

Application Number	15/1000/FUL	Agenda Item	
Date Received	17th June 2015	Officer	Mr Sav Patel
Target Date	12th August 2015		
Ward	Petersfield		
Site	61 Norfolk Street Cambridge Cambridgeshire CB1 2LD		
Proposal	3 new 2 bedroom flats and 3 flats converted in existing building.		
Applicant	Mr And Mrs Lai 61 Norfolk Street Cambridge Cambridgeshire CB1 2LD		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed two storey rear extension is of fails to respect the surrounding context and would appear unduly dominant and completely out of character. - The proposed two storey rear extension would fails to preserve or enhance the character or appearance of the Conservation Area. - The proposed development would appear overbearing and as such would have a significantly detrimental impact on the adjoining neighbours. - The proposed development would fail to provide future occupiers with high quality living accommodation and living environment.
<p>RECOMMENDATION</p>	<p>REFUSAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of a two storey mid-terrace property, which fronts onto Norfolk Street and opposite the junction for Staffordshire Street. Norfolk Street is characterised mainly by terrace housing with small pockets of commercial uses mixed in. The ground floor of the property is used as a Caribbean takeaway with storage to the rear. Opposite the site is the Blue Moon public house and blocks of flats with side of Staffordshire Street, and to the rear is Flower Street.
- 1.2 To the east of the site is no.63 and no.65. No.63 appears to be a two " storey dwelling with a pitched roof dormer in the front roofslope. No.65 has been converted and extended into four flats. The development was approved in 2007 (07/0787/FUL). The block of flats extends from the corner of Norfolk Street along Blossom Street and onto Flower Street. The Flower Street element is set back from the road behind a landscape strip of land.
- 1.3 To the west are private gardens serving the terraced units. No.59 has a two storey mono-pitch wing on the rear elevation which appears to be an original part of the dwelling. The ridge line of no.59 sits below no.61 and no.57 suggesting no.59 was an infill. To the rear of the site is a landscaped parcel of land that is owned by the City Council. The rear boundary of the site appears to contain double gates but these do not appear to be in use.
- 1.4 The site is located within the Conservation Area and a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal is to convert the existing building into 3 (two 2bed and one 1bed) including a pitch roof dormer in the rear roofslope. The proposal also includes a 2 " storey rear extension with single storey link to the existing building and a new pedestrian access in the rear boundary.
- 2.2 The proposed conversion of the existing property would include the removal of the signage and large window that served the vacant commercial use and remove the existing up and over

garage door. The proposal would in a more traditional appearance to match the existing fenestration with the terrace. On the rear elevation two new windows would replace two existing windows. The roofscape would include a large pitched roof dormer and two rooflights either side.

- 2.3 The proposed pitched roof extension would project 17 metres in depth from the existing property. The extension would be 7.5 metres wide and 8.2 metres in height (100mm below the ridge of the existing property) and 5.1 metres to the eaves line (500mm below the existing eaves). The extension would be set off the eastern boundary by 1 metre and 4.2 metres from the southern boundary.
- 2.4 The ground floor element would be attached to the rear of the existing building. The first floor would be set off the rear elevation by between 1.3 metres and 4.9 metres. The western side of the extension is proposed to be stepped in by 3.3 metres creating an 'L' shape form.
- 2.5 The proposal includes separate bin and cycle stores within the footprint of the building on the ground floor. The bin store would be accessible from the rear and front of the site. The cycle store is located within the middle of the ground floor between both ground floor flats.
- 2.6 No outdoor amenity space is proposed to serve the flats.

3.0 SITE HISTORY

There is no relevant planning history for this site.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014

Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions
(Annex A)

Ministerial Statement (1 December 2014) by Brandon Lewis
Minister of State for Housing and Planning (Department of
Communities and Local Government)

5.2 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/11 The design of external spaces
3/12 The design of new buildings
3/14 Extending buildings
4/11 Conservation Areas
5/1 Housing provision
5/2 Conversion of large properties
8/6 Cycle parking

5.3 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and
Construction
Cambridgeshire and Peterborough Waste Partnership
(RECAP): Waste Management Design Guide Supplementary
Planning Document (February 2012)

5.4 Material Considerations

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)
Roof Extensions Design Guide (2003)

Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2006)
Kite Area Conservation Area Appraisal (1996)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No objections. It should be brought to the applicant's attention that the existing and future residents will not qualify for Residents' Permit within the existing scheme.

Head of Refuse and Environment

- 6.2 The proposed development is acceptable subject to conditions relating to construction hours, hours on delivery/collections and waste storage.

Urban Design and Conservation team

- 6.3 The proposed development is not supported as it does not preserve or enhance the character or appearance of the conservation area.

Architectural Liaison Officer

- 6.4 No objections but has concerns with the rear access from Flower Street as not being ideal to serve the flats. Would prefer to see future residents use the Norfolk Street entry which could or a self-closing gate at the rear with intercom of the site erected with key access. This would increase security levels for the flats and cycle store.
- 6.5 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

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

- 1 Blossom Street
- 2 Blossom Street
- 15 Blossom Street
- 18 Norfolk Terrace
- 39 Norfolk Terrace
- 45 Norfolk Terrace
- 59 Norfolk Terrace
- 63 Norfolk Terrace
- 30 Highsett, Hills Road

- 7 Nicholson Way (Support)
- 9 Sheppard Way, Teversham (Support)
- 36 Gilpin Road (Support)

7.4 The representations can be summarised as follows:

Objections:

- Loss of open space;
- The proposed development is completely out of character and not appropriate for this area;
- The scale is too big and contains too many units;
- Access from Flower Street over the planted bed is inappropriate and insensitive;
- The proposal would result in the loss of a takeaway use;
- The proposal would cause overlooking and loss of privacy;
- The proposal would increase noise disturbance and litter problems;
- Increase in parking problems in the area;
- The proposal would result in additional bins obstructing the pavement;
- The proposed development would block out natural light and introduce overlooking;
- Drastically reduce the value of my property;
- Increase anti-social behaviour;

Support:

- The proposal will increase customers to surrounding businesses and benefit the city centre and ARU;
- Flats are needed in the city;

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 The principle of residential development in this location is acceptable as it would be compatible with the residential context of the area which is within close proximity of the city centre.

- 8.2 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

- 8.4 The site is located within a mainly residential context of predominantly two storey scale fronting the highway. To the rear of this mid-terrace property is a yard area with ancillary flat roof structures on the western boundary. The proposal to convert the existing property into residential flats would remove the commercial element on the ground floor. Two of the units would be duplex apartments utilising the basement and loft space. The removal of the commercial frontage and replacement with sash windows would give the front elevation a traditional residential appearance. The proposed front elevation would therefore improve the appearance of the frontage and make a positive to the street scene such that it would enhance the character and appearance of the conservation area. The proposed conversion and alteration to the frontage is considered to be acceptable.
- 8.5 The rearscape of the terrace consists mainly of ancillary outbuildings and modest extensions. No.65 Norfolk Street which is located on the corner of Norfolk Street and Blossom Street has been extended and converted into flats. The development extends along fronting Blossom Street and around onto Flower Street. The Flower Street element has the appearance of a modest two storey pitched roof dwelling. Other than this there are no significant additions to the rear of the terrace to the west. The proposed two storey extension would result in a significant addition which would cover the majority of the rear yard area. The extension would also project along the western boundary and be set off the eastern boundary by 1 metre to provide access for future occupiers.
- 8.6 The proposed two storey extension would have a significant impact on the appearance of the rearscape due to its imposing and overbearing scale. The western elevation would present a 12 metre deep blank wall along the boundary at full two storey

height. The eastern elevation would present a 15.5 metre deep wall containing two first floor bedroom windows which would overlook the adjoining site and amenity area of the adjoining flats. The window to window relationship would also be unreasonable and uncomfortably close. The rear extension would appear out of scale for this site, unduly dominant against the host property and appear overbearing from the adjoining properties such that it would create a significant adverse sense of enclosure.

- 8.7 The proposed extension would also appear incongruously out of scale when viewed from Flower Street such that it would have a significant detrimental impact on the character and appearance of the Conservation Area. This element of the proposal is unacceptable due to its scale.
- 8.8 The proposed extension would hide the proposed pitched roof dormer in the rear roofscape of no.61. There are some examples of dormer windows within the terrace so the proposed dormer would not appear out of keeping. However, the dormer would be located 1.4 metres from the gable end of the proposed rear extension and so would appear poorly related.
- 8.9 The proposed creation of a 1.1 metre wide access/opening in the rear boundary would affect the existing landscape area. The land is outside the applicant's control and so they would not be able to create an access path without the consent of the land owner which is the City Council. Nevertheless, the red line boundary does not include the footpath. I
- 8.10 In my opinion this is a very poor proposal and fail to comply with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/14 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 The proposed two storey rear extension would, due to its incongruous scale and dominant depth, appear overbearing and create an adverse sense of enclosure to the adjoining neighbours. The extension would create overlooking issues for the occupiers of the flats to the east of the site. The proposed extension is considered to be unacceptable as it would have a

significant adverse impact on the residential amenity of the adjoining neighbours.

- 8.12 In my opinion the proposal fails to respects the residential amenity of its neighbours and I consider that it is contrary with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.13 Having assessed the proposed layout of the development, I have significant concerns with the amenity of future occupiers.
- 8.14 The ground floor would consist of two 2bed flats either side of a cycle store. The bin store would be located within the host property. The ground floor flat within host property would have a bedroom window 1 metre from a boundary wall. The other bedroom would not have any windows other than a roof lantern which would be overlooked by the first floor flats. The lounge and kitchen of the other flat in the rear extension would be served by one window which is again set 1 metre off eastern boundary. Whilst the two bedroom windows would be south facing, the occupier of this flat would have to walk past the bedroom window of the other ground floor flat to access the bin store. In view of this, the proposed ground flats would have a poor and enclosed outlook and would provide a poor living environment for future residents of these flats.
- 8.15 At first floor, the proposal contains four flats; two in the host property and two in the proposed rear extension. The lounge/kitchen window that serves the one bed flat in the host property would face the gable end of the two storey at a distance of 1.3 metres. At this distance, the outlook of any future occupier of the flat would be significant affected by the proposed extension. The other flat in the host property would have a kitchen window that faces the kitchen window of the flat in the two storey extension at a window to window distance of 4.8 metres. Both kitchen windows would also look down on the roof lantern which serves a bedroom. The flat in the proposed extension would contain bedroom windows which would overlook and result in inter-visibility of the flats in no.63 and 65 at a close window to window distance. The occupiers of the flats in the rear extension would have to also walk past the bedroom window of the ground floor flat to access the bin store and rear access. In view of these issues, three of the four flats would

provide future residents with a poor living environment. This would be contrary to policy 3/7 of the Local Plan which seeks development to provide high quality, accessible and safe living environments.

- 8.16 The proposed development would also fails to provide any usable, meaningful outdoor space as the site would be dominated by the proposed two storey extension.
- 8.17 In my opinion the proposal would provide a very poor standard of residential amenity for future occupiers and existing adjacent occupiers, and I consider this is contrary with Cambridge Local Plan (2006) policies 3/7 and 3/12, 3/14.

Refuse Arrangements

- 8.18 The bin store would be accessible from the front and of the site. I have no concerns with the bin store itself. However, the number of receptacles shown on the ground floor plan does not show enough bins to serve the future occupiers. The Environmental Service team have recommended a waste condition in order for detail to be provided.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car parking

- 8.20 No car parking is provided for the proposed development. The site is located within close proximity to the city centre and public transport links. I therefore consider that in this context car parking would not be essential and justifies car free development.
- #### Cycle parking

- 8.21 The proposal includes a dedicated self-contained cycle store within the footprint of the proposed rear extension. The store would be located between two flats and access to it would be via a 1 metre wide access. Whilst the cycle store appears big enough to accommodate 6 cycles, the access is considered too narrow to allow ease of movement. The Cycle Parking Standard requires an access such as this to be 1.5 metres wide or a

minimum of 1.2 metres for 10 metres. The access would also be constrained by a door that opens out onto the access which serves the upper floor flats. Occupiers could exit the site onto Norfolk Street via the bin store. However, this would be considered to be a poor egress point. The proposed cycle parking provision is therefore considered to be poorly integrated.

8.22 In my opinion whilst there appears to be enough space to accommodate the required cycles spaces, the access to and egress from the cycle store is inconvenient and poorly provided. Therefore the proposal is therefore contrary with Cambridge Local Plan (2006) policies 3/7, 3/14 and 8/6.

Third Party Representations

8.23 I set out below my response to the third party representations received.

Objections:

Representation	Response
Loss of open space;	The proposed rear extension would enclose the entire plot in terms of its width leaving a narrow side access and small parcel of land to the rear which does not appear to have been identified for any particular use.
The proposed development is completely out of character and not appropriate for this area;	The proposed two storey extension due to its scale and depth would appear completely out of character within this domestic terrace context and would have an adverse impact on the appearance of the area.
The scale is too big and contains too many units;	As above.
Access from Flower Street over the planted bed is inappropriate and insensitive;	Very little information has been shown on the proposed rear access. The footpath over the landscape area is outside

	red line boundary and therefore does not form part of this application.
The proposal would result in the loss of a takeaway use;	There is no policy which could resist this.
The proposal would cause overlooking and loss of privacy;	The proposed development has been arranged such that it would not only cause overlooking of neighbouring properties but also inter-overlooking between future occupiers. As such the proposal would have a detrimental impact on the residential amenity of existing and future occupiers.
The proposal would increase noise disturbance and litter problems;	This is difficult to quantify and any noise and litter complaints would be dealt with by the Council's Environmental Services team.
Increase in parking problems in the area;	Due to the proximity to the city centre and public transport links I do not consider car parking would be essential to support this development.
The proposal would result in additional bins obstructing the pavement;	The proposed development included an internalised bin store which would avoid having to leave bins on the pavement.
The proposed development would block out natural light and introduce overlooking;	The proposed development would appear overbearing to the neighbour occupiers such that it would create an adverse sense of enclosure.
Drastically reduce the value of my property;	This is not a material planning issue.
Increase anti-social behaviour;	This is not a material planning issue.

Support:

Representation	Response
The proposal will increase customers to surrounding businesses and benefit the city centre and ARU;	The proposal would increase the number of people at the site. However, the benefit of this does not outweigh the significant harm that would be created by the proposed development.
Flats are needed in the city;	Flats are a popular form of accommodation within the city. However benefit of this does not outweigh the significant harm that would be created by the proposed development.

Planning Obligations (s106 Agreement)

8.24 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

8.25 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

- 8.26 Given the council's previous approach to S106 contributions (based on broad infrastructure types within the city of Cambridge), the pooling constraints mean that:
- S106 contributions have to be for projects at specific places/facilities.
 - The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
 - Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.
- 8.27 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at www.cambridge.gov.uk/s106.

9.0 CONCLUSION

- 9.1 The scale and layout of the proposed two storey rear extension in relation the host building and neighbouring properties is considered to be completely out of character within this rear of terrace context and would appear as an incongruously dominant, and alien, particularly when viewed from Flower Street. The proposed development has been poorly conceived and fails to respond sympathetically to the site context. On this basis, the proposal would have a significant detrimental impact on the character and appearance of the Conservation Area.
- 9.2 The proposal development would have a significantly detrimental impact on the residential amenity of the adjoining neighbours due to it scale and the cramped living environment that it would create. The proposed rear extension would appear unduly overbearing on the adjoining neighbour that it would create an adverse sense of enclosure over the neighbouring properties. The proposal would also cause overlooking issues with the flats to the east.

- 9.3 The proposal would result in a cramped and enclosed form of development and living environment, which would have a significantly adversely affect the residential amenity of future occupiers. The poor outlook from some of the flats, close window to window distances, lack of outdoor space, narrow unlit access would result in the scheme significantly failing to provide a high quality living environment.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed two storey pitched roof rear extension would by virtue of its location, mass and form appear unduly dominant and significantly out of scale with the ancillary setting of this back-land residential terrace location. On this basis, the proposal would also fail to enhance or preserve the character or appearance of the Conservation Area. The proposal would therefore be contrary to policies 3/4, 3/12, 3/14 and 4/11 of the Cambridge Local Plan (2006).
2. The proposed development would by virtue of its scale have a significant detrimental impact on the residential amenity of the adjoining residents. The depth, width and height of the proposed rear extension would enclose the plot and create a significantly adverse overbearing sense of enclosure on the residential amenity of the neighbouring occupiers. The proposal would therefore be contrary to Cambridge Local Plan policies 3/7, 3/11, 3/12 and 3/14 which seeks development to provide high quality living environments that relates to the character and function of the space and surrounding buildings.
3. The proposed development would, by virtue of the narrow, unlit side access, lack of outdoor amenity space and cramped arrangement of living space, fail to provide future residents with a high quality, accessible or safe living environment. The proposed development is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 8/6 which permits development that is designed to provide attractive, high quality, accessible and safe living, the landscape design relates to the character and function of the space and surrounding building, and demonstrates convenient, safe, and accessible for users and visitors.