

<b>Application Number</b>	13/0810/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	18th June 2013	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	13th August 2013		
<b>Ward</b>	Romsey		
<b>Site</b>	The Royal Standard 292 Mill Road Cambridge Cambridgeshire CB1 3NL		
<b>Proposal</b>	Conversion of shop (Use Class A1) to Public House (A4) and enabling residential development (conversion and extension to provide student let accommodation and erection of five terraced houses) at the former Royal Standard.		
<b>Applicant</b>	Bennell Farm C/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The enabling residential development will secure the return of the public house use of the former Royal Standard.</li> <li>2. The rear extensions have a harmonious relationship with the Locally Listed Building as agreed within the Inspectors assessment of 11/0872/FUL. This amended scheme is very similar in its design approach.</li> <li>3. The amenities of neighbours are not considered to be significantly adversely affected, and did not form a previous reason for refusal (11/0872/FUL and 12/0248/FUL).</li> </ol>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is a broadly rectangular shaped plot situated at the junction of Mill Road and Malta Road, occupied by the former Royal Standard Public House.
- 1.2 The existing building has been used by a charity shop in use class A1 for several years. The building was previously occupied by an Indo-Thai restaurant. To the rear is the former car park for the restaurant which is accessed from Malta Road and forms part of the application site.
- 1.3 The area is predominantly residential in character, with terraced houses along the length of Malta Road and Cyprus Road. There are some other uses such as retail and a community centre on Mill Road, close to the site.
- 1.4 The site falls within the Central Conservation Area. There is one significant tree on the site, a Malus tree in the north west corner, which is protected from felling by reason of being within a Conservation Area. The site is not within a Local or District Centre.

## **2.0 THE PROPOSAL**

- 2.1 Permission is sought for the change of use of the retail premises (former Royal Standard pub) to a public house (use class A4) and the extension of the premises to provide eight one bedroom students units and three studio units. In addition, a one bedroom managers flat. To the south of the site five terraces houses will be erected.
- 2.2 The proposed two storey rear extension to the former Royal Standard has a width of 11.5m and an overall ridge height of approximately 10.5m, containing three levels of accommodation. The new extension will read as a separate building, with a glazed link serving the stairwell. The extension has a pitched gable fronting onto Malta Road.
- 2.3 The application is accompanied by the following supporting information:
  1. Design and Access Statement
  2. Statement of Community Involvement

### 3. Planning Statement

#### Amended Plans

- Amended plans have been received removing the roof feature on top of the glazed stair link.
- The applicant has submitted a valuation report on the former Royal Standard public house.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/95/0812	Single storey side extension to provide new bar extension and toilets, at existing Public House	Approved
07/1285/FUL	Single storey side extension.	Approved
09/0946/FUL	Partial change of use of an existing restaurant car park to a use to operate a daytime car washing	Refused
11/0872/FUL	Erection of 5 houses and conversion/extension to provide student accommodation (sixteen units).	Refused, Appeal dismissed
12/0248/FUL	Erection of 5 houses and conversion/extension to provide student accommodation (13 units).	Refused

The previous application **11/0872/FUL** was refused for the following reasons:

1. The proposal, because of the loss of the space on the street corner, and the impact of the proposed extensions on the existing Building of Local Interest, would have a harmful effect on the building, the street scene, and the character of the conservation area, contrary to policies ENV6 and ENV7 of the East of England Plan (2008), policies 3/10, 3/12, 4/11 and 4/12 of the Cambridge Local Plan (2006), and to government advice in PPS5 'Planning for the Historic Environment'(2010).

2. The proposed development does not make appropriate provision for open space/sports facilities, community development facilities, education and life-long learning facilities, transport mitigation measures, waste facilities, restriction of occupation of the student units to those studying at Anglia Ruskin University or the University of Cambridge or monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14, 7/10, 8/3 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, and the Eastern Corridor Area Transport Plan 2002

The previous application **12/0248/FUL** was refused for the following reason:

1. The proposal involves the permanent loss of a former public house, whose value to the local community is evidenced by the responses to the application. No adequate evidence has been provided to demonstrate that the building could not be returned to viable use as a public house, and as such form a valued community facility. The proposal is consequently contrary to government guidance on promoting healthy communities in section 8 of the National Planning Policy Framework.
- 3.1 The decision of the Planning Inspector in the appeal on the previous application **11/0872/FUL** 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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies:

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 3/10 3/11 3/12
	4/4 4/11 4/12 4/13
	5/1 5/2 5/3 5/7
	8/2 8/6
	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	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>  Open Space and Recreation Strategy
	Conservation Area Appraisal:

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 The application shows an on-street parking space allocated to the development. The public highway is not under the control of the applicant, and so no account can be taken of such a proposal, and all reference to it should be removed from the application.
- 6.2 Parking provision is, therefore made for the town houses at less than one space per dwelling, and the application should be determined on that basis. The applicant must clarify what exactly the nature of Streetcar's interest in the site is.
- 6.3 Please request that the applicant show pedestrian visibility splays on the submitted drawings.
- 6.4 Please forward the amended drawing showing the above visibility splays to the Highway Authority for approval.

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

- 6.5 Conditions regarding public house hours of use, noise and insulation recommended.

### **Urban Design and Conservation team**

- 6.6 The proposed rear extension is not supported. The extensions for the 2011 and 2012 applications were seen as acceptable in terms of their impact on the character of the BLI and the conservation area. The 2011 application was lower than this proposal and there was a bigger gap between the extension and the new houses. The 2012 application also had a bigger gap between the extension and the new houses, and there was a distinct gap between the main building and the proposed rear extension. This enabled the BLI to be seen separately from the extension. The current proposal appears to have lost this distinction and, despite the stairwell being mainly glazed, it has become a bulky addition. The overall appearance is muddled.

6.7 In the 2011 and 2012 applications the link between the new extension and the main building was only at ground floor level. This enabled the main building, which is a BLI to be seen separately. In the 2013 application, the link has become a three storey staircase and therefore, despite being glazed, the distinction between the two buildings has been lost. The removal of the roof to the stairwell is welcomed as being out of character for the area, but it does not fully address our reservations.

6.8 I understand that the 2011 appeal was only dismissed on the grounds of the loss of community facilities, however we feel that the 2013 design is significantly different in terms of the massing and bulk of the building when compared to the previous applications.

### **Cambridgeshire County Council (Education)**

6.9 Education contributions required.

### **Architectural Liaison Officer**

6.10 The gates at the front elevation need to be securable. Cycle area should be secure. Mail boxes should be external.

### **English Heritage**

6.11 Determine in accordance with local advice.

### **Cambridge City Council Access Officer**

6.12 Please ensure that there is a flat threshold entrance and route into garden. The drawing shows steps, but notes say it will be ramped. The accessible toilet needs to be laid out as Part M. Bar should have dropped section and hearing loop.

6.13 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:

316 Mill Road  
380 Mill Road  
17 Madras Road  
9 Malta Road  
13 Malta Road  
11 Malta Road  
17 Malta Road  
17a Malta Road  
20 Malta Road  
25 Malta Road  
35 Malta Road  
51 Malta Road  
9 Marmora Road  
4 David Street  
13 Romsey Terrace  
17 Romsey Road  
18 Romsey Road  
30 Belgrave Road  
8 Vinery Road  
158 Vinery Road  
1 Belgrave Road  
132 Thoday Street  
13 Sedgwick Street  
49 Brookfields  
25 John Impey Way, Melbourn

7.2 The representations can be summarised as follows:

Comments on the principle of development

- The Royal Standard should be a pub with a decent sized back garden.
- The garden is attractive for wider community use and families.
- As a late 19<sup>th</sup> Century pub garden built in a 'new town' on the edge of the countryside, the garden is integral to its setting.
- The garden provides an important visual focal point on Mill Road.
- It alleviates a very urban area.
- The Inspector clearly identified that a garden where families could sit would be a key element in guaranteeing long term prosperity of the pub.
- Payments made in lieu of open space and public art should not be accepted.

- Green space in Romsey is a premium.
- The garden around the building is an asset to the whole area.
- A maximum of two houses on the car park should be allowed.
- Over development of Romsey Town.
- Loss of community facility.
- The two pubs closest to the Royal Standard are very different in character.
- The new houses will not be affordable to families.

### Design Comments

- The plans fail to inspire.
- The area of garden left over is likely to become a smoking den which will not enhance the vista of Mill Road.
- Extensions to the Royal Standard are out of proportion to the site.

### Amenity concerns

- Residents in Malta Road and Cyprus Road are likely to be disadvantaged by noise from the student accommodation.
- Students will cause anti social behaviour.

### Access and parking

- The parking space shown adjacent to the Mill Road pavement should be removed, it is detrimental to pedestrian safety.
- Additional pressure on car parking.
- The car park assists in attracting customers from a much wider area, who find it extremely difficult to park.

### Other issues

- Traffic chaos during construction.

### **Romsey Action**

- The Royal Standard should be reopened with its garden and car park.
- Oppose densification of the site for student accommodation.
- Loss of much needed open space in Romsey.
- The development would rule out any diversification options set out in the IPPG.

- The combination of a busy road, bus stop and smoking area in a small space would not make it attractive as a garden.

### **Empire Roads Action Group**

- The communal use of the building is welcomed but the substantial loss of the garden and space around the pub is unacceptable.
- Inspector ruled loss of pub unacceptable.
- The Inspector placed weight on the fact the pub has a garden.
- Building over the garden would reduce the pubs viability.
- Considerable barriers to the successful running of the pub, including the kitchen area located in the basement and the close proximity of the student accommodation requiring sound proofing.
- It is the pub and garden area which is valued by the community.
- All the petitions were to protect the open space around the pub.
- There is already many other developments for student accommodation in the vicinity.
- The character of the building has been deliberately damaged by removal of trees.
- There is likely to be conflict between the 3 off road spaces between pub users and residents.
- Developer consultation has been poor.

### **1 Letter neither objecting nor supporting**

- The applicant has been a victim of an injustice.
- The pub has not been used for more than nine years.
- Object to more student accommodation.
- The pub should be demolished to provide more town houses.

### **Campaign for Real Ale (CAMRA)**

- Proposals to retain the pub welcomed.
- Premises has reactivated its alcohol licence.
- Plans would result in the loss of 90% of the outdoor area leaving only a small patch, likely to be used by smokers.
- Concerned that the loss of the garden area and car park will restrict the ability of the new pub to be family friendly.

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. Disabled access
8. Third party representations
9. Planning Obligation Strategy

### **Principle of Development**

8.2 The key issue is whether the proposal makes adequate provision for the retention of the former public house, which is a community facility.

8.3 The previous appeal decision in 2012 concluded that the provision of housing did not outweigh the comprehensive harm the proposal would cause by virtue of the loss of the community facility. The premises has not traded as a pub for over seven years. This revised application now seeks to reintroduce an A4 public house on the site.

8.4 Paragraph 70 of the National Planning Policy Framework (NPPF) states that planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs. The application would secure a new public house use on the site which would be compliant with paragraph 70 of The Framework.

8.5 The Council's Interim Policy Guidance on the Protection of Public Houses (IPPG) states that Local Plan policy 3/10 subdividing plots will be applied to any proposals for the subdivision of the curtilage of a public house. This site is a former pub beer garden, rather than a domestic dwelling, so the site should not in my view be considered as 'garden land'. The

proposal nevertheless involves the subdivision of an existing plot for residential purposes, whereby the criteria of policy 3/10 is relevant.

- 8.6 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.
- 8.7 The Inspector's concludes in the assessment of 11/0872/FUL that the proposed side and rear extensions would be subservient in height to the building and would not unduly obstruct its chimneys from public view. The Inspector considers that while the vast majority of the garden would be occupied by the extension, 'it is a feature of this urban part of the Conservation Area that full width sites, including corner plots, are usually occupied by buildings'. The appeal decision is clear that the garden itself does not make an important contribution to the character and appearance of the Conservation Area.
- 8.8 I recognise the volume of objections to the loss the rear curtilage of the site. However, the assessment of the importance of the garden should focus solely on the extent to which it affects the pubs viability and not whether it is a positive amenity to the street scene and Conservation Area. I note the previous inspector commented that 'a public house with a car park and outdoor amenity space is a far more attractive proposition than a public house without these facilities'. Crucially, the context of this analysis was 'in the interests of

maximising the opportunity for the facility to return to use', which is exactly what would be achieved through this amended scheme. These comments were made in the context of a possible split decision, which would result in the construction of the five terraces only. The inspector felt this would be inappropriate because of potential noise nuisance from a large outdoor area which I have discussed above.

- 8.9 The application is supported by a valuation report and a personal endorsement from notable local publican who intends to take on the business as a community based pub. This meets the requirements of 'proposals affecting pub gardens' set out in the IPPG. I concur with the applicant that the proposed pub garden is an optimum size for the nature of the establishment. The previous relatively large rear garden is a liability in terms of management and noise nuisance. In contrast, the proposed external area provides over 50 covers in an attractively landscaped area, which can be properly monitored and regulated by the future publican.
- 8.10 The valuation report concludes that potential purchasers of the site in its current state are likely to be deterred by the considerable capital investment required to bring the property back into pub use. The level of investment required would not be justified by the level of return that could be derived from operating the business in its current state. Under such circumstances, the report does not consider the existing property to offer a viable investment opportunity. The aspiration for the building and previous garden to return as a public house in its current form is unrealistic and would result in a missed opportunity to establish an A4 use, which has ceased for many years. This approach is consistent with the new public house secured on the site of the Queen Edith through enabling residential development. The application can ensure the A4 use is implemented prior to occupation of the new accommodation through the imposition of a suitable planning condition and retained as such for the future.
- 8.11 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more

detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

- 8.12 Local Plan policy 7/10 states that the development of speculative purpose-built student hostels will only be permitted if there are occupancy conditions restricting the facility to The University of Cambridge or Anglia Ruskin students. In addition, that there are suitable management arrangements in place to ensure students do not keep cars in Cambridge. The management of the proposed student accommodation can be controlled through the imposition of a planning condition 11.

### **Context of site, design and external spaces**

- 8.13 The key design issue relates to the detailed design and appearance of the proposed extensions to the former Royal Standard, a Building of Local interest, and the design of the new terraces within their setting. The design merits of the proposal were considered acceptable by the Inspector in considering the previous application 11/0872/FUL, which included an additional extension to the west elevation.

### Extensions to the former Royal Standard

- 8.14 The reason for refusal of the previous application 11/0872/FUL identifies the 'loss of the space on the street corner, and the impact of the proposed extensions on the existing Building of Local Interest, to have a harmful effect on the building, the street scene, and the character of the conservation area'. However, the Inspector considered that the design of the extensions and the loss of the open area from the former pub garden were acceptable. The gap in the street scene between the existing former Royal Standard and the existing terraces of Malta Road was not considered so important as to justify refusal. The subsequent application 12/0248/FUL reduces the size of the extensions by removing the westerly projecting side wing which is now occupied by the proposed pub garden.
- 8.15 English Heritage and the Council's Urban Design and Conservation Officers supported the revised proposal in application 12/0248/FUL, which were considered a 'significant improvement' on the previous application. The removal of the two storey side wing extension left the prominent west gable of

the existing building unaltered. This design alteration is retained in this current application proposal.

- 8.16 Notwithstanding the above, The Urban Design and Conservation Team object to the latest revised design approach. The revised proposal has a new modern glazed link between the existing former Royal Standard which does not retain a separation at first floor level. The Conservation Team consider this contributes to a more bulky design which is unacceptable. In my view the slightly amended design as compared with the 2011 and 2012 applications is not significant. The overall scale and mass is very similar to the previous applications. The proposed pitched gable end will have a positive impact in the street scene. The revised plans remove the unnecessary roof feature which will successfully link the two elements without any harm to the character and appearance of the Building of Local Interest.
- 8.17 In terms of detailed design, materials are intended to match the existing building which can be ensured through the imposition of planning condition 2. The amended plans retain the lettering and lamps on the main elevation of the former Royal Standard, as requested by the Council's Conservation Officer.
- 8.18 The development will involve the loss of the Malus tree to the north west corner of the site. The tree contributes to the amenity of the street scene but it should not constrain development of the site. I consider its replacement acceptable, which can be ensured through the imposition of a suitable planning condition.
- 8.19 To conclude, notwithstanding the views of the Urban Design and Conservation Team, given the conclusions of the Inspector in determining 11/0872/FUL, there are no reasonable grounds to resist the scale and mass of the extension. Suitable materials can be agreed through condition 2 to ensure the glazed link is successfully executed.

#### The proposed terrace

- 8.20 The proposed new terrace is a logical extension of the existing residential terraces along Malta Road. Their siting and layout abutting the pavement edge is in my opinion the correct approach, as compared with the adjacent terraces on the west

side of Malta Road, which provide off street car parking. The design and layout of the 5 terraced dwellings was not considered unacceptable in the assessment of the previously refused application 11/0872/FUL.

- 8.21 Their design and appearance, with modest traditionally designed front dormer windows is similar to houses approved in 2001 at the southern end of Malta Road. In my view they will make a positive contribution to the character and appearance of the Conservation Area. The loss of open space from the existing car park would not in my view be harmful to character of the street scene.
- 8.22 The Council's Conservation Officer previously raised some concerns with the detailed design of the terrace. This amended application includes the revised detailing of the drainpipes to 'divide' the properties, so that they read as separate dwellings within the street scene. The small canopy over each front door has also been removed because it is considered unnecessary clutter to the front elevation. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

#### Extensions to the former Royal Standard

- 8.23 The proposed extensions will have some visual impact and will create some overshadowing on the rear garden of the flats at number 292 Mill Road, and 2 Cyprus Road to the east of the site. I do not however consider the proportions of the new rear extension and its position in relation to the common boundary, to be so unneighbourly as to justify refusal.
- 8.24 Some concerns have been raised regarding the increase in general noise and disturbance from the use of the extended building for student accommodation. The proposed student accommodation will be a managed facility by ARU and in my view the potential noise from coming and goings of future occupants is not so significant as to justify refusal of the application.

### The proposed new Terrace

- 8.25 The rear projecting wing of the southern end of terrace property will not in my view create a harmful visual impact for the occupants of number 5 Malta Road. Given number 5 is to the south of the new terrace, there will not be any overshadowing created. I recognise that the existing two storey flat roof extension at number 6 Malta already creates overshadowing and has a visual on the rear garden of number 5 Malta Road. This notwithstanding, I do not consider the rear projection of the southern end property to create an unsatisfactory relationship.
- 8.26 The rear windows of the terraces will also create some overlooking upon numbers 6 and 10 Cyprus Road to the east. However, given the distances involved, which totals 22m, and roughly 17m to the centre of the rear garden in the case of number 10 Cyprus Road, I consider this relationship acceptable.
- 8.27 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site. The previous applications were not resisted on neighbour amenity grounds. I consider that that the application is compliant with Cambridge Local Plan (2006) policies 3/4, 3/10, 3/12 and 5/2.

### Amenity for future occupiers of the site

- 8.28 The proposed student accommodation offers a satisfactory level of amenity for further occupiers. Acoustic insulation will ensure the two uses are compatible, through the imposition of condition 17. The development provides two communal garden areas of adequate size.
- 8.29 The proposed new terraced houses are served with useable rear garden areas. In my opinion the proposal provides 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**

- 8.30 The proposed student accommodation provides refuse storage in 2 separate outbuildings to the east and west of the site. While I note concerns from the Council's Waste Officer that the

application does not contain waste capacity calculations, this can be adequately controlled through the imposition of a suitable planning condition. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

8.31 The County Council has considered the scheme and do consider any significant adverse impact on highway safety to result. The parking spaces are outside the minimum 10m distance to the junction. The development no longer proposes bollards in front each car parking space, which addresses the Highway Officer's concerns. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.32 The development provides 1 off street disabled car parking space to serve the pub managers accommodation, and 3 off street car parking spaces for the new terraced houses. Two of the new terraced properties will not therefore have any off street car parking. On street car parking on Malta Road is in high demand, so this proposal would exacerbate competition with existing residents. However, the site is located in close proximity to public transport links and local shops and services. As such, I consider a scheme with a reduced car parking provision acceptable in this location.

8.33 The proposed student accommodation provides three separate bicycle stores, providing parking for 18 cycles. This is in accordance with the Council's adopted standards.

8.34 The proposed terraced houses have adequate space within their rear garden to accommodate a shed outbuilding for bicycles. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Disabled access**

8.35 The Council's Access Officer has commented on internal fixtures and fittings which has been brought to the attention of the applicant. The proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## Third Party Representations

8.36 The issues raised have been discussed in the above report and are summarised below:

<b>Issue</b>	<b>Report Section</b>
The Royal Standard should be a pub with a decent sized back garden.	The application will secure the return of the public house. Aspirations for the rear curtilage to return as a beer garden are unrealistic. The alternative option will see the former Royal Standard continue trading as a shop. Paragraph 8.5.
It alleviates a very urban area.	The Inspector did not consider the openness in the street scene created by the pub garden as important to its character. See paragraph 8.5.
The application shows an on-street parking space allocated to the development.	The plans are illustrating that the removal of the existing access provides a new off street car parking space. It does not seek to formally allocate it to any particular new property.
The new houses will not be affordable to families.	This is not a material consideration.
The character of the building has been deliberately damaged by removal of trees.	The development proposes a replacement tree and landscaping.
The area of garden left over is likely to become a smoking den which will not enhance the vista of Mill Road.	I do not agree, the garden space provided is the optimum size for patrons to enjoy and to be easily managed by the publican.
Students will cause anti social behaviour.	The imposition of a management plan condition can ensure the amenity impacts of student accommodation are properly considered.
Considerable barriers to the	The prospective landlord, a

successful running of the pub, including the kitchen area located in the basement and the close proximity of the student accommodation requiring sound proofing.	notable successful publican, considers the layout fit for purpose. The location of the kitchen is not unusual and suitable insulation of the building can ensure the student accommodation use on the upper floors does not experience undue disturbance from the pub use. See paragraph 8.28.
The car park assists in attracting customers from a much wider area, who find it extremely difficult to park.	The applicants intention is to create a community pub which is not reliant on car based trips. The premises is not suitable for a gastro-pub style business such as the Robin Hood on Cherry Hinton Road
Conditions regarding public house hours of use recommended.	This can be adequately controlled through the Licensing Act 2003.

### **Planning Obligation Strategy**

8.37 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.

The proposed development triggers the requirement for the following community infrastructure:

## Student accommodation

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	3	714
1 bed	1.5	238	357	8	2856
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>3570</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	3	807
1 bed	1.5	269	403.50	8	3228
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>4035</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	3	726
1 bed	1.5	242	363	8	2904
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>3630</b>

## Five Terraced Dwellings

### Open Space

8.38 The total contribution sought has been 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 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714	5	3570
4-bed	4	238	952		
<b>Total</b>					<b>3570</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		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807	5	4035
4-bed	4	269	1076		
<b>Total</b>					<b>4035</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		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726	5	3,630
4-bed	4	242	968		
<b>Total</b>					<b>3,630</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		0
1 bed	1.5	0	0		0
2-bed	2	316	632		

3-bed	3	316	948	5	4,740
4-bed	4	316	1264		
<b>Total</b>					<b>4,740</b>

8.39 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

8.40 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 £
1 bed	1256		
2-bed	1256		
3-bed	1882	5	9,410
4-bed	1882		
<b>Total</b>			<b>9,410</b>

8.41 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

- 8.42 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	5	375
Flat	150		150
<b>Total</b>			<b>525</b>

- 8.43 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.

## Waste Management

A contribution is sought from all dwellings towards up grading existing/providing new Household Recycling Centres to mitigate the impact of new development on these facilities. This development lies within the catchment site for Milton. Contributions are sought on the basis of £190 per house for four new sites giving increased capacity as permanent replacements for the existing temporary site at Milton. A total contribution of £950 is necessary.

- 8.44 Subject to the completion of a S106 planning obligation to secure the requirements of the RECAP Waste Management Design Guide SPD 2012, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policy 10/1 and the RECAP Waste Management Design Guide SPD 2012.

## Education

8.45 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.46 In this case, 5 additional residential units are created. Contributions are therefore required on the following basis.

<b>Pre-school education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		810	5	4,050
<b>Total</b>					<b>4,050</b>

<b>Primary education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1350	5	6,750
<b>Total</b>					<b>6,750</b>

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+-	2		160	5	800

beds					
<b>Total</b>					<b>800</b>

8.47 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.

### Monitoring

8.48 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, £300 per non-financial head of term. Contributions are therefore required on that basis.

### Planning Obligations Conclusion

8.49 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 This revised application will secure an A4 public house use for the former Royal Standard pub. The design of the extension and new buildings will not detract from the character and appearance of the Conservation Area or the amenities of neighbours. APPROVAL is recommended.

## **10.0 RECOMMENDATION**

**APPROVE** subject to completion of the s106 Agreement and 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. 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)

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 agreement of the local planning authority in writing, 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)

5. Prior to occupation of the development, full details of all proposed replacement tree planting (to replace the pear tree), and the proposed times of planting, to be submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

6. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

7. Prior to occupation of the development hereby approved, 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: In the interests of the amenities of future occupiers, Cambridge Local Plan 2006 policy 3/12.

8. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
  - i) contractors access arrangements for vehicles, plant and personnel,

- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

9. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

10. Details of any proposed external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of neighbouring residents, Cambridge Local Plan 2006 policy 3/4.

11. That part of the former Royal Standard building for which change of use to student accommodation is hereby approved, and the extension to the building hereby permitted shall only be used as a hostel for the provision of residential accommodation for students attending full-time courses of education at Anglia Ruskin University.

Reason: Inadequate off-street parking provision is available on the site to meet the car parking standards of the City Council for any use other than a sui generis hostel use, the occupation of which is restricted to students who are subject to a system of parking control administered by the Anglia Ruskin University. (Cambridge Local Plan 2006 policy 8/10).

12. Prior to occupation, a management plan for the student occupation of the building shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented as agreed and shall continue to be implemented as agreed and shall not be varied without the prior agreement, in writing, of the Local Planning Authority.

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

13. Prior to occupation of the approved student accommodation, full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

14. Prior to the occupation of the new student accommodation and terraced houses, the A4 use of the ground floor of the former Royal Standard shall be implemented. 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) the ground floor of the premises designated for public house use (use class A4) within the approved plans shall be permanently retained.

Reason: To safeguard the community facility as set out within paragraph 70 of the National Planning Policy Framework 2012.

15. 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 windows or dormer windows other than those expressly authorised by this permission shall be constructed.

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

16. Before the development/use hereby permitted is commenced, details of equipment for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced.

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

17. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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