

Application Number	14/0646/FUL	Agenda Item	
Date Received	28th April 2014	Officer	Mr Tony Collins
Target Date	23rd June 2014		
Ward	Market		
Site	26 Newmarket Road Cambridge Cambridgeshire CB5 8DT		
Proposal	Creation of two new flats to first and second floors and erection of bin and cycle storage enclosures.		
Applicant	Mr Dennis Whitfield The Grange 20 Market Street Swavesey Cambridge CB24 4QG		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises the first and second floors of a three storey town house, located at 26 Newmarket Road and of traditional brick construction with slate tiles. The ground floor of the property is in office use and the upper floors are used as two flats. The building is located in a mixed use area. It is flanked by similar properties to either side with new build properties to the rear.
- 1.2 The site falls within the Central Conservation Area and is a grade II Listed Building.

2.0 THE PROPOSAL

- 2.1 The proposal is for the erection of bin and cycle storage enclosures and internal alterations to the upper floors. The alterations will enable the creation of two new flats, one on each floor, by the insertion and removal of walls.
- 2.2 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Site plan, floor plans and elevations

3.0 SITE HISTORY

Reference	Description	Outcome
14/0416/LBC	Erection of bin and cycle storage enclosures and internal alterations to upper floors	Approved
12/1479/FUL	Change of use of offices to eight residential	Withdrawn

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

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

5.2 Cambridge Local Plan 2006

3/4 Responding to context
3/7 Creating successful places
3/11 The design of external spaces
4/10 Listed Buildings
4/11 Conservation Areas
4/13 Pollution and amenity
5/1 Housing provision
5/2 Conversion of large properties

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings
5/14 Provision of community facilities through new development

5.3 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction

Area Guidelines

5.4 Kite Area Conservation Area Appraisal (1996)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No parking spaces are shown on the plans.

Head of Environmental Services

6.2 The Environmental Health Officer has no objection subject to conditions with respect to construction hours and noise insulation.

Design and Conservation Team

6.3 No objection: very few original features left. These features include some of the windows, a few doors which are still the originals, architraves, balustrades and hand rail. Conservation Team should be notified in advance if original features are to be replaced.

6.4 Conditions suggested.

6.5 The above responses are a summary of the comments that have been received. Full details of the responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of 3 Chaucer Road have made representations:

7.2 The representations can be summarised as follows:

- The cycle parking arrangements are not satisfactory and not as specified within the Cambridge Cycle Parking Guide.

Require 6 spaces for residential and 10 for office. Support and security required.

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. Residential amenity
3. Impact on Conservation Area and Listed Building
4. Car and cycle parking
5. Refuse arrangements
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

8.2 Policy 5/2 of the Cambridge Local Plan 2006 supports the conversion of larger properties and non-residential buildings into housing provided that the development meets the following tests:

- Original property at least 110m² in floor area
- No unacceptable impact on on-street car parking
- Satisfactory living accommodation provided
- Satisfactory refuse bin and cycle storage
- Location and nearby land uses do not preclude a satisfactory level of residential amenity

8.3 In my view, the proposal meets all the above tests. I address further the issue of cycle storage, which has been raised in representations, under that heading below.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.4 The proposed conversion involves only minor alterations to the exterior of the property and will have no effect on the residential amenity of neighbours.

Amenity for future occupiers of the site

- 8.5 The applicant proposes to convert the existing four flats into six bedsits. All six units will be self-contained.
- 8.6 The property is situated on a busy road and the Environmental Health Officer has recommended that, due to the high level of background noise likely to be experienced, a noise insulation scheme should be submitted for approval prior to commencement of works. I have therefore recommended the advised condition to ensure that the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers. Subject to the submission of a satisfactory scheme, I consider the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Impact on the listed building

- 8.7 The applicant proposes to convert the existing four flats into six bedsits with new covered cycle storage to the rear. The plans indicate that the new bedsits will be converted from the existing by the insertion and removal of walls. Original features, including the chimney breasts, will remain in place and the proportions of the rooms will remain. The Conservation Officer has advised that provided the suggested conditions are appropriately discharged, these works will not be detrimental to the character or special interest of this grade II listed building.
- 8.8 In my opinion this application is compliant with policy 4/10 of the Cambridge Local Plan 2006. However, the noise insulation scheme required by the condition I recommend may require additional works to the listed building, and this may in turn require a further application for listed building consent.

Impact on the Conservation Area

- 8.9 The proposed bin and cycle stores are timber framed structures situated to the rear of the building, adjacent to the existing hard-standing. The bin store is 2.1m high with a lifting roof; the cycle

store has a lean-to slate tiled roof and measures 2.15m to eaves height. I am satisfied that neither structure will be detrimental to the character appearance of the Conservation Area will not be harmed.

- 8.10 In my opinion this application is compliant with policy 4/11 of the Cambridge Local Plan 2006.

Refuse Arrangements

- 8.11 The applicant has confirmed that the proposed bin storage will provide sufficient waste capacity for the required number of receptacles recommended for the six flats. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Cycle Parking

- 8.12 The proposal makes provision for storage for two cycles in a secure shed. Objections have suggested that 16 cycle spaces are required. There appear to be no dedicated cycle parking spaces on the site at present. Two additional studio flats are created in this application. Notwithstanding the deficiencies in the existing cycle parking arrangements, it would not be reasonable to require the provision of more than two cycle parking spaces. The site provides space which could accommodate additional cycle parking, and I recommend an informative to encourage the applicant to do this.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Third Party Representations

- 8.14 One representation has been received in relation to cycle storage. I have assessed the adequacy of the proposed provision in my preceding comments.

Planning Obligations

- 8.15 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 entered 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

- 8.16 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.
- 8.17 The application proposes the conversion of 4 residential units containing 4 bedrooms to form 6 new units containing 6 bedrooms. In conversions, the contributions for open space are based on the number of additional bedrooms created, each additional bedroom being assumed to contain one person. Contributions for provision for children and teenagers are only required if they are in units with more than one bedroom. The totals required for the new units resulting from the proposed conversion are calculated as follows:

Outdoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
4	6	2		238	476

Indoor sports facilities					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
4	6	2		269	538

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
4	6	2		242	484

Provision for children and teenagers					
Existing total bedrooms	New total bedrooms	Net additional bedrooms not in 1-bed units	Assumed net additional persons not in 1-bed units	£ per person	Total £
4	6	0	0	316	0

8.18 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) has been completed. 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

- 8.19 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	2	2512
Total			2512

- 8.20 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed. 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

- 8.21 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 £
Flat	150	2	300
Total			300

- 8.22 A S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) has been completed. 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.

Education

- 8.23 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. In this case, 2 additional residential units are created; contributions are not required for education.

Monitoring

- 8.24 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub-Committee on 25 March 2014 that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. For this application a monitoring fee of £ 216 is required.

Planning Obligations Conclusion

- 8.25 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 creation of the additional units is acceptable subject to environmental health conditions. The cycle parking proposed does not meet City Council Standards for the whole building, but represents an improvement on the existing absence of cycle parking, and provides parking up to the Standards for the new units created.

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. 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. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area (Cambridge Local Plan 2006 policy 4/13)

INFORMATIVE: This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

INFORMATIVE: The applicant is advised that individual waste containers for each flat are always recommended, but shared receptacles are acceptable if storage space is an issue. The following total waste capacity and receptacles are recommended for the six flats. These are different from those suggested by the applicant:
Residual waste = 600L = 1x360L + 1x240L
Dry recycling = 600L = 1x360L + 1x240L
Organic waste = 240L = 1x240L