

Application Number	14/0399/FUL	Agenda Item	
Date Received	18th March 2014	Officer	Mr Sav Patel
Target Date	13th May 2014		
Ward	Romsey		
Site	39 Thoday Street Cambridge CB1 3AS		
Proposal	Construction of two storey studio unit		
Applicant	Mr J SAGOO c/o Neale Associates United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed residential studio building is located in a sustainable location in terms of its proximity to local shops and services.</p> <p>The design and scale 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 forms part of the rear garden of no.39 Thoday Street. No.39 is an extended two storey end of terraced dwelling. The rear garden is bounded by a timber fence, which runs along St Phillips Road forming the side boundary and along the access track forming the rear boundary.

- 1.2 There is a single storey structure in the rear garden.
- 1.3 Catherine Street and St Philip's Road are characterised by two storey residential properties with on street parking provision.
- 1.4 The site is within the Central Extension Conservation Area but is not in a controlled parking zone.
- 1.5 To the west of the site is a shared path, which provides access to the rear gardens of the properties in Catherine Street and Thoday Street.
- 1.6 Directly opposite the site is no.66a which is a two storey detached building which is used as a residential flat.
- 1.7 Planning permission was granted in 2013 (13/1169/FUL) for a two storey detached residential studio building on land rear of no.64 Catherine Street.

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for a two storey hipped roof residential studio. The proposed building would be located off the rear and along the side boundaries of the site, and all windows serving the proposed studio would face onto St Philip's Road. Although the proposal includes a roof light in the western roofscape which would provide light over the staircase.
- 2.2 The proposed studio building would be 4 metres to the eaves and 5.1 metres to the ridge. The studio would be 5.9 metres wide and 3.65 metres wide.
- 2.3 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.
- 2.4 The application is accompanied by the following supporting information:
 1. Design Statement
 2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
08/0833/FUL	Proposed self-contained studio flat.	WITHDRAWN

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
 National Planning Practice Guidance 2014
 Community Infrastructure Levy Regulations 2010
 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	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 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> Cambridge Walking and Cycling Strategy

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No car parking proposed which could impose pressure on on-street car parking. No highway safety issues.

Conservation Section

- 6.2 The proposed studio building is not supported as it would appear out of character and, in conjunction with the approved building on land rear of no.64 Catherine Street, would create a visual dominance in the road which would have a negative impact on the character and appearance of the Conservation Area.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

17 Romsey Road
32 Romsey Road
54 Cromwell Road

7.2 The representations can be summarised as follows:

Overdevelopment
Inappropriate design
Exacerbate car parking problems
Detrimental impact on the street scene

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. Refuse arrangements
4. Highway safety
5. Car and cycle parking
6. Third party representations
7. 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 policy 5/1.

Context of site, design and external spaces

- 8.5 The area is characterised by two storey dwellings fronting the back edge of the pavement on long narrow plots. 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 In my view, policy 3/10 (Sub-division of Existing Plots) is relevant to the assessment of the proposed development. This policy is criteria based and criterion d (adversely affects the setting of listed buildings), e (adversely affects trees etc) and f (prejudice comprehensive development) do not apply in this instance. Therefore the main criteria to assess the proposal is contained in a (residential amenity), b (amenity space), and c (character and appearance).

a) Adverse impact on amenities of neighbouring properties

- 8.7 The proposed studio building has been designed to be 500mm lower than the two storey studio building that was approved on land rear of no.66 Catherine Street, which is located adjacent to the application site. The proposed building would also be 1.5 metres lower in height than no.66a on the opposite side of the road. The proposed building has been designed with a hipped roof form to reduce its dominance. I am satisfied that the proposed building, in terms of height, would not appear dominant or out of scale with the existing and approved buildings in the area. The proposed building would be located 5.1 metres from the rear elevation of the host dwelling and lower at the eaves and ridge of the existing two storey outrigger. The proposed building has no windows in the rear or either side elevation that would directly overlook the adjoining neighbours. Therefore there is no concern with overlooking. Therefore, I am of the view that due to the scale and distance between the

proposed studio and rear elevation of the host dwelling, the proposed studio would not have an adverse impact on the residential amenity of the existing residents.

8.8 Whilst the proposed studio building would not be tallest of the new residential units in this location, it is narrow and long due to the plot size it is located within. Therefore, the proposed studio would result in a building that is slightly wider (5.9 metres) than the studio building that was approved adjacent to the site (5 metres). The main elevations (front and rear) would face over the rear sections of the gardens serving the adjoining dwellings in Thoday Street and Catherine Street. Whilst views of the building will be prominent and therefore have some degree of harm in terms of outlook, I do not consider it would significantly enclose the street or spacing of buildings to the detriment of the character of this area. Furthermore, there would not be any adverse overshadowing of the host or adjoining and adjacent gardens due to the site being north of the adjacent dwelling. I am therefore satisfied that the proposed studio would not cause significant adverse impact on the residential amenity of the adjoining and adjacent neighbours.

b) Inadequate amenity space, or vehicle access and parking spaces

8.9 The host dwelling would retain a garden approximately 3.3 metre wide and 5.1 metres deep. I am satisfied that this is a sufficient amount of amenity space for a dwelling of this size and in this dense urban context. Furthermore the site is located within reasonable walking and cycling distance of Romsey Recreation Ground.

8.10 The proposal does not include any car parking provision and does not affect the car parking arrangements for the host property. The site is located in a sustainable location in terms of its proximity to the 'District and Local Centre' on Mill Road, and I am of the view that the shortage of car parking space would be an additional incentive for any future resident 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.

c) Detract from the prevailing character and appearance of the area

8.11 The proposed design and scale of the studio is isolation would not appear out of character with the prevailing scale and appearance of residential development in the area. However, the proposed studio needs to be read in context with the existing outbuildings, which exist and have been approved on adjacent land. The proposed studio is considered to be of a scale that would make it appear subservient to the host and surrounding dwellings. The proposed building would be lower in height than the existing outbuilding at no.66a, and lower than that which was approved on land rear of 64 Catherine Street. Whilst the proposed building would be wide it would also be narrow, giving it a slender scale, particularly when viewed from the rear of no.39. The building would also retain sufficient spacing between it and the host property to maintain a sense of openness. I am therefore satisfied, notwithstanding the comments from the Conservation Officer, that the proposed building would not have a significantly adverse impact on the character and appearance of the Conservation Area.

8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/12 and 4/11.

Refuse Arrangements

8.13 The proposal includes a dedicated storage area for bins and bikes, which is located on the ground floor and has access to St Philip's Road. The proposal includes provision for 3 bins.

8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

8.15 The proposal would not lead to or create any adverse highway safety issues.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.17 The proposal does not include any car parking. The site is located close to public transport links and is a reasonable walk and cycle distance into the city centre. Therefore, I am satisfied that this development can justify being car free.
- 8.18 The proposal includes a dedicated and enclosed cycle storage area on the ground floor of the building. There is enough space to accommodate two cycles.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.20 I have addressed some of the comments received in the third party representations. However, I set out below my response to those issues that I have not addressed:

Overdevelopment

- 8.21 In my view, the proposed studio building would retain sufficient amenity space within the curtilage of the host property. The proposed building would be located on a similar floor area as the existing structure on site. Therefore, in terms of floor space, the proposal would not take up a significant amount of additional land. The host property would be left with a garden of 5.1 metres in depth and 3.4 metres wide. This is considered to be a sufficient private amenity area.

Inappropriate design

- 8.22 In my view, the proposed building is understated and neutral in terms of its design. This low key design gives the building an ancillary appearance and enables the building to assimilate into the site. I am satisfied with the design of the building.

Impact on the street scene

- 8.23 The proposed building is of a scale that is, in my view, subservient to the host property and would be seen as being smaller than no.66a opposite. Therefore, whilst the proposed development would enclose St Philip's Road, the scale of

development is ancillary and would not appear dominant such that it would have an adverse visual impact on the street scene.

Planning Obligation Strategy

Planning Obligations

8.24 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

8.25 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.

8.26 The application proposes the erection of a studio unit. 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 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		
4-bed	4	316	1264		
Total					0

8.27 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

8.28 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

8.29 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

- 8.30 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

- 8.31 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

- 8.32 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

- 8.33 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 due 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, 3/10, 3/12, 4/11 and 5/1 of the adopted Local Plan.

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. 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 additional windows or openings of any kind shall be installed in the eastern, western or southern elevation.

Reason: To protect the residential amenity of adjoining neighbours (Cambridge Local Plan policy 3/7).

4. 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)

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. 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)