

**NORTH AREA COMMITTEE MEETING – 22<sup>nd</sup> January 2009**

**Pre-Committee Amendment Sheet**

**PLANNING APPLICATIONS**

CIRCULATION: First

ITEM: APPLICATION REF: 08/1083/FUL

Location: 127 Milton Road

Target Date: 17.10.08

To Note:

Further details have been requested regarding comments from the County Highways Authority. Comments from the County Highways Authority are copied in full below:

*The proposed redevelopment of the land to the rear of 127 Milton Road while providing sufficient car and cycle parking for the proposed apartments, does not increase traffic movements along the existing access. However, the loss of dedicated car parking for the business, has the potential to increase on street car parking in an area where completion for such parking is already intense.*

Officer Comments

- The view of the County Highways Authority is unchanged from the previous submission earlier in 2008 (08/0384/FUL). As detailed within the report, the remit of the Highways Authority is at the point of access and egress onto Milton Road only. The issue of highway safety for users of Pye Alley has been considered in section 8.22 of the report.
- The accessway is and will remain an unadopted road and will not be upgraded through the S106 Contributions.

Amendments To Text:

**Paragraph 3** – The site history states that the previous consent (C/02/034) has now expired. However, this decision was issued in 2004 and was conditional upon works commencing within 5 years. The consent is therefore still valid until 22 June 2009.

**Paragraph 5.9** – The list of relevant Local Plan policies should also contain policy 3/10 (Subdivision of existing plots) as referred to within the main body of the report.

**Paragraph 8.27** – Formatting error. The required contributions should be in pounds

(£).

Pre-Committee Amendments to Recommendation: None.

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 08/1568/FUL

Location: 1 & 1A Hertford Street

Target Date: 28.01.2009

To Note: Since the completion of the Committee report an additional representation objecting to the proposal has been received from the occupier of 9 Chesterton Road. The grounds of objection stated are already included in the report, in the list of issues raised by other objectors, and are addressed in the assessment.

Amendments To Text:

Add to site history as 3.2:

**Recent applications on adjacent site to south-east**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
07/0824/FUL	Erection of a new student residence comprising 16 bedsits, a Fellows flat and a basement gym.	Approved by Committee, awaiting completion of Section 106 agreement

Add to paragraph 8.25

No disabled parking is proposed. Given the small scale of the proposed development, this is in my view acceptable.

Pre-Committee Amendments to Recommendation:

Add the following conditions:

7. 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)

- 8. 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)

- 9. 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 outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and 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 that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

Renumber informatives as 10-16.

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 08/1521/FUL

Location: 42 Ramsden Square

Target Date: 05.01.2009

To Note: Following the publication of the agenda, the applicant has produced a response to the reasons for refusal in the Committee report. This is attached along with supporting photographs.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

**DECISION:**

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## CAMBRIDGE CITY COUNCIL

Notes of a Development Control Forum

127 Milton Road

12 November 2008

11.45am – 12.50pm

**Application No:** 08/1083/FUL  
**Site Address:** 127 Milton Road, Cambridge  
**Description:** Erection of six one bedroom apartments.  
**Applicant:** Mark Smith and Debra Allard  
**Agent:** Richard Ball, Architectural Drawing and Design, 1 Ward Road Cambridge  
**Lead Petitioner:** Ellen Lee  
**Case Officer:** John Evans

### Present:

#### For Applicant

Richard Ball  
M. Smith  
D. Allard  
J. Smith

#### For Petitioners

Ellen Lee  
Guillermo Makin, 58 Mulberry Close  
Mario Hyvonen  
Bronwyn Hipkin

### Members of North Area Committee

Councillors Blair, Boyce and Nimmo-Smith

### Declarations of Interest by Members

Cllr Nimmo-Smith had met the applicant and the neighbours informally prior to this forum.

### Officers

John Summers (Chair), John Evans (Case Officer) and Toni Birkin (Committee Manager)

### Text of Petition

The text of the petitions was as follows:

Increased traffic on Pye Alley is a safety risk on a heavily used public right of way from Mulberry Close to the Milton Road shops.

There will be an increase in noise and disturbance to local residents including Ellis House (retirement home) given that the building will be occupied by at least 6 individuals.

Adjoining houses (22 metres from the development) will be overshadowed, overlooked and suffer loss of privacy.

Pye Alley is primarily a public footpath and will not cope with the additional traffic.

### Case by Applicants

Mr Ball made the following points

1. Surprised by the response and level of feeling against plan
2. Keen to seek compromise
3. Unaware at outset of the project that the Residents Association owned the access road or they would have been involved earlier
4. The site currently has outline planning permission to convert to residential use for a single property

5. The road to the rear is dark and troubled by anti-social behaviour and drug user
6. Development would bring improvements to general area
7. Consideration was given to overlooking and design seeks to maximise distance from existing properties for privacy
8. By design proposal is compatible with existing properties in the area
9. Following long and helpful discussions with the planning department the original application was withdrawn
10. Applicant met with Cllr Nimmo-Smith to assisted conciliation process with neighbours
11. Proposal complies with **target 5.1 of ???** in seeking to convert utilise a Brownfield site
12. Will have a positive impact on the area
13. Planners concerns over amenities area for development have been addressed
14. Original application generated concerns over scale and mass; these have been addressed by new design.
15. Car parking spaces have been reduced and courtyard area increased
16. New plan reduces width and scale of building to bring it in line with existing buildings
17. This will reduce impact on Mulberry Close
18. Sustainability will be a feature of the design and solar panel will be used
19. The site will have a maximum of 4 car parking spaces and it is expected this will have no impact on the traffic flow
20. Area currently a mix of residential and business properties and the access road is used by both
21. Increased noise not relevant in this case
22. Overshadowing will not be an issues
23. Current properties overlook each other
24. New build will not lead to loss of privacy
25. Early meetings with planning department did not highlight any problems
26. Revised plan is sympathetic to area and small scale
27. Applicant would have liked an earlier dialog with the petitioners
28. Currently sees little room for more compromise but is keen to talk

### **Case By Petitioners**

Ms Lee made the following points

29. Apologies for not meeting earlier and explained the problems in getting a representative group together.
30. Built will introduce 6 extra household to the area
31. Will create privacy issues by overlooking existing properties
32. Access road has limited use and few cars travel the full length of the road
33. Pye Alley is owned by Mulberry Road Resident Association
34. It is difficult to maintain
35. Anti-social behaviour problems linked to poorly maintained rear gardens and fencing of business properties (Wilco's, dentist, pharmacists).
36. Security Lighting has been introduced by the Residents Association
37. Improvements have been carried out in area and £3,000 was spent on hedging
38. Can a condition be added to ensure the residents association is reimbursed for any damage done during the construction work?
39. 6 additional households will generate more that 4 cars and these will park where they choose in area
40. Consultations with a solicitor have suggested that highway safety of young children using a blind corner could be a grounds for refusal of planning permission

41. This blind corner will bring pedestrians into conflict with cars
42. Increased use of the intersections of the private road and the main highway will be dangerous
43. Current flow of traffic at peak times tends to be in a single direction
44. Additional housing would generate traffic flowing in the opposite direction
45. Road is narrow and cars park in the passing area which may cause vehicles to have to reverse creating dangers for pedestrians and cyclists
46. Ellis House (sheltered housing) warden has written to express concern that 27 frail resident use this road as their main access to local amenities and will be at risk from the additional traffic
47. Numbers 30 to 35 will be overlooked this will be intrusive and will invade privacy
48. Work to deal with the anti-social behaviour in the area is on-going and improvement have been made
49. Broken fencing to the rear of business premises add to this problem
50. Powerpoint map used to demonstrate the narrowness of the road and to illustrate points made above
51. In one hour in the peak morning period Pye Alley was used by 30 cyclist and pedestrians and only one car
52. At pedestrian access point a chicane slows cyclists
53. Prentis car park is full during the day leaving no room for vehicles to pass

**The Case Officer's comments:**

54. 3 responses have been received from :
  - a. Highways have no objection in principle
  - b. Education: S106 contribution will be required
  - c. ***Sorry Could not Hear what you said***
55. 14 written representations have been received from individuals raising the following issues:
  - a. Development too high
  - b. Density
  - c. Overlooking
  - d. Proximity to other building
  - e. Safety of access
  - f. Noise disturbance
  - g. Right to use Pye Alley
  - h. Access of service vehicles

**Members questions and comments:**

55. Members asked for clarity on the S106 requirement for education.  
*A contribution is required*
56. How will parking spaces be allocated?  
*The two ground floor properties will be allocated a space with the other properties having no parking allocation*
56. How much cycle storage will be available?

8 places

57. Members requested more information be available on the status of the access road before this application goes to the planning committee.
58. Members also asked for more clarity on the Highway Department comments. Did these relate only to the access point with Milton Road?  
*This information is not currently available*
60. If the primary concern of the Highways Department is the Milton Road junction, how will other road safety concerns be addressed?  
*As the Planning Authority Cambridge City Council will be addressing these concerns*
61. What existing planning permission exists?  
*Permission to convert from business to a single residential unit exists. Further details will be available at the next stage of the planning process. The petitions did not object to this application.*
62. What rights of access exist?  
*The applicants Grandfather established the right of access in 1920, prior to the building of Mulberry Close*
63. Members asked for clarity on the relationship between the existing building and the planned development  
*The agent demonstrated this on the plans.*

### **Summing Up by the Applicant**

64. Discussion on increased traffic is misleading. If there is no extra traffic at the egress and regress points there can be no impact further into the site.
65. It is reasonable to expect people to behave sensibly on a narrow road.
66. There has been a lawful right to pass since 1092 and applicant has right to allow business access
67. Properties will be aimed at the student market.
68. If Mulberry Close residents work with the developer there could be gains for all
70. Overlooking is within acceptable levels for an urban site

### **Summing Up by the Petitioners – against the application**

71. Concerned over the nature of the development and the introduction of 6 potentially noisy young person households into the area
72. Parking issues will create safety issues
73. No dispute over access
74. Willing to meet the applicant and find a compromise
75. Safety concerns over increased traffic in conflict with a largely pedestrian area heavily used by children

Darren Chandler  
7 Calford Drive  
Haverhill  
Suffolk  
CB9 7WH

Application 08/1521/FUL

To whom it may concern.

**Re; Formal response to councils report on No. 42 Ramsden Square.**

Thank you for your comments made on the North Area Committee document with a target date of 5th January 2009.

This is a formal response to your report in which I would like to address some of the issues raised, I would like this to be placed into the file to be viewed by the area committee.

Please confirm receipt of this email so that I am assured that it has been received; please also confirm that this response will be placed on file as requested above.

This scheme is the fourth formal scheme submitted to the council for planning approval in addition to numerous sketch proposals presented for informal comment and discussion.

A summary of the schemes and the council's advice given / reasons for refusal is as follows;

**Scheme 1**

Extension of the existing house to form two flats, the double aspect extension faced both the corner cluster and the street.

Scheme refused because the double aspect nature of the proposal was not in keeping with the character of the four clear clusters to each corner of the square.

None of the local residents objected to this scheme.

A preliminary scheme was presented to the council prior to this application. Comments from the planning officer, Amy Lack, made no reference to this reason for refusal.

**Scheme 2**

A revised scheme for a single aspect extension of the existing house to form two flats was presented to Amy Lack. She advised that this addressed her concerns. After consultation with her colleagues we were advised that the new scheme was not considered acceptable.

Amy Lack advised that the extension of the existing property would not be acceptable and that this scheme should not be taken to appeal.

After a site visit Amy Lack advised that a scheme for a detached dwelling that faced the street would be more appropriate as it would not detract from the relationship that No. 42 has with the cluster of houses. This relationship between street and corner cluster is considered as a 'key characteristic' of Ramsden Square by the council.

**Scheme 3**

The applicant then appointed a Planning Consultant who agreed that we should propose a scheme for a detached dwelling to address the council's concerns. A detached house facing the street would continue the street scene and maintain a clear distinction between the street and corner cluster.

The council confirmed that this scheme was much more suitable and advised that we submit a planning application.

This scheme was refused for two reasons; because it would result in the only detached dwelling in the street scene and therefore fails to respond to the context and a key characteristic of semi detached dwellings and that it would have an overpowering impact and result in loss of light due to its massing and proximity to the boundary with No. 42.

This advice was not given when we made our preliminary enquiry. It is based purely on policy, which we feel should have been considered and advised accordingly from the start.

Failure to provide this advice has resulted in additional costs with regard to the payment of planning application and legal fees.

None of the local residents objected to this scheme.

#### **Scheme 4**

Prior to submitting a fourth scheme the applicant arranged to meet with Planning Officer, Tony Collins. Mr Collins advised that the council are not totally opposed to the principle of a detached dwelling on this site but explained that it is difficult because it is contrary to planning policy because it is disharmonious to the character of the area as it is a detached dwelling amongst semi-detached houses.

We feel that this reason is an insufficient and unfair grounds for a refusal. Precedent has already been set around the square that breaks the theme of 'pairs of dwellings'.

Large extensions to existing properties around the square form additional dwellings on the end of a pair of semis, resulting in a row of terraced houses. In one instance this has happened on either end to form a terrace of four houses. Please refer to attachment CIMG0241 for photo.

The fourth scheme was reduced in size, omitting the second storey from the projection to the rear, to reduce mass and the overpowering impact, and moved toward the road to reduce the impact on neighbouring dwellings, particularly No. 42. This meant that the front of the house was set forward of the adjacent houses, No's 38 and 40. This stepped arrangement was a continuation of the existing stepping of the build line, which is a predominant feature of the Ramsden Square characteristic.

We would like to present photos of other existing developments in Ramsden Square, which we feel are less sympathetic to the prevailing characteristic of the square. Attached image CIMG0245 indicates a large side extension, giving the appearance of a terraced house, which is built in red brick and also has windows of a different design. Other examples are also attached.

In addition, there are also two new bungalows, which have been approved and constructed in the rear gardens of properties located on the access roads into Ramsden Square.

Attached is a photo (IMG\_0421) of No.42 , which illustrates a typical pair of original semi detached properties in Ramsden Square. The proposed design includes materials and features that match this original style.

We have picked out key points of refusal from your report and have outlined below how we feel they could address if given the opportunity:

8.4 and 8.7

We appreciate that this proposal would result in the only detached dwelling on Ramsden Square but do not feel that it would, by virtue, appear incongruous and unsympathetic to the area. The mass, design and materials specified have been carefully considered to respond to context and draw inspiration from key characteristics to ensure that the house appears harmonious amongst the street scene. The proposed front elevation is only 2.5m narrower than the adjacent semi detached properties and the ridge is only 300mm (one foot) lower than their ridge.

As a single dwelling it does only have a single front door and bay window. This is the fundamental difference between it and the adjacent dwellings. This, in our view is not significant enough to justify a refusal as the character of the area has changed over the years by the introduction of poor quality extensions and the addition of dwellings that form terraced houses. These existing examples, some of which have been approved and constructed over the past year, do not appear to respond to context or draw inspiration from key characteristics of their surroundings. See image CIMG0241 and IMG\_0421.

We would also like to present two other examples of recent, built developments that result in the introduction of a detached dwelling amongst semi-detached houses.

The new dwelling at 1a Birdwood Road, Cambridge is very similar to our proposal. An existing corner plot, facing a round about on the Cambridge ring road, has been sub-divided and a detached dwelling constructed. This single dwelling sits directly between semidetached houses and fails to respond to the prevailing detail and styles predominant to the street scene. See attached files 1a birdwood.pdf./ CIMG0250[1] / CIMG0249.

This scheme is very similar to our proposal, however it is larger and located much closer to the adjacent dwellings. A new entrance is provided and the amount of amenity space provided is not dissimilar.

This scheme was granted planning approval in May 2008.

The new dwelling at 1a Laburnum Close is also similar to our proposal for Ramsden Square. A large plot has been subdivided and a detached dwelling has been erected on a cul-de-sac of **only** semi-detached dwellings. This scheme also fails to draw inspiration from adjacent properties as the front entrance is to the side of the house (not front aspect as is others) and the bay window is dissimilar in form and detailing.

We would like to know how these similar schemes did not raise the same reasons for refusal as those listed in your report on the proposal for NO. 42 Ramsden Square. Both set precedent for a detached dwelling to be located amongst semi detached type houses.

8.10 - This is the first time that the overlooking issue has been raised. Had we been consulted on this issue we would have addressed this by rearranging the layout so that the bathroom is in the position of bedroom 1 and would have installed a frosted window to prevent the direct overlooking you refer to. At no point throughout the application process of all 3 schemes have we been given opportunity to address such issues.

Also, if the council had an issue with the proportioning of amenity space to each dwelling we could have proposed a 50/50 split down the middle so that No.42 would only have a small period of the garden overshadowed for a small proportion of the day. Again we were not given the opportunity to address this the first time this matter has been raised is when your report was issued.

8.12 & 8.16 - we would have addressed this issues as commented by the council and adhered to any conditions set accordingly

8.23 - We sent the unilateral agreement and were not aware that this had not been received. I had a telephone conversation on the 16th January with Ms Pain to ask the reasons for refusal and still, this matter was not brought to my attention. We were unaware of this issue, our last agreement arrived after the planning permission was refused so we were not concerned that no response was received at this time. We are more than happy to enter into this agreement but are again, hindered due to time constraints.

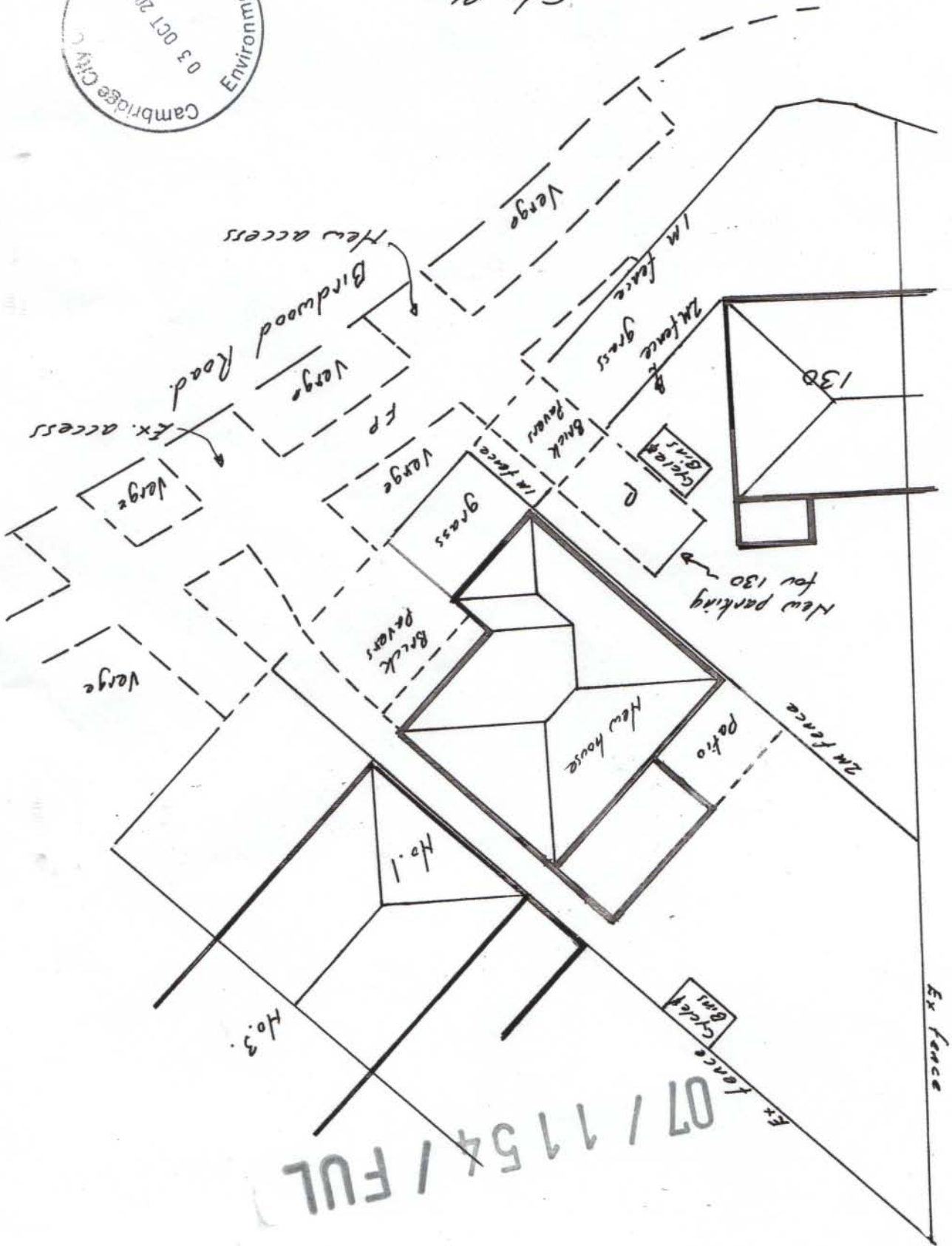
I would be grateful if this response to the refusal could be added to the public documents available for view on the planning website and look forward to confirmation of receipt of this email.

Regards

Mr Darren Chandler



Site plan  
1:200



07 / 1154 / FUL

C/ 02 / 0203 / FP



PROPOSED DWELLING AT 1 LABURNUM CLOSE, CAMBRIDGE  
SCALE 1:1250  
N.A. GARNER ULTIMA UK LTD

DRAWING 1  
20/2/2002

CAMBRIDGE CITY COUNCIL  
25 FEB 2002  
DEVELOPMENT CONTROL

CAMBRIDGE CITY COUNCIL  
ENVIRONMENTAL PLANNING

20 FEB 2002

ACKNOWLEDGED  
REPLY BY \_\_\_\_\_

**CIMG0241 Row of 4 terraced houses**



**CIMG0245 Mis-match of materials used**



**IMG 0421 42 Ramsden Square**



**CIMG0250 Existing house at Birdwood Road**



**CIMG0249 New property at Birdwood Road**



**Other Ramsden Square developments**









