

Application Number	14/1820/FUL	Agenda Item	
Date Received	21st November 2014	Officer	Miss Catherine Linford
Target Date	16th January 2015		
Ward	Petersfield		
Site	25 Cambridge Place Cambridge CB2 1NS		
Proposal	Change of use from offices (use class B1) to form a residential development consisting two 1 x bed flats and 3 x studios along with associated access arrangements and external alterations.		
Applicant	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"> 1. Office uses falling within use class B1a are not protected within the Cambridge 2006 Local Plan. The principle of development is therefore acceptable and the building lends itself to residential conversion. 2. The use of the premises for residential purposes will not adversely harm the amenities of neighbouring properties. 3. The scheme provides adequate refuse and bicycle parking provision.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site relates to a 3 storey terraced office building situated on the north west side of Cambridge Place. The premises consist of a garage on the ground floor and office space on the upper floors.

- 1.2 The site does not have any external curtilage.
- 1.3 The site falls within the Central Conservation Area. There are double yellow line car parking restrictions along Cambridge Place.

2.0 THE PROPOSAL

- 2.1 This application seeks consent for a change of use of the existing offices (use class B1) to form three studio apartments and two 1 bedroom flats.
- 2.2 There are minor changes to the ground, first and second floor windows. Two velux windows would be inserted into the front roof slope.
- 2.3 Refuse and bicycle storage is provided within a communal ground floor store area.
- 2.4 The application is accompanied by the following supporting information:

- 1. Design and Access Statement

- 2.5 This application is identical to a previous application, which was allowed at Appeal (12/0490/FUL). The time limit for commencement is close to expiring, and this is the reason for the submission of this planning application.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0490/FUL	Change of use from offices (Class use B1) to form 3No. studios and 2No. 1Bed. flats with associated access arrangements and external alterations.	REF Appeal allowed
12/0837/FUL	Change of use from offices (Class use B1) to form 2No. studios and 2No. 1Bed. flats with associated access arrangements, parking and external alterations.	A/C

The Appeal Decision relating to 12/0490/FUL is attached as Appendix 1.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7
	4/11 4/13
	5/1 5/2
	8/2 8/6

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
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)

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 of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The removal of a business use, with attendant servicing would be seen as a benefit to the constrained environment of Cambridge Place. The residents of the new residential units will not qualify for Residents Permits (other than visitor permits) within the existing Residents Parking Schemes operating on surrounding streets. Otherwise, the Highway Authority is satisfied that the proposal will have no significant adverse effect upon the public highway, subject to conditions relating to encroachment on the public highway, and the requirement of a Traffic Management Plan.

Head of Refuse and Environment

- 6.2 No objection, subject to a condition relating to construction hours, and an informative relating to contaminated land.

Urban Design and Conservation team

- 6.3 It is considered that there are no material Conservation issues with this proposal.

6.4 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:

- 15 Cambridge Place
- 26 Cambridge Place
- 26A Cambridge Place

7.2 The representations can be summarised as follows:

- This type of accommodation is for a transient population, which reduces the possibility of creating a community
- Noise and disturbance
- Potential damage to adjoining property
- Blocking of the road and accesses by residents cars and contractor vehicles
- Lack of storage of bikes and bins
- The flats are too small and will be dark

7.3 The owner/occupier of the following address has made a representation neither objecting to or supporting the application:

- 47 Cambridge Place

7.4 The representation can be summarised as follows:

- It is essential that provision is made for service vehicles within the site
- Lack of parking
- A condition should be imposed preventing short-term occupation

7.5 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

Principle of Development

8.1 Office use falls within use class B1a of the Use Classes Order 1987. Local Plan policy 7/3 seeks to protect general/light industrial (B2 and B1c) and storage uses (B8). Offices are not

included within the scope of the policy. There is no in principle policy objection to the proposed change of use.

- 8.2 The conversion of large properties is permitted by Local Plan policy 5/2 except where; the likely impact upon on-street car parking would be unacceptable; the living accommodation would be unsatisfactory; the proposal would fail to provide for satisfactory refuse storage or cycle provision or the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity. An analysis of these issues is provided in the relevant subsections below.
- 8.3 In my opinion, the broad principle of the development is acceptable and in accordance with policy 5/2. The proposal is however subject to the consideration of matters of detail.

Context of site, design and external spaces

- 8.4 The key design issue is the impact of the external alterations on the character and appearance of the street scene.
- 8.5 The development will require only minor alterations to the fenestration of the property. Solid infill panels will be added to the ground floor, with minor alterations to the mullions on the first and second floors. I do not consider any harm to result to the character of the street scene. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 5/2.
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 Concerns have been raised regarding the type of accommodation giving rise to increased noise, disturbance and anti-social behaviour. While the proposed use may give rise to an increase in general comings and goings as compared with the existing office use, this is unlikely to create significant disturbance for adjoining numbers 24 (in office use) or number 26.

- 8.8 I do not consider the future occupants of this type of accommodation any more likely to be a source of anti-social behaviour, as compared with any other premises. Anti-social behaviour could in any case be tackled by other legislation. Concern has been raised that the proposed flats could be used as short stay accommodation. The Local Planning Authority has no mechanism to prevent this being used for short stay accommodation as it would fall within Use Class C3 (Residential).
- 8.9 Temporary noise and disturbance created during the conversion work can be eased through the imposition of appropriate planning conditions (3 and 4) and promotion of the considerate contractors scheme (9).
- 8.10 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.11 Local Plan policy 5/2 states that conversions of non-residential buildings will be permitted except where the living accommodation provided will be unsatisfactory. I recognise that the proposed dwellings are relatively small in size, but given the site constraints and central location, I consider a satisfactory level of amenity for future occupiers is provided.
- 8.12 Studio 1 is generous in footprint for accommodation of this type and provides a useable living space. Sunpipes will also be provided for additional light above the kitchen.
- 8.13 Studios 2 and 3 are limited in overall size, but benefit from full height south east first floor windows. Given the quiet nature of Cambridge Place which is a cul de sac, this type and size of accommodation will no doubt be attractive to many prospective occupiers. The second floor flats 1 and 2 gain further light in the roof space from the two new velux roof lights.
- 8.14 In my opinion the proposal provides 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 5/2.

Refuse Arrangements

- 8.15 The plans show an integrated, communal bin space, which would function effectively for future occupants. A management company would be responsible for taking out and returning the bins on collection day. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/12 and 5/2.

Car and Cycle Parking

- 8.16 The proposed development does not provide any car parking provision. Given the sustainable central location of the site, close to transport links and services, and given the overall type of accommodation proposed, a car free development is acceptable. There would be no increase in competition for on-street car parking because of the double yellow line parking restrictions. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10. This was a specific issue considered by the Inspector on Appeal. I see no reason to deviate from this logic.

Third Party Representations

Potential damage to adjoining property

- 8.17 This is a civil matter.

Planning Obligation Strategy

Planning Obligations

- 8.18 As a result of the Ministerial statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This also applies to all residential annexes and extensions. The proposed development falls below this threshold therefore it is not possible to seek planning obligations to secure community infrastructure in this case.

9.0 RECOMMENDATION

- 9.1 The proposed conversion of the office premises is acceptable in principle and will not detract from the character and appearance of the street scene or the amenities of neighbours. Adequate refuse and bicycle parking space is provided. Approval is recommended.

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. 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)

5. No part of any structure shall overhang or encroach under or upon the public highway and no gate/door/ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006n policy 8/2)

6. No demolition or construction works shall commence on site until a Traffic Management Plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:
 - i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
 - ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
 - iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
 - iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

INFORMATIVE: If during the works contamination is encountered, the Local Planning Authority should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority. The applicant/agent to need to satisfy themselves as to the condition of the land/area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).