

Application Number	13/1169/FUL	Agenda Item	
Date Received	6th August 2013	Officer	Mr Sav Patel
Target Date	1st October 2013		
Ward	Romsey		
Site	64 Catharine Street Cambridge Cambridgeshire CB1 3AW		
Proposal Applicant	Construction of a two storey studio unit. Mr K Neale C/o Neale Associates		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed residential studio flat development is located in a sustainable location in terms of its proximity to local shops and services.</p> <p>The design of the building would not have a detrimental impact on the character and appearance of the Conservation Area.</p> <p>The propose building would not have a detrimental impact on the residential amenity of the adjoining neighbours due to its size, window positioning and distance from the private amenity areas of the adjoining properties.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a concreted parcel of land that has been sectioned off by a 2 metre high timber panel fence and used as a car park/bin storage area for no.64 Catherine Street. The site is located directly to the rear of no.64 Catherine Street but is accessed off St Phillips Road.

- 1.2 Catherine Street and St Phillips Road are characterised by two storey residential properties with on street parking provision.
- 1.3 The site is within the Central Extension Conservation Area but is not in a controlled parking zone.
- 1.4 To the east of the site is a shared path which provides access to the rear gardens of the properties in Catherine Street and Thoday Street.
- 1.5 Directly opposite the site is two storey detached building which is used as a flat.

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for a two storey residential studio. The proposed building has an apex roof form and would be accessed via St Phillips Road. The main windows would also face onto St Phillips Road. The building would also contain a high level roof light in the eastern elevation of the roofscape.
- 2.2 The proposed building would be 5.8 metres to the ridgeline and 5 x 5 metres in plan form. The ground floor would be used for a bin/bike store, a lobby and shower room. The first floor would be used as the main studio living accommodation.
- 2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

- 2.4 The application is brought before Planning Committee because objections have been received to this proposal for a new residential unit, which cannot be determined under delegated powers unless the concerns raised can be addressed by condition.

3.0 SITE HISTORY

Reference	Description	Outcome
C/01/0351	Change of use from shop (Class A1) with residential above to 2	Approved

flats, erection of first floor extension, replacement roof to existing single storey rear extension, and installation of dormer window

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
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/10 3/12 4/11 5/1 8/4 8/6 8/10

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	Sustainable Design and Construction

Planning Documents	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> Cambridge Walking and Cycling Strategy

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 The proposal would increase the demand for on street car parking in an area where competition is already intense and may result in the loss of some residential amenity.

Head of Environmental Services

- 6.2 No objections raised – conditions recommended to protect amenity during construction works.

Urban Design and Conservation Team

- 6.3 The proposal to construct a two storey studio unit will have a neutral effect on the established character and appearance of the Conservation Area.

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:

- 49 Brampton Road (owner of no.37 Thoday Street)
- 58 Catherine Street
- 3 Rutherford Road

7.2 The representations can be summarised as follows:

- Loss of an off street parking space
- Height of building unacceptable
- Overlooking from roof light in eastern elevation
- Inappropriate location
- Loss of light
- Support for the proposal

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 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 application site is located within, and surrounded, by residential development. The site is also located within reasonable walking distance of a 'District and Local Centre' which is located to the south, on Mill Road. The site is also

within close proximity to public transport links into the city centre and wider area.

- 8.3 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/7.

Context of site, design and external spaces

- 8.5 The site has been subdivided from the main garden area of no.64 Catherine Street and used to provide an off street parking space. The area is characterised by properties fronting the pavement. Car parking is entirely on street. The built form of the area is characterised by two storey terraced properties with only a few exceptions in this location such as no.66a Catherine Street which is a two storey building comprising a 1 bed flat.
- 8.6 The design of the building would match the existing building opposite the site. The ground floor section would be clad with brick work and the first floor clad with timber panels. The building would be 5.8 metres to the apex and 4.3 metres to the eaves line making it lower than the existing houses that surround the site. The main openings are to be located in the northern elevation however the proposal includes a roof light in the eastern roofscape to provide additional natural light. To the rear (south) of the proposed building is a tree which would block an light if a roof light were proposed in the southern roofscape.
- 8.7 In my view, the design and scale of the proposed building is subserviently modest in comparison to the surrounding two storey properties, which is considered to be acceptable in this context and would not appear out of character or have a detrimental impact on the setting and appearance of the Conservation Area. The Conservation Team has also not raised any concerns with the scale and massing of the proposed building and considers it to be a subsidiary additional to the area.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposed building would be located 16.5 metres away from the nearest rear point on no.39 Thoday Street (east) and 6.8 metres from the single storey rear extension of no.64 Catherine Street (west). The building would also be located 10.5 metres from no.66a, which is opposite (north).
- 8.10 In view of these separation distances and the overall scale of the building, I am of the view that the proposed building is unlikely to create any significantly adverse residential amenity issues. There are no windows that would directly overlook the private amenity space of the adjoining properties.
- 8.11 To the south of the site are the rear gardens of the properties in Catherine Street. The rear garden of no.62 Catherine Street is heavy overgrown and contains trees, which would mitigate the appearance of the proposed building. Nonetheless, the proposed building is considered to be located far enough away from the private amenity space of the surrounding properties so as not to have a significant impact in terms of appearing overbearing and loss of light.
- 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 Any future occupant will not have any outdoor amenity space. However the site is located within relatively close proximity to Romsey recreation ground on Vinery Road. The site is also located within close proximity to the local shops and services, as well as the city centre and public transport links. The proposed building would have good access to local amenities.
- 8.14 In my opinion 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 (or 3/14).

Refuse Arrangements

- 8.15 The proposed building has been laid out to accommodate a bin storage area on the ground floor in a separate vented room which is accessible from the public highway.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.17 The proposal would not lead to or create a highway safety issue.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.19 The proposal would result in the loss of an off street car parking space. County Highways have indicated that could increase pressure on competition for on-street car parking spaces.
- 8.20 Whilst I accept that there would be a loss of a car parking space, I do not agree that the loss of one space would have a significant impact on the existing car parking provision of the area. The site is located in a sustainable location and the shortage of car parking space would be an additional incentive not to keep a car. I think there is a reasonably likelihood given the size of the unit, that a future occupier could choose not to do so.
- 8.21 The proposal is in accordance with the Council's Car Parking Standards.

Cycle Parking

- 8.22 The proposal includes cycle parking for two cycles on the ground floor. This complies with the Council's Cycle Parking Standards.

8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- Loss of an off street parking space

8.24 I have addressed this issue in the above section of the report.

- Height of building unacceptable

8.25 The proposed building would be 5.3 metres to the top of the apex and 4.3 metres to the eaves line. The building would be lower than the surrounding houses and the same height as the existing detached building opposite (66a). In my view the height of the building is acceptable in this context and would not appear overly dominate or out of scale with the surrounding built form.

- Overlooking from roof light in eastern elevation

8.26 It is proposed that the eastern roofscape of the building would contain a rooflight. This rooflight would be high level and used to provide additional natural light into the first floor. The lower edge of the cill would be 2.4 metres above first floor level. Therefore, the rooflight would not create any directly overlooking issues on the properties in Thoday Street.

- Inappropriate location

8.27 The site is located at the rear of the garden serving no.64 Catherine Street where it is generally accepted that ancillary outbuildings such as sheds and garage would normally be located. In this context, as the site has the benefit of a site frontage onto St Phillips Road, the location of the building is considered to be acceptable and would not adversely affect the residential amenity of the adjoining neighbours.

- Loss of light

8.28 The proposed building is located far enough away from the private amenity areas of the adjoining neighbours so as not to cause an adverse overshadowing issue. The apex roof form, low eaves height and orientation of the building would not cause

any significant loss of light such that it would warrant refusing this application.

Planning Obligations

8.29 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

8.30 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.

8.31 The application proposes the erection of one-bedroom studio flat. 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	238
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					238

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

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

Provision for children and teenagers					
Type	Persons	£ per	£per	Number	Total £

of unit	per unit	person	unit	of such units	
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
Total					

8.32 A S106 planning obligation to secure this requirement of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010) has been completed. I am therefore 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

8.33 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	1	1256
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			1256

8.34 A S106 planning obligation to secure this requirement of the Planning Obligation Strategy (2010) has been completed. I am therefore 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

- 8.35 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	1	150
Total			150

- 8.36 A S106 planning obligation to secure this requirement of the Planning Obligation Strategy (2010) has been completed. I am therefore 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

- 8.37 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

- 8.38 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 studio flat building to its location, size, design and distance from surrounding neighbours is considered to be acceptable in this context. The proposed building is smaller than the existing similar building opposite (north) at no.66a which is used as a flat. No.66a is in a similar location; to the rear of no.66 and adjacent to a land that provides access to the rear of the properties in Catherine Street and Thoday Street. The proposed building is considered to be acceptable in this context and would not have a detrimental impact on the setting of the Conservation Area.
- 9.2 I am of the view that due to the scale, layout and orientation of the proposed building, there are unlikely to be any significantly adverse impacts on the residential amenity of the surrounding neighbours.
- 9.3 In these terms, therefore, the proposed change of use and roof extension are considered to comply with policies 3/4, 3/7, 3/11, 3/12 and 5/1 of the adopted Local Plan.

10.0 RECOMMENDATION

APPROVE 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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

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. 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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. 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)

5. 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)

6. No additional window/s or opening/s shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The opening/s shall be implemented in accordance with the approved plans.

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