

Application Number	10/0068/FUL	Agenda Item	
Date Received	28th January 2010	Officer	Miss Catherine Linford
Target Date	25th March 2010		
Ward	Petersfield		
Site	Upper Cuts 65 Norfolk Street Cambridge Cambridgeshire CB1 2LD		
Proposal	Conversion of existing hairdressing salon and redundant basement store to 1-bed studio flat with basement kitchen and external works.		
Applicant	Mrs Louise Boughey 63 Norfolk Street Cambridge Cambridgeshire CB1 2LD		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No 65 Norfolk Street is situated on the southern side of Norfolk Street and on the corner of Norfolk Street and Blossom Street, which runs along the eastern boundary of the site. The surrounding area is predominantly residential in character with a mixture of single and two storey dwellings, but there are also other uses within the immediate vicinity. The building opposite the application site, on the northern side of the road, is a public house (The Man on the Moon). No. 67 Norfolk Street, on the southern side of the road, is also a retail premises. There are also examples of A1 (shops) and A3 (cafes) along Norfolk Street, towards East Road. The site falls within City of Cambridge Conservation Area 1 (Central) and within a Local Centre. The site falls just outside the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission to convert the ground floor and basement of No. 65 from a hairdressers salon to a one-bedroom flat. The flat would be accessed from Blossom Street, and the accommodation would consist of a

bathroom, bedroom and living room on the ground floor and a kitchen in the basement.

2.2 This application follows a previous, identical application, which was refused by Officers under delegated powers. The current application has been called into Committee by Councillor Blencowe.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
07/0787/FUL	Erection of three flats to the rear of nos 63 and 65 Norfolk Street (fronting Blossom Street), roof extension to no. 65 Norfolk Street with front and side dormers and alteration to existing dwelling and internal alterations to shop.	A/C
09/0963/FUL	Conversion of existing hairdressing salon and redundant basement store to 1-bed studio flat with basement kitchen and external works	REF

3.1 The decision notice for the previously refused application 09/0963/FUL is attached to this report as Appendix 1.

4.0 PUBLICITY

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

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.
- 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 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.

5.6 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.

5.7 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

5.8 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision
P9/8 Infrastructure Provision

5.9 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
4/11 Conservation Areas
4/13 Pollution and amenity
5/1 Housing provision
6/7 Shopping development and change of use in district and local centres
8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development
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*)

5.10 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.

5.11 Material Considerations

Cambridge Historic Core – Conservation Area Appraisal (2005): Provides an appraisal of the Historic Core of Cambridge.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Objection: Neither the existing residents of the site or future residents will qualify for Residents' Parking Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

Head of Environmental Services

6.2 No objection: Conditions recommended relating to waste storage, construction hours, windows, and the use of the basement.

Historic Environment Manager

6.3 No objection: Does have some concerns about the blocking up of the original corner door and venting.

6.4 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 Councillor Blencowe has commented on this application, requesting that the application is brought to Committee so that the planning issue of the loss of a shop against the gain of residential accommodation can be considered.

7.2 The owners/occupiers of the following addresses have made representations:

- 45 Norfolk Terrace
- 15 Blossom Street

7.3 The representations can be summarised as follows:

Context and character

- Loss of historic shop window. The corner shop enhances the character of Blossom Street
- Loss of retail/commercial unit in an area where the provision of local independent shops is important to the quality of local life
- The development does not conserve the character of the Conservation Area

Residential amenity

- The unit would have no garden space

Car and cycle parking

- Impact on the demand for on-street parking spaces
- Lack of bicycle parking

Waste storage

- Insufficient waste storage

Other

- Stress on drainage
- There are already too many new flats in Cambridge

7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations

7. Planning Obligation Strategy

Principle of Development

- 8.2 The site lies within a Local Centre, and therefore policy 6/7 of the Cambridge Local Plan (2006) applies to this proposal. Policy 6/7 states that change of use from A1 to another use, other than a Class A use, will not be permitted. This application proposes change of use from A1 to C3 and is therefore contrary to policy 6/7 of the Local Plan.
- 8.3 In my opinion, the principle of change of use is unacceptable, as it is contrary to policy 6/7 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.4 The application proposes minor alterations to the existing shopfront, including the blocking up of the existing entrance door on the corner of the building, the installation of double glazing (using the existing window frames), and the removal of the glazed tiling.
- 8.5 The City Council's Conservation Officers do not support the blocking up of the original entrance door, as this mirrors the entrance door on the shop on the opposite side of Blossom Street, and shows the history of the building. In the Design and Access Statement the applicant has stated that if it is deemed vital to retain the doorway, the development would not be greatly affected, and therefore I see no reason to not insist on the retention of this doorway via a condition; if permission were to be supported.
- 8.6 The installation of double glazing is accepted by Conservation and Environmental Health Officers.
- 8.7 The removal of the tiles is acceptable provided that those below the windows are replaced with a traditional stall riser rather than plain bricks. By leaving the area beneath the windows as brick, the shop window will be out of context. This can be secured by condition.
- 8.8 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006)

policies 3/4 and 3/7.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The proposal is for change of use only and does not involve any significant changes to the external appearance of the building. As there are no alterations to windows and no additional windows, there will not be any additional overlooking of neighbouring properties. It could be argued that the property is to be more intensively used, but I do not believe that there would be any significant increase in noise and disturbance.
- 8.10 Concern has been raised about noise and disruption from construction work. This can be mitigated to an extent by restricting contractor working hours and delivery hours, and would in all probability be for a limited period only.
- 8.11 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.12 The site is located opposite the Man on the Moon Public House and Environmental Health have received complaints about noise from the venue. This noise needs to be mitigated against in order to protect the amenity of future occupants. Fitting double glazed windows, as is proposed, will mitigate against any noise associated with the Public House.
- 8.13 The kitchen would be situated in the basement, which will have adequate headroom of at least 2m. There is only a small window in a grate in Blossom Street giving light and air to the basement, and this would not be sufficient to provide adequate ventilation. Mechanical ventilation will therefore be required, but as this will not involve any external plant, this requirement will fall to Building Control to enforce.
- 8.14 Concern has been raised that the flat would not have any private, outside space. I understand the concern about this, but

would say that it is common for flats to not have any private, outside space. As the site is close to the City Centre and public open space, I do not consider it reasonable to refuse the application for this reason.

- 8.15 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policy 3/7.

Refuse Arrangements

- 8.16 The proposed bin storage provision is identical to that proposed in the previous application (07/0787/FUL). Environmental Health Officers believe that the bin store is adequate for the site if large communal bins are used rather than individual wheelie bins. In order to allow the refuse collectors easy and safe access to move the communal bins the door to the store would need to be 2m wide, rather than the 1m wide proposed. This alteration could be secured by a condition.
- 8.17 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.18 Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006) states that in this location, outside the Controlled Parking Zone, a maximum of one car parking space should be provided for a one-bedroom flat. As was the case with the development of the rest of the site, no off-street parking spaces are proposed. I am aware that this is a concern to neighbours, but considering the Car Parking Standards are maximum standards and the site is close to the City Centre and public transport links, it is my opinion that it would not be reasonable to refuse this application for this reason.
- 8.19 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that at a minimum, one cycle parking space should be provided for each bedroom. The cycle parking provision on the site is the same as proposed in the previous application (07/0787/FUL), and therefore in order to meet the

Council's Cycle Parking Standards a further one cycle parking space is required. Although this has not been demonstrated, I am confident that a further cycle parking space can be provided either within the cycle store or in the yard. I would recommend that details of this could be sought by condition.

- 8.20 In my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.21 Most of the issues raised in the representations received have been addressed under the headings above. In the representations received concern has been raised that the development may put extra pressure on the water supply and drainage. There has been no adverse response from providers and the additional demands of this one small unit cannot constitute a justification for refusal. It has also been stated that there are too many new flats being built in Cambridge; this too cannot, on this small site, be used as a reason to refuse this application.

Planning Obligation Strategy

- 8.22 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.23 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 formal open space, informal open space and children's play areas. The total contribution sought has been calculated as follows.

8.24 The application proposes the conversion of a retail unit to form one new unit containing one bedroom. In conversions, the contributions for open space are based on the number of additional bedrooms created, each additional bedroom being assumed to contain one person. Contributions for children's play space are only required if they are in units with more than one bedroom. The totals required for the new units resulting from the proposed conversion are calculated as follows:

Formal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
0	1	1	1.5	360	540

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
0	1	1	1.5	306	459

8.25 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8 and 10/1.

Community Development

8.26 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1085 for each unit of one or two bedrooms and £1625 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such	Total £

		units	
1 bed	1085	1	1085
2-bed	1085		
3-bed	1625		
4-bed	1625		
Total			1085

8.27 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

9.0 CONCLUSION

9.1 This application directly conflicts with policy 6/7 of the Cambridge Local Plan (2006), which states that change of use from A1 to another use, other than a Class A use, will not be permitted. The application is therefore unacceptable in principle and is recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reason/s:

1. The proposal to change the use of the property from A1 to C3 directly conflicts with policy 6/7 of the Cambridge Local Plan (2006), which states that in a Local or District Centre, change of use from A1 to other uses outside Class A will not be permitted.
2. The proposed development does not make appropriate provision for public open space or community development facilities, in accordance with policies 3/8, 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 2004 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

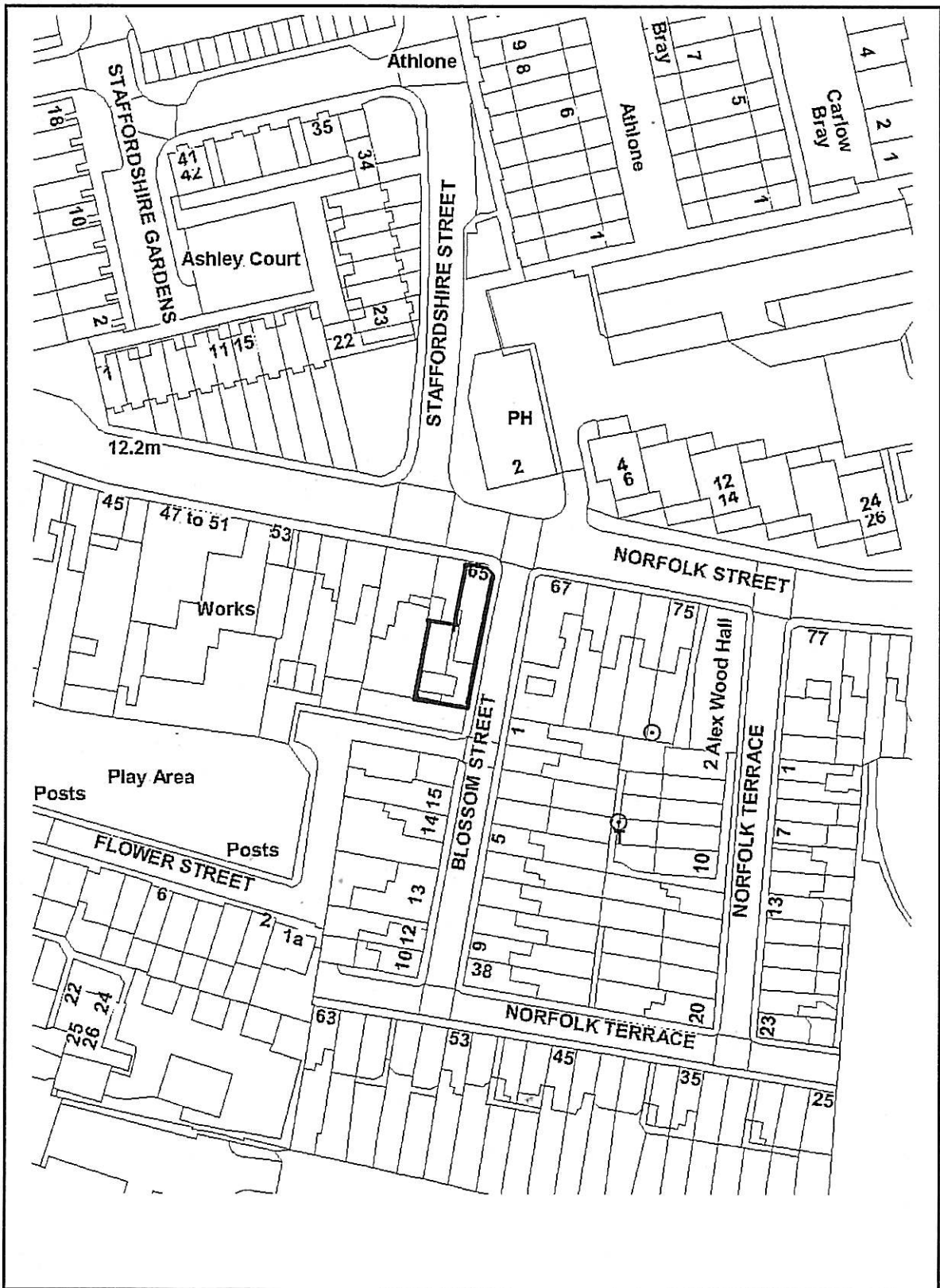
In the event that an appeal is lodged against a decision to refuse this application, DELEGATED AUTHORITY is given to Officers to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy.

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.



10/0068/FUL

Upper Cuts 65 Norfolk Street Cambridge Cambridgeshire



CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Ref:09/0963/FUL

Mr Geoffrey Scott
Geoffrey m Scott architects
1 William James House
Cowley Road
Cambridge
CB4 0WX

The Council hereby refuse permission for

Conversion of existing hairdressing salon and redundant basement store to 1-bed studio flat with basement kitchen and external works.

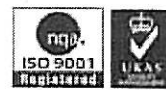
at

65 Norfolk Street Cambridge Cambridgeshire CB1 2LD

in accordance with your application received 13th October 2009 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The proposal to change the use of the property from A1 to C3 directly conflicts with policy 6/7 of the Cambridge Local Plan (2006), which states that in a Local or District Centre, change of use from A1 to other other uses outside Class A will not be permitted.
2. The proposed development does not make appropriate provision for public open space or community development facilities, in accordance with policies 3/8, 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 2004 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

Simon Payne
Director of Environment & Planning
Cambridge City Council The Guildhall Cambridge CB2 3QJ
Telephone 01223 457000 Minicom (non-speaking phone) 01223 457050



INVESTOR IN PEOPLE

This decision notice relates to the following drawings: **07/19_12**,

A copy of the refused plan(s) is/are kept in the planning application file.

For further information please go to www.cambridge.gov.uk/planning to view the 'Your Decision Notice' leaflet. If you require a hard copy please contact Development Control on (01223) 457200.

Dated: 8 December 2009

Guildhall, Cambridge, CB2 3QJ

Director of Environment & Planning

SEE NOTES ATTACHED