

<b>Application Number</b>	14/0978/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	20th June 2014	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	15th August 2014		
<b>Ward</b>	Market		
<b>Site</b>	Former Auckland Road Mental Health Centre Auckland Road Cambridge CB5 8DW		
<b>Proposal</b>	Erection of 4 semi-detached dwellings and 1 detached dwelling (following demolition of existing buildings), together with associated infrastructure.		
<b>Applicant</b>	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposed houses are of a high quality, unusual design which have taken design references from the existing building on the site and would enhance the character and appearance of the Conservation Area;</li> <li>2. The proposals would have a minimal impact on residential amenity; and</li> <li>3. Adequate, car parking, cycle parking and bins storage is provided.</li> </ol>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The former Auckland Road clinic site is a 'L-shaped' piece of land, with vehicular access from Auckland Road. Auckland Road is mixed in character and use, but is predominantly residential, consisting of terrace houses and flats. The site is

within City of Cambridge Conservation Area 1 (Central) and the Controlled Parking Zone (CPZ).

- 1.2 The site is surrounded by residential dwellings, with 1-6 Brunswick Cottages to the north, 10-14 and 16-27 Bailey Mews to the south; 18 Parsonage Street to the west; Midsummer Limes to the west and north; and 1-9 Bailey Mews to the east. Midsummer Common is to the north of the site, with the northern 'wing' of the site bordering it.
- 1.3 There are currently disused clinic buildings on the site: a Victorian former school building on the south-western end and 1940's clinic buildings on the north eastern part.
- 1.4 There are a number of trees on the site, including a Willow and Yew Tree on the frontage with Midsummer Common.

## **2.0 THE PROPOSAL**

- 2.1 Full planning permission is sought for the erection of four semi-detached houses and one detached house following the demolition of all of the existing buildings.
- 2.2 The detached house would be situated between Midsummer Limes and 1-9 Bailey Mews on the Midsummer Common frontage. The proposed house would be three storeys in height with a mono-pitch roof, sloping down from the eastern side.
- 2.3 The semi-detached houses would be situated on the southern part of the site, between 1-6 Brunswick Cottages and 16-27 Bailey Mews. The proposed semi-detached houses would be two storeys in height, with barrel roofs.
- 2.4 The application is accompanied by the following supporting information:
  1. Planning, Design and Access Statement
  2. Heritage Statement
  3. Tree Survey
  4. Arboricultural Impact Statement

5. Ecology Statement
6. Transport Statement
7. Drainage Strategy
8. Contamination Assessment
9. Utilities Services Report
10. Shadow Survey

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/94/0160	Demolition of existing boundary wall, cleansing block and bicycle shed (Conservation Area Consent)	A/C
C/94/0161	Construction of 2m high wall and installation of timber gates at rear of premises	A/C
10/0480/CAC	Demolition of derelict building on western boundary of the Clinic site	A/C
13/0435/FUL	Erection of five terraced townhouses and one detached dwelling following demolition of existing buildings, together with associated infrastructure.	REF
13/0436/CAC	Demolition of existing buildings	REF

### 4.0 PUBLICITY

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

### 5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

## 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/8 3/11 3/12 4/1 4/11 5/1 5/11 5/14 8/6 8/10 10/1

## 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)  Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u>  Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)  Cycle Parking Guide for New Residential Developments (2010)

	<u>Area Guidelines</u>  Riverside and Stourbridge Common Area Conservation Area Appraisal (March 2012)
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#### 5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 All single garages should have a minimum internal measurement of 6m x 3m with an opening of a minimum of 2.2m. Please show the dimensions on the drawings.
- 6.2 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwellings will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

- 6.3 Otherwise the proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of the conditions requested below into any permission that the Planning Authority is minded to grant in regard to this application.

### **Head of Streets and Open Spaces (Landscape Team)**

- 6.4 Landscape would not normally support the felling of the willow or the yew tree currently on the edge of the site due to the trees fulfilling an important aspect of the Riverside and Stourbridge Conservation Area landscape setting. The appraisal for the conservation area states *“A backcloth of trees surrounds the open commons to the south, softening and at times hiding the built-up area beyond.”* The trees at the boundary of the proposed detached house site do just this and thus play an important role to the character of the conservation area. Agreements have been made regarding the trees, their felling and their replacement. We feel that adequate space has been left to accommodate two trees which can attain a stature which will continue to reinforce the conservation area’s landscape setting. It would be useful to have more information regarding species selection for these two important trees prior to a decision notice being issued.
- 6.5 The application is supported subject to conditions requiring a hard and soft landscaping scheme, landscape maintenance, and further details of the replacement tree.

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

- 6.6 The proposed application is supported in design terms. The proposals introduce a new building form in a part of the conservation area where there is no particular style which dominates. They will not detract from the traditional form of the BLI Brunswick Cottages and are therefore appropriate for this part of the conservation area.
- 6.7 The following amendments should be provided and could be submitted as part of the discharge of condition.
- Clarify the metal roof material, will this be standing seam?

- Introduce opaque glazing/modesty panels for the lower part of the windows on the west elevation of Units 1 & 2 and east elevation of Units 3 & 4;
- Introduce a hit & miss brick wall on the southern garden boundaries of Units 1 & 3 to improve surveillance and activity to the footpath.

### **Head of Environmental Services**

- 6.8 Object due to unsatisfactory waste collection arrangements. If the application is to be recommended for approval conditions are required relating to construction demolition noise , construction hours, collections and deliveries, dust, contaminated land, and waste.

### **Cambridgeshire County Council (Archaeology)**

- 6.9 In view of the presence of significant archaeological evidence in the vicinity of the site we consider that the development should be subject to a programme of archaeological investigation. This can be secured by condition.
- 6.10 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:
- Midsummer Limes, Auckland Road
  - 55 Auckland Road
  - 4 Bailey Mews
  - 9 Bailey Mews
  - 20 Bailey Mews
  - 5 Brunswick Cottages
  - 6 Brunswick Cottages
  - 102 High Street, Girton
  - 24 Parsonage Street
  - 26 Parsonage Street
  - 28 Parsonage Street
  - 18 The Paddock, Eaton Ford, St Neots

- Bailey Mews Management
- Brunswick and North Kite Residents Association

7.2 The representations can be summarised as follows:

- Timber cladding could become unsightly. Render would be preferred
- The barrel roofs should be tiled and not a reflective material
- A planted screen should be provided between the detached house and Midsummer Limes
- The willow tree should be retained
- The development should not go ahead until the Synagogue on Auckland Road has been completed, due to the disruption experienced
- The boundary wall between Brunswick Cottages and the site should be retained as it has historic significance
- Overlooking
- The detached house would be out of character
- Lack of parking
- Maintenance of the access road during and after construction
- Overdevelopment
- Overshadowing
- Opening up the access route to Parsonage Street would result in a rat run for burglars
- It is a shame to see the existing building disappear

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

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and impact on the Conservation Area
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking



7. Third party representations
8. Planning Obligation Strategy

### **Principle of Development**

- 8.2 In order to facilitate the development, all of the buildings on the site will be demolished. These buildings were in use as a Mental Health Clinic, and therefore the proposal involves the loss of a community facility. Policy 5/11 of the Cambridge Local Plan (2006) states that development leading to the loss of community facilities will only be permitted if it can be demonstrated that a) the facility can be replaced to at least its existing level and quality within the new development; or b) the facility is to be relocated to another appropriate premises or site of similar accessibility for its users; or c) there is no longer a need within the local community for the facility or that the need can be adequately met at an alternative facility of similar accessibility for its users.
- 8.3 The Mental Health Service has relocated to Union House in Chesterton, approximately one mile from Auckland Road. This relocation took place because of a reorganisation of services and because Union House provides a superior standard of accommodation. In my opinion, the Mental Health Service has relocated to another appropriate premises with similar accessibility and therefore the proposal complies with part b) of policy 5/11 of the Local Plan.
- 8.4 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses. The site is surrounded by residential properties and therefore, the use of the site for residential use is acceptable in principle.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/11 of the Cambridge Local Plan (2006).

### **Demolition of the existing buildings**

- 8.6 The Heritage Statement, submitted as part of the application, explains that it is believed that the Victorian building on the southwestern end of the site was formerly part of an infant

school, with the rest of the school demolished in the 1920s. In the 1930s the school closed and the building became a clinic. In the 1960s the building was extensively extended.

- 8.7 The existing buildings have some interest which contributes to the character of the area, although the buildings are not readily seen from outside of the site due to the development that is around them. They are not listed or buildings of local interest. As the proposed scheme is considered to preserve and enhance the character and appearance of the Conservation Area, the loss of these buildings is supported. I recommend a condition requiring that the site is photographed (3).

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

- 8.8 The previous application was refused for the following reasons in relation to design:

Reason for refusal 1:

*The introduction of a dwelling of this scale on the frontage of Midsummer Common with an angular, atypical roof design, and a largely blank side elevation, impinging on views from the west, eliminating the existing trees and leaving little space for replacements, would have a significant detrimental impact on views across and along the Common, eroding the quality of this frontage, which would be harmful to the character and appearance of the Conservation Area. For these reasons the proposals are in conflict with policies 3/4, 3/12, 4/4 and 4/11 of the Cambridge Local Plan (2006), and government guidance in Sections 7 and 12 of the National Planning Policy Framework 2012.*

Reason for refusal 3:

*The scheme would run parallel to Brunswick Cottages. It would be directly south, approximately 21m away from the main 2 storey rear line of the existing terrace. The height of the proposed terrace of 5 units would be 8.8m, the length would be unbroken at 36.5m, articulated only by first floor 800mm projecting bays with a consistent ridge line and minimal glazing. The combination of these factors would result in a very solid and uncompromising form which, when viewed from the rear*

*gardens and rear facing windows in Brunswick Cottages, would appear unduly dominant, significantly foreshortening and enclosing the existing outlook resulting in an ugly and blank elevation of poor design quality and would fail to recognize the existing amenity afforded to the residents of Brunswick Cottages. The scheme has therefore failed to respond appropriately to its context, would have a significantly negative impact on residential amenity and represent a poor and contrived design, contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.*

#### Semi-detached houses: Units 1-4

- 8.9 The previous scheme (application ref 13/0435/FUL) was refused as the proposed three storey terrace of five townhouses located along the rear boundary with Brunswick cottages and Midsummer Limes in an east-west orientation would create a long unbroken wall of development, which would appear dominate and overbearing when viewed from the rear garden of the Brunswick Cottages and Bailey Mews (Nos. 16-27). The submitted scheme rotates the proposed dwellings by 90 degrees and reduces the number of units from five terrace town houses to four semi-detached houses.
- 8.10 The proposed design for the roofs of these units has taken its references from the 'Dutch' gable of the existing single storey building. The unusual form has enabled the proposed buildings to be kept low. The ridge height of previous scheme was approximately 8.4m. The submitted scheme reduces this to 6m and now sits below the ridge height of Brunswick Cottages. The proposed units are now two storeys in height with single storey side projections. In my opinion the proposed houses are of a high quality, unusual design which have taken design references from the existing building on the site. I consider them to be visually acceptable, and that the proposals satisfactorily address reason for refusal 3.

#### Detached house - Unit 5

- 8.11 The proposed detached house would face Midsummer Common, and the location of the dwelling has dictated the design of the building. The previous scheme (application ref: 13/0435/FUL) included a steep pointed roof form that would have appeared 'alien' given the traditional roof forms of

Midsummer Limes and Brunswick Cottages adjacent to the proposed house. The submitted scheme now proposes a conventional pitched roof and gable end fronting Midsummer Common, which is supported as it is my opinion that the scale of the proposed dwelling is a successful transition between Brunswick Cottage and Bailey Mews.

- 8.12 The front (north) elevation of Unit 5 has been setback approximately 6-7m from the site boundary, and is on a similar alignment with the front façade of Midsummer Limes and Brunswick Cottages (at ground floor level) and Bailey Mews (at first floor level), which has provided space for replacement tree planting.
- 8.13 Concern has been raised regarding the loss of the willow tree on the Midsummer Common frontage. The Landscape team would not normally support the felling of the willow tree or the yew tree (which is also proposed to be felled) as these trees are important to the character of Midsummer Common and the wider Conservation Area. However, in this case the Landscape team have taken the view that the trees should not be a constraint to development as long as an appropriate replacement is provided. This view has been taken because the tree has been categorised as a category B/C tree. Adequate space has been left to accommodate two trees which can attain a stature which will continue to reinforce the Conservation Area's landscape setting. A condition is recommended requiring further details of the species of the proposed replacement trees (9), along with a hard and soft landscaping scheme (7) and a landscape maintenance plan (8). In my opinion the proposals satisfactorily address reason for refusal 2.

#### Elevations and materials

- 8.14 It is proposed that all of the proposed dwellings would be built of a simple palette of materials including buff facing brick, metal roofs, timber cladding and composite metal/timber windows. The proposed curved roof forms of units 1-4 have been designed to be as low as possible and are reminiscent of the curved gables of the old Edwardian school buildings on the site. A traditional slate roof is proposed for Unit 5 given its proximity to Brunswick Cottages and Midsummer Limes. The Urban Design and Conservation team consider the proposed materials

to be acceptable. I note the representations received raising concerns about the materials proposed and recommend that materials samples are required by condition (4). Render is likely to be considered unacceptable but other options should be considered.

### Boundary treatment

- 8.15 It is proposed that the garden boundaries will be brick around the perimeter of Units 1-4 with timber fencing used to subdivide the rear gardens. In the representations received it has been suggested that the boundary wall between the site, and the alleyway behind Brunswick Cottages should be retained as it has historic value. The applicant has explained that this wall is not in a good state of repair and there are trees growing into the wall. It may, therefore, not be possible to retain the wall. I recommend a condition requiring further details of the boundary treatment which should include the investigation of this option (5). It is proposed that the boundary wall between Units 1 and 3 and the access alleyway to Units 1-4 is demarcated with a wall. In order to improve surveillance, it is recommended that an alternative treatment is considered such as a hit and miss brick wall. Details of this can be secured by condition (5).
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Residential Amenity**

#### **Amenity of neighbouring occupiers**

- 8.17 The neighbouring properties that would be impacted on by the proposed development are 1-6 Brunswick Cottages to the north; Midsummer Limes to the north and west; 1-9 Bailey Mews to the east; 16-27 Bailey Mews to the south, and Parsonage Street to the west.
- 8.18 The previous application was refused for the following reasons:

Reason for refusal 2:

*The proposed detached dwelling would be positioned close to what is the front elevation of Midsummer Limes and by virtue of its height and design, would be overly dominant and enclose*

*this neighbouring property to an unacceptable degree. The proposals are therefore in conflict with policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).*

Reason for refusal 3:

*The scheme would run parallel to Brunswick Cottages. It would be directly south, approximately 21m away from the main 2 storey rear line of the existing terrace. The height of the proposed terrace of 5 units would be 8.8m, the length would be unbroken at 36.5m, articulated only by first floor 800mm projecting bays with a consistent ridge line and minimal glazing. The combination of these factors would result in a very solid and uncompromising form which, when viewed from the rear gardens and rear facing windows in Brunswick Cottages, would appear unduly dominant, significantly foreshortening and enclosing the existing outlook resulting in an ugly and blank elevation of poor design quality and would fail to recognize the existing amenity afforded to the residents of Brunswick Cottages. The scheme has therefore failed to respond appropriately to its context, would have a significantly negative impact on residential amenity and represent a poor and contrived design, contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.*

Reason for refusal 4:

*The proposed development would cast significant shadow over the rear gardens of Brunswick Cottages to the north, to the detriment of the amenities of the occupants of Brunswick Cottages. It would also be subject to significant overshadowing itself, from both Bailey Mews to the south and from its proposed form which is orientated to the south. In the absence of BRE assessments concerning shadow and daylighting, the application has failed to demonstrate that either the occupants of Brunswick Cottages or future occupants of the terraced houses would not be subject to harmful levels of overshadowing or light. As such, the proposed development would not provide a high quality living environment for future occupants and would fail to respond adequately to the constraints of the site and existing residential amenity and is contrary to Cambridge Local Plan policies 3/4, 3/7 and 3/14.*

## Reason for refusal 5:

*The scheme would run parallel to 16-27 Bailey Mews, providing only 16m in separation distance between main building lines, with the rear courtyards and stairwells of the proposed dwellings coming considerably closer. The height of the proposed terrace of 5 units would be 8.8m, the length would be unbroken at 36.5m, interspersed with raised first floor terraces. The combination of these factors would result in a very uncompromising form which, when viewed from the ground floor units in the Mews, would appear unduly dominant, significantly foreshortening and enclosing the existing outlook. Furthermore, due to the proximity of bedroom and stairwell windows on the northern elevation of 16-27 Bailey Mews to proposed south facing windows and rear external amenity areas, including the first floor terraces, the proposal would result in an unacceptable loss privacy for existing occupants and poor levels of privacy for future residents. The scheme has therefore failed to respond appropriately to its context and would have a significantly negative impact on the residential amenity of existing occupiers and provide a poor level of amenity for future occupiers, contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.*

### Impact of Units 1-4 on Brunswick Cottages, 16-27 Bailey Mew, and 18 and 24 Parsonage Street

#### *Overshadowing*

- 8.19 The site is situated to the south of 1-6 Brunswick Cottages. The application is accompanied by a shadow study, which shows the shadow cast by the proposed development throughout the course of the day on the 21<sup>st</sup> of March, 21<sup>st</sup> June and 21<sup>st</sup> December. Existing shadow plans are not supplied with the application package, so I am unable to accurately assess the extent of additional shadow cast by the proposed development over and above the shadow cast by the existing building and Bailey Mews to the south.
- 8.20 However, given that the existing building is single storey, I assume overshadowing from this would be minimal. From the shadow plans put forward, it is also possible to distinguish the existing shadow line created by the ridge of Bailey Mews throughout the year.

8.21 The plans demonstrate that Bailey Mews does not, in terms of its shadow cast, impact on the rear gardens of Brunswick Cottages at any part of the day. The submitted shadow plans demonstrate that the overshadowing experienced by these neighbouring properties is caused by the existing boundary treatment and existing trees, and the proposed development does not exacerbate the existing situation. In my opinion, the proposed development satisfactorily addresses this part of reason for refusal 4.

#### *Dominance and enclosure*

8.22 The previous scheme introduced a continuous block of development which would have dominated the views from Bailey Mews and Brunswick Cottages. This application proposes semi-detached houses which have been orientated east west on the site, rather than north south. This has resulted in the introduction of substantial breaks in the built form which has greatly reduced the development's dominance. The proposed design of the dwellings also helps to reduce their impact as they have been kept low with interesting elevations. It is therefore my opinion that the proposed dwellings would not dominate or enclose these neighbouring properties to an unacceptable degree. In my opinion, the proposed development satisfactorily addresses this part of reason for refusal 5.

#### *Overlooking*

8.23 No windows are proposed on the side elevations of these dwellings, with the exception of a first floor window on the side elevation of unit 4, which would look towards Brunswick Cottages. It is proposed that this window is etched glass and I recommend a condition requiring details of this glazing, to ensure that no direct overlooking is possible from this window (6).

8.24 Windows are proposed on the front and rear elevations of Units 1-4, and whilst oblique views would be possible from these windows towards Bailey Mews and Brunswick Cottages, this would not warrant refusal of the application. The windows proposed on the front elevation of Unit 4 could provide direct views towards 24 Parsonage Street. However, in order to



mitigate against this the architects have introduced a sawtooth window to direct views away from this neighbouring house.

#### Impact of Unit 5 on Midsummer Limes and 1-9 Bailey Mews

- 8.25 The proposed detached house would stand to the west of 1-9 Bailey Mews. Due to the height of 1-9 Bailey Mews, and the positioning of the proposed house in line with 1-9 Bailey Mews, the proposed house will not overshadow, dominate, enclose or overlook this neighbouring building.
- 8.26 The proposed detached house would stand to the east of Midsummer Lime. Midsummer Limes is unusual as its front elevation is the eastern elevation, which faces out onto the part of the site where the proposed detached dwelling would stand. This eastern elevation includes a bay window.
- 8.27 The previous application was refused for the following reason:

*The proposed detached dwelling would be positioned close to what is the front elevation of Midsummer Limes and by virtue of its height and design, would be overly dominant and enclose this neighbouring property to an unacceptable degree. The proposals are therefore in conflict with policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).*

#### *Overshadowing*

- 8.28 The submitted shadow plans demonstrate that the proposed dwelling would cast shadow over the curtilage of Midsummer Limes at 9am. However, the shadow would not reach the house and it is therefore my opinion that the level of overshadowing would not be as significant as to warrant refusal of the application. I note the representation received from the owners/occupiers of Midsummer Limes and their concerns about the impact of the proposed timber cladding on light. I recommend a condition requiring samples of materials so that an appropriate material can be used for this element of the house (4).

#### *Dominance and enclosure*

- 8.29 The proposed house is the same height to the eaves as previously proposed and the same distance from the common

boundary, but it is set further back on the site than in the previous proposal, and now has an asymmetrical dual pitched roof rather than a mono pitch roof as previously proposed. In my opinion, the setting back of the proposed dwelling further into the site and the amendments to the roof design result in a building that it is far less dominant and obtrusive than previously proposed. The owners/occupiers of Midsummer Limes have requested that planting is added to the common boundary to soften its appearance and I recommend that details of this are required by condition (7).

### *Overlooking*

- 8.30 Windows are proposed on the western elevation at ground floor level. One window wraps around the side and front of the proposed house, serving the living/dining room. Due to the positioning of this window, views from this window will mainly be directed towards the front garden of Midsummer Limes and Midsummer Common. However, in order to ensure that Midsummer Limes is not overlooked I recommend, a condition requiring the side portion of the window to be obscure glazed (10). The other window would serve the kitchen, with a separation distance of 8.8m between this window and Midsummer Limes. Views from this window would be blocked by the proposed cycle store to be positioned along the common boundary and therefore I do not have any significant concerns regarding overlooking from this window.

### Noise and disturbance

- 8.31 It is not reasonable to prevent work commencing on site until a neighbouring development has been completed. To minimise the disturbance created I recommend conditions restricting contractor working hours (11), delivery hours (12), dust suppression (13) and construction noise (14)

### **Amenity for future occupiers of the site**

- 8.32 The previous application was refused for the following reason:

Reason for refusal 4:

*The proposed development would cast significant shadow over the rear gardens of Brunswick Cottages to the north, to the*

*detriment of the amenities of the occupants of Brunswick Cottages. It would also be subject to significant overshadowing itself, from both Bailey Mews to the south and from its proposed form which is orientated to the south. In the absence of BRE assessments concerning shadow and daylighting, the application has failed to demonstrate that either the occupants of Brunswick Cottages or future occupants of the terraced houses would not be subject to harmful levels of overshadowing or light. As such, the proposed development would not provide a high quality living environment for future occupants and would fail to respond adequately to the constraints of the site and existing residential amenity and is contrary to Cambridge Local Plan policies 3/4, 3/7 and 3/14.*

8.33 The submitted shadow diagrams show that the rear gardens of Units 1-4 would be partially in shadow, but as this would affect only parts of the gardens I consider this to be acceptable, and that the proposals satisfactorily address this part of reason for refusal 4.

8.34 Units 1 & 2 and 3 & 4 are located approximately 14m from one another. Given this limited back-to-back separation distance I recommend that opaque glazing is introduced to the lower portion of the bedroom windows on the west elevation of Units 1 & 2 and east elevation of Units 3 & 4. This can be secured by condition (10).

8.35 A Geotechnical and Contamination Assessment Report has been submitted as part of the application. Environmental Health require further information and this can be secured by condition (15).

8.36 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

8.37 It is proposed that each of the houses has an individual bin store on plot. On bin collection days residents would be responsible for bringing their bins to the bin collection point,

which would be situated behind plot 5 within the car parking area.

- 8.38 Environmental Health have commented on the application, and whilst the bin storage proposed is acceptable, the bin collection process is not considered to be appropriate. The distance to the bin collection point for some residents is excessive as it should be no more than 25m and the distance for refuse and recycling collection staff should be reduced as much as possible. In my opinion the concerns raised are not insurmountable and refusing the application for this reason could not be justified. There is sufficient space on site to position the bin collection point elsewhere, such as adjacent to the bin store for Bailey Mews, which would reduce the distance for residents and collection staff. I recommend that details of the bin collection point are required by condition (16).
- 8.39 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Car and Cycle Parking**

- 8.40 Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006), states that in a Controlled Parking Zone (CPZ) one car parking space must be provided for each new dwelling. The proposed detached house would have a garage and a further six car parking spaces would be provided. This meets the standards and is therefore acceptable in principle. From the representations received, I understand that there are concerns regarding the number of car parking spaces provided. However, as the site is in a highly sustainable location, close to the City Centre and public transport routes I do not consider it necessary or reasonable to insist that a greater number of car parking spaces are provided. Due to the concerns raised regarding the position of the bin collection point and my suggested condition it will be necessary to redesign the parking layout. I therefore recommend a condition requiring details of this (16).
- 8.41 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that at least three secure and covered cycle parking spaces must be provided for each dwelling. It is proposed that cycle stores will be provided for each dwelling on plot. This meets the standards and is acceptable.

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

### **Third Party Representations**

8.43 Most of the third party representations have been dealt with in the preceding paragraphs.

#### Maintenance of the access road during and after construction

8.44 This is a civil matter and is not a planning consideration.

#### Opening up the access route to Parsonage Street would result in a rat run for burglars

8.45 This is not proposed.

### **Planning Obligation Strategy**

#### **Planning Obligations**

8.46 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.

8.47 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

- 8.48 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.
- 8.49 The application proposes the erection of three four-bedroom houses, one three-bedroom house, and one two-bedroom house. A house or flat is assumed to accommodate one person for each bedroom. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476	1	476
3-bed	3	238	714	1	714
4-bed	4	238	952	3	2856
<b>Total</b>					<b>4046</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	1	538
3-bed	3	269	807	1	807
4-bed	4	269	1076	3	3228
<b>Total</b>					<b>4573</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	1	484
3-bed	3	242	726	1	726
4-bed	4	242	968	3	2904
<b>Total</b>					<b>4114</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	1	632
3-bed	3	316	948	1	948
4-bed	4	316	1264	3	3792
<b>Total</b>					<b>5372</b>

8.50 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

8.51 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	1	1256
3-bed	1882	1	1882
4-bed	1882	3	5646
<b>Total</b>			<b>8784</b>

8.52 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

8.53 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		
<b>Total</b>			<b>375</b>

8.54 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.

#### Household Recycling Centres

8.55 A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

8.56 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.57 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.

Notes for Milton	Infrastructure/households	Source
4 sites at £5.5 million	£22 million	Cost per site sourced from Mouchel Parkman indicative costs 2009
Total catchment (households)	115,793	WMT Recycling Centre catchment tables CCC mid 2009 dwelling figures
New households	24,273	CCC housing trajectory to 2025 as of December 2010
<u>Infrastructure costs</u>		
Total number of households in catchment	x New households in catchment	
<u>£22 million</u> 115,793	x 24,273	= £4,611,730
Total Developer Contribution per household = £190		

The net gain is five therefore the necessary contribution towards HRC is £950.

8.58 Subject to the completion of a S106 planning obligation to secure the requirements of the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012), I am satisfied that the proposal accords with the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16.

## Education

- 8.59 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.
- 8.60 In this case, five additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, primary education, secondary education, and lifelong learning. 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	4050
<b>Total</b>					<b>4050</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	6750
<b>Total</b>					<b>6750</b>

<b>Secondary education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+- beds	2		1520	5	7600
<b>Total</b>					<b>7600</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+- beds	2		160	5	
<b>Total</b>					<b>800</b>

8.61 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.

### Monitoring

8.62 The Planning Obligation Strategy (2010) requires that all new 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. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy

8.63 For this application a monitoring fee of £2370.70 is required to cover monitoring of City Council obligations plus the County Council monitoring fee.

#### Planning Obligations Conclusion

8.64 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 In my opinion the proposed dwellings are of a high quality, unusual design which have taken design references from the existing building on the site and would enhance the character and appearance of the Conservation Area. The application satisfactorily addresses the previous reasons for refusal and is therefore recommended for approval.

### **10.0 RECOMMENDATION**

**APPROVE** subject to completion of the s106 Agreement by 31<sup>st</sup> December 2014 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 development shall take place until a full photographic record and survey by measured drawing and salvage of samples has been made depicting the exterior and interior of the building (including any parts to be demolished) and a copy deposited with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority. The precise number and nature of the photographs, drawings and samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed with the local planning authority before the deposit is made.

Reason: to foster understanding of the building's importance in the national and Cambridge context, and to ensure proper recording of any aspects of the building's special interest which are to be lost or altered. ( Cambridge Local Plan 2006, policy 4/10)

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. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. Prior to installation, full details of the etched glass window at first floor level on the side elevation of Unit 4 shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent overlooking. (Cambridge Local Plan 2006, policy 3/7)

7. No development shall take place until 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)

8. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

9. Prior to planting, full details of the replacement trees on the Midsummer Common frontage shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure they are visually acceptable. (Cambridge Local Plan 2006, policy 4/11)

10. The side portion of the wraparound window on the ground floor of Unit 5, and the lower portion of the first floor windows on the rear elevations of Units 1-4 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

11. 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)

12. 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)



13. 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 residential amenity. (Cambridge Local Plan 2006, policy 4/13)

14. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

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

(a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

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

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial

sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

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

16. Prior to occupation full details of the bin collection point and a revised parking layout shall be submitted to and approved in writing by the Local Planning Authority. Bin collection space and car parking shall be implemented according to the approved layout and retained thereafter.

Reason: To ensure that waste can be collected. (Cambridge Local Plan 2006, policy 3/12)

**2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 31<sup>st</sup> December 2014, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):**

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, and Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

**3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**