

Application Number	16/0608/FUL	Agenda Item	
Date Received	5th April 2016	Officer	Charlotte Burton
Target Date	31st May 2016		
Ward	Abbey		
Site	1-7 Harvest House, Harvest Way And 19/19a Abbey Street Cambridge Cambridgeshire CB1 2FE		
Proposal	Change of use from student accommodation (9 units) to use Class C3 residential to create 7No. studios and 2No. 1 bed flats.		
Applicant	N/A C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The loss of student use is acceptable in principle;</p> <p style="padding-left: 40px;">The proposed residential use would be compatible with neighbouring uses;</p> <p style="padding-left: 40px;">The residential use would not generate an additional demand for on-street car parking so as to have a significant adverse impact on the amenity of neighbouring properties; and</p> <p style="padding-left: 40px;">The future occupiers would have an adequate level of amenity.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Nos. 1-7 Harvest House and Nos. 19/19a Abbey Street are located on the southern side of Harvest Way on the corner with Abbey Street. Nos. 1-7 Harvest House are studio apartments in a two storey plus attic storey block with communal access.

Nos. 19/19a Abbey Street are studio apartments with separate accesses from the street.

- 1.2 The units are currently occupied by students on private lets. The restriction on the occupation of the units is for students attending a full time course at the University of Cambridge or Anglia Ruskin University (not precluding the use for the provision of residential accommodation or persons attending a conference when the units are not in use for student accommodation) is controlled by a S106 Agreement on the original consent (07/1314/FUL).
- 1.3 The site forms the northern side of a perimeter block bounded by Harvest Way, Abbey Street, New Street and Simperts Way. The remaining properties on the block are two storey terraces in residential use. The courtyard provides private rear gardens and car parking which is accessed via New Street. The surrounding area is predominantly residential, although the site is within close proximity of the commercial units along Newmarket Road.
- 1.4 On the ground floor are 4 no. undercroft car parking spaces which are used by the nearby residential units. A further 1 no. disabled parking space is provided which is designated for use in association with the student units. There is an integrated communal cycle and bin store with access from Harvest Way and the courtyard.
- 1.5 The site does not fall within a conservation area, and the buildings are not listed or a building of local interest. The site falls outside the controlled parking zone. The site is not allocated in the Cambridge Local Plan (2006).

2.0 THE PROPOSAL

- 2.1 Change of use from student accommodation (*sui generis*) to use Class C3 residential to create 7 no. studios and 2 no. 1 bed flats. There would be no changes to the appearance of the buildings or the external spaces. The new occupants would have use of the bin and bike store and the 1 no. disabled parking space. The existing 13 no. semi-vertical cycle racks would be replaced by 5 no. Sheffield hoops which would provide space for parking 10 no. cycles.

2.2 The application is accompanied by the following supporting information:

1. Drawings
2. Planning Statement

3.0 SITE HISTORY

Reference	Description	Outcome
07/1314/FUL	Erection of 9 student units.	Approved subject to conditions
C/99/0314/FUL	Erection of 24 two storey houses following the demolition of the existing buildings.	Approved subject to conditions

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 4/13 5/1 8/2 8/6 8/10 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:

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.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 Commented that the information provided is unclear as to car parking provision: the application shows a number of car parking spaces within the site, yet the application form has no reference to car parking. Please obtain clarification on this issue.
- 6.2 In either case the site provides car parking at a level of less than one space per unit and so the development is considered likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.

Environmental Health

- 6.3 Commented that in the interests of amenity, the standard construction hours condition is recommended.

Refuse and Recycling

- 6.4 No comments received.

Cambridgeshire County Council (Flood and Water Management)

- 6.5 No comment to make on this application.

Policy Section

- 6.6 No comments received.
- 6.7 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 **neutral** representations:

- 10B Abbey Street
- 23 Abbey Street

7.2 The owners/occupiers of the following addresses have made representations to **object** to the proposal:

- 21 Abbey Street

7.3 The representations can be summarised as follows:

- Change of use to residential would put a demand on on-road parking compared to the existing student use, which would add to the already difficult parking situation in the area.
- There are two adjacent large developments about to be completed and populated with only 50 car parking spaces but about 140 accommodation units. There are other large buildings in the neighbourhood which are restricted to student accommodation and thus keep cars down in the area.
- Any change of use should be conditional on securing contributions towards a residents' parking scheme.
- Harvest House has an existing planning permission which is best left without any change of use permitted.

7.4 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
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car parking
7. Cycle parking
8. Disabled access

9. Third party representations

Principle of development

- 8.2 The lawful use of the units is for student accommodation which is controlled by a S106 Agreement on the original consent (07/1314/FUL). The change of use would allow unrestricted occupation of these units for residential use under C3 (dwellings) use class. There are no adopted policies which restrict the change of student accommodation to other uses and therefore the loss of student accommodation is acceptable in principle.
- 8.3 The change of use is considered to be residential development on a windfall site and therefore policy 5/1 applies. This policy supports residential development on windfall sites, subject to the existing land use and compatibility with adjoining uses. For the reasons given below, in my opinion, the proposed residential use would be compatible with adjoining uses, and therefore the proposal is compliant with policy 5/1 and the residential use is acceptable in principle.

Context of site, design and external spaces

Scale and massing / External appearance

- 8.4 There would be no change to the scale and massing of the built form or the appearance of the buildings.

Movement, access and layout

- 8.5 There would be no change to the existing access arrangements to the units which in my view are suitable to serve the residential use of the units. Nos. 1-7 Harvest Way would continue to be accessed via the existing communal access from Harvest Way and from the courtyard into a central stair core. Nos. 19 and 19A Abbey Street would continue to have separate accesses from Harvest Way and Abbey Street respectively.
- 8.6 All units would have access to the communal cycle and bin store, which is considered to be acceptable for the reasons set out in the section below.

- 8.7 The provision for disabled users is also considered elsewhere in this report, and in summary, would be acceptable in my opinion as there would be no change to the existing situation.

Open space and landscape

- 8.8 The existing landscaping consists of a small amount of low-level planting behind the metal boundary fence along parts of the Harvest Way and Abbey Street frontages. There would be no change to the external landscaping which in my view is acceptable in terms of the impact on the character of the area as it is an existing situation.
- 8.9 The level of outdoor amenity space in terms of the impact on the amenity of future occupiers is considered in the section below.
- 8.10 In summary, as there would be no change to the scale and massing; external appearance; access and layout; and open space and landscaping compared to the existing situation, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential amenity

Impact on amenity of future occupiers

- 8.11 The units would have a floor space of between approximately 25 sqm – 42.5 sqm. Future occupiers are likely to be single people who's lifestyle and requirements are likely to be similar to the existing student occupiers, and in my view, the amount and quality of the accommodation is acceptable.
- 8.12 The existing units have no outside amenity space, however, as the future occupiers are likely to be single people similar to the existing student occupiers, I do not consider that this would have an unacceptable impact on the amenity of future occupiers compared to the existing occupiers. The site is within a two minute walk to St Matthew's Piece and is not far from Midsummer Common so the site has good access to amenity space.
- 8.13 Nos. 19 Abbey Street and 1 Harvest House have ground floor windows that look out onto the public highway. These windows

already serve bedroom space for the existing student units. There is some defensible space and landscaping in front of the windows serving No. 1 Harvest House which reduces any potential over-looking, however there is no opportunity to enhance the landscaping on the Harvest Way/Abbey Street corner as the area in front of the building is public highway. In my opinion, while the existing situation does afford some over-looking into the two ground floor units, the impact would be no worse than existing.

- 8.14 There is one window serving a bathroom on the Harvest Way elevation at first floor level for No. 19A Abbey Street, however this is already obscure glazed. There is one window on the rear elevation serving a bathroom to No. 2 Harvest House looking out towards the courtyard at first floor level which does not appear to be currently obscure-glazed. Whilst this is an existing situation, given the large number of people who use the car park within the courtyard and the unit would be occupied year-round under the proposed residential use, a condition is recommended to ensure this is obscure-glazed to protect the privacy of future occupiers.
- 8.15 In summary, subject to the recommended condition, the proposal adequately respects the residential amenity of future occupiers and, in my opinion, is compliant with Cambridge Local Plan (2006) policy 3/4.

Impact on amenity of neighbouring occupiers

- 8.16 The surrounding area is predominantly residential, including the other units within the courtyard. In my opinion, the proposed residential use is compatible with the neighbouring properties as it would be the same use class. There would be no change to any windows which would cause any over-looking of neighbouring properties compared to the existing situation. I do not consider that the year-round occupation of the units for residential use would have any significant adverse impact on the residential amenity of neighbouring properties.
- 8.17 Third parties have raised concerns that the residential use would generate an increase in demand for car parking in the area which would increase pressure on the existing on street car parking and have an unacceptable adverse impact on neighbouring amenity. The existing student use is controlled

through a S106 Agreement which restricts students from bringing cars into Cambridge, other than those permitted under proctoral controls (07/1314/FUL). There is also a condition on the original consent for a management scheme to ensure that future occupants do not keep cars in Cambridge to be approved and brought into operation prior to occupation (condition 8).

- 8.18 While I acknowledge that the proposed residential use would not be subject to the same controls to restrict future occupiers from owning cars, in my view, the future occupiers are not likely to generate a substantial demand for car parking compared to the existing situation. The site is outside of the controlled parking zone where on-street parking is available for residents and visitors, as well as others using the nearby shops and services. As stated above, the future occupiers are likely to be single people who have less need for private car use. The site is in a highly sustainable location close to the bus services along Newmarket Road and the bus interchange at the Grafton Centre, as well as walking and cycling distance to the city centre. There is also a car club space nearby on Sleaford Street and Norfolk Street.
- 8.19 The Council's adopted car parking standards are maximum standards and therefore the residential use does not need to provide car parking in order to meet the adopted policy. Therefore, notwithstanding that I do not consider there would be a significant demand for on-street car parking due to the reasons given above, in my opinion there would be no policy justification for refusing the change of use on the basis of the lack of car parking. An informative is recommended for future occupiers to be advised of the car club nearby. In my opinion, the lack of car parking would comply with policy and would not have an unacceptable adverse impact on neighbouring amenity.
- 8.20 The Environmental Health Officer has recommended a condition to restrict construction hours, however as there are no external works proposed that require planning consent and the minor internal rearrangements proposed could be undertaken without planning permission, I do not consider it would be reasonable to impose this condition.
- 8.21 In summary, subject to a car club informative, the proposal adequately respects the residential amenity of its neighbours

and the constraints of the site and, in my opinion, is compliant with Cambridge Local Plan (2006) policies 3/4 and 8/10.

Refuse arrangements

8.22 Refuse and recycling storage for all units would be provided using the existing bin store. This is located on the ground floor with access via Harvest Way and from the internal staircase. This provides space for communal bins to meet the adopted standards. The furthest distances from the units to the storage area would be:

- from No. 19 Abbey Street approximately 29m which is acceptable;
- from Nos. 6 and 7 Harvest House on the second floor approximately 32m and 36m respectively. While this is above the acceptable guidance of 30m, this is because of the two flights of stairs. As the entrance to the bin store is only approximately 8m from the communal entrance to the building and there is a secondary internal access to the bin store from the staircase, in my view this would be a convenient location for users and is acceptable.

8.23 The drag distance to the public highway for collection would be 2m which is acceptable. In my opinion, the proposal is compliant with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012).

Highway safety

8.24 The existing vehicle access to the 1 no. disability space would be via the existing gated entrance to the courtyard from New Street. The units would continue to be accessed via the pedestrian entrances from Harvest Way and Abbey Street. The Highways Authority has raised no objection in terms of highway safety and I agree with this assessment. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car parking

8.25 There are no car parking spaces for the units except for 1 no. disability space and this would remain the same. This is acceptable in accordance with the adopted standards which set

maximum levels of car parking outside of the CPZ and thus there is no requirement for car parking spaces to be provided with residential development. In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle parking

- 8.26 The number of cycle parking spaces would be reduced from 13 no. semi-vertical stands to 5 no. Sheffield hoops providing 10 no. spaces. This would meet the adopted standards of 1 no. space per bed and would provide 1 no. visitor space. The Sheffield hoops would also be more useable for future occupiers and would be in an existing centrally-located and integrated secure store. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/6.

Disabled access

- 8.27 There is currently no lift access and limited disabled access through the building. As this is an existing situation, it is not considered reasonable to require the applicants to improve the access for disabled users. 1 no. disability car parking space will continue to be provided within the courtyard which meets the parking standards. In my opinion, as the disabled access would not be made any worse than the existing situation, this is acceptable.

Third Party representations

- 8.28 The principle of change of use is addressed in paragraphs 8.2-8.3 above.
- 8.29 The lack of car parking and impact on demand for on-street car parking and neighbouring amenity is considered in paragraphs 8.17-8.19 above.

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 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. The window on the south elevation at first floor level serving the bathroom of No. 2 Harvest House shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use 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).

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.