

Application Number	16/0211/FUL	Agenda Item	
Date Received	8th February 2016	Officer	Michael Hammond
Target Date	4th April 2016		
Ward	Romsey		
Site	73 Sedgwick Street Cambridge Cambridgeshire CB1 3AL		
Proposal	Demolition of existing dilapidated warehouse and construction of new dwelling on the site.		
Applicant	Mr Mark Brinkley 1 Banhams Close Cambridge Cambridgeshire CB4 1HX United Kingdom		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development successfully contrasts with the context of the area and would respect the character and appearance of the Conservation Area. - The proposal would not have a significant impact on the amenity of neighbouring properties. - The proposal would provide a high quality living environment for future occupiers.
<p>RECOMMENDATION</p>	<p>APPROVAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.73 Sedgwick Street, is comprised of a single-storey warehouse building situated on the west side of Sedgwick Street, close to the vehicle crossover with St Philips Road. The building is designed in a combination of pre-cast panels, timer and brick infill and asbestos sheeting, with a

pitched roof clad in asbestos sheet. The built form projects deep into the plot and shares boundaries with properties set perpendicular to the plot along St Philips Road to the south. The building is not currently in use and has been vacant for a number of years. The surrounding area is predominantly residential in character and is formed of two-storey terraced properties set linear to the pattern of the road.

1.2 The site falls within the Central Conservation Area.

2.0 THE PROPOSAL

2.1 The proposal, as amended, seeks planning permission for the demolition of the existing warehouse and construction of a new dwelling on the site.

2.2 The proposed replacement dwelling would be two-storeys in scale and would be designed with a part-pitched, part-flat roof, with the gable end facing towards the road. The proposed dwelling would be designed predominantly in stained timber angled cladding on the front and rear elevations while the side elevations would be formed of brick. The roof would be clad in dark grey metal. The eaves (5.1m) and ridge (7.1m) heights would be set subservient to that of no.75 Sedgwick Street. The footprint would be approximately 1.2m greater than that of the existing warehouse, with roughly half of this footprint as two-storey in scale and the other half as single-storey. There would be a summerhouse in the rear garden which would be no higher than 2.5m to the ridge.

2.3 The proposal would provide a three-bedroom dwelling with approximately 75m² of outdoor private amenity space. Bin storage would be provided internally on the north side of the building with a means of access from this externally onto the neighbouring alleyway. Cycle parking would be stored externally at the front of the site underneath the two-storey overhang.

2.4 The application has been amended to show the following changes:

- Removal of proposed vehicle drop-off space.
- Reduction in depth of first-floor overhang from 1200mm to 800mm

- Inclusion of brick wall on south-east corner to allow for alleyway gate fixing.
- Enlargement of copper set back at first-floor level. Enlarge of first-floor windows with translucent film applied up to 1.7m from first-floor level to prevent overlooking.
- Removal of area of copper panelling to the side of the living room.

3.0 SITE HISTORY

Reference	Description	Outcome
14/2107/FUL	Demolish existing warehouse and clear site	Withdrawn
C/75/0502	Erection of extension to existing retail unit	Refused
C/73/0780	Erection of storage building (Class X)	Refused
C/69/0133	Use of premises as warehouse and retail sale therefrom with showroom and offices	Unknown
C/69/0071	Use of premises for warehouse and offices, for timber preservation specialists	Unknown
C/68/0369	Offices, showroom, warehouse and stores for plumbing and heating engineer.	Refused
C/66/0035	Plumbing and heating store. showroom, offices and toilets.	Permitted
C/65/0550	Use of premises as plumbing and heating store and showroom	Unknown
C/63/0116	Change of use to wholesale carpet warehouse.	Refused

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 3/11 3/12 4/11 4/13 5/1 6/6 6/7 7/3 8/2 8/6 8/10

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) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material	<u>City Wide Guidance</u>

Considerations	Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (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 that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Original Comments (10/03/2016)

- 6.1 The red line is not consistent between different plans within the application. One of the plans includes an area of public highway, which is outside the control of the applicant, within the red line.
- 6.2 The application form states that no off-street parking is provided for the development, yet the plan shows a car on the footway of the public highway, with a note “drop-off” beside it. There would seem to be no reason why dropping off could not take place on

the kerbside of the public highway, whilst the arrangement proposed is considered likely to encourage parking on the footway. It is strongly suggested that the existing vehicle crossover, once redundant (as it is not required for accessing the private land – no car would fit within the site once the building is constructed) be removed and returned to full-face footway, thus providing a clear, understandable layout of the public realm.

Second Comments (17/03/2016)

- 6.3 The applicant has responded that the land is owned by them and therefore under their control. This is not actually the case. Although the land may be within their ownership in the title deeds, it is marked within the Highway Register (a definitive legal document) as being public highway. The applicant may well own the substrate beneath the highway, but highway rights exist on the surface, which is therefore under the effective control of the Highway Authority.
- 6.4 The Highway Authority's previous comment is therefore relevant and needs to be addressed.

Third Comments (08/04/2016)

- 6.5 The amended scheme of removing the drop off parking space is acceptable, subject to vehicle cross over condition, traffic management plan condition and informative and highways informative.

Environmental Health

- 6.6 No objection, subject to the following conditions and informatives:
- Contaminated land conditions
 - Demolition/ construction hours
 - Piling
 - Dust
 - Contaminated land informatives
 - Dust informative

Urban Design and Conservation Team

6.7 The current scheme is close to according with s.72 of the Listed Buildings Act, the principles of the NPPF and the Local Plan, policies 3/4, (responding to context), and 4/11 (which effectively reiterates the requirements of the Act.) A couple of detailed amendments would ensure it did meet the requirements of the Act and the Guidance, and would then be considered acceptable from a conservation perspective. The amendments required relate to the first-floor overhang and creation of further setbacks or blind panels in the flank to improve articulation. The following conditions are recommended:

- Brick sample panel
- Non-masonry walling systems
- Window and door details.
- Roof details

6.8 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 objecting to the application:

33 St Philips Road	35 St Philips Road
37 St Philips Road	43 St Philips Road

7.2 The representations can be summarised as follows:

Car Parking

- The proposed car parking space would be difficult to manoeuvre into and may result in the loss of an on-street car parking space.
- Proposed car parking space is not safe.

Residential Amenity

- Visual enclosure/ loss of outlook to nos.37 and 43 St Philips Road

Design/ Character

- The use of copper cladding and black metal roofs is not supported as it will deteriorate in quality over the later years.
- The garden could be poorly mismanaged to the detriment to the character of the area.
- The existing warehouse adds character, diversity and a sense of history to the Romsey area.

Drainage

- The existing manhole covers outside the front of the building should be maintained.

Contaminated Land

- The asbestos should be safely removed.

Legal Matters/ Boundaries/ Validity of Application

- It is not clear precisely where the boundary line runs to as the fence has not been maintained. This should be sought before demolition commences.
- The boundary line is incorrect.
- The plan does not show the measurements of all existing and proposed elements.
- Discrepancies in design and access statement.
- The proposed works would be contrary to legal covenants on the site which restrict the building depth and erection of structures in the rear garden area. This should be enforced by the planning department.
- The Land Registry documents cannot be certified as being correct.
- The boundaries should be protected during and after construction.

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

- 72A Sedgwick Street
- 75 Sedgwick Street

7.4 The representations can be summarised as follows:

- The demolition of the warehouse is supported.
- The warehouse has no architectural merit.
- The re-development of the site for residential purposes is supported.

7.5 Former Councillor Smart has requested the application to be called in to planning committee in the event that officers are minded to approve. This is because of potential overshadowing, visual enclosure, loss of privacy and a lack of clarity over the legal covenant.

7.6 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 external spaces (and impact on heritage assets)
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligations (s106 Agreement)

Principle of Development

8.2 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 lies in a residential area and, in my opinion, the principle of erecting a new dwelling on the site is acceptable.

8.3 The application form states that the last use of the site was as a light industrial use (B1(c)). The last planning permission on this

site (C/75/0502), before the unit became vacant, sought permission for an extension to an existing retail unit (A1). As the site was purchased by the applicant after the site became vacant, there is no evidence before me to definitively indicate which of the above uses the site was last used for. Therefore, for the avoidance of doubt, the principle of the loss of both of these uses has been assessed.

8.4 Policy 7/3 of the Cambridge Local Plan (2006) states that development, including changes of use, that results in a loss of floorspace within Use Classes B1(c), B2 and B8 outside of protected industrial/ storage sites will only be permitted if:

- a) There is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either;
- b) The proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
- c) The continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or
- d) The loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
- e) Redevelopment for mixed use or residential development would be more appropriate.

8.5 In the strictest application of this policy, based on the information provided by the applicant, the proposal would be contrary to criteria A of this policy.

8.6 However, in assessing the loss of the industrial floorspace pragmatically, it is acknowledged that the warehouse has been vacant for an extended period of time. The site was still vacant when I undertook my site visit for the previously withdrawn application (14/2107/FUL) in February 2015 and so it has evidently been vacant for over 15 months. Furthermore, the dilapidated nature of the building and presence of asbestos materials means that any prospective users of this industrial use would have to undertake significant structural works and environmental testing in order to bring the site back into a usable state, which hinders the viability of the site in practical and financial terms.

- 8.7 In my view, I do not consider there is a reasonable prospect of the site being used for industrial purposes. An application for an alternative use, such as residential development, should be assessed on the merits of the proposal. As a result, while I appreciate the proposal does not demonstrate compliance with criteria A of policy 7/3 of the Local Plan (2006), I do not consider it would be reasonable to resist the proposed loss of this floorspace as it is evident that the site has been vacant for an extended period of time and is more suited for residential use as per criteria e of policy 7/3.
- 8.8 Policies 6/6 and 6/7 of the Local Plan (2006) relate to changes of use of A1 uses within the City Centre and District and Local Centres respectively. The application site is not within the boundary of the city centre, nor is it within a District or Local Centre. Therefore I deem the potential loss of the retail use to comply with the relevant policies of the Local Plan (2006).
- 8.9 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 6/6, 6/7 and 7/3 of the Cambridge Local Plan (2006) and guidance in the NPPF (2012).

Context of site, design and external spaces (and impact on heritage assets)

Response to context

- 8.10 The site is situated within a residential area in the heart of the Romsey Ward of Cambridge. The urban grain of the area is very tight and compact, as defined by the narrowness of the streets and the historical terraced nature of residential development. Residential properties are typically two-storeys in height and are traditional in their design with slate pitched roofs and brick walls.
- 8.11 The warehouse contrasts noticeably with the defined pattern of development within the surrounding area. The site is not identified within the Mill Road Conservation Area Appraisal (2011) as being positive or negative. The building is a large single-storey structure with a pitched roof orientated so that the gable end faces towards the road, as opposed to the residential properties along Sedgwick Street. The front facade of the building is uninspiring and lacks any meaningful engagement

with the street scene. The facade is of poor structural and aesthetical quality with a combination of bricks, dilapidated timber paneling and doors and outdated asbestos cladding. The Conservation Team does not consider the building contributes positively to the character or appearance of the Conservation Area and I agree with this advice.

- 8.12 It is acknowledged that a representation has been received which states that the existing warehouse adds character, diversity and a sense of history to the Romsey area. Whilst I do not dispute that technically the warehouse does add diversity to the area and is historically part of this street, I am not of the opinion that the contribution it makes is positive. The building is in poor condition and unsuccessfully contrasts with the character and appearance of the Conservation Area. Therefore, I do not consider the principle of demolition in the Conservation Area to be an issue.
- 8.13 The proposed replacement building and its response to the context of the area will be assessed in the relevant sub-sections below.

Movement and Access

- 8.14 The proposed dwelling would be orientated so that the entrance faces onto Sedgwick Street which makes logical sense and would provide a straightforward and safe access onto the footway. The neighbouring alleyway to the north would be used to access the enclosed bin store area situated on the north side of the building. This would be positioned before the private gate of no.75 so that this neighbour still has a secure external access to the rear of their property. There would be a direct route out to Sedgwick Street for bins to be taken out on collection days.
- 8.15 The proposal previously included plans for the front of the site to be used as a drop off parking space. The Highway Authority raised concerns with this proposed arrangement as it would encourage people to park outside the front of the site on the footway which could be a threat to highway safety. However, as this has since been removed from the proposals, this is no longer an issue.

- 8.16 The proposal would provide cycle parking beneath the first-floor overhang immediately outside the ground-floor front bedroom. Although external cycle parking visible from the street is not ideal, the constraints of the plot and the site limit the ability to provide an alternative means of cycle parking. Nevertheless, the cycle spaces would be subject to high levels of active surveillance from the proposed host dwelling, as well as neighbours opposite the site. Also, the position of these cycle spaces beneath the overhang and immediately adjacent to the front wall would enable them to be read as belonging to the proposed dwelling which is not too dissimilar to the cycle rings that other properties have outside the front of properties along this terrace. A condition has been recommended to provide details of the proposed cycle parking.

Layout

- 8.17 The proposed dwelling has been set out internally so that the main windows are on the east (front) and west (rear) elevations in order to minimise potential overlooking of properties along St Philips Road to the south. Notwithstanding this, the layout of the proposal does provide an attractive built frontage which enhances the townscape and promotes an active frontage facing onto Sedgwick Street.
- 8.18 The proposed building would occupy the full-width of the plot for a depth of roughly 20m but only just under 10m at full two-storey height. It is acknowledged that neighbours have raised concern regarding the depth of the proposed building and how this would set a precedent for future extensions of this magnitude. However, the additional proposed depth compared to the existing warehouse would only be approximately 0.815m greater which is minor when equated to the existing footprint. This proposed layout is dictated by the narrowness of the plot, which by virtue of its detached nature from the terrace to the north and relationship to the gardens of St Philips Road to the south, is considered to be unique and distinct from the regular residential plots in this area. The proposed south elevation, where the depth would be most visible from public viewpoints, has been carefully articulated in detailed design, scale and form so as to provide a more interesting and contemporary elevation than that of the existing plain warehouse. Consequently, while I accept that the depth of this proposal is greater than surrounding properties, I believe that the nature and

narrowness of the plot, coupled with a consideration of the existing built form of the plot, enables an extended depth in this case.

Scale and massing

- 8.19 The proposal has been designed to read subserviently in terms of scale and massing to the neighbouring terraced property at no.75 Sedgwick Street. I support this approach as the current warehouse is set below the eaves and ridge height of this neighbouring property and so it may appear out of context and alien in the street scene if the proposal was designed to be of an equal or greater scale. The proposal is therefore respectful of the traditional terraced properties along this street and does not try to compete with these important buildings within the Conservation Area.
- 8.20 The two-storey footprint of the proposal has been limited to mirror that of the neighbouring property to the north, whilst the single-storey element would project deeper into the garden. This approach is favored as it would help the proposal to respond positively to the two-storey massing immediately adjacent without appearing elongated or creating a long solid high wall which would appear visually prominent in the street scene.

Open Space and Landscape

- 8.21 Along the west side of Sedgwick Street properties typically have small front threshold areas which are privately divided off from the street by a combination of dwarf walls and railings. In contrast, on the east side of the road, properties are hard up against the footway and there are no front garden or threshold areas as the pavement runs immediately adjacent to front doors.
- 8.22 The proposal does not provide any outdoor space at the front of the property, except for a small area for the storing of bicycles. In respect of the tight urban grain of the site and its surroundings, I do not consider the absence of any open space and landscaping at the front of the site would appear detrimental to the character and appearance of the Conservation Area. There would be an ample garden amenity space at the rear of the site, projecting 16m out to the proposed

summerhouse, which would provide future occupants with an acceptable level of private outdoor amenity space. No details of the type of boundary treatment which would be used for this garden have been provided and so a condition has been recommended for this information to be provided prior to commencement of the proposed building.

Elevations and Materials

- 8.23 The elevations and materials is the aspect where the proposed scheme attempts to be contemporary and contrast with the terraced design in the immediate area. The front elevation would be formed of a combination of brick on the ground-floor and timber cladding on the first-floor, with a thick brick parapet style wall rising along the north side of the building. The south side elevation would be mainly brick with a strip of timber cladding and copper panel/ detailing for a small portion of the first-floor level. The dark grey metal roof would be most visible from the south.
- 8.24 It is acknowledged that a concern has been raised regarding the proposed choice of materials and how these materials would be out of keeping with the surrounding area. Although I do not dispute that these materials are unorthodox when compared to the terraced properties along the street, I consider that this palette of materials would successfully contrast with the Conservation Area and would respect its character and appearance.
- 8.25 Again, the existing warehouse itself is detached both in terms of physical separation and in design from the start of the terrace to the north. I believe that the unique form of the existing plot and building allows for a degree of flexibility in relation to design and provides scope for pursuing a contemporary and distinctive architectural approach. The scale and massing would be subservient to the terraced properties along the street and so the variation in materials would not harmfully clash or compete with the defined traditional character. In my opinion the creative approach to the materials of the proposed development would rejuvenate what is perceived as being a relatively derelict and dilapidated built form and this would be to the benefit of the character and appearance of the Conservation Area. The use of a metal roof also pays homage to the industrial history of this particular site.

8.26 The proposed orientation of the gable facing the road is considered to be respectful of the character and appearance of the Conservation Area and would not appear alien by virtue of its subservient scale and massing. The front and side (south) elevations are well articulated and provide a sensible degree of articulation to reflect the proposed residential use of the building. The extent of copper panel/ detailing on the south elevation has been increased in accordance with the advice of the Conservation Team. The Conservation Team is supportive of the proposal subject to conditions relating to window design and materials samples and I agree with the imposition of these conditions. A condition has also been recommended

8.27 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.28 The main considerations from a residential amenity perspective are the impacts on no.75 Sedgwick Street and the row of terraced properties to the south running from no.31 – 43 St Philips Road.

Impact on no.75 Sedgwick Street

8.29 No.75 Sedgwick Street is a semi-detached terrace style property to the north of the application site.

8.30 In terms of overlooking, there would be oblique views across the garden of this neighbour from the first-floor rear (west) master bedroom windows. However, I do not consider this view would be any worse than the existing mutual views between gardens of nos.75 and 77 Sedgwick Street and so I believe the privacy of this neighbour would not be compromised by the proposed development. In allowing a residential two-storey form here it would be very difficult to completely design out all overlooking.

8.31 This neighbour is situated to the north of the site and so the impacts of overshadowing need to be assessed accordingly. At

present the warehouse projects out to the rear hard up-against the boundary of this neighbour with a consistent eaves height of approximately 3.4m and ridge height of roughly 5m to the apex of the pitch of the roof. At two-storey level, the proposed would not project beyond the two-storey building line of this neighbouring property. Nevertheless, the proposal would likely increase levels of shadow cast over the side passageway and the side wall of the side-return of this neighbour during the late morning and at midday. However, there are only non-habitable or secondary side windows on this neighbour's side-return and so any additional overshadowing of these windows would not have any harmful impact on this neighbour. Furthermore, the 3.4m high blank wall which runs hard up against this boundary already overshadows much of the ground-floor side walls and amenity space and so the impact would be minimal. In terms of the deeper single-storey element of the proposal, I do not consider this will exacerbate levels of overshadowing. The eaves height at 2.8m and pitch of the metal roof at 4.35m are both lower than the existing eaves and ridge respectively of the existing warehouse and so the proposal may actually result in an increase in light reaching this neighbouring garden.

- 8.32 In terms of visual enclosure, the proposed two-storey element has been designed so that it does not break the 45° line from the closest first-floor window of no.75 and so I am confident that this will not harmfully enclose this neighbouring property. Furthermore the single-storey rear element of the proposal has been designed to be lower in both eaves and ridge height than the existing warehouse and so I consider this will actually improve the outlook for the neighbouring ground-floor windows and garden. I do not consider the approximate 2m in additional depth would be perceived as visually enclosing from this neighbour's garden, particularly given the aforementioned lowering of eaves and ridge heights.

Impact on nos.31-35 St Philips Road

- 8.33 Nos.31-35 St Philips Road is a row of three terraced properties situated to the south-west of the proposed development, with gardens backing onto the applications site.
- 8.34 In terms of loss of privacy, I do not consider that the proposal would compromise the privacy of these neighbouring properties. The proposed two-storey element is set over 13m from the

nearest of these neighbour's gardens and the view would be limited to the latter half of these neighbour's gardens and so I am of the opinion that this would not harmfully overlook these neighbours.

8.35 With respect to overshadowing, given the orientation of these gardens to the south-west of the proposed development, I am confident there will be no harmful overshadowing of these neighbour's gardens.

8.36 I am also of the view that the proposed development would not visually enclose these neighbour's gardens as the physical form of the dwelling does not project along the rear garden boundaries of these properties.

Impact on nos.37-39 St Philips Road

8.37 Nos.37-39 St Philips Road are terraced properties situated to the south of the proposed development and the gardens of these neighbours back onto the application site.

8.38 The proposal is not considered to pose any harmful impact in terms of overshadowing by virtue of the orientation of these neighbours to the south of the application site.

8.39 In relation to overlooking, I am of the opinion that the proposed development would not have a significant impact on these neighbours. The proposed first-floor rear bedroom window would allow for views across the latter section of these neighbour's gardens but this relationship would not be to dissimilar to the existing mutual sense of overlooking which exists along this neighbouring terrace as gardens are typically overlooked by neighbouring properties.

8.40 The single-storey rear element of the proposal would be visible from the garden of no.37 as the depth would be increased by roughly 0.815m compared to the existing warehouse. There is currently a 2.6m high asbestos sheet wall which runs along the end of this garden boundary. The proposal would remove this 2.6m high wall and replace it with a form of soft or hard landscaping that would be lower than 2m in height and so this would be an improvement. It is appreciated that the additional 0.815m in depth of the built form along this neighbour's boundary would be visible, but I am not convinced that this

would be so harmful as to visually overbear or enclose this outlook.

- 8.41 No.39 currently looks onto the high brick wall and roof pitch of the existing warehouse and this would be replaced with a lower wall and roof pitch under the proposed development. I consider this would be an improvement to this neighbour's visual outlook from the rear garden.

Impact on no.41 St Philips Road

- 8.42 No.41 St Philips Road is a terraced property situated immediately to the south of the application site.

- 8.43 Again, in consideration of the orientation of the site to the south of the proposed development, I do not consider there would be an issue in relation to overshadowing.

- 8.44 There would be side first-floor windows which look out towards this neighbouring property. However, these would be obscure glazed and would serve as secondary windows to provide light for the two first-floor bedrooms. Nevertheless, a condition has been recommended to ensure that these windows are obscure glazed to prevent any harmful overlooking. The velux rooflights serving the first-floor bathroom on the south plane of the roof would not lead to a loss of privacy at this neighbour due to the position of these windows high in the roof plane. Also, the sensitive and private nature of the bathroom use of the room means these windows would only serve for natural lighting purposes rather than as open visual outlooks. As a result, I consider the privacy of this neighbour would be retained.

- 8.45 The most obvious impact on this neighbour would be from visual enclosure. Approximately half of this neighbour's rear garden boundary would be immediately adjacent to the two-storey mass of the proposed development, while the single-storey element would be situated close to the other half of this boundary. The single-storey element would likely be an improvement as it would replace a 3.4m high wall and 5.05m pitched roof with a 2.8m wall. Nevertheless, the proposed two-storey mass will be noticeably more visible than the existing warehouse building. The proposed eaves line would be 5.1m which is marginally higher than the existing ridge of the existing pitched roof. However, this eaves line would be more prominent

than existing by virtue of its closer proximity to the boundary. The pitch of the proposed roof would then slope away from this neighbour to a height of 7.1m. This neighbour would be looking out predominantly onto a brick wall, although the upper levels would be in timber cladding and the roof in a dark grey metal which would provide a degree of variation. In my opinion, whilst I accept the proposed development would be visible, and the visual impact greater, I consider that on balance the proposal would not visually enclose this neighbour's rear garden outlook to such an extent as to warrant refusal. The improvements to the western half of this neighbour's rear garden boundary, by way of lowering the eaves and ridge height, would alleviate any harm caused by the proposed two-storey mass along the eastern half of the rear garden boundary. The rear ground-floor windows currently look out onto a high blank wall and coupled with the separation distance of approximately 11.5m, views from these windows would not be enclosed significantly worse than that at present.

Impact on no.43 St Philips Road

- 8.46 No.43 St Philips Road is comprised of an end of terrace property situated directly to the south of the application site. At the time of my site visit, the property was being used as a HMO (house in multiple occupation).
- 8.47 In terms of loss of light, I do not consider the proposal will harmfully overshadow this neighbour by reason of the fact that it is situated to the north of this neighbour.
- 8.48 For the same reasons as set out in paragraph 8.45 of this report, the proposal would not in my view lead to a loss of privacy at this neighbour.
- 8.49 The main consideration from a residential amenity perspective is whether the proposed development would visually enclose this neighbouring property to such an extent as to adversely impact on this neighbour's amenity. I have visited this neighbouring property and consider the main outlooks which need to be assessed in relation to visual enclosure are the first-floor rear bedroom windows, the rear ground-floor living room French door, rear ground-floor kitchen window and the garden. I have assessed the impact on each of these rooms in turn below:

Rear first-floor bedroom windows

- 8.50 The eastern-most first-floor bedroom window is situated on the rear-most element of the building and is situated approximately 13m from the application site. The view from this window currently looks out onto the sloping pitch of the existing warehouse, as well as the gable end and large brick dormer of no.75. The proposed development would follow a similar footprint at two-storey level to the existing property at no.75. Although it is appreciated that the proposal would be more visible, I am of the opinion that this outlook would still be reasonable in this direction and would not feel hemmed in. The roof pitch would be sloping away from this neighbouring property and the first-floor position of this window is sufficient to ensure it would still have an acceptable outlook for its occupants. The western-most first-floor bedroom window on the original rear wall would be over 17m from the proposed development and so for the same reasons as set out above I consider the impact on this window will not be so great as to harm this neighbour's amenity.

Rear ground-floor living room/ dining room French door

- 8.51 The rear ground-floor living room French door serves an open plan room which benefits from a large bay window at the front as well. This bay window is also responsible for providing the vast majority of light entering this room as it is situated on the south elevation. The view from this French door is partially self-enclosed by the rear wing of the dwelling and the view of the application site is relatively focused and narrow. At 17m away, I am of the opinion that the proposed development would not be significantly worse than existing and that the enjoyment of this habitable room would be retained.

Rear ground-floor kitchen window

- 8.52 At the rear-most element of no.43 there is a kitchen window which is situated just over 11m from the application site. The room is not used regularly for eating of meals due to the small size of this room and lack of seating. This window currently looks out onto the existing warehouse and the existing two-storey mass of no.75 behind it. 11m would be a reasonable separation distance between this window and the wall of the

proposed development. The pitch of the proposed roof would then slope away from this outlook and the mass would be partially broken up through the use of different materials on the upper levels. In my opinion, although the proposal will be visible from this outlook, I am not convinced that the impact would be so great as to have a significant impact on the amenity of this neighbour.

Garden

8.53 The garden of this neighbour is the space where the proposed development would be most visible. At present, this garden has a relatively poor relationship with the existing warehouse as the 3.4m high brick wall stretches along the entire length of this neighbour's rear garden boundary and is visually dominant when looking out to the north. The two-storey mass of no.75 then rises behind the warehouse which also blocks part of the outlook directly to the north. The proposed development would not interfere with the existing view out to the north-east or east as it does not project out in this direction. The view out to the north-west would arguably be improved by virtue of the low single-storey element of the proposal when compared to the existing warehouse. The main impact would be when looking out to the north as the proposed two-storey mass would only be roughly 0.85 from this neighbour's garden boundary and would be higher in both eaves and ridge than the existing building on the application site.

8.54 Nonetheless, after careful and due consideration, I have come to the conclusion that, on balance, the impact would not be so great as to significantly harm this neighbour's amenity to such an extent as to warrant refusal of the application. As previously stated, the current relationship between the warehouse and this garden is poor and so it is difficult to contest that the existing outlook in this direction is vast, open and key to the amenity of this gardens space. It is acknowledged that the two-storey mass would inevitably be more visually prominent than the existing warehouse. However, the variation in materials on the upper level would help reduce and soften the perceived mass when viewed from this garden. Furthermore, the footprint of the two-storey element is similar to no.75 and the heights of both the eaves and ridge are set subserviently to this neighbour which will reduce the impact when compared to the existing situation. The views out to the west would likely be improved as a result

of the proposed development and the pitch of the roof sloping away from this neighbour would help alleviate the visual presence of the proposed building. Overall, I am of the opinion that there would be a degree of impact on this neighbour, but that this impact would not be so significant as to visually dominate and enclose this outdoor amenity space.

Overspill car parking

- 8.55 The proposal does not include any car parking spaces for future occupiers. Sedgwick Street and surrounding streets are not within the Controlled Parking Zone. The site is highly sustainable in that it is within walking distance of shops and services on Mill Road, and is within reasonable distance of the City Centre by way of cycle or public transport. The Council has maximum car parking standards and I do not consider the lack of parking would have a significant impact on residential amenity in this respect.
- 8.56 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

- 8.57 The proposal would provide a three-bedroom dwelling in a residential area. The proposed development includes adequate bin storage and cycle storage, the details of which would need to be secured through condition. All habitable rooms would be served by acceptable visual outlooks and future occupants would have access to an outdoor private amenity space of over 75m² in the rear garden. The site is within 200m of the Mill Road East District Centre and there are bus stops and cycle routes which provide opportunities to access shops and services within the City Centre.
- 8.58 In my opinion, subject to condition, 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, 3/12 and 8/2.

Refuse Arrangements

- 8.59 The proposed development would provide sufficient bin storage for future occupants with a straightforward route out to the kerbside on collection days.
- 8.60 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.61 The Highway Authority has raised no objection to the application, subject to conditions, and I agree with this advice.
- 8.62 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.63 No car parking would be provided as a result of this development. The site is situated in an area which is subject to on-street parking and does not fall within the controlled parking zone. The Council has maximum parking standards and the proposal is compliant with policy in this respect. The site is considered to be sustainable and not reliant on private car as a means of reaching local shops and services in the wider area. I consider the lack of parking to be acceptable. A car club informative has been recommended.
- 8.64 The proposal would provide two cycle spaces outside the front of the site and one cycle space internally in the 'utility/ mech' room. The provision of an internal space is not ideal, but, along this terrace many other properties store their cycles in this manner due to the tight urban grain of terraced properties. The provision of cycle storage outside the front of the site is again undesirable, but, there are examples of residents in the wider area using cycle rings attached to the front wall. Therefore, I do not consider the location of the cycle parking would be problematic. However no details of the type of storage for the two outdoor spaces have been provided. Therefore, a condition has been recommended requiring these details to be provided prior to commencement of the development.

8.65 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.66 The third party representations have been addressed in the table below:

<u>Comment</u>	<u>Response</u>
It is not clear precisely where the boundary line runs to as the fence has not been maintained. This should be sought before demolition commences. The boundary line is incorrect.	The precise line of the boundary is a civil/ legal matter between neighbours and the land owners and is not a planning consideration. The red-line on the location plan is an accurate reflection of the land under the ownership and is sufficient for the validity of the application.
The plan does not show the measurements of all existing and proposed elements.	The plans are to scale and are not required to detail every measurement of the proposed and existing dimensions.
Discrepancies in design and access statement.	The discrepancies mainly relate to the labelling of a photograph and this does not undermine the validity of the application.
The Land Registry documents cannot be certified as being correct.	This is a civil/ legal matter and is not a planning consideration.
The boundaries should be protected during and after construction.	A boundary treatment condition has been recommended to control the boundary arrangements of the application site. The maintenance of other properties boundary is not a planning consideration and is a legal/ civil matter.
The proposed works would be contrary to legal covenants on the site which restrict the building depth and erection of structures in the rear garden area. This should be enforced by the	This is a legal/ civil matter and is not a planning consideration. It is not the responsibility of the Local Planning Authority to enforce this covenant.

planning department.	
The proposed car parking space would be difficult to manoeuvre into and may result in the loss of an on-street car parking space. Proposed car parking space is not safe.	The parking/ 'drop off' space has been removed and so these concerns are no longer considered to be issues.
Visual enclosure/ loss of outlook.	See paragraphs 8.29 – 8.55 of the report.
The use of copper cladding and black metal roofs is not supported as it will deteriorate in quality over the later years. The existing warehouse adds character, diversity and a sense of history to the Romsey area.	See paragraphs 8.11 – 8.28.
The garden could be poorly mismanaged to the detriment to the character of the area.	I do not consider it is reasonable or necessary to impose a condition to control the management of the garden. The garden would not be visible from public viewpoints and I do not consider a mismanaged garden would be detrimental to the character and appearance of the area.
The existing manhole covers outside the front of the building should be maintained.	This is a building regulation matter and not a planning consideration.
The asbestos should be safely removed.	The Environmental Health Team has recommended a condition relating to the safe removal of the asbestos and this has been applied accordingly.

Planning Obligations (s106 Agreement)

8.67 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.

8.68 The size of the development leads me to conclude that no obligations would be required towards any of the open space categories. For this scale of build, I am unaware of any specific project/s that the scheme could meaningfully contribute towards whilst meeting the CIL regulations.

9.0 CONCLUSION

9.1 In conclusion, I consider the proposed development would successfully contrast with the context of the site and would respect the character and appearance of the Conservation Area. The proposed development would provide a high quality living environment and would not harm the amenity of neighbouring properties to a significant extent. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

10. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. 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: To protect the amenity of the adjoining properties.
(Cambridge Local Plan 2006 policy 4/13)

11. 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: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy4/13

12. No development shall commence until details of facilities for the secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

13. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by 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)

14. The windows identified as having translucent glazing on drawing number (PP2000 Rev P1) shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwelling 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).

15. Prior to commencement of construction, with the exception of below ground works, a sample panel of the facing materials to be used shall be erected on site and full details of all non-masonry walling systems, cladding panels, other external screens, windows, external doors and roof covering materials shall also be submitted to and agreed in writing with the local planning authority. The development should be carried out in accordance with the approved details.

Reason: In the interests of visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the external materials is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

16. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority.

Reason: in the interests of highway safety (Cambridge Local Plan 2006 Policy 8/2).

17. The redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway (Cambridge Local Plan 2006 Policy 8/2)

18. Prior to commencement of development details of the summerhouse shown on drawing no.PP1000 Rev P1, including elevations and material types, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area and in the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

INFORMATIVE: The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

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 applicant's 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.

No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

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: Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

-Control of dust and emissions during construction and demolition - supplementary planning guidance

https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

INFORMATIVE: Traffic Management Informative

The principle areas of concern that should be addressed are:

i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)

ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).

iii. Movements and control of all deliveries (wherever possible 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.