

Application Number	16/1281/FUL	Agenda Item	
Date Received	14th July 2016	Officer	Michael Hammond
Target Date	8th September 2016		
Ward	Petersfield		
Site	20 Devonshire Road Cambridge Cambridgeshire CB1 2BH		
Proposal	The redevelopment of three existing residential flats and demolition of commercial workshop to create 6 new residential units with associated cycle and bin storage and new landscaped amenity spaces.		
Applicant	Mr K Mahon C/O Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed development would respect the amenities of neighbouring properties. - The proposal would be in keeping with the character and appearance of the Conservation Area. - The proposal would provide an appropriate living environment for future occupants.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site, no.20 Devonshire Road, is comprised of three residential flats and a commercial workshop (B1c) situated on the west side of Devonshire Road. The main building fronting Devonshire Road is a two-and-a-half storey building constructed in brick with a steep pitched roof, higher than the two nearest neighbouring properties, and hosts the three residential flats. The commercial workshop buildings are situated to the rear of

the site and are accessed through a large garage door on the front elevation of the main building. The workshop buildings are currently in a dilapidated state and are single and two-storey in scale with a mixture of roof forms and architectural forms.

- 1.2 The gardens of properties along St Barnabas Road back onto the application site from the west and to the north and south are semi-detached and terraced properties. The site is situated in a predominantly residential area.
- 1.3 The site falls within the Central Conservation Area, the Controlled Parking Zone and within the Air Quality Management Area.

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for the redevelopment of three existing residential flats and the demolition of the commercial workshop to create six new residential units with associated cycle and bin storage and new landscaped amenity spaces.
- 2.2 The main building on the site would be retained and alterations to the fenestration of the front elevation, including changes to windows, doors and dormers would take place. The building would be extended at two-storey level out to the rear by approximately 3.1m at full-width with the end of the extension staggered inwards to prevent the extension from breaking the 45° line of neighbouring windows. The proposed two-storey extension would be designed with a flat green roof. A long part-single and part-two storey extension is proposed to the side and rear of the site, hard up against the western and northern site boundaries. The single-storey element would be designed with a mono-pitched roof measuring 2.5m to the eaves and approximately 3.95m to the ridge. The proposed two-storey element would be situated to the rear of the site and would be designed with a dual-pitched roof, measuring 3.8m to the eaves and 5.5m to the ridge.

2.3 The proposed site layout would be as follows:

Ground-floor

- Cycle and bin-storage would be situated behind the front garage door area of the main building.
- Flat 1, one-bedroom flat (38m²) with a small private threshold outdoor decking space.
- Flat 2, one-bedroom flat (42m²) with a small private threshold outdoor decking space.
- Ground-floor of maisonette (60m²) and private courtyard/garden.
- Communal courtyard garden.

First-floor

- Flat 3, one-bedroom flat (38m²).
- Flat 4, one-bedroom flat (40m²)

Second-floor

- Flat 5, two-bedroom flat (60m²)

2.4 The proposed works would be carried out predominantly in brick with the roof of the main building in slate to match the existing. The roofing of the proposed extensions would be predominantly in zinc cladding.

3.0 SITE HISTORY

3.1 There is no planning history.

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 3/10 3/11 3/14 4/4 4/11 4/13 4/14 5/1 5/2 7/3 8/2 8/4 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 Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010) Air Quality in Cambridge – Developers Guide (2008) Roof Extensions Design Guide (2003)

	Buildings of Local Interest (2005)
	<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)

- 6.1 Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

Environmental Health

- 6.2 No objection subject to the following conditions:

- Construction Hours

- Collection During Construction
- Piling
- Dust
- Contaminated Land
- Dust Informative
- Asbestos Informative

Refuse and Recycling

6.3 No objection.

Urban Design and Conservation Team

6.4 No objection, subject to the following conditions:

- Details of verge detailing.
- Method statement of demolition/ salvation of materials.

Cycling and Walking Officer

6.5 No comment received.

Landscape Team

6.6 The application is not supported. The size and quality of the communal courtyard garden space is unacceptable. The level of light reaching the outdoor spaces and size of the garden is unacceptable.

Tree Officer

6.7 No comment received.

Consultations with Service Managers

6.8 I have consulted the following Service Managers regarding potential mitigation measures to address demands for Informal Open Space/PlaySpace, Indoor/Outdoor Sports Facilities and Community Facilities.

6.9 No comments have been received from the Service Managers.

6.10 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:

21 Devonshire Road	22 Devonshire Road
23 Devonshire Road	42 Devonshire Road
42 St Barnabas Road	

7.2 The representations can be summarised as follows:

- The previous owner only had two bed-sits and not three flats.
- Overdevelopment of the plot.
- The maisonette appears as a dominating structure.
- Could be 12 people living on-site with associated noise and disturbance.
- Impact on on-street parking.
- The proposal would have a negative impact on neighbour's house value.
- How will neighbour's wall be protected/ incorporated with the proposed works?
- Wood burner chimney may create odour issues.
- Under provision of cycle parking
- Cycle parking would be difficult to manoeuvre.
- The green bin is too small.

7.3 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 new dwellings on the site is acceptable.
- 8.3 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.
- 8.4 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.
- 8.5 However, in assessing the loss of the industrial floorspace pragmatically, it is acknowledged that the workshop has been vacant for an extended period of time. 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.

- 8.6 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.
- 8.7 Policy 3/10 of the Cambridge Local Plan (2006) states that residential development within the garden area or curtilage of existing properties will not be permitted if it will:
- a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;
 - b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;
 - c) detract from the prevailing character and appearance of the area.
 - d) adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site.
 - e) adversely affect trees, wildlife features or architectural features of local importance located within or close to the site.
- 8.8 In this instance, Section (f) of the policy is not relevant as the proposal would not prejudice the comprehensive development of the wider area.
- 8.9 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of single residential properties into self-contained dwellings will be permitted except where:

- a) the residential property has a floorspace of less than 110 square metres.
- b) the likely impact upon on-street parking would be unacceptable.
- c) the living accommodation provided would be unsatisfactory.
- d) the proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
- e) the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

8.10 The proposal has been assessed against policies 3/10 and 5/2 of the Cambridge Local Plan (2006) and is deemed to be compliant for the reasons set out in the relevant chapters below.

8.11 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 7/3, 3/10, 5/2 of the Cambridge Local Plan (2006).

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

Principle of demolition of workshop buildings

8.12 The proposed demolition of the workshop buildings is considered to be acceptable as the buildings are not considered to have any positive contribution to the character and appearance of the Conservation Area. The buildings are in poor condition, are of no significant architectural merit and are not visible from any public viewpoints. The Conservation Team has raised no objection to the loss of these buildings and I agree with this advice.

Front (East) Elevation

8.13 At present, the fenestration of the front elevation is perceived as lacking coordination as the elevation fails to exhibit a strong sense of a hierarchy or rhythm between windows and doors. The proposed works would involve re-aligning the central first-floor window above the front door, changing the window

designs to sash style windows and replacing the existing dormers with zinc clad dormers. The proposed dormers have been positioned in line with the first-floor windows below which would appear more coordinated than the existing fenestration. The re-painting of the brick wall and re-tiling of the roof would also help to rejuvenate the appearance of the building. The Conservation Team is supportive of the works to the front elevation and I agree with this advice.

Proposed two-storey extension and rear dormers to original building

- 8.14 The two existing rear dormers are oddly proportioned and do not correlate to one another. The proposed three dormers would be of identical space and consistently spaced on the rear roof plane.
- 8.15 The proposed two-storey extension to the original building is considered to be acceptable from a design perspective. There would be a recessed element in-between the extension which helps to break up the massing on the rear elevation. The use of large Juliet balcony style windows and proposed sedum green roof would provide a successful contrast to the more traditional forms of development in the surrounding area and stand out as interesting features. The Conservation Team is supportive of the proposed rear extension.

Proposed single-storey and two-storey extension adjacent to north and west boundaries

- 8.16 The proposed extensions into the rear of the site would be constructed in a herringbone pattern which would enable these extensions to be read as later additions to the original building. The proposed extensions have been deliberately designed to follow a similar footprint and scale to that of the existing workshops, primarily for reasons of protecting neighbour amenity. In my opinion, the proposed extensions would be a significant aesthetical improvement to the area when compared to the poor quality workshop buildings already on-site.

Landscape

- 8.17 It is acknowledged that the Landscape Team has raised concerns regarding the size and quality of the amenity space. In

terms of the amenity for future occupier's aspect of landscaping, this is addressed in paragraph 8.40 of this report. In my opinion, the proposed communal courtyard garden and maisonette garden would be a significant improvement compared to the existing landscaping on-site. There is only a small parcel of non-developed space on-site which is of relatively low quality and not a desirable or attractive space for future occupiers given that it is surrounded by workshop buildings. The proposed communal courtyard garden would be of a greater size than the existing outdoor space and the use of timber decking, benches and low level planting would provide relief to the large expanses of development and hard standing presently on-site. A hard and soft landscaping condition has been recommended. A tree survey has been undertaken which demonstrates that there would need to be some light branch and root pruning of the tree in the garden of no.21 Devonshire Road. I have recommended a tree protection condition to ensure that full details of the protection measures are provided prior to the commencement of the works.

Impact on BLI's of St Barnabas Road

- 8.18 The row of terraced properties to the west of the site are identified as Buildings of Local Interest (BLI). The application site would be over 40m away from the nearest of these buildings. This separation distance is considered to be significant and the proposed redevelopment of the site would therefore not detract from the special interest of these nearby BLIs.

Summary

- 8.19 In my opinion, the proposed development would enhance the character and appearance of the Conservation Area. The proposed works would improve the aesthetical quality of the site and revitalise what is a relatively dilapidated site. The Conservation Team is supportive of the proposed works, subject to conditions, and I agree with this advice.
- 8.20 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/14, 4/4, 4/11 and 4/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.21 The main consideration is the impact of the proposed works on nos.19 and 21 Devonshire Road. The separation distance of 40m from the nearest windows of St Barnabas Road to the west is considered sufficient to ensure these neighbours would not be adversely affected by the proposed development.

Impact on no.19 Devonshire Road

- 8.22 No.19 Devonshire Road is comprised of a two-storey terraced property situated to the north of the application site. Permission was granted at this neighbouring property (07/0333/FUL) for a roof extension and the site appears to be used as seven bedsits.
- 8.23 The proposal is not considered to harmfully overlook this neighbour. There are no windows proposed on the side (north) elevation other than rooflights which would serve for natural lighting purposes and would not offer any direct overlooking opportunities due to the position of these roof lights high in the roof plane. The views from the proposed dormer and first-floor windows would be similar to the existing rear outlooks which allow for views across this neighbour's garden.
- 8.24 The proposed works would be situated to the south of this neighbour and consideration of the impacts of overshadowing needs to be taken into account. A shadow study has been produced which shows the levels of overshadowing at 12pm at all four equinoxes. This demonstrates that the levels of light reaching the garden of this neighbour would actually be improved by the proposed works due to the change in roof form from the existing high flat roof of the workshop building to the pitched roof of the proposed maisonette. The shadow study does show that there would be a greater shadow cast over the side windows of the two-storey rear projecting wing of no.19 during the autumnal and vernal equinoxes, which is probably because of the additional mass of the proposed flat roof two-storey extension to the original building. Although the shadow study is limited to 12pm, it is anticipated that the levels of light reaching the side windows of this neighbour after 1pm would be similar to that of present. Therefore, whilst the levels of light

reaching the side windows of this neighbour would be reduced at 12pm, I am of the view that there would still be sufficient levels of light reaching the affected side windows for the remainder of the afternoon.

- 8.25 In my opinion, the proposed extensions would not visually dominate this neighbour's main outlooks. The floorplans demonstrate that the 45° line from the nearest rear facing windows would not be interrupted by the proposed two-storey rear extension. There are two ground-floor side windows on the rear projecting wing of no.19 which both serve a bedsit. The proposed two-storey rear extension would be prominent from the eastern-most window of this neighbouring bedsit. The western-most window however would not be significantly impacted by the two-storey extension by virtue of its position further to the rear of the site. As this bedsit is an open plan room and would still have an acceptable outlook to the south from the western-most window, I consider the proposal would not visually harmfully enclose this neighbouring property. The proposed elevation drawings outline the position of the existing workshop in red and this demonstrates that the proposed extensions to the rear of the site would not protrude any higher than the existing workshop building. The existing flat-roofed two-storey workshop building would be replaced with a dual pitched two-storey building which would appear much softer along the garden boundary of this neighbour due to the slope of the roof breaking up the perceived massing. In my opinion, given that the proposed extension up to the rear and side boundary would be of a comparable scale and mass to the existing workshop building, the proposal would not visually dominate this neighbour's outlooks or garden any more than at present.

Impact on no.21 Devonshire Road

- 8.26 No.21 Devonshire Road is a two-storey terraced property situated to the south of the application site. This neighbouring property has been extended at two-storey and roof level.
- 8.27 With respect to overlooking, I am of the view that this neighbour's privacy would not be compromised by the proposed development. The views from the proposed rear roof and first-floor level windows would be similar to that of present whereby outlooks across this neighbour's garden are already possible.

The views from the proposed ground-floor side window would effectively be self-enclosed by the 3.2m high wall running along the side (south) boundary. The first-floor maisonette south facing window would allow for views across the rear part of this neighbour's garden. The views from this window towards the eastern-most half of this neighbour's garden and rear windows would be relatively oblique and would not offer a direct window-to-window relationship. In my opinion, the view from the first-floor maisonette window would not harmfully overlook this neighbour.

8.28 In terms of overshadowing, as this neighbour is situated immediately to the south of the application site, I am confident that no harmful overshadowing of this neighbour would arise from the proposed development.

8.29 In my opinion, the proposed works would not visually dominate this neighbour's main outlooks. The proposed two-storey rear extension has been purposefully tapered in its design to avoid interrupting the 45° line from the neighbour's nearest first-floor bedroom window. This neighbour does have a ground-floor rear window in close proximity to the site which is currently partially enclosed by the 3m deep single-storey extension on-site. This neighbouring window is also self-enclosed by the large tree in the garden of no.21. The proposal would effectively have an additional storey on top of this which would inevitably be more visually dominant than existing. Notwithstanding this, there would be improvements to the outlooks for this neighbour by way of removing the large expanse of the 3.4m high workshop building that is hard up against the boundary of this neighbour. The proposed extensions would be deliberately pushed away from this neighbour's boundary to provide relief to the views out to the north of this neighbour. The 3.4m high workshop building would be replaced by a 3.2m high wall. This wall would be approximately 2.2m high when taken from the neighbour's ground level as the communal garden is sunken below the current ground level. This in my opinion would be a noticeable improvement to the quality of this neighbour's amenity. Overall, whilst the proposed two-storey rear extension would increase the level of enclosure to the nearest ground-floor rear window of no.21, I consider the benefits provided by the removal of the large workshop buildings against the boundary of this neighbour, and subsequent shifting of the built

footprint away from this boundary, would mitigate this impact and improve the outlooks for this neighbour.

Noise and Disturbance

- 8.30 It is acknowledged that neighbours have raised concerns regarding the proposed number of people on-site and the associated comings and goings with this level of development. There would be a net increase of three residential units resulting from the proposed scheme, although the actual increase in bedrooms on-site would be one. Nevertheless, the intensification of the site would generate a level of noise from the associated comings and goings which needs to be assessed.
- 8.31 The existing context of the site is an important factor in assessing the comparable impact of the proposed development. The noise associated with the activities of a commercial workshop, coupled with the comings and goings in terms of staff movements, is considered to be inappropriate in this residential area. The introduction of the proposed amenity spaces would inevitably introduce a new form of noise and disturbance given that the existing flats on the site do not have any practical amenity space due to the commercial workshop. However, as the site is located in a residential context where the vast majority of properties are subject to noise from residents using outdoor garden spaces, I do not consider the presence of people using the communal garden would be unreasonable. Furthermore, bins and cycle storage would be situated internally at the front of the site and so the only movements in the rear garden area would be from future occupants enjoying this space, rather than moving bins and cycles.
- 8.32 Overall, whilst I appreciate that for the immediate neighbours the intensification of the site and expansion of the outdoor amenity space would be different to that of present, the noise and disturbance associated with this residential development would not be significant enough as to have an adverse impact on neighbour amenity. The proposed use would have a greater compatibility with the surrounding uses than the existing commercial workshop which, if brought back into use, could potentially have a worse impact on neighbour amenity.

Car Parking

- 8.33 Objections have been received in relation to the pressure the proposed development would put on car parking on the surrounding streets. The proposal is a car free development which is in accordance with the maximum car parking standards of the Cambridge Local Plan (2006).
- 8.34 The site is situated within the Controlled Parking Zone, as is the vast majority of the surrounding area of Petersfield. The nearest streets that are not covered by the Controlled Parking Zone are Hooper Street (415m north), Argyle Street (400m east) and Great Eastern Street (400m north-east). The Highway Authority has explained that the future occupants would not qualify for residents parking permits. In my opinion, the presence of the Controlled Parking Zone and considerable distance from any nearby streets would act as a deterrent to car use for future occupants.
- 8.35 The proposal would provide seven cycle parking spaces in a secure covered space at the front of the building which is in accordance with the minimum standards of the Cambridge Local Plan (2006). The site is approximately 115m from the Mill Road West District Centre which would provide local shops and services within walking distance of the site. There are also frequent bus services along Mill Road and the railway station to the south, both within walking distance, which would provide public transport links to the wider area. The site is also within walking and cycling distance of the City Centre. In my opinion, the site is considered to be highly sustainable and I do not consider there would be a dependency on private car as a means of transport.
- 8.36 In summary, I consider the absence of car parking acceptable due to the disincentive car parking environment in the area and the incentives there are to walking, cycling and public transport as a means of travel. The proposal would not adversely impact on neighbour amenity in this respect.
- 8.37 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, 3/7, 3/10 and 5/2.

Amenity for future occupiers of the site

- 8.38 The proposal would provide 5no. one-bedroom units and one two-bedroom unit. The internal floor areas are listed in paragraph 2.3 of this report. The City Council has not formally adopted any internal space standards. Nevertheless, in what is a urban area, the quantity of space provided internally is considered to be reasonable given the level of development proposed on the site. All habitable rooms would be served by acceptable outlooks.
- 8.39 The one-bedroom maisonette would have its own private garden and flats 1 and 2 on the ground-floor would have their own private decking space surrounded by planting to create a defensible space. Flats 3, 4 and 5 on the upper floors would not have any of their own private amenity space. There would however be a communal courtyard garden that would be surrounded by planting and provide over 40m² of outdoor amenity space for these future occupants. Technically the courtyard would be available for the use of all residents but as flats 1, 2 and the maisonette would have their own private thresholds, it is anticipated that the communal courtyard would be predominantly used by flats 3, 4 and 5. On balance my view is that the arrangement proposed is acceptable.
- 8.40 The agent has submitted detailed shadow studies which demonstrate that between 11:30AM and 2:30PM more than half of the amenity space would receive a minimum of 2 hours of sunlight on 21st March, in accordance with BRE guidance. I therefore consider the levels of light reaching this outdoor space would be acceptable.
- 8.41 In my opinion 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, 3/10, 3/14 and 5/2.

Refuse Arrangements

- 8.42 The Refuse Team has raised no objection to the revised layout of the bin store and I agree with this advice.

8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10 and 5/2.

Highway Safety

8.44 No alterations to the public highway are proposed and the Highway Authority has raised no objection to the proposal.

8.45 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.46 Car parking has been addressed in paragraph 8.34 – 8.37 of this report. A car club informative and a residents parking scheme informative have been recommended.

8.47 The proposal would provide seven cycle parking spaces in a secure covered environment which accords with the minimum standards of the Cambridge Local Plan (2006). The Cycle Parking Guide for New Residential Developments (2010) document states that there should be a minimum of 500mm spacing between high-low cycle stands and the proposed cycle parking layout would accord with this.

8.48 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

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

<u>Comment</u>	<u>Response</u>
The previous owner only had two bed-sits and not three flats.	The application must be assessed on the basis of the information provided by the applicant. Having visited the site, the layout of the existing plans appears to correlate with the layout of the existing property. It may have been the case that the previous owner/ occupier decided

	not to rent out one of the rooms.
Overdevelopment of the plot.	The application site is already developed to a great extent. The proposed demolition and works would reduce the physical footprint of development. The proposal is considered in keeping with the Conservation Area and would not harm neighbour amenity.
The maisonette appears as a dominating structure.	The maisonette would be of a similar scale and mass to that of the existing workshop building. The proposed dual-pitched roof would help break up the massing compared to the existing workshop. The maisonette building is not out of character with the area or harm neighbour amenity.
Could be 12 people living on-site with associated noise and disturbance.	See paragraphs 8.31 – 8.33.
Impact on on-street parking.	See paragraphs 8.34 – 8.37.
The proposal would have a negative impact on neighbour's house value.	This is not a planning consideration.
How will neighbour's wall be protected/ incorporated with the proposed works?	This is a party wall civil/ legal matter and not a planning consideration.
Wood burner chimney may create odour issues.	This has been removed from the application.
Under provision of cycle parking Cycle parking would be difficult to manoeuvre.	See paragraph 8.48
The green bin is too small.	The Refuse Team has raised no objection to the proposed refuse arrangements.

Planning Obligations (s106 Agreement)

- 8.50 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements.

- 8.51 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.
- 8.52 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development. The service managers have not identified any relevant projects to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space/indoor sports facilities/outdoor sports facilities and community facilities.

Planning Obligations Conclusion

- 8.53 It is my view that planning obligations are not required in this case as there is no evidence to demonstrate where planning obligations will contribute towards and so the pooling of contributions would not pass the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 In conclusion, the principle of demolishing the workshop buildings and the subsequent development of three additional flats is considered to be acceptable. The proposed development would not give rise to unacceptable impacts on residential amenity and would provide a high quality living environment for future occupants. The Conservation Team is supportive of the proposed works and alterations to the front façade. Approval is recommended, subject to conditions.

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 set 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. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

11. 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)

12. 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

13. Full details to a large scale of the verge details shall be submitted for written approval. The use of barge boards will not be permitted unless otherwise agreed in writing by the local planning authority.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

14. Prior to the commencement of works, a method statement for the controlled demolition and strip out of the buildings, the salvaging of materials of construction [bricks, slates, etc.], architectural details [joinery, flooring,] and structural timber, etc. and the sustainable recycling of these materials shall be submitted to and approved in writing by the LPA. The LPA shall then be supplied with written proof of the successful recycling of the materials.

Reason: To ensure that the development minimises waste (Cambridge Local Plan 2006, policy 3/1)

15. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

16. Hard and soft landscaping: No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

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

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.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: Asbestos containing materials (cement sheeting) may be present at the site. The agent/applicant should ensure that these materials are dismantled and disposed of in the appropriate manner to a licensed disposal site. Further information regarding safety issues can be obtained from the H.S.E.

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: Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.