

<b>Application Number</b>	18/2009/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	20th December 2018	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	14th February 2019		
<b>Ward</b>	Market		
<b>Site</b>	1 Pikes Walk		
<b>Proposal</b>	Single storey rear extension to provide an additional dwelling, second floor rear extension to existing flat and additional window to ground floor side elevation.		
<b>Applicant</b>	Megahart Developments Ltd. c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li>- The proposed new dwelling would provide a satisfactory level of amenity for future occupiers</li><li>- The design of the extension and new dwelling are considered to preserve and enhance the character and amenity of the Conservation Area</li><li>- The proposal is not considered to have any significant adverse impact on the amenity of surrounding occupiers.</li></ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a three storey building currently containing 3 flats. The site lies to the rear of King Street fronting onto Christ's Pieces which is designated as Protected Open Space.

- 1.2 The site lies within the designated City Centre. The site falls within the Historic Core of the Central Conservation Area. The site lies within the Controlled Parking Zone. The site lies in an Air Quality Management Area.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks full planning permission for a single storey dwelling at ground floor and a second-floor extension to the existing flat. An additional window is proposed in the ground floor side elevation. The application follows on from a previously refused application and dismissed appeal for a similar proposal. The reason for refusal was as follows:

*The single storey extension to provide an additional residential unit will occupy the whole of the existing courtyard and remove the ability of occupiers of the existing flats to access this space. As a result, occupiers of these flats will not have access to adequately secure and accessible cycle parking arrangements. Due to the central location of the site, with no off-street car parking provision, occupiers of these flats are likely to rely on cycling as their primary mode of transport. Cycle crime is high within the city centre and therefore residents need to have the ability to securely store their bicycles. As a result the proposal is not considered to provide an adequate level of amenity for future occupiers contrary to Cambridge Local Plan (2006) policies 3/10 and 8/6.*

- 2.2 The applicant has since amended the plans to provide some outdoor amenity space for both the new dwelling and existing ground floor flat. Cycle parking is also provided for both the new dwelling and ground floor flat. The plans have also been amended to respond to the Conservation Officer's comments on the previous application.
- 2.3 The application proposes an infill at ground floor to provide an additional dwelling. This has been revised since submission to ensure that a small courtyard is retained by the occupier of the ground floor flat. The dwelling would have a cycle parking space within the main house in a store under the stairs. The ground floor proposal includes increasing the height of the existing boundary wall onto Christ Pieces with a low-pitched roof appearing above the wall. A window and two new openings are proposed in the wall and ground floor of the building. An

extension is proposed to the second floor flat. This would mimic the existing roof pitch and be clad in metal.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/97/0023	Change of use of house in multiple occupation (HMO) to one one-bedroomed flat and two two-bedroomed flats.	Permitted
17/1950/FUL	Single storey rear extension to provide an additional dwelling, second floor rear extension to existing flat and additional window to ground floor side elevation.	Refused (Appeal dismissed – see appendix 1)

### 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 Plan 2018	Local	1 3
		10
		28 31 32
		50 51 52
		55 56 57 58 59 61
		81 82

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

<p>Central Government Guidance</p>	<p>National Planning Policy Framework 2019</p> <p>National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards</p> <p>Circular 11/95 (Annex A)</p> <p>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)</p>
<p>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p>

	Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u>  Cambridge Historic Core Conservation Area Appraisal (2015)

## 6.0 CONSULTATIONS

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

- 6.1 No objection: Any future residents would not be eligible for parking permits, other than visitor permits, within the Resident's Parking Scheme. This should be included as an informative. Further informatives to let the applicant know that any works to the highway would require the Highway Authorities permission and costs would be borne by the developer, the development cannot drain onto the public highway and no windows, doors or foundation footings should encroach upon the highway.

### **Environmental Health**

- 6.2 No objection: In the interest of amenity of amenity conditions are recommended to restrict hours for constructions and collections/deliveries to/from the site during construction.

### **Refuse and Recycling**

- 6.3 No objection: The property will need three bins. There is an option for smaller capacity bins. Residents or managing agents will need to place bins at the corner of Pikes Walk and King Street for collection.

### **Urban Design and Conservation Team**

- 6.4 No objection: The applicant has provided additional information since the previous application which overcome the Conservation team's concerns. The level of glazing to the south elevation has been reduced. The applicant has confirmed that there is a streetlight adjacent to the site so there are no longer concerns about light pollution from the new dwelling. The new door inserted into the wall would need to be of appropriate materials and detailing. Conditions are recommended in relation

to brickwork, glazing and windows, roof details and metalwork details.

### **Head of Streets and Open Spaces (Landscape Team)**

- 6.5 Objection: Policy 50 requires all new residential properties have access to an area of private external amenity space. The courtyard is small and contains bins and cycle storage, however given the proximity to Christ's Pieces this is considered adequate. 3 bins must be provided. Further cycle parking should be provided. Question where bin storage for existing flats will be. The amenity space to the existing ground floor flat will be lost. Policy 31 requires all flat roofs to be green.

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.6 No objection.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 The owners/occupier of the following addresses have made representations:

- 98 King Street
- 27 Epworth Court

- 7.2 The representations can be summarised as follows:

- The proposed extension would block light to dining room and roof terrace of 98 King Street
- Ground floor extension will enclose garden
- Concerned about damage to boundary wall
- Loss of privacy to ground floor bedroom
- Inadequate space for refuse storage and cycle parking
- Loss of courtyard for existing residents of 1 Pikes Walk
- Support the Conservation Officer's comments about materials
- Have requested that Councillor Bick calls the application in to planning committee

- Request assurances that care will be taken to ensure no damage to the garden wall of Epworth Court and that detailed plans are provided as to how this will be achieved.
- Note that the plans assume that the planting in Epworth Court will hide the roofline of the new structure

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. Carbon reduction and sustainable design
4. Water management and flood risk
5. Light pollution, noise, vibration, air quality, odour and dust
6. Inclusive access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Third party representations

### **Principle of Development**

8.2 The application proposes to subdivide the existing plot to provide the new dwelling in the existing courtyard and therefore policy 52 is relevant. This policy states that subdivision of an existing residential plot will only be permitted where a) the form, height and layout is appropriate to the surrounding character, b) there is sufficient garden space for the proposed and retained dwellings and any important trees are retained, c) the privacy of the new and neighbouring dwellings are respected, d) adequate amenity space, vehicular access and parking arrangements are available for the new and retained dwellings and e) there is no detrimental effect on the potential comprehensive development of the wider area. I will cover criteria a – d under the relevant headings below. Criterion e is not considered relevant.

## **Context of site, design and external spaces and impact on heritage assets**

- 8.3 The Conservation Team had concerns about the level of glazing in the previous application. This was reduced as part of revisions to the plans. The Conservation Team have confirmed as part of this application that the reduction would overcome their concerns. The applicant has confirmed that there is a street light adjacent to the site so the proposal would not cause any further light pollution. The Conservation team have recommended seven conditions to deal with the detailed design of the proposal. I am recommending all seven conditions.
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58, 59 and 61.

## **Carbon reduction and sustainable design**

- 8.5 In accordance with Cambridge Local Plan (2018) policy 28, I have recommended conditions for carbon reduction and water efficiency measures, which in my opinion are reasonable and achievable.
- 8.6 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2018) policy 28 and the Sustainable Design and Construction SPD 2007.

## **Integrated water management and flood risk**

- 8.7 The Drainage Officer has confirmed that there is no objection to the proposal on flood risk grounds.
- 8.8 In my opinion the applicants have suitably addressed the issues of water management and flood risk, and the proposal is in accordance with Cambridge Local Plan (2018) policies 31 and 32.

## **Inclusive access**

- 8.9 A condition is recommended to ensure the proposal complies with Part M4(2) of Building Regulations in line with the requirements of policy 51 of the local plan.



- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 51.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.11 The footprint, scale and massing of the proposal is broadly similar to the previous application. My recommendation on this element of the proposal remains unchanged and I have repeated the assessment below.
- 8.12 The single storey extension would be sited directly adjacent to the garden of 98 King Street. This element has been designed to have a low height and shallow pitched roof with the highest element set significantly away from the garden of no.98. Whilst the proposal would block some view of Christ Pieces from this space, I do not consider it would result in any significant enclosure given the low height and shallow pitch of the roof.
- 8.13 Concerns have been raised about the impact of the second floor extension on light into the first floor dining room and roof terrace of 98 King Street. I have been on site and observed that the proposal would have some impact on light but this would be for a limited time in the morning in winter when the sun is low in the sky. This element would also have a marginal impact on views from the dining room into Christ's Piece but given that the extension is set away from this window, I do not consider it would result in any significant enclosure to this occupier.
- 8.14 The nearest window on the second floor extension would be obscure glazed. Whilst there are additional windows in the side of the second floor extension, I am satisfied that these would not result in any significant overlooking of the garden or rear windows of 98 King Street given their siting towards Christ's Pieces.
- 8.15 The Environmental Health Officer has no objection to the proposal and recommends that conditions are imposed to restrict construction hours and collection/delivery hours during construction to protect the amenity of adjoining properties. I consider this reasonable and recommend both conditions.

- 8.16 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.

Amenity for future occupiers of the site

- 8.17 The new dwelling meets with the minimum internal space standards. A small area of external amenity space is proposed to the new flat. This accommodates the required three bins and could accommodate a small table and chairs as well as circulation space. The previous application did not provide any external amenity space to the existing ground floor flat. This was not a reason for refusal as the application was determined prior to the 2018 local plan when the council did not require dwellings to have access to private external amenity space. A small courtyard garden is shown for the ground floor flat. Although this is a small space it would provide enough space for a clothes horse or table and chairs. Given the proximity of the site to Christ's Piece's the small size of the private external amenity spaces is considered to be acceptable.

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	1	1	1	37	37	0

Size of external amenity space: New dwelling - 4sqm  
(excluding bin store)

Existing flat – 4sqm

- 8.18 In my opinion the proposal provides a high-quality (*and accessible*) 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 52.

## **Refuse Arrangements**

- 8.19 Three bins are shown to be accommodated within the curtilage of the new dwelling. A condition is recommended requiring details of a store to accommodate the bins. A low sliding door structure would ensure the bins are separated from the courtyard garden. The existing flats do not have any bin and have their refuse collecting in bags.
- 8.20 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

## **Highway Safety**

- 8.21 The Highway Authority has no objection to the proposal. I have recommended their suggested informatives.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

## **Car and Cycle Parking**

- 8.23 the site lies within the Controlled parking zone so the car free nature of the proposed dwelling can be realistically enforced in line with policy 82.
- 8.24 The removal of the ability of the ground floor flat to accommodate secure cycle parking was the reason for refusal in the previous application. This was upheld at appeal by the Planning Inspectorate.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

## **Third Party Representations**

- 8.26 I will address any matters raised by the third party representations which have not been covered within the body of my report in the below table.

<b>Representation</b>	<b>Response</b>
The proposed extension would block light to dining room and roof terrace of 98 King Street	See paragraph 8.13

Ground floor extension will enclose garden	See paragraph 8.12
Concerned about damage to boundary wall	Damage to adjoining properties is a civil matter and cannot be considered as part of the planning application.
Loss of privacy to ground floor bedroom	See 8.14
Inadequate space for refuse storage and cycle parking	See paragraph 8.19
Loss of courtyard for existing residents of 1 Pikes Walk	A small courtyard is now proposed to be retained by the ground floor flat.
Support the Conservation Officer's comments about materials	Noted. The Conservation Officer has removed their objection.
Have requested that Councillor Bick calls the application in to planning committee	No call-in request has been received.
Request assurances that care will be taken to ensure no damage to the garden wall of Epworth Court and that detailed plans are provided as to how this will be achieved.	Damage to adjoining properties is a civil matter and cannot be considered as part of the planning application.
Note that the plans assume that the planting in Epworth Court will hide the roofline of the new structure	The development does not require planting in Epworth court to screen the roof and should this be removed the proposal would remain acceptable.

## 9.0 CONCLUSION

- 9.1 The proposed dwelling would provide a satisfactory living environment for future occupiers while retaining some external amenity space for the ground floor flat. Secure cycle storage is provided for both the new flat and existing ground floor flat. The proposal is considered to respect the amenity of surrounding occupiers. The development is considered to preserve and enhance the character and appearance of the Conservation Area.

## 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 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)

4. There shall 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 2018 policy 35)

5. Prior to the occupation of the dwelling hereby approved details of a covered bin store shall be submitted to and approved in writing by the Local Planning Authority. The store shall be constructed in accordance with the approved details prior to the occupation of the dwelling and retained thereafter.

Reason: To ensure adequate bin storage facilities are provided for the new dwelling (Cambridge Local Plan 2018 policies 52 and 56)

6. The cycle store within the host dwelling at 1 Pikes Walk shall be accessible to the occupiers of the new dwelling hereby approved in perpetuity.

Reason: To ensure adequate secure cycle storage is provided to the occupier of the new dwelling (Cambridge Local Plan 2018 policies 52 and 82)

7. Notwithstanding the approved plans, the dwellings, 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).

8. Prior to first occupation of the dwelling hereby permitted, carbon reduction measures shall be implemented in accordance with a Carbon Reduction Statement that has been submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that the dwelling shall achieve reductions in CO<sub>2</sub> emissions of 19% below the Target Emission Rate of the 2013 edition of Part L of the Building Regulations, and shall include the following details:
  - A) Levels of carbon reduction achieved at each stage of the energy hierarchy;
  - B) A summary table showing the percentage improvement in Dwelling Emission Rate over the Target Emission Rate for each proposed unit;Where on-site renewable or low carbon technologies are proposed, the statement shall also include:
  - C) A schedule of proposed on-site renewable energy technologies, their location, design, and a maintenance programme; and
  - D) Details of any mitigation measures required to maintain amenity and prevent nuisance.

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the site shall be in accordance with a revised scheme submitted to and approved in writing by, the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that development does not give rise to unacceptable pollution (Cambridge Local Plan 2018, Policies 28, 35 and 36).

9. Prior to the occupation of the dwelling hereby permitted, water efficiency measures shall be implemented in accordance with a specification based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) that has been submitted to and approved in writing by the local planning authority prior to implementation. This shall demonstrate that the dwelling is able to achieve a design standard of water use of no more than 110 litres/person/day.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28).

10. Prior to the occupation of the development, hereby permitted, the curtilage(s) of the approved dwelling(s) shall be fully laid out and finished in accordance with the approved plans. The curtilage(s) shall remain as such thereafter.

Reason: To ensure an appropriate level of amenity for future occupiers and to avoid the property being built and occupied without its garden land (Cambridge Local Plan 2018 policies 50, 52, 55 and 56)

11. Notwithstanding the provisions of Schedule 2, Part 1, Class E 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 provision within the curtilage of the dwellinghouse hereby permitted of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the external amenity space for the future occupants (Cambridge Local Plan 2018 policies 52, 55, and 57).

12. All new brickwork shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

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

13. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the Local Planning Authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2018 policies 57 and 61)

14. Prior to the installation of any glazing in the windows/doors/screens/roofs/stairwells or other glazed features within the development, full details of glass type(s) to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate to avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018 policy 61)



15. The new ground floor window on the south elevation shall match exactly the existing on the first floor in every respect including material, style, moulding detail and workmanship, and shall be recessed at least 50/75mm back from the face of the wall/façade 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 2018, policy 61)

16. No new windows shall be constructed in the existing building, nor existing windows altered until drawings at a scale of 1:10 of details of new or altered sills, lintels, jambs, transoms, and mullions have been submitted to and approved in writing by the Local Planning Authority. 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)

17. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the Local Planning Authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

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

18. Prior to the commencement of any new or altered metalwork, full details, in terms of materials, fixing, surface finish & colour, of all new / altered metalwork [stairs, balustrades, grilles, railings, brackets, window frames, columns, etc.] are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing

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



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## Appeal Decision

Site visit made on 11 September 2018

by **David Troy BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17<sup>th</sup> September 2018.

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**Appeal Ref: APP/Q0505/W/18/3198474**

**1 Pikes Walk, Cambridge CB1 1LF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Megahart Developments Ltd against the decision of Cambridge City Council.
  - The application Ref 17/1950/FUL, dated 13 November 2017, was refused by notice dated 12 January 2018.
  - The development proposed is single storey rear extension to provide an additional dwelling, second floor rear extension to existing flat and additional window to ground floor side elevation.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Since the determination of the application the revised National Planning Policy Framework was published in July 2018. The main parties have been consulted in relation to this appeal. I have therefore considered the development against the relevant aims and objectives of the revised Framework.
3. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

### Main Issue

4. The main issue is whether the proposed development makes appropriate provision for secure cycle parking for the existing and proposed flats.

### Reasons

5. The appeal site comprises of a three storey building converted into three flats with a small courtyard within the centre of Cambridge. Access to the flats is via a communal entrance from Pikes Walk. The proposal would involve a single storey rear extension within the small courtyard area to provide an additional dwelling and a second floor rear extension.
6. The proposed development provides one cycle parking space for the proposed dwelling in accordance with the Council's Cycle Parking Standards. The appellant highlights that the supporting text of the Council's Cycle Parking Standards advises that some flexibility will be applied to applications where it

can be demonstrated that land constraints may make application of the standards difficult for change of use or refurbishment. The existing flats at first and second floor level do not have access to the small courtyard at the rear and it cannot be assumed that they ever will based on the evidence before me. I therefore do not consider that it is reasonable for the proposed development to remedy the existing deficiencies in cycle parking provision for these flats and as such, does not justify withholding permission on these grounds in this case.

7. However, whilst I recognise the site is constrained and within an central location with good public transport links and public cycle parking facilities available nearby, this proposal involves the infilling of the existing small courtyard that provides an amenity space and the opportunity for secure cycling for the existing ground floor rear flat. The Council has indicated that the site is within an area of high cycle theft. However, whilst the appellant proposes to allocate an area under the stairs at ground floor level in the main building for 3 no. bicycles for the occupants of the existing flats, from my site visit and from the evidence provided it does not clearly show how this area would provide adequate and secure cycle storage provision in this case.
8. Consequently, in the absence of any convincing evidence to the contrary, I conclude that the development would not make appropriate provision for secure cycle facilities. It would conflict with Policies 3/10 and 8/6 of the Cambridge Local Plan 2006. These policies, amongst other things, seek to ensure that new residential development within the curtilage of existing properties will not be permitted if it provides inadequate parking spaces for the proposed and existing properties and ensure adequate on-site cycle parking is provided in accordance with the Council's Cycle Parking Standards in order encourage cycling and reduce theft.

#### **Other Matters**

9. I have noted the other developments in the area drawn to my attention by the appellant. However, the developments on Regents Street and Newmarket Road involve the conversion of existing buildings rather than new build schemes and have different development and locational characteristics to the appeal scheme. Based on the limited evidence provided I am not convinced the circumstances are compellingly similar to the appeal proposal. I therefore accord these limited weight as precedents in this case.
10. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing an additional dwelling to boost the housing supply within an accessible location and making use of an under-utilised previously developed site. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

#### **Conclusion**

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*David Troy*

INSPECTOR

