

<b>Application Number</b>	15/1941/LBC	<b>Agenda Item</b>	
<b>Date Received</b>	13th October 2015	<b>Officer</b>	Lorraine Casey
<b>Target Date</b>	8th December 2015		
<b>Ward</b>	Market		
<b>Site</b>	48 New Square Cambridge CB1 1EZ		
<b>Proposal</b>	Listed building consent to convert existing end terrace known as No.48 New Square, 3No. self-contained flats, demolition of existing garage and erection of 1No. self-contained studio-flat and removal of 4No. parking bays accessed via Willow Walk and erection of 2No. self-contained flats. All with associated landscaping and access arrangements.		
<b>Applicant</b>	Mr Simon Hawkey		

SUMMARY	The development accords with the Development Plan for the following reasons:  The proposals would not be detrimental to the character of the Conservation Area or setting of adjacent Listed Buildings
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 No.48 New Square is a Grade II Listed dwelling located within the Central Conservation Area on the north side of New Square. New Square is an open space enclosed on three sides by dwellings all of which are Grade II listed.
- 1.2 The property is double-fronted and, unlike the other houses in the terrace, faces westwards rather than towards the green space in the middle of New Square. There is a single garage to the west/front of the property that is accessed from New Square. The site bounds Willow Walk to the north and includes four car parking bays that are accessed from Willow Walk. These currently lie outside the garden boundary but are included in the application site.

- 1.3 Beyond the northern boundary of the site is a terrace of Grade II listed houses located on the northern side of Willow Walk. To the east, is a row of 2 storey terraced houses along New Square with rear gardens backing onto Willow Walk. To the south is New Square, an area of open space that links to Christ's Pieces further to the west. Immediately to the west, is a three storey dwelling, No.49 New Square.
- 1.4 The site lies within the Central Conservation Area.
- 1.5 The Conservation Officer has outlined the heritage value of the buildings in their consultation response which I accept

## **2.0 THE PROPOSAL**

- 2.1 The application proposes to provide 6 flats in total on the site. The proposal consists of: the conversion of the existing house to form 3 flats (1 x 2-bed and 2 x 1-bed units); the demolition of the garage on the west side of the house and its replacement with a one and a half storey building containing a single 1-bed dwelling; and the erection of a detached two-storey building with 2 x 1-bed flats in Willow Walk in place of the existing car park.
- 2.2 The conversion of the existing dwelling to flats is the only element of the proposal that requires listed building consent and this report therefore focusses solely on this aspect. The other elements of the scheme are considered in the accompanying planning report (ref: 15/1940/FUL).

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/68/0404	Erection of 4 concrete garages	Approved
C/73/0781	Erection of 4 concrete garages (extension of period consent)	Permitted

In addition to the above, there is an extensive planning history relating to the site with the majority of applications relating to tree works, secondary glazing and boundary wall.

#### 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 3/12 4/10 4/11

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	Sustainable Design and Construction (May 2007)
	<u>Area Guidelines</u>  Cambridge Historic Core Conservation Area Appraisal (2006)

## 5.4 Status of Proposed Submission – Cambridge Local Plan 2014

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 submitted to the Secretary of State on 28 March 2014 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 that are considered to be of relevance.

## 6.0 CONSULTATIONS

### **Urban Design and Conservation Team**

#### Original comments

- 6.1 It is not possible to fully comment on the proposal, and the additional information set out below will be required in order to provide full comments:

#### *Willow Walk building*

The proposed new building on Willow Walk is on an area that was previously developed as can be seen on the historic maps in the Design and Heritage Impact Assessment. The proposed design takes the form of stabling which is appropriate for this location provided that the materials and finish are of a high quality. The fenestration pattern, the blind arches and the false doors give animation to the street and are traditional in character. However, the elevation facing the communal garden has more modern fenestration. This is acceptable. However, the very large ground floor window is oversized. Unless sufficient justification can be provided for this, it should be replaced with a smaller opening.

### *48 New Square*

The existing plans for 48 New Square are incorrect in their depiction of the existing windows. Would they remain, as their replacement would not be supported? It is understood that the porch is to be replaced but there are no plans or drawings showing what it will look like. Confirmation of the proposals should be required. The entrance for Flat 3 is through a new door in the side elevation with steps up to a raised landing. The plans do not show any form of handrail or guard for this. Will there be a requirement to fix one and, if so, what form would this take? The living room for Flat 3 does not show the chimney breast that can be seen in the basement and on the first floor. This must remain in situ. Also, the proposed new staircase from the living room up to the bedroom does not show how it will rise at the upper floor. Will there be a lobby or door? Revised plans showing these details need to be submitted.

### *One and a half storey building*

The proposed new structure has a larger footprint than the existing garage and is taller, but the scale and massing are appropriate to the site. Clarification of the materials is needed. The materials need to work with those around so that it is tonally the same and does not detract from the listed buildings.

### *External areas*

All the access would be through the communal garden resulting in a landscape plan that changes the setting of the building from overgrown vegetation to a heavily hard landscaped area. There might be an opportunity to introduce some more planting to soften the impact of the paving. The proposed new piece of railing in front of the one and a half storey building is supported. No details of its design have been provided but it should match the existing railings that form the front boundary to the New Square properties.

### *Comments on documents*

It is also noted that the submitted Design and Heritage Impact Assessment is based on the previous Conservation Area appraisal rather than the one published in 2014, and there are some inaccuracies:

- (i) There are no longer derelict buildings at the eastern end of Willow Walk. These have now been replaced.

- (ii) Para 5.0 states the windows have horned sashes but it is believed they are still boxed sashes
- (iii) The dates regarding the development of New Square are incorrect

#### Amended comments following response from applicant's agent

6.2 It is considered that all of the questions raised in the previous response have been addressed through the additional information and new plans submitted by the agent. The applications are therefore now supported subject to the following conditions:

- Details of any new, replacement or altered joinery
- All new joinery to be recessed back from the face of the wall
- Sample panel of facing materials
- Roofing details
- Full details of all metalwork

## **7.0 REPRESENTATIONS**

### Comments in respect of original submission

- 7.1 Councillor Bick requested the submission of a cross-section to show how the new building would fit into its context, stating this is vital to assist assessment of the impact and context of the proposed building in Willow Walk.
- 7.2 Councillor Gillespie requests that the application be called in to Planning Committee. This is a change of use that would increase density quite severely and sets a precedent that could see the whole street change in character. This is a protected heritage area and the green wall beside the parking slots on Willow Walk fit the character of the street. The planned changes may also cause loss of light and loss of amenity.
- 7.3 The owners/occupiers of the following addresses made representations objecting to the application as originally submitted.
- 26 Baldock Way
  - 1, 2 Brunswick Walk
  - 16, 18 Clarendon Street
  - 10, 12, 18, 22, 26, 34, 36, 51, 53 Maids Causeway

- 49 New Square
- 3, 5, 6, 7, 9, 10, 12, 13, 14, 16 Willow Walk

The main concerns raised can be summarised as follows.

- Willow Walk is a characterful street of unified Georgian design. The proposed new two-storey block adjacent to Willow Walk would harm the character of the Kite Conservation Area and setting of adjacent Listed Buildings, notably those in Willow Walk.
- The design of the Willow Walk building is out of keeping with the area, including a depressing blank eastern elevation and muddled arrangement of windows on the Willow Walk side of the building.
- There was never a dwelling on the footprint of the proposed Willow Walk block. There was a stable that was removed a long time ago. The proposed building is not even on the footprint of the previous stable.
- The new building adjacent to Willow Walk should be omitted from the scheme.
- The Conservation Area description states that extensions should not be built on the backs of houses in New Square.
- The demolition of the existing garage is welcomed. However it is lower and smaller than the building proposed to replace it.
- The plot is too small to accommodate 6 dwellings and their associated bin and bike storage needs.
- A detailed landscaping plan for the courtyard area should be provided.
- The proposed building adjacent to Willow Walk would result in a loss of light to and overshadowing of properties on the opposite side of the road in Willow Walk. These properties have south facing ground floor and basement windows
- A daylight and sunlight assessment should be required that includes an assessment of overshadowing in the winter

months. Afternoon sunlight from October-April would be particularly restricted.

- The development would result in overlooking of houses opposite.
- The service areas for the flats in the block adjoining Willow Walk would face the houses opposite, and discharges from the flues (smell, sounds, steam etc) could affect nearby residents.
- Willow Walk is narrow, and access will be made more difficult by the narrowing of the street.
- The proposal could set a precedent for similar development on Willow Walk, leading to the piecemeal destruction of the character of the area.
- A pre-application enquiry relating to the erection of a dwelling in the grounds of 49 New Square was recently resisted due to the impact on the setting of the listed building and potential loss of trees.
- Where would the new residents park? The development would result in the loss of 4 existing spaces.
- No site notices were evident in the area.

#### Comments received in response to amended and additional information

7.4 Councillor Sinnott expresses disappointment that the developer failed to adequately respond to issues raised at the DCF by the residents of Willow Walk.

7.5 The owners/occupiers of the following addresses made representations following the submission of additional information from the applicant's agent:

- Brunswick and North Kite Residents' Association
- 33 Cow Lane, Fulbourn
- 26 Maids Causeway
- 5, 7, 9, 10, 11, 13 Willow Walk



The main concerns raised are as follows:

- The amendments, if any, are negligible, and take no account of the Forum process.
- The site section drawing provided by the agent is misleading as it shows the new structure as appearing subservient to the Willow Walk terrace. The land on the north side of Willow Walk is lower than on the south side, meaning the development will only be 9-18cm lower than the properties on the opposite side of the road.
- There seems to be a discrepancy in the distance shown between the new build and Willow Walk properties, between the site section drawing (8.05m) and proposed site plan (8.8m)
- The width of the properties in Willow Walk is misrepresented in the section drawing (8m rather than 6.17m)
- The ridge height of 5 Willow Walk is misrepresented in the drawings.
- The additional Daylight and Sunlight Assessment does not appear to accurately reflect winter sun exposure. The development would result in a loss of light to all of 6-9 Willow Walk's living room and basement windows.
- The consultants that carried out the Right of Light study did not access No.7 Willow Walk to do so. This raises concerns about the accuracy and impartiality of their findings.
- The amendments have failed to take account of the discussion at the DCF. On this basis, a 2<sup>nd</sup> DCF should be called.

### **Development Control Forum**

7.6 Residents from the following 26 addresses signed a petition requesting that the application be considered at a Development Control Forum (DCF):

- 3, 10, 11, 28 Clarendon Street
- 17 Emmanuel Road

- 8, 10,14, 18, 36, 41, 49 Maids Causeway
- 40 Occupation Road
- 6, 12 Orchard Street
- 39 Oyster Row
- 31 Parkside
- 18 Richmond Road
- 3, 6, 7, 9, 10,11, 12, 14 Willow Walk

The grounds for asking for a DCF were as follows, with the requested changes being the deletion of the two flats fronting Willow Walk.

“That the proposal for the erection of 2 self contained flats is highly damaging to the Kite Conservation Area and to the setting of the early Charles Humfrey listed terrace in Willow Walk.

Although the residents of Willow Walk support the bringing back into use of 48 New Square there is genuine concern over the impact of the Willow Walk element of the scheme which increases density on the application site and impacts on the Willow Walk street scene which is historically open in aspect along its New Square side.

The petitioners believe that if there is no value to Jesus College in maintaining the car spaces there is scope for enhancing the Conservation Area by means of including the car space land within the curtilage of No.48.”

7.7 The DCF was held on December 2015 and the minutes of this meeting are attached as an Appendix.

7.8 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 The accompanying planning report (15/1940/FUL) considers the material planning issues raised in relation to this proposal. For this listed building application, the only issues that need to be considered relate to the alterations to the listed building itself.

8.2 The application includes the conversion of the existing listed house to 3 flats, which would be achieved by subdividing the building vertically. The conversion has been designed in a way that preserves the historic fabric of the building. The majority of the proposed works are internal, and there are a limited number of original features, the majority of which would be retained or reinstated as part of the proposal. The external works would consist of new light-well windows to serve the basement flat and a door to the rear to replace the existing one serving the rear of the basement.

8.3 At the pre-application stage, it was proposed to add a stairwell extension to the existing building in order to enable this conversion. Following concerns raised by Officers regarding the impact this would have on the setting of the building, this element has now been removed. In responding to the current proposal, the Conservation Officer still felt that further details and clarification of the plans was required. In response to this, the applicant's agent has confirmed the following:

- The existing sash windows would be retained and refurbished.
- It is proposed to replace the porch but it is requested this be conditioned as part of any permission to enable further detailed discussion.
- The entrance to flat 3 has intentionally been designed as a stepped access, and hand rails can therefore be avoided.
- The chimney breast will be retained and the drawing has been updated accordingly. The discrepancy with the new stair positioning has also been addressed in the amended plans.

8.4 Following clarification of the above, the Conservation Team has advised that the works to convert the building are acceptable, and I concur with their conclusions. However, I disagree with the agent's suggestion that the replacement of the porch could be dealt with by way of planning condition and, in my opinion, this would need to be the subject of a new planning application.

8.5 In my opinion the works to the listed building are acceptable and would not detract from the character of the Listed Building or the character and appearance of the Conservation Area. In terms of the works to No.48, the development is therefore

compliant with Cambridge Local Plan (2006) policies 4/10 and 4/11.

## **9.0 RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by section 51(4) 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 new, replacement or altered joinery shall be installed, nor existing historic joinery removed, until drawings at a scale of 1:20 of all such joinery (porch, doors and surrounds, windows and frames, sills, skirtings, dado rails, staircases and balustrades, etc.) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

4. Prior to commencement of any alterations to the listed building, full details, in terms of materials, fixing, surface finish & colour, of all new/altered metalwork [stairs, balustrades, grilles, railings, brackets, window frames, columns, etc.] shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

Reason: To avoid harm to the special interest of the Listed Building and Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11).