a driveway from Corona Road. The area is mixed in character, but the area directly surrounding

the application site is predominantly residential. The site is situated with City of Cambridge Conservation Area 1 (Central).

## **2.0 THE PROPOSAL**

- 2.1 Full planning permission is sought to convert the building into a one-bedroom dwelling. To enable the building to be used in this way, it is proposed that the roof is raised by 0.4m at the eaves and 0.9m at the ridge, to provide a raised sleeping platform. Rooflights would be added to both roof slopes. The existing doors on the southern elevation would be replaced with patio doors, and a glazed entrance door would replace the existing doors in the eastern elevation.
- 2.2 One car parking space would be provided on the access driveway, along with a bin and cycle store.
- 2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
12/1408/FUL	Conversion of existing redundant vehicle workshop into 2 no single bed dwellings	Withdrawn

## **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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.
- 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/14 4/11 4/13 5/1 5/2 5/14 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 Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide 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> 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 significant additional adverse effect upon the Public Highway should result from this proposal if it gains benefit of Planning Permission.

### **Head of Refuse and Environment**

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

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

- 6.3 No objection. As the form of the roof will not be altered, the raising of the ridge will not have adverse effect on the Conservation Area, provided that appropriate materials are used for the roof covering. A condition is recommended requiring details of the roof.
- 6.4 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:
- 32 Victoria Road
  - 14 Thornton Close, Girton
- 7.2 The representations can be summarised as follows:
- The rooflights will overlook The Victoria Homes
  - The driveway is a right of way, and therefore the occupants could not park a car along it as it would block into the rear gardens of the houses on Victoria Road

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 development
2. Context of site, design and impact on the Conservation Area
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

### **Principle of Development**

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. Policy 5/2 of the Local Plan explains that the conversion of non-residential buildings into self-contained dwellings will be permitted except where: the likely impact upon on-street parking would be unacceptable; the living accommodation provided would be unsatisfactory; the proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.3 The immediate area surrounding the application site is predominantly residential and, therefore, it is my opinion that the proposal complies with policy 5/1 and part (e) of policy 5/2 of the Cambridge Local Plan (2006). I have addressed the other parts of policy 5/2 below.

## **Context of site, design and impact on the Conservation Area**

- 8.4 The building is set back from the street frontage of Corona Road, and is not highly visible from the street. The Urban Design and Conservation Team do not object to the application. It is proposed that the existing roof pitch is retained but the ridge height is raised. As the form of the roof will not be altered, the raising of the ridge height will not have an adverse visual impact and will preserve the character and appearance of the Conservation Area. However, it is vital that the materials used are appropriate, and therefore I recommend a condition requiring details of the roofing materials (4). The proposed rooflights, patio doors, and entrance doors will not be visible from the street, and will subsequently not have a detrimental impact on the character or appearance of the Conservation Area.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.6 The neighbouring properties that may potentially be impacted on by the proposals are 34 Victoria Road to the south; Corona House to the north; and Victoria Homes to the west.

### *Impact on 34 Victoria Road*

- 8.7 34 Victoria Road is currently in use as a House in Multiple Occupation (HMO), The application site is situated to the north of 34 Victoria Road, and it is therefore my opinion that the proposed increase in height would not have a significant detrimental impact on this neighbour in terms of overshadowing. As the increase in height is minimal it is also my view that the building would not enclose or dominate this neighbour.
- 8.8 34 Victoria Road has a small yard to the rear, and it is proposed that the application building would also have a small yard adjacent to this. Due to the proximity of the two amenity spaces, and potential interlooking between them and into the application building, it is my opinion that the boundary treatment

along the common boundary needs careful consideration so that privacy is retained without the boundary treatment dominating the application building and blocking light from entering it. I recommend that details of the boundary treatment are required by condition (5).

#### *Impact on the flats at Corona House*

- 8.9 The application site is situated to the south of Corona House. Corona House is a 2.5 storey building with a blank flank wall. As the application building will remain single storey in height, it is my opinion that there would be no significant detrimental impact on the occupiers of Corona House in terms of overshadowing, dominance or enclosure. There are no windows on this side of the application building and there is therefore no potential for overlooking.

#### *Impact on Victoria Homes*

- 8.10 Victoria Homes are a group of houses around a central space occupied by the elderly. The application building is situated to the east of Victoria Homes, adjacent to shared amenity space. Due to the orientation of the buildings, the application building will cast shadow over this space in the morning. However, due to the minimal increase in height, it is my opinion that the level of overshadowing experienced would not be at a level significant enough to warrant refusal of the application, and that the application building would not enclose or dominate Victoria Homes.
- 8.11 Rooflights are proposed in both roof slopes, facing towards the driveway and towards Victoria Homes. The rooflights would be situated above the sleeping platform, above the staircase, and above the living room on the ground floor. Above the sleeping platform, the sill height would be 1750mm above floor level, but to prevent overlooking of Victoria Homes I recommend that this window is obscure glazed and fixed shut. This can be secured by condition (6). The window to the east will be clear and openable to provide light and ventilation to the sleeping platform.
- 8.12 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

- 8.13 The dwelling would only have a small area of amenity space to the rear, but it is my opinion that this is acceptable for a one-bedroom dwelling. Due to the previous use of the site as a vehicle repair workshop, Environmental Health have recommended that the full contaminated land condition is added (7).
- 8.14 In my opinion the proposal provides 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 3/14 and part c) of policy 5/2.

#### **Refuse Arrangements**

- 8.15 Bin storage is proposed along the edge of the driveway. This is acceptable in principle. However, details of the bin storage have not been provided, and it is recommended that these details are required by condition (8).
- 8.16 In my opinion the proposal is compliant with part d) of policy 5/2 Cambridge Local Plan (2006) policy 5/2.

#### **Car and Cycle Parking**

##### Car Parking

- 8.17 Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006) states that one car parking space should be provided for a dwelling of this size. It is proposed that one parking space is provided on the driveway, which meets the standards. In one of the representations received it has been explained that the driveway is a right of way providing access to the rear of properties along Victoria Road. The applicant has explained that the land is owned by them but that there is a private right of way over it. This is a civil issue. If this land cannot be used for the parking of a car, it is my view that the proposal would still be acceptable as the site is close to local amenities and the City Centre.



## Cycle Parking

- 8.18 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that at least one covered and secure cycle parking space should be provided for a dwelling of this size. A cycle store is proposed at the edge of the driveway, which is acceptable in principle. Details of the cycle store have not been provided, and it is recommended that these details are required by condition (9).
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 and parts b) and d) of policy 5/2.

## **Third Party Representations**

- 8.20 The issues raised in the representations received have been addressed above.

## **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 Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). 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 one studio. 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:

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

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	269	269	269	269
1 bed	1.5	269	403.50		
2-bed	2	269	538		

3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>269</b>

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

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

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 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:

<b>Community facilities</b>			
Type of unit	£ per unit	Number of such units	Total £
studio	1256	1	1256
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>1256</b>

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 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:

<b>Waste and recycling containers</b>			
Type of unit	£ per unit	Number of such units	Total £
House	75		
Flat	150	1	150
<b>Total</b>			<b>150</b>

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 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 CONCLUSION**

- 9.1 The proposed dwelling would preserve the character and appearance of the Conservation Area and would not have a significant detrimental impact on the occupiers of neighbouring properties. The application is, therefore, recommended for approval subject to conditions and the completion of the S106 agreement.

## **10.0 RECOMMENDATION**

**1. APPROVE subject to the satisfactory completion of the s106 agreement by 31 January 2014 and subject to the following conditions and reasons for approval:**

**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 31 January 2014, 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, or waste facilities in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 and as detailed in the Planning Obligation Strategy 2010, and the Open Space Standards Guidance for Interpretation and Implementation 2010,**

**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. 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)

3. 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)

4. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge and eaves details have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

5. Prior to occupation, full details of the boundary treatment to be erected along the common boundary with 34 Victoria Road shall be submitted to and approved in writing by the local planning authority. The approved boundary treatment shall be constructed before occupation and retained thereafter.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 3/7)

6. The rooflight above the sleeping platform on the western roof slope shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall be fixed shut, and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/14).

7. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority 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 Local Planning Authority 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 Local Planning Authority. The Local Planning Authority 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.

No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs d), e) and f).

(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 Local Planning Authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. 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: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 4/13)



8. Prior to occupation full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the Local Planning Authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the Local Planning Authority.

Reason; To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 4/13)

9. Prior to occupation full details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved 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)