

Application Number	11/0351/FUL	Agenda Item	
Date Received	28th March 2011	Officer	Miss Catherine Linford
Target Date	23rd May 2011		
Ward	Romsey		
Site	Anglia Property Preservation 1 Great Eastern Street Cambridge Cambridgeshire CB1 3AB		
Proposal	Change of use and side extension to the frontage building from an office to create 2no 1 bed flats; and erection of 6 studio apartments at the rear (following demolition of existing rear buildings), together with associated infrastructure.		
Applicant	C/o Mr. Justin Bainton Januarys Consultant Surveyors 7 Dukes Court 54-62 Newmarket Road Cambridge CB5 8DZ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 1 Great Eastern Street is a two-storey, end-of-terrace property, situated on the north-west side of Great Eastern Street, its curtilage extending about 32 metres from the street to the common boundary with the London – Kings Lynn railway line to the west. The site is irregular in shape, encompassing what would, originally, have been the rear 17 metres of the garden of 3 Great Eastern Street, a dwelling that now stands in a plot that only extends about 15 metres back from the street. As a consequence the north boundary of the site, 1 Great Eastern Street, is a common boundary with both 3 and 5 Great Eastern Street.
- 1.2 The main building on the street frontage (the ‘house’), which is currently used as offices for Anglia Property Preservation, has the typical L-shaped footprint of a house of the period, with a subsidiary 2-storey ‘wing’ at the rear, under a roof pitch ‘shared’ with the adjacent property; to the rear is a more recent flat roof single storey addition which is matched at the rear of No. 3.

Separated away from the 'house', to the rear, there are a number of brick outbuildings, used for storage. These buildings are in a poor condition.

- 1.3 Although the railway line is directly to the west of the site, the surrounding area is primarily a residential hinterland to Mill Road, which is recognised in the Local Plan as a District Centre. Immediately south of the site, in the 25 metres between it and Mill Road, are a children's play area and a public car park.
- 1.4 There are no trees on the site itself, but a number of trees and shrubs on the Council owned site to the south, with some hard up to the boundary. The Root Protection Areas of these trees and shrubs on the boundary extend into the application site. None of the trees are the subject of a Tree Preservation Order (TPO), but all have the protection offered by the Conservation Area.
- 1.5 The site is within the Mill Road area of City of Cambridge Conservation Area 1 (Central)(extended 2011). The site does not fall within the Controlled Parking Zone

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the extension of the existing 'house' and the conversion of the extended form to provide two, one-bedroom flats; and the erection of a two-storey building to the rear to provide six studio-flats, following the demolition of the existing outbuildings.
- 2.2 The single-storey, flat roof element at the rear of the main building would be demolished. The main building would then be extended at the side, with a part single-storey, part two-storey addition. This extension would sit 1m back from the front of the building, projecting out 1m from the side of the original building, providing additional accommodation and a balcony at first floor level. The extended building would be converted into two one-bed flats, with the first floor flat using the original front door on the street as the means of access, and the ground floor flat taking access from the side passageway.
- 2.3 To the rear of the original building and connected to it, a covered bicycle and bin store is shown, which would abut the

common boundary with 3 Great Eastern Street and stand about 2.4m back from the boundary with the play area/car park.

- 2.4 To the west of the bicycle/bin store, a new, principally two-storey, building is proposed, which would provide three studio flats on each of the two floors. All of these flats would be single aspect, facing south, and each flat would have either a private terrace or a balcony. The building would abut the common boundaries with 3 and 5 Great Eastern Street.
- 2.5 The building would fill the space between the railway boundary and the bicycle/bin store. The building is stepped so that:
- for the westernmost 7.2m it is 7.8m deep and set back 2.3m from the boundary with the play area/car park space;
 - for the next 4.9m of the 'frontage' it is 8.9m deep and set back 1.2m from the boundary with the play area/car park space;
 - for the eastern 2.8m of the 'frontage' it extends across the full width of the site to the boundary with the play area/car park space; and
 - for the 1.2m closest to the bicycle/bin store and at the eastern end of the common boundary with 5 Great Eastern Street it is a single storey lean-to only, providing the entrance to the 6 studios, set back 1.4m from the boundary with the play area/car park space
- 2.6 The lean-to on the boundary with 5 Great Eastern Street is 2.1m at eaves level, rising to a height of 2.9m at a distance of 1.3m from that boundary. The two storey building on that same common boundary starts at a distance of 11m from the rear of 5 Great Eastern Street and is 5.2m at eaves level rising to 6.2m at the ridge, which is about 2.7m off that boundary.
- 2.7 The application proposes that two trees and a shrub, which are situated on the adjacent play area/car park site, very close to the boundary, are removed to facilitate the development. The trees in question are:
- a Plum Tree, T2 which the tree survey advises is almost dead, in poor structural condition and with major deadwood, is considered to be a Category R tree (a category from British Standard 5837 – where trees are in such a condition that any existing value would be lost within 10 years and which should in the current context be removed for reasons of sound arboricultural management);

- a Portuguese Laurel Tree, T4 which the tree survey advises is in reasonable health and structural condition and is considered to be a Category C tree (British Standard 5837 category C trees are trees of low quality and value; currently in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested); and
- a Wild Cherry Tree, T6 which the tree survey advises is in poor, declining health, ivy covered, poor structural condition and is again considered to be a Category R tree .

2.8 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Arboricultural Consultants Report
3. Phase I Site Survey
4. Preliminary Sampling Exercise
5. Daylight Analysis
6. Transport Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/71/0205	Proposed change of use from residential to office accommodation	A/C
11/0865/CAC	Demolition of existing rear outbuildings.	Pending

4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes
Public Meeting/Exhibition (meeting of):	No
DC Forum (meeting of):	Yes

The minutes of the DC Forum are attached to this report as Appendix 1.

5.0 POLICY

5.1 Central Government Advice

5.2 Planning Policy Statement 1: Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 Planning Policy Statement 3: Housing (2006): Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

Planning Policy Statement 3: Housing has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare

on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

- 5.4 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.
- 5.5 **Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.6 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.7 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

5.8 **East of England Plan 2008**

SS1: Achieving Sustainable Development

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

5.9 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.10 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/12 The design of new buildings

- 3/14 Extending buildings
- 4/4 Trees
- 4/11 Conservation Areas
- 4/13 Pollution and amenity
- 5/1 Housing provision
- 5/2 Conversion of large properties
- 8/2 Transport impact
- 8/6 Cycle parking
- 8/10 Off-street car parking

Planning Obligation Related Policies

- 3/7 Creating successful places
- 3/8 Open space and recreation provision through new development
- 3/12 The Design of New Buildings (*waste and recycling*)
- 4/2 Protection of open space
- 5/14 Provision of community facilities through new development
- 10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.11 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

Cambridge City Council (March 2010) – Planning Obligation Strategy: provides a framework for securing the provision of new and/or improvements to existing infrastructure generated

by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

5.12 Material Considerations

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value

6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

City Wide Guidance

Cambridge City Council (2004) – Planning Obligation Strategy: Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No car parking provision is made for the proposal. The site lies within an area that experiences high demand for space to park on-street. The proposal would be anticipated to increase that competition. The proposal does not trigger the requirement for transport payments.

Head of Environmental Services

- 6.2 Contaminated land – Because of the sites complex history a desktop survey and limited sampling was required before a decision could be made. A review of historic records identified that the site has a long history of industrial use, including a builders yard and more recently a wood preservation and treatment supplier. The railway line and sidings are immediately to the west of the site. Based on this information, a site specific conceptual model (CSM) was prepared and is acceptable. Two boreholes were excavated and soil samples were collected and tested for a range of contaminants. No ground water or ground gas monitoring was undertaken. The Phase 1 Site Survey suggested some additional works, which are acceptable in principle. The primary investigation identified contamination, but not at levels to preclude residential development. The full contaminated land condition is recommended.

Noise – No significant noise are identified from the Earl of Beaconsfield Public House on the junction of Great Eastern Street and Mill Road. Noise from the railway line must be mitigated against. As a noise report has been submitted as part of the application, only part b) of the noise condition is recommended (mitigation measures)

Natural light – Natural light is limited. It is suggested that glass block are installed on the southern elevation of the first floor corridor as is proposed on the ground floor, and in the western garden wall. The cycle/bin store will have no natural light. Light deters pests and therefore it is suggested that the store has rooflights.

Conditions are also recommended in relation to piling, construction hours, waste storage and dust suppression.

Historic Environment Manager

- 6.3 No objection. The outbuildings are of limited historical interest, therefore their loss is acceptable. The two storey apartment block is separate from the existing terraced house and therefore is read as a single entity rather than as an extension. This is proposed to replace the existing outbuildings which are of similar scale, although they do not cover the same footprint as the proposed development. The ridge height of this block is lower than the original building and therefore will not dominate the streetscene of Great Eastern Street. The design of the apartments is appropriate provided that the materials and finishing details are carefully considered and agreed. The side extension to the end terrace house is acceptable in design and scale. A condition is recommended requiring samples of materials.

City Council Arboricultural Officer

- 6.4 T3 is a significant tree of great amenity value and worthy of a Tree Preservation order (as the tree is on a site owned by the City Council a TPO has not been issued). The proposed development is very close to this tree and within the Root Protection Zone. A significant concern is about future requests to prune the tree for light and other nuisance, and this may affect the long-term retention of the trees. Further information has been submitted.
- 6.5 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 Great Eastern Street
 - 3 Great Eastern Street
 - 4 Great Eastern Street
 - 7 Great Eastern Street
 - 10 Great Eastern Street

- 13 Great Eastern Street
- 15 Great Eastern Street
- 37 Great Eastern Street
- 38 Great Eastern Street
- 50 Great Eastern Street
- 52 Great Eastern Street
- 55 Great Eastern Street
- 56 Great Eastern Street
- 57 Great Eastern Street
- 61 Great Eastern Street
- 74 Great Eastern Street
- 77 Great Eastern Street
- 79 Great Eastern Street
- 23 Hope Street
- Fairfields, Little Peterstow Orchard, Ross-on-Wye, Herefordshire

7.2 The representations can be summarised as follows:

Character

- The proposed building is out of character
- The view from the Mill Road bridge will be compromised
- Impact on trees
- The proposal increases the built development coverage of the site and significantly increases the built mass of the site. This is overdevelopment of a constrained site
- There are no guarantees that the existing materials will be reused

Residential Amenity

- Noise from additional occupiers
- Noise from construction
- Dust from construction
- Deliveries will cause disturbance and disruption
- On bin collection day the bins block the pavement. The additional bins for the proposed development will exacerbate the situation
- Loss of privacy
- Overbearing sense of enclosure for neighbouring properties
- Loss of light

Traffic and parking

- Off-street car parking spaces should be provided. Parking is already difficult and this will exacerbate the problem
- The Transport Statement does not correlate with residents experience of parking on the street
- All new residents should not be eligible for parking permits

Other

- Neighbours were notified too late and too slowly
- Infrastructure work has already begun

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 area
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses.

8.3 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of non-residential buildings into self-contained dwellings will be permitted except where the likely impact on on-street parking would be unacceptable; the living accommodation provided would be unsatisfactory; the proposal would fail to provide for satisfactory refuse bin storage or cycle

parking; and the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.

- 8.4 The site is within a residential area, and therefore I consider residential use here to be acceptable. In my opinion, the principle of development is acceptable and in accordance with policy 5/1 and part e) of policy 5/2 of the Cambridge Local Plan (2006). The other sections of policy 5/2 of the Local Plan will be discussed later on in this report.

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

- 8.5 The extension to the side of the original 'house' building would be set back from the Great Eastern Street frontage of the building, and takes a lean-to form at ground floor and presents a gable at first floor. In my opinion, this will have a positive impact on the immediate area recognizing the 'corner' status of this building and presenting a 'face' towards Mill Road. It will not have a detrimental impact on the appearance of the street or the character of the area and the Council's Conservation Officers are of the opinion that the extension is appropriate in design and scale.
- 8.6 Great Eastern Street is of a relatively uniform character and design comprising mainly (with the particular exception of a two-storey flatted development at 31-35 Great Eastern Street) two-storey, Victorian, terrace houses. While the proposed new building, is not entirely consistent with the physical appearance of the predominant house form, the proposed building and the six studios are in a terrace form, and instead of looking out on the street from the back of the pavement, look out over a play area and car park space towards Mill Road. In my view this modern approach to a terrace form, given the rather different context, is appropriate and far from being out of character with the area, would replace rather tired buildings and make a positive contribution to the character and appearance of the area.
- 8.7 The existing site, to the west of 1 and 3 contains outbuildings that vary in scale and height. On the common boundary with the railway land, is an outbuilding with north and south facing gables; the building is 4.3m high at the eaves and 5.8m high at

the ridge. Attached to this building (by a link which falls from 3.1m on the common boundary with No. 5, to approximately 2.5m within the site), and abutting the common boundary with 5 Great Eastern Street, is a mono-pitched outbuilding, that stands 4.4m high on the common boundary, but falls to a height of approximately 3.9m within the site. Attached to this is a flat-roofed 'garage', approximately 2.2m high which abuts the common boundary with the rear of 3 Great Eastern Street and the common boundary of the 5 Great Eastern Street closest to the house on that property.

- 8.8 The proposed building, like the existing outbuildings will abut the common boundary with 3 and 5 Great Eastern Street. Currently, along the boundary with 5 Great Eastern Street there are buildings of between 3.1m and 4.4m in height, for a length of approximately 15.1m, leaving a 5.7m gap between the outbuilding along the boundary and the single-storey element at the rear of No.5. Along the rear boundary of 3 Great Eastern Street there is a building that is 2.2m in height.
- 8.9 The proposed building will have a low, asymmetrical, hipped roof, standing at a right angle to Great Eastern Street and facing out towards the public car park and play area and Mill Road beyond. Along the common boundary with 5 Great Eastern Street, the building would be 5.2m in height to the eaves and 6.2m in height to the ridge, for a length of 12.5m. This is little lower than the northern gable of the existing outbuilding closest to the railway, but higher by about 650mm than the existing structures on this part of the common boundary. At this point the proposal drops to single storey height on the boundary with the wall about 2.1m lower than the existing structure; however the new building would then rise, about 1.3m off that boundary, to new eaves and ridge heights about 1.2m and 1.7m respectively above the existing (the ridge height being about 2.6m off the boundary) and would extend 1.2m closer to the rear of no. 3. Immediately south of the flat roof rear extension to no.3 the proposed bin/bicycle store will be 700mm taller than the existing wall.
- 8.10 As the outbuildings exist, and have been standing there for a very long time, having buildings at the rear of this site is a part of the character of the area, and the view from the Mill Road Bridge. The outbuildings are of limited historical interest and the Conservation team has no objection to their removal and if

they are replaced with something of appropriate scale that will add to the area. I share the view that replacing these buildings with other buildings of a similar scale, is acceptable in principle and need not have a detrimental impact on the character or appearance of the Conservation Area. The new building is separate from the main house and is therefore read as a separate entity rather than as an extension, much as the existing buildings are. The ridge height of the new building would be lower than the ridge of the original 'house', and would not therefore dominate the streetscene of Great Eastern Street or detract from the main building. Set back as the proposal is from Mill Road and behind planting, I do not consider that the modest scale of the building will be intrusive in that street scene, but will make a positive contribution, framing the space.

8.11 It is proposed that the bricks from the outbuildings are reclaimed, where possible (some cement mortar has been used and therefore the extent of reclamation possible is not certain) and used in construction of the new building. These bricks will be used on the northern elevation and would also be used for the boundary wall. Additional reclaimed bricks may also be used. The side and rear elevations of 1 Great Eastern Street are painted white and to tie in with this, it is proposed that the southern elevation (the front elevation facing out towards the Mill Road) is also rendered white, framed with brickwork. The roof will be slate. The side extension to the main house will be rendered to match the existing building. To ensure that the materials used are appropriate, I recommend a condition requiring that all brickwork is constructed using reclaimed bricks, and that samples of the render and roofing materials are submitted prior to works above ground level (condition 2).

8.12 In my opinion the proposal, in terms of its design and appearance and contextual relationship with neighbouring buildings and the site, is a good solution which will make a positive contribution to the local area and the Conservation Area of which it is a part. The proposal is therefore compliant with East of England Plan policies ENV6 and 7, Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11 and advice in Planning Policy Statements 1 and 5.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 Due to the scale of the building, its positioning and the orientation of the buildings, it is my opinion that the only neighbouring properties likely to be affected by the physical mass of the proposal are 3 and 5 Great Eastern Street.
- 8.14 The new building will stand to the south of 5 Great Eastern Street and to the west of 3 Great Eastern Street, and there is therefore the potential for impact on these neighbours in terms of potential loss of light to and outlook from the dwellings and their gardens, overshadowing and enclosure. However, in order to assess whether the new building would have a significant detrimental impact on the residential amenity of neighbouring occupiers, the impact of this proposed building must be compared with the impact of the existing outbuildings on the site.
- 8.15 Shadow diagrams have been submitted as part of the application, which demonstrate that the existing outbuildings currently overshadow the rear gardens of 3 and 5 Great Eastern Street. On the boundary, at eaves level, the proposed building will be taller than the existing buildings in some places and lower in others. The submitted shadow diagrams show that the proposed building will cast slightly more shadow over the neighbouring gardens than the existing outbuildings, but not significantly more. This suggests that the proposed building will not have a significant detrimental impact on neighbours in terms of overshadowing, when compared with the current situation.
- 8.16 In saying this, what also needs to be carefully assessed, is the potential dominance of the proposed building when seen from the gardens of 3 and 5 Great Eastern Street. Again, this needs to be compared with the current situation. In my opinion, the existing outbuildings are relatively dominant when seen from the neighbours' properties, especially when viewed from the garden of 3 Great Eastern street, which is shallow, most of the original garden having been incorporated into the application site in the past. In my opinion, the impact on the neighbours will not be significantly different from what is currently experienced, and not to a degree that would justify refusal of the application.
- 8.17 Concern has been raised about noise and disruption from the residents of the flats. Clearly there will be additional noise as the comings and goings from the site are likely to increase.

However, the areas closest to the two neighbouring properties are circulation spaces where noise is likely to be less and where the spaces themselves can act to some degree as a buffer against activity in the rooms which are further away from neighbours. The open spaces and balconies are all 'buffered' from nos. 3 and 5. In my opinion, there is not justifiable reason to refuse planning permission on these grounds.

- 8.18 Concern has been raised about noise from construction. Building works always create some level of noise of disturbance, and this cannot be completely avoided; however to try to minimize the potential impact I recommend that the hours of construction are limited by condition (condition 3). In order to minimize disruption from deliveries of construction materials and the collection of construction waste, I recommend that the hours of collections and deliveries are limited by condition, to avoid rush hour (condition 4). The confined nature of the site is such that I also consider it important to have a condition to address construction operations (condition 5). To minimize the impact of dust in the air and mud on the road, I recommend that details of dust suppression are required by condition (condition 6).
- 8.19 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

Noise

- 8.20 Concerns about proximity of the railway has resulted in a noise report being submitted with the application. This identifies that the site falls within NEC B in both the daytime and at night. The Environmental Health Officer has explained that this would mean that some noise mitigation would be required. A noise mitigation strategy is requested by condition (condition 7).
- 8.21 However, the new building has been designed in order to mitigate against noise from the railway, which is directly to the west of the site. All of the flats in this building are single aspect, with balconies/terraces and openable windows on the southern elevation only. The noise level is likely to be reduced by the

shielding of the building and garden walls, and it is therefore possible that the noise environment immediately outside the southern windows is within NEC A. This would mean that mitigation may not be required. The western elevation does include a window at ground floor and first floor level, which will provide light, but will be sealed shut.

- 8.22 The report does not assess noise in external amenity areas. However, as the terraces and balconies are on the southern elevation, and protected by the building, Environmental Health are confident an acceptable noise level can be achieved here.

Impact of the existing trees on the light entering the proposed building

- 8.23 The City Council Arboricultural Team are concerned that the spread of the trees on the boundary is such that they will limit daylight from entering the proposed studios flats in the new building. This might lead to future requests to prune or even fell the trees, which the Council would find it hard to resist if planning permission had been granted. The applicant has responded to this by submitting shadow diagrams where the trees have been considered as solid objects, although ecological research indicates that a broadleaf tree in full leaf only blocks between 50% and 70% of light. The applicant argues that the shadow diagrams show that all the proposed units will meet the national standards for light levels. If there is no justification for pruning works that are considered to be harmful to the amenity of the tree, any application for such works could and should be refused. The applicants shadow drawings show that adequate light would enter the flats and therefore the Council could not be 'forced' to allow the trees to be pruned. In my opinion this is a reasonable argument, and it is my view that it may well be unreasonable to refuse planning permission due to an event that may or may not occur in the future. This application has been brought to Committee with a recommendation of approval on this basis, to avoid delaying the determination of the application further, but I still await further comments from the City Council's Arboricultural Team, which will be reported to Committee.
- 8.24 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is

compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 (or 3/14).

Refuse Arrangements

- 8.25 The submitted plans show that three chamberlain bins will be provided, and will be stored in a secure store situated between the converted building and new building. Environmental Health are satisfied that this should be sufficient for the volume of waste that will be generated by the development. However, the management of the bins, including how they will be taken to the kerbside for collection, will need to be agreed by condition (condition 7).
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.27 Appendix C (Car Parking Standards) states that no more than one car parking space can be provided for each dwelling. Part b) of policy 5/2 of the Cambridge Local Plan explains that the conversion of non-residential buildings into residential use will not be permitted if the impact on on-street parking would be unacceptable. The proposed development is to be car-free, and there are no off-street car parking spaces proposed. The site is not within the Controlled Parking Zone, and competition for on-street parking spaces is high.
- 8.28 In terms of the demand for on-street parking, this site is similar to a site on Campbell Street, which is a cul-de-sac almost directly opposite Great Eastern Street, on the opposite side of Mill Road. In March 2010 planning permission was refused for the conversion of 1A Campbell Street from offices to four studio flats (10/0054/FUL). This was a car free development, although there was space for one car to park off-street. The application was refused, as it was the Council's view that the development would provide unsatisfactory living accommodation. The lack of car parking was accepted. The application was taken to appeal and was allowed. In the appeal decision, the Inspector stated that:

It is likely that these units of accommodation will be attractive to residents willing to forego car ownership, and that the difficulties

of parking in the area which have been drawn to my attention will reinforce this. I also note that there are facilities, including the City Centre, within walking or cycling distance. I conclude that whilst the concerns expressed are understandable, they do not justify the refusal of planning permission.

- 8.29 Like the Campbell Street site, the application site is close to the City Centre and local shops on Mill Road, and is close to public transport routes, including the railway station. There is a public car park directly to the south of the site, which includes a car club car. Due to the sites location, and because of this appeal decision on a site close by, it is my opinion, that it would not be reasonable to refuse planning permission due to a lack of off-street car parking spaces.
- 8.30 Appendix D (Car parking Standards) maintains that at least one secure and covered bicycle parking space must be provided for each bedroom. For this development, this equates to eight spaces. Eight spaces are provided within the store, which meets the standards and is acceptable.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 and part b) of policy 5/2.

Third Party Representations

- 8.32 Most of the issues raised in the representations received have been addressed under the headings above. Those not yet addressed are the neighbour notification period and the belief that works on infrastructure have already commenced.
- 8.33 Neighbours and consultees were consulted in line with what is statutorily required. If any works have commenced which require planning permission (ie infrastructure works that are considered to be an engineering operation) they are carried out at the developers own risk and may be subject to enforcement action.

Planning Obligations

- 8.34 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests.

If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.35 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.36 The application proposes the erection of 6 studio flats and the conversion of the main building into two one-bed flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	6	1428
1 bed	1.5	238	357	2	714
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					2142

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	6	1614
1 bed	1.5	269	403.50	2	807
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					2421

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	6	1452
1 bed	1.5	242	363	2	726
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					2178

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0	6	0
1 bed	1.5	0	0	2	0

2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
Total					0

8.37 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.38 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	6	7536
2-bed	1256	2	2512
3-bed	1882		
4-bed	1882		
Total			10048

8.39 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.40 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	8	600
Flat	150		
Total			600

- 8.41 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Education

- 8.42 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.43 In this case, eight additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	8	0
2+-beds	2		810		
Total					0

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	8	0
2+-beds	2		1350		
Total					0

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5	8	0		0
2+-beds	2		1520		
Total					0

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	8	1280
2+-beds	2		160		
Total					1280

8.44 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003)

policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.45 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

- 8.46 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 25 January 2012 and subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Reclaimed bricks will be used for all brickwork (other than rendered brickwork) unless agreed in writing by the Local Planning Authority. No above ground works shall commence until samples of all other materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

4. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages on Mondays - Fridays between the hours of 0700 hrs and 0900 hrs or between the hours of 1600hrs and 1800hrs. On Saturdays there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs. There should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and to protect the amenity of these residential properties throughout the redevelopment. (Cambridge Local Plan 2006, policy 4/13)

5. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

6. No demolition / development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the construction period has been submitted to and approved in writing by the Local Planning Authority. Works shall be undertaken in accordance with the approved details unless the Local Planning Authority agrees to the variation of any details in advance and in writing.

Reason: To minimise the spread of dust in the interests of health and safety. (Cambridge Local Plan 2006, policy 4/13)

7. Prior to the commencement of above ground works, a noise insulation scheme having regard to acoustic ventilation, compliance with the requirements of Approved Document F and summer cooling, shall be submitted to and approved in writing by the Local Planning Authority. The noise insulation scheme shall detail the acoustic noise insulation performance specification of the external building envelope (having regard to the building fabric, glazing and ventilation) and shall protect the residential units from noise as a result of the proximity of the bedrooms/living rooms to the high ambient noise levels from Mill Road and the railway. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. The scheme as approved shall be fully implemented prior to occupation of the residential units and shall not be altered without prior approval.

Reason: To protect the amenity of future occupiers (Cambridge Local Plan 2006 policies 3/7 and 4/13)

8. Prior to occupation, a management plan for the collection of waste, including who will be responsible for moving the bins to the kerbside for collection, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 3/7)

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, ENV6, ENV7, T9, T14

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/12, 3/14, 4/4, 4/11, 4/13, 5/1, 5/2, 8/2, 8/6, 8/10

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

Unless prior agreement has been obtained from the Head of Development Services, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 25 January 2012 it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, in accordance with the following policies, standards and proposals 3/7, 3/8, 3/12, 4/2, 5/14 and 10/1 of the Cambridge Local Plan 2006; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses [exempt or confidential information]
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.