

Application Number	18/1321/OUT	Agenda Item	
Date Received	27th August 2018	Officer	Luke Waddington
Target Date	22nd October 2018		
Ward	Romsey		
Site	72 - 74 St Philips Road		
Proposal	Outline application for the development of 3 studio flats.		
Applicant	Mr & Mrs Watters Bell Close Meldreth Royston SG8 6LE		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • Does not comply with residential space standards • Does not comply with accessibility standards • Would adversely impact residential amenity • Would harm the visual amenity and would not preserve or enhance the character of Mill Road Conservation area
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site comprises of an area of land approximately 120 square metres in size. Directly to the east of the site is 76 St Philips Road, a two-storey semidetached dwelling, and the site abuts the rear garden of 50 Hemingford Road to the west. To the rear (south) of the site are residential gardens of properties fronting Hemingford Road. To the north the site faces the public highway. The application site falls within the Mill Road Conservation Area.

1.2 Within the site is a small shed with a pitched roof and an open lean-to. The boundary to St Philips Road is marked by a corrugated metal fence. The remainder of the site is open and appears to have been used in connection with storage of building materials.

2.0 THE PROPOSAL

2.1 The application is in Outline with all matters reserved and proposes the demolition of the existing structures and the erection of a building to contain three studio flats and associated bin and cycle stores, and an area of shared outdoor amenity space.

2.2 Although all matters are reserved detailed plans and elevations have been submitted showing the building as a two storey flat roofed structure, fronting St Philips Road with a shared garden to the west of the building, and attached bin and cycle stores.

2.3 The application is presented to the City Planning Committee as a representation from a third party has been received in support of the proposed development contrary to the Officer recommendation of refusal.

2.4 The application is accompanied by:

1. Design and Access Statement
2. Plans and elevations

2.5 The plans have been amended throughout the course of the application process.

3.0 SITE HISTORY

Reference	Description	Outcome
16/1223/OUT	Outline planning permission for 4 new 1 bedroom flats.	Withdrawn
C/90/0373	Use of vacant land for a builders yard	Refused
C/66/0406	Use for wireless rental set storage	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 Plan 2018	Local	1 3
		28 31 35 36
		50 51
		55 56 57 61
		82

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

Central Government Guidance	National Planning Policy Framework July 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A) Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration)
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Material Considerations	<u>City Wide Guidance</u> Cambridge and Milton Surface Water Management Plan (2011) Cambridge Air Quality Action Plan (2018). Greater Cambridge Sustainable Design and Construction SPD (2020) Cycle Parking Guide for New Residential Developments (2010)
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6.0 CONSULTATIONS

Councillor Dave Baigent (Cambridge City Councillor for Romsey)

- 6.1 I have looked at the plans and in particular the comments by the conservation officer and consider that if officers were to be minded to approve the application it should be called into full planning committee

Cambridgeshire County Council (Highways Development Management)

- 6.2 The proposal provides no dedicated off-street car parking. The streets in the vicinity provide uncontrolled parking, and so, as there is no effective means to prevent residents from owning a car and seeking to keep it on the local streets this demand is likely to appear on-street in competition with existing residential uses. The development may therefore impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity.

Environmental Health

- 6.3 No objections subject to conditions relating to airborne dust, piling, limitation of demolition/construction collection and delivery hours, and installation of low NOx boilers in order to minimise emissions from the development that may impact on air quality.

Refuse and Recycling

- 6.4 It is unclear whether the residents will be expected to put the bins out at the kerbside for collection, or if the bin collection crew will need to access the bin store. If it is the latter the bin store door must not have an access code, but instead can have a Fire Brigade FB2 lock.

Urban Design and Conservation Team

Conservation Officer response to original plans:

- 6.5 There have been a number of applications to develop gardens of properties that face the streets that cross St Philips Road with new dwellings. These have taken various forms, not all of which have been very successful in terms of preserving or enhancing the character or appearance of the conservation area. The Conservation Team is concerned that by developing a large proportion of these gardens, the character and appearance of the conservation area will be degraded further, and therefore has an 'in principle' objection to such developments. Where such developments are approved, they need to ensure that they are appropriate to the location, reflecting the context or providing a successful contrast to it.
- 6.6 There are other buildings that face St Philips Road in this part of the street and have been here for a long time. They are generally set back from the pavement with an appropriately sized garden to the rear. This proposed development is set back from pavement edge by 400mm whereas the adjacent semi-detached pair of houses is greater than 1 metre. This minimal amount for the proposal would not reflect or successfully contrast with the character or appearance of this part of the conservation area. It is proposed to plant this area with hedging which would add some greenery to the street, but would it be able to flourish in this northern aspect, in such a small area?
- 6.7 There are concerns about the materials for the proposed development. The examples used within the Design and Access Statement, the one-bedroom houses further along St Philips Road, are not considered to be of appropriate character for the conservation area and were not supported by the Conservation Team. They do not conform to the general pattern of development and should not be taken as a precedent for other such designs within this conservation area.

- 6.8 As stated above, it is not considered that building in the garden of this property would conform to the pattern of the development in this part of the conservation area.
- 6.9 The eaves height and the flat roof help to keep the scale and massing below that of other properties in the area. However there is still an objection to the principle of development in this area in terms of impact on the character of the conservation area.
- 6.10 There is minimal external space associated with this building and the landscaping appears to be the topiary hedges in between the building and St Philips Road.
- 6.11 The 2017 pre-application response suggested that the applicants look to an outbuilding style and materials. With the large amounts of glazing on the front elevation, with the frosted glazing for the privacy screens, that is not the character that has been submitted. The use of render on the first floor is also not typical of the character of the conservation area or outbuildings as a whole. The use of real timber cladding may be more appropriate to outbuildings in the area.
- 6.12 The proposed design and materials do not conform to the character or appearance of the conservation area in this location, and do not form a successful contrast to it.

Conservation Officer response to amended plans:

- 6.13 The construction of a two-storey building in the garden of this house does not conform to the pattern of development in this part of the conservation area and therefore does not comply with policy 61 of the Cambridge Local Plan 2018. The amended plans show that the agent has taken on board the previous Conservation comments regarding materials and the proposed character of the proposed development. They may be appropriate subject to approving samples. However the amendments do not deal with the in principle objection to a development of this type in this location which means that the proposals are unacceptable in terms of impact on the character and appearance of the conservation area.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.14 It is not possible to comment on the proposed development and the additional information set out below will be required in order to provide comments. Sufficient surface water drainage details proving the principle of draining the site still have not been submitted to the local planning authority. An assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority.
- 6.15 If infiltration is chosen as a mean of disposing of surface water then infiltration testing results should be submitted to prove it is feasible. If the developer prefers to do the infiltration testing at a later date, then a written confirmation that Anglian Water is satisfied with the surface water drainage proposal must be provided as an alternative.
- 6.16 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:

Object: Numbers 49, 61, 65 St Philips Road, Camcycle 140 Cowley Road, 17 Romsey Road (x2), and 48, 50 (x2) Hemingford Road).

Support: 93 Hobart Road.

- 7.2 The representations can be summarised as follows:

Object:

- Lack of onsite parking would pressurise street parking on St Philips Road
- No evidence submitted that residents would not own cars

- Use of vertical cycle stands contrary to Cycle parking standards in Cambridge Local plan 2018
- Overbearing and causing loss of light to neighbouring dwellings
- Overlooking of existing dwellings
- Contrary to character of the area, would cause harm to Conservation Area
- Overdevelopment in a densely populated area
- Lack of bin storage

Support:

- Would contribute to available housing in Cambridge
- Promotes cycle use with secure storage
- Provides communal outdoor space for occupants
- Improved design over recent developments in the area

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

Principle of Development

8.1 It is proposed to erect 3 studio flats within the application site, which once formed part of the rear garden of number 50 Hemingford Road. The site is currently separated from the residential curtilage of no.50 and appears to have been used for storage of building materials.

8.2 Policy 41 of the Cambridge Local Plan 2018 states that there will be a presumption against the loss of any employment uses outside protected industrial sites. Development (including change of use) resulting in the loss of employment uses will not be permitted unless:

c. the loss of a small proportion of floorspace would facilitate the redevelopment and continuation of employment uses (within B use class or sui generis research institutes) on the site and that the proposed redevelopment will modernise buildings that are out of date and do not meet business needs; or

d. the site is vacant and has been realistically marketed for a period of 12 months for employment use, including the option for potential modernisation for employment uses and no future occupiers have been found.

- 8.3 Officers note that a 1990 application at the present application site sought the change of use of 'vacant land' to builder's storage and was refused (ref. C/90/0373). There have been no subsequent planning applications approved for any change of use at the site. As such there is no compelling or substantive evidence to suggest that the lawful use of the site is a commercial/employment use, or that there is any ensuing conflict with Policy 41 of the Local Plan 2018.
- 8.4 Officers therefore consider the principle of residential development at this site to be acceptable, subject to all other material planning considerations.

Design and impact upon the character of the area and heritage assets

- 8.5 The application is in outline only with all matters reserved, however detailed plans and elevations have been submitted with the application and amended versions of these plans have been provided by the applicant's planning agent during the course of the application. Although the application is in outline only, officers must be satisfied that the proposed amount of development can be accommodated within the site without causing significant adverse impacts upon the character of the area and the historic significance of the Conservation Area.
- 8.6 Residential development within the vicinity of the site largely comprises of two storey dwellings with narrow frontages, set slightly back from the footway, and with good sized gardens to the rear. Along the southern side of St Philips Road, the vast majority of dwellings are aligned to face northwest or southeast, and dwellings generally front roads that bisect St Philips Road, rather than fronting St Philips Road itself. Where there is a small number of dwellings that front St Philips Rd, these (as noted by the Conservation Officer) have been present within the street scene for a long time and are set back from St Philips Road with appropriately proportioned rear gardens.

- 8.7 There are a number of outbuildings and structures within rear gardens in the vicinity of the site and on St Philips Road, however these are generally of a scale that is lower than, and subservient to, the main dwellings fronting Hemingford Road and Belgrave Road.
- 8.8 This proposed development would have a minimal setback from the footway and would have a wide frontage on to St Philips Road, due to the rectangular shape of the site and its alignment parallel to St Philips Road. Furthermore, in order to accommodate the floor space of the proposed 3 flats and cycle and bin storage, within this small and constrained site, the proposed building would need to be two storeys high as shown on the submitted plans.
- 8.9 Even if the flats were constructed with a flat roof as shown on the proposed plans, Officers consider that the construction of a two-storey building of the proposed form, scale, and massing, in this location to the rear of a residential garden and fronting St Philips Road would not conform to the pattern of development in this part of the Conservation Area as described above, and would appear overly prominent within the street scene.
- 8.10 While the amendments made in respect of materials are more appropriate than the render originally proposed, it is considered that in this instance use of such materials would not be sufficient to mitigate the bulk, scale and massing and ensuing prominence of the proposed development.
- 8.11 Therefore, while matters of appearance, layout and scale are reserved, the submitted plans do not provide sufficient comfort that a development of the scale proposed could be accommodated within the site without resulting in a significant adverse impact on the character of the area and the special interest and significance of the Conservation Area.
- 8.12 The proposed development would therefore fail to respond to the context and prevailing character of built form in the area and would fail to comply with Policies 55, 56 and 57 of the Cambridge Local Plan 2018.
- 8.13 For these reasons the proposed development would also fail to preserve or enhance the significance and character of the Mill Road Conservation Area and would result in less than substantial harm to the heritage asset.

8.14 Public benefits of the proposal include the provision of housing which would contribute modestly towards housing need, but the Council can demonstrate a five year housing land supply and with such a small quantum of housing, the level of provision is not considered significant and not sufficient to outweigh the harm identified. The proposed development would therefore be contrary to Policy 61 of the Cambridge Local Plan 2018 and paragraphs 185 and 196 of the NPPF 2019.

Residential Amenity

8.15 Officers consider that the proposed development could be designed in such a way as to mitigate any overlooking impacts towards neighbouring properties. The submitted plans show a first-floor bathroom window facing west, towards the rear garden of number 50 Hemingford Road. Obscured glazing should be fitted, in order to mitigate overlooking impacts. There are two other side windows shown on the submitted plans, that would face the blank side elevation of no 76 St Philips Road, and so would not result in a significant overlooking impact.

8.16 The proposed development is not considered to result in a significant loss of light towards neighbouring dwellings. While the building would need to be two storeys in height to accommodate the proposed number of flats within the constrained site, the site is oriented to the north of gardens of Hemingford Road, and as such would not result in a significant loss of light impact to those dwellings.

8.17 Officers acknowledge that all matters are reserved however due to the scale, massing and length of the building that would be necessary to accommodate the proposed number of flats, and because of the relatively confined nature of the site and its close proximity to the rear gardens of numbers 48 and 50 Hemingford Road, it is considered that the proposed development would result in a dominating and overbearing presence in the garden areas of both these properties, resulting in a significant adverse impact upon residential amenity.

8.18 The Council's Environmental Health team has been consulted and has no objection to the proposed development subject to conditions relating to demolition/construction hours piling, demolition and construction collection, delivery hours and

airborne dust. These conditions would be added to any consent granted in the interests of residential amenity.

- 8.19 Insofar as the impact on the amenity of neighbouring dwellings is concerned, the proposed development would not comply with Policies 56 and 57 of the Cambridge Local Plan 2018.

Amenity of future occupants

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 (m²)	Proposed size of unit	Difference in size
1	1	1	1	39	32	-7
2	1	1	1	39	32	-7
3	1	1	1	39	32	-7

- 8.20 Policy 50 requires the gross internal floor areas of new residential development to meet or exceed the residential space standards set out in the Government's Technical Housing Standards. Under these standards the smallest permissible residential unit is a 1 person 1 bed unit at 39m². The proposed units include bathrooms as opposed to shower rooms and so the permissible GIA cannot be reduced to 37m². The submitted plans show 3x 1 studio flats with an area of 32m² each. Taking into account the small size of the site and the need to provide the above floor space, as well as private amenity space, and bin and cycle storage and level access requirements (assessed in the forthcoming paragraphs) officers consider that the site would not be capable of accommodating the proposed amount of development, while complying with the floor space standards outlined above. It is also noted that the proposals fail to include provision of directly accessible private amenity space for each unit, contrary to Policy 50.

- 8.21 Policy 51 states that all new housing development should enable Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' to be met. M4(2) requires step free access to new residential units. Officers note that for any first-floor flats this would necessitate inclusion of a lift. Taking into account the small size of the site and the constraints above, officers are not

satisfied that the proposed development would be capable of accommodating a lift/level access to any first-floor flats, in accordance with Policy 51 of the Cambridge Local Plan.

- 8.22 Due to the presence of residential gardens and boundary treatments to the north and the rear of the site, The only windows serving habitable rooms for the proposed ground floor flats would be in very close proximity to the pedestrian footpath, and are only separated by a very narrow strip which would not provide adequate buffering or defensible space from the public realm. This would provide an unacceptable outlook and level of privacy and amenity for future occupants.
- 8.23 Overall, it is considered that for the above reasons the proposed development would result in an unsatisfactory standard of amenity for the future occupants of the dwelling, and would not comply with Policies 50, 51 and 56 of the Cambridge Local Plan 2018.

Access and Highway safety

- 8.24 The Local Highway Authority has no objection to the proposals on the grounds of Highway Safety, but notes that there is no vehicle parking provided on site and that this may increase parking pressure on nearby streets, potentially adversely impacting residential amenity.

Car and Bicycle Parking

- 8.25 As noted in the preceding section, the proposed development would not provide any on-site parking. Policy 82 of the Cambridge Local Plan 2018 states that car-free and car-capped development is acceptable in the following circumstances:
- d. where there is good, easily walkable and cyclable access to a district centre or the city centre;
 - e. where there is high public transport accessibility; and
 - f. where the car-free status of the development can realistically be enforced by planning obligations and/or on-street parking controls.

- 8.26 The application site does not fall within a controlled residents parking area however it is located within walking distance of The Mill Road District Centre, and a number of bus stops, the closest of which is 0.2 miles from the site on Mill Road. As such the site is considered to benefit from high public transport accessibility and good access to a District Centre, and given the small scale of the individual units proposed, is not likely to result in additional on-street parking to a degree that would result in a significant adverse impact on residential amenity.
- 8.27 Sufficient space is set aside for cycle parking, which is shown on the submitted plans as 3 Sheffield stands; this would satisfy the requirements of Policy 82 for 1 cycle parking space per bedroom.

Drainage

- 8.28 The Council's Drainage Officer has been consulted and has stated that it is not possible to comment on the principle of development with regards to surface water drainage due to the lack of drainage information provided within the application. While the application is in outline form only with all matters reserved, officers must be satisfied that the site can accommodate adequate measures for disposal of surface water, in accordance with Policy 31 of the Cambridge Local Plan.
- 8.29 This information would have been requested were it not for the significant issues identified in regard to visual and residential amenity. The information has not been requested as providing it would put the applicant to additional expense without addressing the aforementioned issues, however it remains that the application does not demonstrate that disposing of surface water by means of a sustainable drainage system is possible, contrary to Policy 31.

Carbon reduction and sustainable design

- 8.30 To ensure compliance with Cambridge Local Plan (2018) policies 28 and 30 and the Greater Cambridge Sustainable Design and Construction SPD 2020, conditions would be attached to any consent granted requiring submission of a Carbon Reduction Statement to meet part L of Building Regulations, and water efficiency specification, based on the

Water Efficiency Calculator Methodology or the Fitting Approach set out in Part G of the Building Regulations.

Air Quality

- 8.31 Cambridge City Council recommends the use of low NOx boilers; appliances that meet a dry NOx emission rating of 40mg/kWh, to minimise emissions from the development that may impact on air quality. The Council's Environmental Health Officer has recommended an informative to advise that any boilers installed should be low NOx and meet a dry NOx emission rating of 40mg/kWh. This would be attached to any consent granted.

9.0 CONCLUSION

- 9.1 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be refused in this instance.

10.0 RECOMMENDATION

- 10.1 Refuse for the following reasons:

1. The application does not demonstrate that the proposed development could be accommodated within the small and constrained application site, while also conforming with the relevant criteria of the Technical Housing Standards Nationally Described Space Standard and the level access requirements for new development as set out in Building Regulations requirement M4 (2) 'accessible and adaptable dwellings'. Furthermore, it has not been demonstrated that the proposed development would be capable of providing space for acceptable private amenity areas for the proposed flats. As such the proposed development would result in a poor standard of amenity for future occupants and would fail to comply with Policies 50 and 51 of the Cambridge Local Plan 2018 and Paragraph 127 of the NPPF 2019.
2. The application fails to demonstrate that the quantum of development proposed could be satisfactorily accommodated

within the site, whilst maintaining a high standard of amenity for users and occupiers of neighbouring land and buildings. By virtue of the cramped nature of the site and its close proximity to existing residential properties and gardens the proposed development would be of a scale and siting that would be overbearing in relation to neighbouring dwellings and which would create a heightened sense of enclosure towards adjacent dwellings, resulting in a significant adverse impact upon residential amenity. The proposed development would fail to comply with Policy 56 of the Cambridge Local Plan 2018 Paragraph 127 of the NPPF 2019.

3. The location and scale of the proposed development is such that it would fail to respond to the context of the area and the prevailing pattern of development, and would appear out of character and over prominent within the street scene and in relation to surrounding built form, resulting in a significant adverse impact upon the character and appearance of the area. For these reasons the proposed development would also fail to preserve or enhance the significance of the Mill Road Conservation Area, causing less than substantial harm to the designated heritage asset. There are no public benefits to the proposal that would outweigh the identified harm. Therefore, the proposed development would not comply with Policies 23, 55, 56, 61 and 82 of the Cambridge Local Plan 2018, the National Design Guide 2019 and paragraphs 185 and 196 of the NPPF 2019.