

<b>Application Number</b>	18/1467/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	18th September 2018	<b>Officer</b>	Alice Young
<b>Target Date</b>	13th November 2018		
<b>Ward</b>	Petersfield		
<b>Site</b>	University Eye Clinic Anglia Ruskin University East Road Cambridge CB1 1PT		
<b>Proposal</b>	Infill of the existing undercroft.		
<b>Applicant</b>	Anglia Ruskin University Higher Education Corporation		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The proposed infill development, due to the scale, massing and materials, would not negatively impact the street scene and would not be out of character with the surrounding area.</li><li><input type="checkbox"/> The proposal would not cause any significant adverse impact on residential amenity.</li></ul>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site is a two storey detached building currently used as the University Eye Clinic. The site is bound on all sides by Bradmore Lane to the south, Palmers Walk to the east and Bradmore Street to the north and sits opposite the rear of the residential properties in Petersfield Terrace. The site falls just outside the Mill Road Conservation Area extension of the Central Conservation Area which includes parts of Bradmore Street and Palmers Walk.
- 1.2 The application has been called into Committee at the request of Councillor Robertson.

## 2.0 THE PROPOSAL

- 2.1 The proposal is to infill the existing undercroft which is located on the south-western corner of the building and is currently used as a bin storage area for local residents, mainly those of Petersfield Terrace.
- 2.2 An accompanying letter submitted by the applicant's agent explains that the undercroft area has been subject to rough sleeping and anti-social behaviour issues. This has resulted in some disturbance to neighbouring properties and has also led to bins encroaching on Bradmore Lane and obstructing access. Therefore, the University has proposed to infill the undercroft area in order to address this issue.

## 3.0 SITE HISTORY

Reference	Description	Outcome
10/1272/FUL	Erection of D1 educational building and external alterations to electricity sub-station.	Granted
10/0494/FUL	Erection of a single storey building to house a Ring Main Unit.	Granted
09/0691/FUL	Temporary site accommodation at Bradmore Street in relation to the redevelopment of Anglia Ruskin University Campus.	Granted
09/00069/REFUSL	Erection of D1 educational building and external alterations to electricity sub-station.	DISMIS
08/1575/FUL	Erection of D1 education building following demolition of Rackham Building and relocation of cycle store.	Granted
08/1579/FUL	Erection of D1 educational building and external alterations to electricity sub-station.	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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Local Plan 2018		28
		43
		55 56 58 59

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

Central Government Guidance	National Planning Policy Framework July 2018  National Planning Policy Framework – Planning Practice Guidance March 2014  Circular 11/95 (Annex A)
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)

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The Highway Authority has no comment to make upon this application.
- 6.2 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:
- ☐ 1 Petersfield
  - ☐ 4 Petersfield
  - ☐ 8 Petersfield
  - ☐ 10 Petersfield
- 7.2 The representations can be summarised as follows:
- ☐ The bin store was included in the planning application for the eye clinic to provide residents of Petersfield Terrace (which backs onto Bradmore Lane) with a dedicated area for bins under historic easement.
  - ☐ Infilling the undercroft would be contrary to a condition of the planning permission for the eye clinic
  - ☐ The removal of the bin store would negatively impact the amenity of Petersfield residents as they would then have to store their bins within their shallow and narrow back yards
  - ☐ Increase of noise, disturbance and anti-social behaviour
  - ☐ On bin collection days, the narrow lane would be unpassable for cars
- 7.3 Councillor Robertson has objected to the application for the following reasons and asked that it be called in to Committee if Officers are minded to support the application.
- ☐ ARU agreed to continue the use of the undercroft as a bin store for Petersfield residents and the proposed infill would cause a loss of bin storage for Petersfield residents and consequently a loss of amenity.
  - ☐ Within the approved plans for the Eye Clinic (10/1272/FUL), the plans showed the inclusion of a bin store which could be used

for residents. This was confirmed in a document which informed the discharge of Condition 17 (waste).

- Although the provision of the bin store was not the subject of a condition of the approval of the application, it was an element of the approved scheme and one which the residents had been promised by ARU.
- The building was constructed on land where nearby residents had stored their refuse for many years.

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. Third party representations

### **Principle of development**

8.2 Policy 58 outlines that alterations and extensions to existing buildings will be permitted where they:

- a) Do not adversely impact on the setting, character or appearance of listed buildings or the appearance of conservation areas, local heritage assets, open spaces, trees or important wildlife features;
- b) Reflect, or successfully contrast with, the existing building form, use of materials and architectural detailing while ensuring that proposals are sympathetic to the existing building and surrounding areas;
- c) Ensure that proposals for doors and windows, including dormer windows, are of a size and design that respects the character and proportions of the original building and surrounding context;
- d) Create altered or new roof profiles that are sympathetic to the existing building and surrounding area and in keeping

with the requirements of Appendix E (roof extensions design guide);

- e) Do not acceptably overlook, overshadow or visually dominate neighbouring properties;
- f) Respect the space between buildings where this contributes the character of an area; and
- g) Retain sufficient amenity space, bin storage, vehicle access and cycle and car parking

8.3 In my opinion, the proposal complies with these criteria and this is outlined in the relevant paragraphs below.

### **Context of site, design and external spaces**

8.4 The proposed infill would be visible from Bradmore Lane. The area it is proposed to infill measures 1.15 meters in depth and 4.62 metres in width with a height of 1.9 metres. The extension would not project further than the existing building. The materials are proposed to match the existing building and the prevailing brick used in Cambridge, but this will be conditioned to ensure compliance. Additionally, the scale and massing is minimal. Therefore, the proposal would respond to the characteristics of the site and the surrounding area and appear subservient when viewed from the Bradmore Lane resulting in the infill blending into the existing building. As a result of the development, the infill would not harm the street scene or the character of the surrounding area. Altogether, I accept the proposed plans.

8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 59.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

8.6 As the infill extension is minimal in scale and massing and at ground floor, the undercroft infill would have a limited impact on neighbouring amenity in terms of overbearing, overshadowing and enclosure. There would be no additional windows on the rear elevation facing Bradmore Lane, therefore, there would be no additional overlooking.

- 8.7 Application reference 10/1272/FUL (application for the erection of the University Eye Clinic), was considered at Committee in June 2011 and approved subject to a number of conditions including the following condition 17:

*“Prior to the commencement of the use hereby permitted, the on-site storage facilities for **trade waste**, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.*

*Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)).”*

Whilst it is understood from representations received from Councillor Robertson and local residents that the land upon which the building is sited was previously used to store residents' bins, as can be seen from condition 17, which is quoted in full above, it requires details of 'trade waste'. This makes it clear that the space was intended to store ARU/commercial bins. Within the Officer report to Committee at the time there was no reference to a requirement to include storage for nearby residents' bins within the building. Had the intention been to offset the loss space previously used by residents to store their bins, it would have been clearly specified as such in the committee report and in the wording of the condition.

In the information submitted to discharge the condition, ARU advised they had made arrangements for trade waste to be collected directly from the building for recycling and disposal. ARU therefore offered to make the undercroft available for the storage of local residents' bins as a neighbourly gesture.

Whilst I sympathise with the concerns raised by local residents and consider the loss of the bin storage facility to be regrettable, given that there are no controls within the existing planning permission to secure the use of the storage area for residents, I do not consider there to be sufficient material planning grounds to substantiate a refusal of the application. The development

would also bring forward benefits in terms of addressing ongoing anti-social behaviour issues.

- 8.8 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 (2018) policies 35, 55 and 56.

### **Refuse Arrangements**

- 8.9 Anglia Ruskin currently uses an alternative location for refuse; this is an existing situation and will not be impacted as a result of the development.
- 8.10 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

### **Third Party Representations**

- 8.11 See paragraph 8.7 regarding the loss of refuse arrangements for the residents of Petersfield. In terms of the loss of the bin storage leading to anti-social behaviour and disturbance, this is not a material planning consideration. The inaccuracies within the application have been addressed by the agent.

## **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 91 of the Town and Country Planning Act 1990 (as amended by 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. Unless otherwise agreed in writing by the Local Planning Authority, the extension(s) hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension(s) is (are) in keeping with the existing building. (Cambridge Local Plan 2018 policies 55 and 58)