

<b>Application Number</b>	18/1925/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	7th December 2018	<b>Officer</b>	Mary Collins
<b>Target Date</b>	1st February 2019		
<b>Ward</b>	Market		
<b>Site</b>	Baileys Studios 63 Eden Street		
<b>Proposal</b>	Erection of a new dwelling house following demolition of existing building on site.		
<b>Applicant</b>	Mr & Mrs Woods-Wilford Pooh Corner Loudwater Lane Rickmansworth WD3 4HX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed development would respect the character and appearance of conservation area.</li> <li>- The proposed development would not have any significant adverse impact on the amenity of surrounding occupiers.</li> <li>- The proposed development would provide accessible living accommodation and a good level of indoor and outdoor amenity for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site is situated on the south-eastern side of Eden Street and is an existing two storey end of terrace dwelling. The property comprises a two storey dwelling with a single storey workshop/ studio attached to the rear. To the

south side is an alleyway leading to the rear of properties in Eden Street.

- 1.2 Eden Street is characterised by terraced dwellings to either side of the street.
- 1.3 The adjacent property at Eden Court is a Building of Local Interest. Nos. 1-42 Eden Street opposite the application site are Grade II Listed Buildings. The application site is within the Kite Conservation Area.

## **2.0 PROPOSAL**

- 2.1 Planning permission is sought for the erection of a new dwelling house following demolition of the existing building on site.
- 2.2 The proposed dwelling would occupy a similar position to the existing dwelling and would have ground floor accommodation to most of the full extent of the plot with a two storey section to the far end of the plot and proposed dwelling.
- 2.3 This has been amended during the application process to lower the eaves level of the section of extension closest to the alleyway to 3.5 metres with an asymmetric pitched roof.

## **3.0 SITE HISTORY**

C/63/0523	Use of garage in conjunction with garage next door and remainder of building in conjunction with	APC dated 03.03.1964
C/75/0709	business	Approved
C/75/0823	Change of use from storage to artists studio/workshop	Approved
C/75/0832	Change of use from storage to Artists studio/workshop	Approved
C/75/0827	Change of use from storage/Offices to garage and studio with residential flat over Use of premises for motorised cycle repair workshop	Refused

## 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

## 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 3 28 31 32 35 36 50 51 55 56 57 59 61 81 82

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

Central Government Guidance	National Planning Policy Framework 2019 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration) Cambridge City Council (May 2007) – Sustainable Design and Construction Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)
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	<p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Kite Conservation Area (2014)</p>
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## 6.0 CONSULTATIONS

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

- 6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

#### **Conservation Officer**

- 6.2 No formal comments have been received but in discussions with the Conservation Officer concern was expressed regarding the demolition and rebuilding of the existing dwelling.

#### **Environmental Health**

- 6.3 No objection subject to conditions and informatives:

- construction hours
- piling
- dust informative
- asbestos informative

#### **Sustainable Drainage Engineer**

- 6.4 The proposals are for a replacement building that will cover the entire site area, there is no increase in impermeable area and no practicable methods of reducing the current run-off from the site. The proposals are therefore acceptable.

#### **Landscape Architect**

- 6.5 No objections.

6.6 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:

- 2 Eden Court
- 60 Eden Street
- 61 Eden Street

7.2 The representations can be summarised as follows:

Raising the roof level or the rear section of the property will have some impact of overbearing on the terrace of Eden Court and looking into the 3 bedroom windows on the first floor of Eden Court, which face directly into the side of the proposed new building.

Concern that the light and view from the bedroom windows on the first floor of Eden Court (flats 2, 3 & 4) will be blocked.

Installation of a first-floor level terrace - this will need sufficient screening so it does not overlook the bedroom windows on Eden Court first floor and the terrace area.

Placement of the two bins, unrestrained, on the forecourt just outside the Eden Court front door is concerning as it will be easy for these to be displaced and block entrance to the front door and side path to the rear flats.

- The side path is essential for access to flats 3 & 4, for the bike store, and for the rear of the building in general and is in frequent use, often with people pushing their bicycles down it. The placement of the large storage entrance inside the narrow, covered section of the walkway potentially impedes the entrance to the rear of our building.

The height of the construction to the rear of the property will be oppressive when viewed from the back of 61 Eden Street and from the passage between Eden Court and 63. There is already considerable over-development of the garden areas of the properties in this part of Eden Street and City Road.

## Revised drawings

The amended plans are better. The vertical wall on the ridge has been reduced in height, as has the whole height of the back of the dwelling. The proposed north elevation is an ideal site for erecting swift boxes and these should be incorporated in the design.

- 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 the conservation area
3. Residential amenity
4. Refuse arrangements
5. Cycle and car parking

### **Principle of Development**

- 8.2 The principle of development is acceptable and in accordance with the Cambridge Local Plan 2018 policies 1 and 3.

The existing dwelling is in a poor condition and the applicant considers the best way to upgrade to modern standards and extend the building would be to largely re-build. The party wall to no. 62 Eden Street would be retained, as well as the existing internal chimney breasts which would become a feature of the interior design of the new dwelling. In this instance the demolition of the dwelling would also enable a smoother build process in this tightly packed area of Cambridge.

The principle of demolition within the conservation area is in my opinion acceptable in this instance.

## **Context of site, design and external spaces and impact on the conservation area**

- 8.3 The proposed dwelling would be set back from the back edge of the pavement and constructed in line with the existing terrace of dwellings. It would have a slate roof in the same plane as the existing terrace and would be constructed in matching brickwork.
- 8.4 The principal elevation of the proposed dwelling would be highly visible in the conservation area but the proposed dwelling is considered to be an acceptable replacement dwelling which maintains this existing terrace.
- 8.5 The massing of the new property has been broken up through the separation of the front and rear two storey sections and this has reduced the impact on adjoining residential properties.
- 8.6 There would be minimal views of the rear section of the dwelling from the public realm and the wider conservation area. I am of the opinion that the proposal would preserve the character and appearance of the conservation area.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57 and 61.

## **Residential Amenity**

### Amenity for future occupiers of the site

- 8.8 Policy 50 relates to residential space standards and states that new residential units will be permitted where their gross internal floor areas meet or exceed the residential space standards set out in the Government's Technical housing standards – nationally described space standard (2015) or successor document.
- 8.9 The proposed units would exceed the standards. In this regard, they would provide a high quality internal living environment for the future occupants in my opinion. The gross internal floor space measurements for units in this application are shown in the table below:

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	4	2	79	123	44

8.10 Policy 50 states that:

External amenity space should be sufficient to accommodate a table and chairs suitable for the size of dwelling, where relevant, provision of storage (including bicycles);

- space for refuse and recycling bins;
- an area to dry washing;
- circulation space; and
- an area for children to play in.

8.11 The total amenity space area 23m<sup>2</sup>. The private amenity space is spread across different areas but provides ground floor courtyards and a first floor balcony which is large enough to accommodate a table and chairs suitable for the number of occupants.

#### Accessible homes

8.12 The development has been assessed for compliance with Policy 51 and complies with the requirements of Part M4 (2) of the Building Regulations. I have recommended a condition to secure this requirement.

8.13 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 (2018) policies 50 and 51.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

#### 62 Eden Street

8.14 The adjoining neighbour at 62 Eden Street would be attached to the proposed dwelling. The height of the two storey section to the rear has been lowered so that it marginally projects above the roof of the adjoining building to the rear of 62 Eden Street.

This property has a terrace at first floor level and the proposed terrace would be constructed in line with this. To prevent a loss of privacy, a 1.8 m high screen would be added to each side of the terrace.

- 8.15 I am of the opinion that the proposed dwelling would not create any additional harm through enclosure than the existing arrangement of built form on the application site.

### Eden Court

- 8.16 The windows to the existing properties in Eden Court face the application site and the proposed dwelling. There are no windows proposed in the new dwelling which would directly face towards Eden Court with high level roof lights only in the rear section. The first floor terrace would be screened and therefore I am satisfied that any loss of privacy to the proposed dwelling and neighbours through overlooking from the proposed first floor terrace, towards Eden Court and vice versa has been mitigated.
- 8.17 The ground floor windows of no. 2 Eden Court face the existing two storey side wall of the proposed dwelling and would face the two storey side wall of the proposed dwelling. Given this would be a similar situation to the current one, I am of the opinion that this would not be detrimental to this property.
- 8.18 The ground floor windows of no. 3 Eden Court would face the terrace area and lower central section of the proposed dwelling. The screen is set in from the edge of the terrace and angles away from the boundary. Given this inset, I am of the opinion that the screen would not in itself be detrimental to the amenities of this occupier through loss of light or outlook.
- 8.19 The ground floor living room window to the dwelling at the far end at no. 4 Eden Court would face the two storey height section to the rear of the proposed dwelling. This living room is also served by a window in the end elevation. I am of the opinion that the lowered eaves level of this section of the proposed dwelling with the roof sloping up and away from the boundary would not result in a detrimental loss of light to this room. I also take the view that the proposal would not have an undue overbearing or enclosing impact or unduly affect the outlook from this property.

- 8.20 The shadow studies show that as the proposed dwelling lies to the north east of Eden Court that it would not be affected by overshadowing. As such I am of the opinion that in addition to the reason above, that the proposal would not have a detrimental impact on the quality and value of the outdoor amenity space to the side of the that this would have on the amenity space to the front of the flats which would affect its value as outdoor space.
- 8.21 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 57.

### **Refuse Arrangements**

- 8.22 The refuse arrangements are conveniently located to the front of the building and in close proximity to the kerbside and are acceptable.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 56 and 57 in relation to refuse provision.

### **Cycle and Car parking**

- 8.24 Cycle parking is proposed and would be secure and covered. In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 81 and 82.

## **9.0 CONCLUSION**

- 9.1 In my opinion, the proposed development would not amount to overdevelopment of the site nor would it have an adverse impact upon the character and appearance of the conservation area, the neighbouring properties or the future occupants of the development.

## **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. No development shall take place above ground level, other than demolition, until samples of the external materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area. (Cambridge Local Plan 2018 policies 55, 57 (for new buildings) and/or 58 (for extensions))

4. 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 2018 policy 35)

5. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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 2018 policy 35)

6. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the enlargement, improvement or other alteration of the dwellinghouse(s) shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

7. The privacy screen to the first floor terrace shall be constructed in accordance with the approved plans and shall be solid or obscured. The screens shall be implemented prior to occupation of the dwelling and shall be maintained and retained thereafter.

Reason: To protect the amenity of occupiers of adjoining properties (Cambridge Local Plan 2018 policies 52, 55, and 57).

8. Prior to the commencement of installation of glass/glazing, full details of all glass to be installed in doors / windows / screens, etc., shall be submitted to and approved in writing by the Local Planning Authority. Mirrored, reflective, metallic coated or other non-transparent glass are unlikely to be approved. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

9. Notwithstanding the approved plans, the dwelling hereby permitted, shall be constructed to meet the requirements of Part M4(2) 'accessible and adaptable dwellings' of the Building Regulations 2010 (as amended 2016).

Reason: To secure the provision of accessible housing (Cambridge Local Plan 2018 policy 51)

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