

Application Number	16/1087/FUL	Agenda Item	
Date Received	13th June 2016	Officer	Rob Brereton
Target Date	8th August 2016		
Ward	Abbey		
Site	423-425 Newmarket Road Cambridge CB5 8JJ		
Proposal	Demolition of existing and construction of 4no 1 bed and 1no studio, replacement flats.		
Applicant	R et M c/o Neale associates		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The development would not have a significant detrimental visual impact on the street. <input type="checkbox"/> The proposed new building would not have a significant detrimental impact on neighbouring properties or highway safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is on the north western side of Newmarket Road. The site contains two buildings which are both two storeys tall. Previously these buildings would have been terraced dwelling but both have been heavily altered. The first floors of these buildings are currently used as flat accommodation. The ground floors are vacant. Previously facing Newmarket Road there was a commercial unit involved with hiring employment. To the rear of these buildings there is a long single storey extension which fills the entire site. This is also currently vacant and previously contained a commercial laundry.

- 1.2 The site is not located within a Conservation Area or is within a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the demolition of existing buildings and construction of 4no. 1 bed and 1no. studio flats.
- 2.2 All existing buildings on site are proposed to be demolished. The proposed building is split level with the side adjoining No. 421 Newmarket Road/No. 2 Stanley Road being two and half storeys tall with a flat roofed dormer to the rear. The other half of the building adjoining No. 427 Newmarket Road is two storeys tall with a gable ended rear return.
- 2.3 The rear amenity space of this proposal has been reduced in depth (by 0.7 adjoining the boundary with No. 427 Newmarket Road) to widen the private right-of-way behind this site. Bin and cycle storage has been moved to a separate store across the rear lane. Soft landscaping has also been added to this space.
- 2.4 The application was submitted concurrently with application 16/1044/FUL, which is for the erection of a two storey end of terrace dwellinghouse adjoining No. 4 Stanley Road on land located to the rear of the site. Application 16/1044/FUL was approved by Committee. The subject application for the redevelopment of Nos. 423-425, Newmarket Road was deferred as it was discovered the land ownership adjoining No. 427 Newmarket Road was not fully taken into account in the proposed and existing plans. Accurate amended plans have since been received and neighbours re-notified. If any further letter of representation are received they will be dealt with on the Amendment Sheet prior to committee.

3.0 SITE HISTORY

Reference	Description	Outcome
C/96/0008	Change of use of ground floor from retail (Class A1) to car and van rental booking office at 423-425 Newmarket Road and use of vacant land at the rear of 22 Stanley Road as vehicle parking area in association with car rental	Approved

C/94/0688 booking office (sui generis).
 Change of use from retail shop (A1) to hot food take away (A3) -
 ground floor only. Refused

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 3/2 3/4 3/7 3/12 4/13 5/1 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)
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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 No detrimental impacts to highway safety are envisaged subject to a condition securing a Construction Management Plan. Concerns are raised that this development provides no off-street parking and may generate additional pressure on on-street parking in the surrounding area.

Environmental Health

- 6.2 No objection to the proposal subject to conditions limiting construction hours and delivery hours, piling and dust.

Urban Design

- 6.3 Urban Design objected to the original scheme as the proposed amenity space was inadequate for the number of units that

would share it. It was also considered the space being entirely hard surfaced and shared with the bin and bike store was not of an acceptable quality.

- 6.4 Urban Design support the amended scheme stating the relocation of the cycle and refuse stores to the rear of the 429-431 Newmarket Road increases the available amenity space at the rear of the proposed units.

Landscaping

- 6.5 Landscaping objected to the original scheme as they considered the proposed amenity space was not of a sufficient size or quality. They also stated the rear open space provided would be uncomfortable to use by any occupant other than the ground floor flats and that entering the rear of the site between the bins is not appropriate. I will report any further comments from the landscaping officer regarding the amended plans on the amendment sheet or orally at the meeting.

Drainage

- 6.6 No Objection.

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:

No. 427 Newmarket Road

- 7.2 The representation received on the original scheme can be summarised as follows:

- The proposed two storey rear return adjoin the boundary with No. 427 would overshadow and enclose the rear garden and solar panels of No. 427.
- The construction of the proposal would cause a lot of disturbance.

- Proposal would exacerbate existing drainage problem within an alleyway severely narrowed by 16/1044/FUL.
- If only an alleyway existed, bins would have to be put out on Stanley Road to be collected, and there is inadequate space on the pavement; put outside doors and windows on this side of Stanley Road.

7.3 The representation received on the amended scheme can be summarised as follows:

- Asbestos components have been disregarded as part of the demolition of some launderette huts.
- Indenting the front wall could weaken No. 427's front wall.
- Airflow and light will still be reduced to No. 427' rear garden.

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
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations

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 surrounding area is predominantly residential and it is, therefore, my view that the proposal complies with policy 5/1 of the Local Plan.

- 8.3 The principle of demolishing the current building on site is also acceptable in principle. This is because it is not of architectural merit and parts are in bad disrepair.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

Scale and Bulk

- 8.5 The submitted scheme retains the stepped roofline between the adjacent convenience shop (No. 2 Stanley Road) on the corner of Newmarket Road and Stanley Road and residential house (No. 427 Newmarket Road). The proposed replacement chimney between the application site and No. 2 Stanley Road retains the articulation of the roofline. The overall scale and massing is considered acceptable.

Impact on Streetscene

- 8.6 The building has been setback approximately 1m behind the existing building line and back edge of pavement and aligns with the corner of No. 2 Stanley Road. The area in front of the flat block comprises of a small entrance porch and thresholds which are defined by railings. It is therefore considered the design is in keeping with adjoining properties and the streetscene as a whole. The proposed window proportions of the front façade reflect adjoining properties and are an improvement from the current window openings.

Design of rear façade

- 8.7 The rear elevation reflects the modern building to the west, the footprint of the existing building and its relationship to its immediate neighbour to the east. This is considered an acceptable design solution that reflects its immediate surroundings.

Materials

- 8.8 Materials proposed include brickwork walls, timber windows and slate roof tiles on the pitched roofs. These would appear to be acceptable, however, further details will be sought via condition

to ensure the palette and quality of the materials are in keeping. Further details of the entrance porch are also conditioned including treatment, roof covering and glazing.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.9 Overshadowing and Enclosure

The occupant of No. 427 Newmarket Road has voiced concerns that the bulk of the proposal adjoining their boundary would have a detrimental impact on light to their property.

The existing two storey rear return nearest the boundary with No. 427 extends 2.8 metres, 0.9 metres away from said boundary. This existing element is 5 metres tall to eaves and 6.9 metres tall to ridge.

A two storey gable ended rear return extends 2.7 metres, 0.9 metres away from this boundary. This takes into account No. 427's ground floor bathroom. It then indents 0.3 metres and extends a further 2.3 metres. This element of the proposal is 5 metres tall to the eaves and 5.7 metres tall to ridge.

As recommended by 2015 BRE Guidance a 45 degree vertically falling plain was taken from the eaves of this element. This plain did not cut above the middle point of the kitchen/dining room of No. 427. This assessment therefore determines the loss of light to this room will not be of the significantly detrimental to warrant further formal daylight assessments. It is therefore considered on balance the loss of light to this room is acceptable. No other windows are considered to be detrimentally overshadowed using this test.

No. 427 has a 12 metre long rear garden and while some westerly light will be lost to this this garden it is considered much of this light was already curtailed by the development at No. 2 Stanley Road. It is noted that the design of the proposal has done much to try and make this impact as minimal as possible with indentation and a low eaves height. It is also noted currently the vacant storey single launderette is the entire depth of the site and proposal will demolish this, allowing more westerly light to the rear garden of No. 427 Newmarket Road. It

is therefore considered that the proposal would not create further enclosure impacts and would improve on the existing situation.

As the proposal does not surpass the rear façade of No. 2 Stanley Road no overshadowing or enclosure impacts are envisaged to this property. All other properties are considered to be located a sufficient enough distance away to dispel any detrimental overshadowing or enclosure impacts.

8.10 Overlooking

No windows directly overlook neighbouring properties. The amended design has only a single opening door to a Juliette balcony to both kitchen/dining rooms in the first floor. This will minimise any potential overlooking of the rear gardens of No. 421 Newmarket Road/No. 2 Stanley Road and No. 427 Newmarket Road.

The application for the proposed dwelling is 8.6 metres northwest of the first and second floor windows of the approved scheme to the side of No. 4 Stanley Road. These windows would face the side elevation of this proposed property and the three windows in this elevation would be obscurely glazed. This relationship is therefore considered acceptable.

- 8.11 Whilst there would be a degree of overlooking from newly created windows from the upper floors of the scheme, my view is that the impact on privacy would be minimal, especially considering the built-up nature of the surroundings. 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 3/12.

Amenity for future occupiers of the site

Amenity space

- 8.12 The latest amendments to the scheme have directly addressed the initial concerns raised by Landscaping and Urban Design Officers. The rear amenity space of the proposal has been marginally reduced in depth (by 0.7) and the private right-of-way behind the site widened to improve bin and cycle access for

occupants of properties that use it. The bins and bikes for the flats themselves have been relocated from the immediate rear into a separate store across the rear passageway and is within easy access of the site. Soft landscaping has been added to the rear of the flats as a result. I agree with Urban Design and Conservation Team that this has created an acceptable amenity space that is not dominated by bin and cycle storage and the use of soft landscaping improves its quality.

Outlook

- 8.13 All proposed openings are considered to give future occupiers of these flats an acceptable outlook and provide sufficient daylighting to the proposed apartments.
- 8.14 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 and 3/12.

Refuse Arrangements

- 8.15 The bin store has been relocated just to the rear of the garden and is considered satisfactory for the number of units proposed and complies with the RECAP Waste Management and Design Guide 2012. The left over passage, together with the development of application 16/1044/FUL, provides an acceptable width for wheeling bins to navigate on bin day at 1.4 metres for its majority of affected length.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.17 The Highway Authority does not have concerns regarding impacts on highway safety subject to a construction management plan being secured through condition. However, they note that the development is likely to impose additional parking demands upon the on-street parking on the surrounding streets which the planning authority may wish to consider.

8.18 Neighbours reiterate the concerns regarding adding further pressure to on-street parking, especially when viewed with approved application 16/1044/FUL. Policy 8/10 promotes lower levels of private car parking particularly where good transport accessibility exists. The subject building is located just off Newmarket Road which has excellent transport links to the city centre and contains many shops/services. Policy does not require a minimum level of parking to be provided and the small size of these units indicates to me that car ownership by future occupants is not a certainty.

8.19 The six secure cycle parking spaces to the rear are sufficient to comply with policy 8/6.

8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

8.21 Third Party Representations

Concern	Response
Overshadowing of No. 427's rear garden	See paragraph 8.10
Overshadowing solar panels	Not a planning consideration
Disturbance during construction	See paragraph 6.2
Drainage	See paragraph 6.6
Waste storage arrangement	See paragraph 8.18
Disposal of asbestos	Not a planning consideration however a condition will be added to ensure proper disposal.
Indenting the front wall could weaken No. 427's front wall	A building control consideration, not a planning consideration.
Curtailing airflow	Not a planning consideration.

9.0 CONCLUSION

The proposed development is considered in keeping with the adjoining buildings, as it would have similar proportions, design and use similar types of materials. The proposal would have a positive contribution to the streetscene when compared to the existing building which is of little architectural merit. The amended layout of the proposal would ensure access to the

rears of neighbouring properties and give future occupants a useable high quality space.

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. Prior to occupation the private right of way access to the north of the hereby approved dwelling must be constructed at the widths of 1.2 metres (at the entrance) and 1.4 metres (throughout the rest) of the access as shown on the approved block plan 16/1429/05 A and retained in perpetuity.

Reason: In the interests of residential access for bins and cycles (Cambridge Local Plan 2006 policies 3/4, 4/13 and 8/6).

4. 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

5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14).

6. 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)

7. 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)

8. 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)

9. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation requirements) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: To protect the amenity of future occupants of this development from high ambient noise levels in the area (Cambridge Local Plan 2006; Policy 4/13)

10. 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

11. The bin and cycle storage shall be provided in accordance with approved plans prior to the occupation of the new dwelling.

Reason: To ensure appropriate provision for the secure storage of bins and bicycles. (Cambridge Local Plan 2006 policy 3/12, 4/13 and 8/6)

INFORMATIVE: The principle areas of concern that should be addressed in the Traffic Management Plan 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.

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