



WEST/CENTRAL AREA COMMITTEE

Chair: Councillor John Hipkin



City Councillors for

Castle (John Hipkin, Marie-Louise Holland, Simon Kightley),

Market (Mike Dixon, Colin Rosenstiel, Joye Rosenstiel),

Newnham (Rod Cantrill, Julie Smith, Sian Reid),

Co-opted non-voting members: County Councillors White (Castle), Griffiths (Market) and A Reid (Newnham).

Committee Manager: Liz Whitcher (01223 457015 or liz.whitcher@cambridge.gov.uk or write c/o Room 11, The Guildhall, Cambridge CB2 3QJ)

Published and placed on public deposit: 7 March 2007.

Date: Thursday 15 March 2007

Time: 7.15pm for 7.30pm start

Place: The Pavilion Room, Cambridge University Sports Ground, Wilberforce Road, Cambridge CB3 0EQ

INFORMATION ON PUBLIC SPEAKING

Open Forum: Members of the public are invited to ask any question, or make a statement on any matter related to their local area covered by the City Council Wards for this Area Committee. The Forum will last up to 30 minutes, but may be extended at the Chair's discretion. The Chair may also time limit speakers to ensure as many are accommodated as practicable.

Committee reports by Council officers: It would be helpful if you wish to speak to inform a Council officer before the meeting starts, alternatively raise your hand and the Chair will call you to speak. You will have up to three minutes to speak. The Chair has discretion over these rules.

Applications for planning permission: public speaking rules are different and are shown under the agenda heading.

1 APOLOGIES FOR ABSENCE

- 2 **OPEN FORUM:** Attached is a report from the Head of Environmental Services to
- inform the public of the powers contained in The Clean Neighbourhoods and Environment Act, 2005 (the Act) to deal with nuisance and abandoned vehicles, litter and refuse, graffiti and defacement, waste, dogs and noise.

- b) inform the public on the council's policy for the use of Fixed Penalty Notices (FPNs) which follows best practice.
- c) inform the public that income raised from FPNs will be used to protect and enhance the local environment.
- d) seek residents support for the approach adopted by the council to protect the local environment.

3 DECLARATIONS OF INTEREST

Members of the committee are asked to declare any interests in the items on the agenda.

In the case of any doubt the advice of the Head of Legal and Democratic Services should be sought before the meeting.

4 MINUTES

To confirm the minutes of the meeting held on 18 January 2007. (Pages 5 - 18)

5 MATTERS ARISING

Additional information to that reported in the minutes.

6 COMMUNITY DEVELOPMENT AND LEISURE GRANTS 2006-07 AND 2007-08

Report by the Grants Manager (Community Development and Leisure)
(Pages 19 - 24)

7 DATES OF MEETINGS FOR MAY 2007-APRIL 2008

Members are asked to agree the following dates for future meetings:

5 July, 30 August, 25 October, 13 December (7 weeks so as not to be too close to Christmas), 7 February 08 and 3 April 08.

8 APPLICATIONS FOR PLANNING PERMISSION

Report by Director of Environment and Planning
(Pages 25 - 104)

PUBLIC SPEAKING RULES - Anyone wishing to speak about one of these applications, may do so provided that they have made a representation in writing within the consultation period and have notified the Area Committee Manager shown above **no later than 12 noon on the working day preceding** the Area Committee.

1	
Site	1 Clarkson Close (Newnham)
Proposal	Erection of additional dwelling and car port plus replaced car port for No 1 Clarkson.
Officer Recommendation	APPROVE subject to the satisfactory completion of the s106 agreement by 23 March 2007 and subject to conditions
Application No	06/01327/FUL
Applicant	Dr And Mrs Stark C/o Trumpington Road Cambridge CB2 2LD
Case Officer	Rebecca Flood
Contact No	01223 – 457164

2	
Site	Street Record Newnham Road (Newnham)
Proposal	Installation of a 10 metre telegraph pole with 3 integrated antennas within a shroud painted to match the pole, ground based equipment cabinet and associated equipment.
Officer Recommendation	APPROVE subject to conditions
Application No	07/0057/FUL
Applicant	O2 Uk Ltd 260 Bath Road Slough Berkshire SL14 DX
Case Officer	Paul Johnson
Contact No	01223-457475

3	
Site	33 Eltisley Avenue (Newnham)
Proposal	Change of use of first floor bedroom to consulting room for psychotherapy.
Officer Recommendation	APPROVE subject to conditions and informative
Application No	06/1309/FUL
Applicant	Ms S Greaves 33 Eltisley Avenue Cambridge Cambridgeshire CB3 9JQ
Case Officer	Paul Johnson
Contact No	01223-457475

4	
Site	Street Record Parkside (Market)
Proposal	Erection of a temporary bus supervisor's kiosk (4 years) in Parkside opposite Warkworth Terrace.
Officer Recommendation	APPROVE subject to conditions
Application No	06/1284/FUL
Applicant	Cambridgeshire County Council Highways And Access Box ET 1028 Castle Court Shire Hall Cambridge CB3 0AP
Case Officer	Rebecca Flood
Contact No	01223-457164

5	
Site	6 Newmarket Road (Market)
Proposal	Change of use from residential to Business (Basement)/Residential.
Officer Recommendation	APPROVE subject to conditions and informatives
Application No	06/1254/FUL
Applicant	Iain Sabberton 96 Cromwell Road Cambridge Cambridgeshire CB1 3EG
Case Officer	Paul Johnson
Contact No	01223-457475

6	
Site	Travellers Rest, Huntingdon Road (Castle)
Proposal	Two storey 20 bedroom hotel block.
Officer Recommendation	APPROVE subject to the satisfactory completion of the s106 agreement by 30 April 2007 and subject to conditions and informatives
Application No	06/1251/FUL
Applicant	Whitbread Group Plc Whitbread Court Houghton Hall Business Park Dunstable Beds
Case Officer	Marcus Shingler
Contact No	01223-457281

Any comments that you want to make about the way the Council is running Area Committees are very welcome. Please contact the Committee Manager listed at the top of this agenda.

The next meeting of West/Central Area Committee will be on 10 May in the Pavilion Room, The University Athletics Ground, Wilberforce Road, Cambridge CB3 0EQ

Protecting the Local Environment

The Clean Neighbourhoods and Environment Act, 2005 (the Act) has brought together a wide range of powers, to enable local authorities to tackle crimes that impact on the vision and quality of the local environment. Measures include those that cover crime and disorder, nuisance and abandoned vehicles, litter and refuse, graffiti and defacement, waste, dogs and noise.

A key feature of the legislation is the broadening of offences for which Fixed Penalty Notices (FPN's) may be issued.

The purpose of this report is to inform members of the public:-

- the powers contained in the Act
- the council's policy for the use of FPN's which follows best practice.
- that income from FPN's will be used to protect and enhance the local environment.

and to seek residents' support for the approach adopted by the council to protect the local environment.

Background

Cambridge City Council is responsible for the enforcement of a wide range of legislation and already has an Enforcement Policy that sets out desired standards of conduct and Enforcement Concordat Principles.

The Clean Neighbourhoods and Environment Act, 2005 forms part of the Government's Living Places Agenda launched in 2002. The Act extends the powers for local authorities to use FPN's for a wider range of low-level environmental crime, e.g. unauthorised distribution of free literature, graffiti and flyposting, offences in relation to waste and noise as well as setting higher penalties for litter and dog fouling. A list of all the offences for which FPN's can be issued are shown in Appendix 1.

FPN's can, in appropriate cases, provide a quick, visible and effective way of dealing with offenders, providing an alternative to prosecution. A fixed penalty is not a fine. Payment of the penalty by the recipient discharges their liability to conviction for the offence for which the FPN was issued. It does not constitute an admission of guilt and removes the possibility of the creation of a record of a criminal conviction.

The Council has agreed to adopt FPN's as an enforcement tool and has also agreed to use the default amounts and discount levels as allowed by law. The new powers are to be incorporated into the Council's wider enforcement framework for tackling 'environmental crime'.

To ensure the credibility of the use of FPN's, all cases involving non-payment will be referred to the magistrate's court (unless an exception applies).

Prioritising Implementation

Experience has shown that the public generally welcomes the use of FPN's, provided that they are issued sensibly, enforced evenhandedly and is seen as a response to genuine problems. As FPN's for environmental crime have not been widely used in Cambridge before

the Council is seeking feedback from residents to ensure the right powers are introduced and that resources are in place to manage and deliver effective enforcement action. This consultation will seek not only to assist the Council set a priority order for the introduction of the new powers but also help inform where the use of FPN's should fit into the wider enforcement strategy. Campaigns and publicity will also be used to inform the community and businesses as new powers are introduced.

The Council has limited resources with which to implement the full suite of offences for which FPN's are available. Also some of the offences may not be appropriate at the present time as there are other adequate procedures and legislation available, e.g. dealing with noise and dog fouling. Adoption and implementation of appropriate offences for which FPN's are available will be brought in through a staged process over the next eighteen months. The Council reserves the right not to implement all of the powers available.

Consistent Residents Surveys have already determined street cleanliness to be one of the top priorities for the Council. In particular, domestic and business waste bins left out on the street as well as littering offences have been highlighted as areas for action. Relevant notices and media campaigns to tackle these two issues, which included penalties for non-compliance, have been undertaken. Therefore tackling these matters with enforcement action under the new powers will be implemented with immediate effect.

Receipts from Fixed Penalty Notices

Local authorities are able to keep and use receipts from FPN's to help meet the cost of specified functions. Any income received by Cambridge City Council will be used to protect and enhance the local environment, not to generate income for the Council.

Use of Fixed Penalty Notices

Cambridge City Council officers, who are authorised in writing in accordance with the Council's constitution, can issue FPN's. Officers not employed by the Council may be authorised in the future. This could include the Police, Police Community Support Officers and County Council Officers.

A FPN may be issued where a person has committed an offence and there is sufficient evidence to support a successful prosecution. Authorised officers also have the statutory power to require the name and address of an alleged offender. Failing to supply these details, or giving a false name and address, is a separate offence and the Council will seek to prosecute for that offence as well as the original offence. Photographs or CCTV images may be taken and used to support evidence of an offence and/or confirm identity of the offender.

A Fixed Penalty Notice may not be appropriate:-

- where the person refuses to accept a FPN, or where a suspect is noncompliant, e.g. aggressive, abusive or threatening.
- where an alleged offender appears to be unable to understand the fact they have committed an offence; or, where they appear not to understand the option of accepting a FPN; or, there is any doubt about their ability to understand English. Where such circumstances arise, every effort will be made to take or express the required information with the assistance an interpreter or appropriate adult.
- where no satisfactory address exists for enforcement purposes
- where it is known that the alleged offender has previous convictions or a caution for that or a similar offence, or has been issued with a number of FPN's, particularly if they have not been paid
- where the safety of the issuing officer may be compromised

Payment

There is a standard period for payment for fixed penalty notices, which is set in the legislation at 14 days, the Council cannot prosecute for the alleged offence if the fixed penalty is paid within this period. An early payment discount, where permitted by legislation, will be given if payment is made within 10 days of the date of issue, (see Appendix 1). Failure to pay a FPN will normally result in a summons being issued for the original offence. Once a summons has been issued, the Council will not accept payment of the FPN.

Payment by installments will not be accepted; neither will an extension to the suspended enforcement period be given.

Methods of payment

The Council will only accept payments made in the following ways:-

- In person to a Council Office
- By post
- By telephone
- On-line via the internet

Fixed Penalty Notice issuing officers are not authorised to accept payment on the street.

Disputes over the issue of Fixed Penalty Notices

Once a FPN has been issued, the recipient may want to dispute the facts or the existence of the Notice. Whilst the Council will review the facts of a particular case when invited to do so, the alleged offender can choose the option to have the case heard before the magistrate's court. Once a summons has been issued, the Council will not enter into any further communication concerning the facts of the offence.

Only in very occasional circumstances will it be appropriate to cancel a FPN or not proceed to prosecute for the original offence. The Council will exercise its discretion regarding the facts of each offence and treat every case on an individual basis.

Fixed penalty notices do not create a separate offence. They are simply a means to avoid court prosecution.

Complaints

Any complaints made about the service will be dealt with in accordance with the Council's Complaints Policy.

Council Reports

To view Council report on Clean Neighbourhoods and Environment Act 2005, please go to:-
<http://www.cambridge.gov.uk/public/councillors/agenda/2006/0627envb/02.pdf>

To view Council policy on use of fixed penalty notices, please go to:-
<http://www.cambridge.gov.uk/public/councillors/agenda/2006/1120str/09.pdf>

Appendix 1

The table below lists the offences and the amount of each penalty including the early payment discount where applicable.

Where fine levels can be set locally, the Council has opted for the default level as set out in the legislation.

Description of Offence	Level of Penalty	Early Payment of Penalty (within 10 days)
Nuisance parking	£100.	£60
Abandoning a vehicle	£200	£120
Litter	£75	£50
Street Litter Control Notices and Litter Clearing Notices	£100	£60
Unauthorised distribution of literature on designated land	£75	£50
Graffiti and fly-posting	£75	Not Applicable
Failure to produce authority (waste transfer notes)	£300	£180
Failure to furnish documentation (waste carrier's licence)	£300	£180
Offences in relation to domestic and business waste receptacles	£100	£60
Dog Fouling	£50 (fixed by DFLA 1996)	Not Applicable
Failure to nominate key-holder (within an alarm notification area) or to notify local authority in writing of nominated key-holder's details	£75	£50
Noise from dwellings	£100	£75
Noise from licensed premises	£500	Not Applicable



**West/Central Area Committee
(City Councillors representing Castle, Market
and Newnham Wards)
18 January 2007 7:30pm – 10.30pm
Minutes & Actions**

Present: Councillors: John Hipkin, Marie-Louise Holland, Simon Kightley (Castle Ward), Mike Dixon and Joye Rosenstiel (Market Ward), Rod Cantrill, Sian Reid and Julie Smith (Newnham Ward)
County Councillors: David White (Castle), Gaynor Griffiths (Market) and Alex Reid (Newnham)

Additional information for public: City Council officers can also be emailed firstname.lastname@cambridge.gov.uk
The Committee Manager for West/Central Area Committee is liz.whitcher@cambridge.gov.uk

Members of the City Council have individual email addresses which are listed on the City Council website:

www.cambridge.gov.uk/councillors/members.htm

Members of the County Council can be emailed:

Firstname.lastname@cambridgeshire.gov.uk

07/01 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Colin Rosenstiel.

07/02 OPEN FORUM

Action by

The Chair apologised that County Councillor Reynolds, portfolio holder at the County Council for Environment and Community Services was not able to be present. He then introduced Graham Lowe, Cambridge Project Manager, Cambridgeshire County Council who was present to answer questions from residents some of which had been raised at the previous meeting and others which had been submitted in advance of this meeting. It was agreed at the end of the Forum that questions submitted by residents for which there was not time to reply in the meeting would be responded to by email or letter after the meeting. These are also included below for completeness.

Redundant Street Signage Raised at the meeting on 23

November 2006:

From Resident 1:

1. Promote discussion about redundant and new signage in the Newnham area.

She circulated some photographs to show how there seemed to have been an increase in the number of signs and that some were not appropriate to the environment in which they stood eg those on the Coton footpath.

Graham Lowe (GL): Redundant signage is a large problem for which there is an on-going programme of removal. So far Barton Road and Fen Causeway have been completed. As regards new signs, most are required by law. However, it would be good to consult residents about those which are discretionary.

Footpaths and the DDA Raised at the meeting on 23 November 2006

Resident 2. Were there any plans to widen the footpaths or bridges such as the two on the fen to the north of Fen Causeway which would lead cyclists to take advantage to the detriment of pedestrians. It was time to think of protecting pedestrians. She was in favour of the use of cycles over cars but the shared use of pavements and paths by cyclists and pedestrians did cause problems. Many cyclists disregarded the dismount signs.

GL: On footpaths where part of the route is shared by both pedestrians and cyclists, there is clearly a conflict of interest. The council is tasked with encouraging cycling where possible and sometimes this means shared use as is the case on Parker's Piece.

Highway surface and drainage

From Resident 3 (Market Ward) and also raised last time under the Environmental Improvements item:

Following the subsidence of the stone block paving at Magdalene Bridge, it took many months for remedial work to be carried out. Similar problems have arisen elsewhere in the city where granite setts (cobble) and brick paving have been laid (often on a sand bed) - for instance: at Four Lamps roundabout and in Sidney Street. It appears that this type of surfacing is EITHER intrinsically inadequate to stand up to the density and weight of

Cambridge traffic OR that the specification, construction and/or supervision of the work was faulty.

What action is the county council taking to remedy such matters and to prevent their recurrence?

GL: The street leading to Magdalene Bridge is very busy and so there are limited periods of time when it can be closed to effect repairs. Modern materials recommended for this situation had been used but had been unsuccessful. Consideration was still being given to how to do the necessary remedial work.

From Resident 4, Newnham

Drainage in Eltisley Avenue: because the road drains are never cleaned, many are blocked up; in consequence the road and footpath floods during and after heavy rain because the rainwater cannot escape. Whose responsibility is it to clean these drains and why aren't they kept clear? (I can provide a photograph if this would help).

Reply after the meeting from Jon Clarke, County Council

Highways: All gullies should be cleaned out once a year in the City. However in practice where there is car parking, unless the residents move their vehicles then the gullies that are under the cars on the day of the gully emptying machines visit are not cleaned.

Other resident groups in the City arrange for their cars to be cleared and then we can clean the gullies and the City council can sweep the street.

This may be the route that the Eltisley Avenue residents wish to take.

Lighting

From Resident 3, Market

In Lower Park Street a lighting column was partially knocked over and damaged by a lorry some twelve months ago. A warning notice DANGER - ELECTRIC SHOCK RISK was affixed. After a number of requests, a replacement column was erected about five months ago but has not been connected. The damaged column, which is located about 10 metres from the main gate of Park Street Primary School, is still 'live'. Officers blame the delay on the County Council's contractors, Messrs EDF.

What action can be taken to rectify this long standing problem?

GL: The relevant officer at the County Council had not yet replied. However, EDF were not the County Council's contractor; they are the main electricity supplier and the work has to be carried out by them.

From Resident 3, Market

In Jesus Lane near Wesley Theological College an illuminated bollard was knocked over and the light no longer functions. This, too, is a long standing problem.

Does any mechanism exist for getting this type of urgent repair carried out?

From Resident 3, Market

Do the city rangers make reports of such defects and, if so, does the county council highways department take any notice of them?

Enforcement of traffic regulations

From Resident 5, Newnham, and also raised at the 23 November meeting

Had there been any progress in stopping speeding motorists entering/ leaving the city on the A603? She had talked to the ward councillors about this some time ago including the possibility of a flashing 30mph sign being installed.

GL: This is a matter for the police to enforce. The effect on speeding motorists of flashing 30mph signs is limited. A better approach is to contact the police with a formal request for additional enforcement to be carried out in the area.

Councillor Smith: Thought the 30mph flashing sign was more positive than speed cameras and was more likely to make people act responsibly.

Police Community Support Officer: Yes, people are stopped and given £30 fixed penalty notices.

From Resident 3, Market

According to the road signs, traffic in St John's Street/Trinity Street, Market Street and Sidney Street is supposed to be 'one-way'.

Many cyclists appear to ignore these signs and cycle against the flow of motor vehicles, weaving on and off the pavements to the danger and alarm of pedestrians.

Does the county council have any policy regarding the enforcement of this one-way system?

Councillor Dixon: The no entry sign is very small.

GL: Cyclists contravening the traffic signs is a matter for the police.

Bus services

From Resident 6 on behalf of the Windsor Road Working Group (WIRE) Castle

If buses in Huntingdon Road are to be re-routed through the new University Site in NW Cambridge, what effect will that have on bus services in Huntingdon Road itself?

GL: There will be substantial growth in bus provision and use when the new developments come on stream.

From Resident 7, Newnham, via Cllr Julie Smith

What steps are being taken to provide a genuine 'bus SERVICE for those of us who live in this part of Cambridge (Barton Road, Gough Way and Newnham Croft). It is galling to hear from residents along the Huntingdon Road what an excellent service they have to get them into and out of town. The same goes for residents on the East and South sides of the city. Why are we - heavily taxed citizens - so discriminated against?

From Resident 5 on behalf of the Windsor Road Working Group

(WIRE) Castle

When the guided bus starts entering Cambridge via Histon Road, how will it cope with the congestion at the Victoria Road end during the busy time of the morning? and what will be the effect of the guided bus on the present Citi 7 service in Histon Road?

GL: Electronic means are used to give buses priority already and the guided bus will become part of that system.

Parking

From Resident 4 (Newnham)

Parking in Newnham: Barton Road must be the only major radial road into Cambridge that has no parking restrictions on it. This results in nose to tail parking on both sides of the road every day (except Sunday). As a consequence it is dangerously narrowed to the extent where 2 buses cannot pass one another. Why are there no restrictions?

GL: If there were residents' parking on Barton Road this would displace cars elsewhere. Would be reluctant to consider this separately.

Resident: Thought the policy was to keep private cars out as far as possible or even keep them out of the city altogether. There was consultation less than a year ago.

Councillor Cantrill: In 2005, Ward Councillors became concerned about the Croft and Barton Road. For example, there was one occasion when an ambulance could not get through to reach a patient. They approached Graham Lowe then and residents were asked to comment about changes to the existing arrangements. The majority wanted the current arrangements to continue and especially to be able to park for the shops. However, sympathise with the problems of Barton Road due to the volume of parked vehicles.

Resident: The on-street parking makes the road dangerous and then cyclists cycle on the pavements for their safety. Have to have room for cyclists on the road.

Resident: There were 20 spaces available this evening. So people park here to go into town. If there were double yellow lines, people would simply park illegally. Why can the issue of parking for the shops not be adequately addressed.

GL: It is not policy to exclude community parking. The County Council is currently reviewing the parking policy for the whole city. Parking for the shops was part of the consultation originally.

From Resident 4, Newnham

Parking in Newnham, south from Barton Road to Grantchester Meadows: Why is this not subject to Residents' Parking Restrictions? I understand that in the past this has been objected to because of the problems that would be caused to local traders but surely this could be overcome by a small degree of "waiting

limited" areas? My family has lived in Eltisley Avenue since 1926, but for the last 6 months I have been living in Brunswick whilst our house has been refurbished. In Brunswick we have Residents Parking which seems to work admirably - £50 - £60 for a year's permit is not unreasonable, nor is £1 per day for visitors. If the problem is not tackled then the whole area will become more grid locked than it is. There have already been problems with emergency vehicles getting through - how long will it be before this happens again with the likely consequence of a fatality?

GL: There was a consultation with residents 7 years ago which those involved on both sides still remember! Would need a clear mandate to re-consult.

From Resident 8 of Millington Road Residents Association
Newnham

I would like to ask a question about the parking of mini vans (workers on the Grand Arcade) on Barton Road as I feel that alternative provision should be made for these vans. I would also like to ask about the length of double yellow lines in Millington Road as it appears that before resurfacing the double yellows were longer.

GL: The main contractor for the Grand Arcade development has made arrangements for workers to use Park and Ride. There are other developments in the city centre. These vans are not parked illegally.

Traffic congestion

From Resident 9: Newnham

Is there ever going to be the possibility of a Park & Ride provision to relieve the pressure on the Barton Road which is getting worse and worse, especially during school term time.

GL: No answer received yet from the appropriate officer.
County Councillor A Reid: Would be glad to look into that issue.
The Park and Ride buses need to get to the city centre more quickly than the car otherwise people will not use them.

**Cllr A
Reid**

Resident: The congestion is worse at rush hour in term time. Would it not be possible to arrange for school buses which would also lead to less pollution.

Environmental/green Issues

From Resident 9, Newnham

What plans, if any, there are to make LPG available in Cambridge garages and to switch public transport to using LPG.

Councillor S Reid: The City Council's own vehicles run on LPG. There are also plans to provide power points in the Queen Anne car park to power up electric cars and in Park Street car park to power up electric bikes.

Councillor J Rosenstiel: People are parking on Sundays on the double yellow lines near the junction of Paradise Street and City

Road which could cause problems for emergency vehicle access.

GL: The Cambridge Traffic Management Area Joint Committee on Monday 22 January will have a report considering the review of parking policies and some of these issues will be considered there.

Additional questions received that there was no time to deal with in the meeting and the answers sent by email/letter in reply from County Council and City Council officers:

From Resident 10

Big problem at St John's College School with parents parking on the cycle lanes. Can the Councils make it possible for the Local Authority Parking Enforcement attendants to enforce the traffic rules.

GL: At present parking attendants are not able to enforce parking in cycle lanes although this is likely to change in the future. Currently only the Police are able to enforce cycle lane offences. We could install double yellow lines within the lane as these still legally exist which would enable parking attendants to enforce, however the Cambridge Cycle Campaign have consistently objected to us doing this.

In the meantime I have forwarded this to the Police asking them if they could give this area some attention if resources permit.

From Resident 11

- 1) Does the County Council pay any attention to the negative visual impact of all the signs it puts up in the city centre – or does it just clutter up the streetscape without thinking?
- 2) Last April the Cambridge Traffic Management Area Joint Committee decided that the blue signs showing 'Quayside' 'Queens' and other zones should be removed. Why are they still there?

GL: The County Council is particularly concerned at the impact that signing can have on the visual impact of the streetscape, but also finds that it is under intense pressure to erect signs on a regular basis.

In resolving to remove the blue panel signs the Area Joint Committee also recognised that there was no source of funding to do so.

Questions from Resident 12

1. Buses in Sidgwick Avenue: I understand that the Council has no authority to determine routes for public service buses. However, this does not change the fact that Sidgwick Avenue is just too narrow for double deck buses, even without the current width restriction due to the building work at Newnham. Alongside the parked cars and the building work, there is not even enough

room for a cyclist to safely pass any of the tourist buses. Can the Council therefore not make Sidgwick Avenue a one way route?

2. The traffic lights in Cambridge are, by and large, set to give priority to vehicular traffic over pedestrians and cyclists. If the Councils are serious about getting people out of their cars, the situation should be reversed. I have been told that traffic gets priority to reduce atmospheric pollution. The situation at Queens Road-Burrell's Walk demonstrates the absurdity of the argument. Even when Queens Road is full of near stationary traffic, pedestrians are still kept waiting for minutes at a time - in rain, wind, and the occasional shine. At quiet times, even when there is negligible traffic, pedestrians and cyclists are still kept waiting for much the same time following the activation of the pedestrian sensor, even if the lights have been in favour of motor vehicles for five minutes or more.

What are the statutory requirements (timing, regulation numbers, etc.)?

3. During the work on the gas mains at the north end of Grange Road, the traffic lights at the junction with Adams Road were switched off. Since they have been reactivated, the priorities and timing are completely different from those prevailing before "the switch-off". Pedestrian and foot traffic using Adams Road and Burrell's walk have become third class citizens. Yesterday, from the time that I pressed the relevant button, I had to wait for 75 seconds for the pedestrian "green man" to appear. During that time, two vehicles and one cyclist went along Grange Road and one car drove out of Adams Road.

Questions:

1. Why are the priorities of these lights now different?
2. When can the old priorities be reinstated?

Drew Wallace, Traffic Signal Team Leader, County Council:
Many traffic signals in Cambridge are installed to provide both cyclist and pedestrian facilities and to reduce accidents to all road users including those aforementioned.

They are generally set to try and provide balanced timings to all users of the facility. Vehicles, like pedestrians have to wait for their 'turn' in the signal sequence. Sensors detecting vehicles and push buttons for pedestrians detect the requirements and absences of each and the signals can respond accordingly. It is difficult to find a balance that satisfies all road users.

At Grange Road/Adams Road one of the sensors was damaged by the works and did lead to the signals not responding as efficiently as they should. This has now been repaired. I apologise for the inconvenience this caused.

4. When will the posted revised double yellow lines on Adams Road at its junction with Grange Road be "painted"?

GL: The funding we have for these measures has been frozen and fully committed for this financial year. It is not clear if funding will be available next financial year.

5. Why is so much money being spent on unnecessary signing around Cambridge?

1. The signs on the upgraded cycle path from the end of Adams Road to the Cavendish site, including the utterly absurd one at the western end that states "End" where the path meets Wilberforce Road, the repeated advice that pedestrians walk along pavements and cyclists ride along the cycle path - except at the junctions/entrances where pedestrians and cyclists share the tarmac.

2. Signing of cycle routes around the city, particularly those that would send a cyclist on unnecessarily long and less safe routes (eg from the junction of Adams Road and Grange Road, go down Grange Road to get to the railway station).

John Isherwood, Engineering Client Officer, City Council:
The signing referred to in 5 (1) is that required by national legislation for a route which is partially segregated and partially unsegregated.

The direction signing to which you refer in 5 (2) is part of a City-wide network which was developed after consultation with many stakeholders and which represents, as far as is practicable, the optimum routes for all categories of cyclists.

Clare Rankin, Cycling & Walking Officer, City Council:
The signage does correspond to national legislation but I would agree with you that the type of signage/poles used is completely inappropriate for the setting. It is unfortunate that the University, who are responsible for the scheme, did not consider smaller, wooden bollards with signs which could have been situated in the verges rather than obstructing the path itself.

From Resident 13

Residents' Parking: Is there a regulation which indicates whether "visitors permits" can be used by residents for parking their own car? As a Park Street resident I am concerned that residents in a new, supposedly "car-free" development may be able to park their cars (at a cost of £365pa) by using visitors' permits.

GL: Visitors Parking permits are for the use of residents to provide a facility for their personal visitors. Hence use by the resident for their own vehicle would contravene the Traffic Regulation Order. You will appreciate that enforcement of this is difficult but should you suspect that this is occurring you should report this to the City Council as the County Council's agents for permit issue and on street enforcement.

From Resident 14

I am concerned about the threat to the 199 bus service, and I would like to know why this service has been potentially targeted for reduction and also to understand the criteria to be used for assessment of this service when it comes to decision making.

Paul Nelson, Public Transport Manager at the County Council:
We have approached the selection of services to review on the following basis

- * Services that contribute less towards ensuring rural access to public transport will be targeted before those that do more.
- * Services that provide poorer value for money (measured by cost per passenger journey) will be targeted before those that provide better value.
- * Services used by fewer people will be targeted before those used by many.
- * Where possible, economies by adjusting timetables or routes will be sought before deciding to completely remove a service.

The above assessment criteria have already led to a ranking of services under consideration. This ranking will be reviewed following analysis of responses received during the consultation period. The final decision about how many services are changed will depend on available resources when the budget is finalised.

From Resident 3

Why have no provisions been made for a temporary City Library (eg in the Old Library area behind the Guildhall) as access to the remaining libraries for Newnham residents is difficult in the extreme.

From Michael Wyatt, Service Manager, Central Library: We did, in fact, look closely at the possibility of occupying alternative premises in the centre of the city, including space in the Guildhall. We also had discussions with Property colleagues as to the availability and cost of retail units. However, as you know, the County Council has to contend with particularly low levels of funding to cope with providing services in an expensive part of the country - and it was hard pressed to identify the capital required for the new building. With no extra funds, therefore, and in a place like Cambridge, where space is at a premium and rents are prohibitive, we did not expect to be able to provide a substantial central interim library service, and this proved to be the case. In the end we abandoned our attempt to secure an alternative central location, in favour of the more realistic option of providing services from the branch libraries in Cambridge.

By extending the opening hours in these libraries we have ensured that services are available at least as many hours in the week as they have been at the Central Library, and indeed, Sunday opening at Milton Road Library will extend them. We also have a small amount of spare capacity in our mobile library fleet, which we plan

to use to augment this provision. We have been negotiating with the traffic management authorities with a view to parking a mobile library in the Market Place on one or two days a week, and adjustment in mobile library routes around the city may enable us to meet some of the demand from parts of Cambridge that are most distant from existing library service points. We should be able to confirm these arrangements within a few weeks.

The coming year will pose real challenges in providing a library service for the city. There is no point in pretending the arrangements we have made can fully replace the provision of a large Central Library, but they will go a some way to doing so, and we do believe the services and facilities that the new Central Library will offer will more than justify the current inconveniences.

The Chair thanked Graham Lowe.

The Committee agreed to ask County Councillor Reynolds to come to a future meeting.

07/03 HISTORIC CORE CONSERVATION AREA APPRAISAL – DEFERRED

07/04 DECLARATIONS OF INTEREST

Prejudicial Code of Conduct interests in Planning Applications were declared as follows. The Councillors indicated left the room, took no part in the discussion and did not vote on the application referred to.

Councillor	Application	Nature of Interest
Hipkin	06/1214/FUL	Home is within statutory consultation area
Holland	06/1214/FUL	Home is within statutory consultation area

Code of Conduct personal interests in Planning Applications were declared as follows:

Councillor	Application	Nature of interest
Cantrill	06/0882/FUL	Approached for information about previous decisions
Dixon	06/0882/FUL 06/1214/FUL 06/1318/FUL	Visited all three sites and spoke to objectors
Reid	06/0882/FUL 06/1318/FUL	Has friends and acquaintances among the objectors
J Rosenstiel	06/0882/FUL	Knows 2 residents in Hedgerley Close
Smith	06/1214/FUL	Acquainted with residents

07/05 MINUTES

The minutes of the meeting held on 23 November 2006 were amended as follows (amendments in bold and strikethrough): On page 3 " Councillor Smith added that one **had already been** ~~could be~~ put in the open space of Jesus Green as the area did belong to the council" and then agreed as a correct record.

07/06 MATTERS ARISING

None

07/07 PLANNING APPLICATIONS

Full details of the decisions, conditions of permissions and reasons for refusal may be inspected in the Environment and Planning Department, including those which the committee delegated to the Head of Development Control to draw up.

These minutes should be read in conjunction with the reports on applications to the committee, where the conditions to the approved applications or reasons for refusal are set out in full and with the Amendment Sheet issued at the meeting. Any amendments to the recommendations are shown in the minutes.

- 1 **APPLICATION NO:** 06/0882/FUL
SITE: 1 Hedgerley Close (Newnham)
PROPOSAL: Erection of three storey apartment building with 9no units and creation of new site access
RECOMMENDATION: Approve subject to conditions and satisfactory completion of the s106 agreement by 15 February 2007
APPLICANT: Hill Residential Ltd, The Mill Building, Harston Mill
PUBLIC SPEAKERS: Mr R Bamber (for local residents); Mr C Brown (for the applicant)
REASONS FOR REFUSAL RAISED IN DEBATE:
In discussion some members said they were minded to vote against approving the application on the grounds that it did not fit the character of Hedgerley Close, that it was too close to number 2 Hedgerley Close and would have an adverse impact on these neighbours, that it was overdevelopment and would dominate because of its height and bulk and did not respect the site by being too close to the eastern edge of the site. Relevant policies were 3/ 4, 3/12a, 3/10, 3/7 and 3/8.
DECISION: Refused against officer recommendation (by 8 votes to 0) for reasons to be drawn up by the Head of Development Services in consultation with the Chair based on the above reasons for refusal raised during debate of the application.
In the event that an appeal is lodged against this decision to refuse this application, to authorise the Head of Development Services to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy.

2 APPLICATION NO: 06/1318/FUL
SITE: 27 Madingley Road (Newnham)
PROPOSAL: Erection of single storey dwelling, and alteration to existing dwelling.
RECOMMENDATION: Approve subject to conditions and satisfactory completion of the s106 agreement by 30 January 2007
APPLICANT: Ian Collins, 27 Madingley Road
PUBLIC SPEAKERS: Ms S Bishop and Mr Hillman (residents objecting); Mr M Bowles (for the applicant).
DECISION: **Approved** (by 7 votes to 0) subject to the conditions and the satisfactory completion of the s106 agreement by 30 January 2007.

3 APPLICATION NO: 06/1214/FUL
SITE: 25 Oxford Road (Castle)
PROPOSAL: Conversion of offices to 3 dwellings and retention of 1 dwelling.
RECOMMENDATION: Approve subject to conditions and satisfactory completion of the s106 agreement by 28 February 2007
APPLICANT: Cambridge Commercial Supplies Ltd, Fao Mr A Eccles, 16 Tollhouse Way, Wombourne, Staffordshire
PUBLIC SPEAKERS: Dr C Cockcroft (for local residents objecting)
REASONS FOR REFUSAL RAISED IN DEBATE:
In discussion some members said they were minded to vote against approving the application on the grounds that there would be lack of amenity for both existing and prospective residents, that it was an over-development of the site and there were problems with providing off road parking spaces for the number of residential units proposed. This would increase pressures on existing on street parking already exacerbated by displacement from the nearby resident's parking scheme. Relevant policies were 3/ 4, 3/10a, 3/10b and 3/7a.
DECISION: Refused against officer recommendation (by 5 votes to 0) for reasons to be drawn up by the Head of Development Services in consultation with the Chair based on the above reasons for refusal raised during debate of the application.
In the event that an appeal is lodged against this decision to refuse this application, to authorise the Head of Development Services to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy.

The meeting ended at 10.30pm.

Chair

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Report by: Grants Manager (Community Development and Leisure)

To: Area committee – West Central
Wards: Castle, Market, Newnham

15 March 2007

Community Development and Leisure grants 2006-07 and 2007-08

1. Introduction

This report

- reminds members of the process for the allocation of grants
- confirms the funds available
- seeks approval for applications

2. Recommendation

To consider grant applications in sections 4 and 5 and agree recommendations.

3. Background

The Executive Councillor has approved the following allocation of 10% of the total Community Development grants budget and 5% of the total Leisure grants budget for area committee grants. It has been calculated using population levels and is also weighted to give additional funds to areas of economic disadvantage as defined by the City Council's *Mapping poverty* research report.

2006-07						
Area	Population	Mapping poverty score	Combined score	Community development £	Leisure £	Total £
North	28%	38%	34.7%	25,500	5660	31,160
East	28%	35%	32.7%	24,040	5330	29,370
South	21%	21%	21%	15,440	3440	18,880
West Central	23%	6%	11.6%	8520	1890	10,410
Total				73,500	16,320	89,820

2007-08						
Area	Population	Mapping poverty score	Combined score	Community development £	Leisure £	Total £
North	28%	38%	34.7%	25,350	5660	31,010
East	28%	35%	32.7%	23,900	5330	29,230
South	21%	21%	21%	15,340	3440	18,780
West Central	23%	6%	11.6%	8470	1890	10,360
Total				73,060	16,320	89,380

4. 2006-07 applications to West Central area committee

Community development spend to date			£ 8520 budget	
	Group	Project	Awarded	Grant £
CD 1	Brandon Court Residents	Garden opening event	Chair's action	375
CD 2	Cambridge Youth Parliament Cabinet	City youth bank	8 June	250
CD 3	Histon Road Recreation Ground users	Family craft workshops	23 November	710
CD 4	Little monkeys toddler group	Music workshops		150
CD 5	Newnham Scout and Guide Centre	Improvements to scout hut		5000
CD 6	Newnham Croft Youth Choir	International festival travel costs	Chair's action	500
			Total spent	6985

Community development current applications			£ 1535 available	
	Group	Project	Bid £	Offer £
CD7	Directions Plus	Home visiting advice service	1550	785
CD 8	Friends of Midsummer Common	Administration and web site	750	750
			total	2300
				1535

West Central Area Committee 2006-07 grants			WCAC/CD 7	
Applicant Directions Plus Provides advice and information for people with disabilities and their carers in Cambridgeshire				
Ward(s) All				
Bid 105 hours of home visits for residents, with disabilities or carer's responsibilities, to advise on access to benefits and other issues eg equipment, transport, discrimination, training or work opportunities etc.			Total cost £ 1773	Requested £1500
Benefits for local community Housebound enquirers are made aware of their rights and receive direct one to one support. Many will receive additional benefit payments. DP will be able to deal with referrals from councillors and other agencies.				
Comments Similar applications are being submitted to all area committees – for 105 hours in west central and east; 285 hours in north and south.				
Recommendation £ 785 for 55 hours. Defer rest of application to 2007-08 budget				

West Central Area Committee 2006-07 grants			WCAC/CD 8	
Applicant Friends of Midsummer Common Inaugurated January 2007 to work with the Council and other bodies to encourage good management of Midsummer Common and Butt Green				
Ward(s) Market				
Bid Setting up and running costs: leaflets (£100) speaker expenses (£180) website (£360) administration (£150) quarterly meeting costs (£430)			Total cost £1216	Requested £750

Background Hopes to stimulate discussion about balanced use of major common which provides environmental, recreational and aesthetic opportunities. Initial donations for start up costs received of £350. £5 membership fee. January 07 inaugural meeting attended by about 90 residents and City Council's Green Spaces Manager and Head of Arts and Entertainments. The Group will be looking at the condition and management of the Common, grazing, and ways to improve Strawberry and Midsummer Fairs.

Recommendation £750

Leisure, sport and arts spend to date			£1890 budget	
	Group	Project	Awarded	Grant £
L1	Cambridge Canoe Club	Open canoes for older people and families	23 November	1890
			total	1890

If these recommendations are agreed, the committee's 2006-07 budget will be fully spent.

5. 2007-08 applications to West Central area committee

Community development current applications			£ 8470 available	
	Group	Project	Bid £	Offer £
CD 1	Directions Plus	Home visit service	715	715
CD2	Christ's Pieces' Residents Association	Administration	700	Up to 700
CD 3	Jesus Green Association	Running costs	300	300
			total	1715

West Central Area Committee 2007-08 grants			WCAC/CD 1	
Applicant Directions Plus Provides advice and information for people with disabilities and their carers in Cambridgeshire				
Ward(s) All				
Bid 50 hours of home visits for residents, with disabilities or carer's responsibilities, to advise on access to benefits and other issues eg equipment, transport, discrimination, training or work opportunities etc.			Total cost £ 845	Requested £ 715
Benefits for local community Housebound enquirers are made aware of their rights and receive direct one to one support. Many will receive additional benefit payments. DP will be able to deal with referrals from councillors and other agencies.				
Comments Similar applications are being submitted to all area committees – for 105 hours in west central and east; 285 hours in north and south.				
Recommendation £ 715				

West Central Area Committee 2007-08 grants		WCAC/CD 2	
Applicant Christ's Pieces' Residents Association Promotes and supports interests of 300 local residents			
Ward(s) Market			
Bid Printing (£150) meeting hall hire (£150) administrative costs (£250) computer (£250)		Total cost £ 700	Requested £ 700
Benefits for local community Provides forum for debate and action on local issues			
Comments Officers are awaiting accounts and more detailed budget for 07-08 to demonstrate financial need.			
Recommendation Up to £700 pending receipt of financial information			

West Central Area Committee 2007-08 grants		WCAC/CD 3	
Applicant Jesus Green Association Aims to work in partnership with City council to ensure that Jesus Green is valued by local residents and meets the needs of the community			
Ward(s) Market			
Bid Administrative costs – hall hire, posters, printing, postage etc		Total cost £ 300	Requested £ 300
Benefits for local community About 100 residents attend annual meeting. Members liaise with City Council's Active Communities Department.			
Comments Officers are awaiting clarification of budget needs for 07-08; this has been delayed by illness			
Recommendation Up to £300 pending clarification of budget			

Leisure, sport and arts current applications	£ 1890 available
None received	

If these recommendations are agreed, the committee's funds will be spent as follows

2007-08	Budget £	Allocated £	Remaining £
Community Development	8470	1715	6755
Leisure	1890	0	1890
totals	10,360	1715	8645

5. **IMPLICATIONS**

- (a) **Financial** As above
- (b) **Staffing.** None
- (c) **Equal Opportunities** Grant expenditure is targeted at disadvantaged groups. Applicants are required to adopt appropriate policies and practice.
- (d) **Environmental** Applicants are required to adopt appropriate policies and practice.
- (e) **Community Safety** Grants which improve people's incomes and their involvement in their communities can reduce crime and the fear of crime.

BACKGROUND PAPERS used in the preparation of this report:

Grant applications.

To inspect these documents contact Chris Freeman on 457862 or chris.freeman@cambridge.gov.uk. who is also the author and contact officer for queries.

Appendix 1

Area Committee grant conditions

1. Community development grants are for services and activities for residents of all or part of the wards covered by each committee to:
 - Support children and young people; Black and minority ethnic communities; families living in disadvantaged areas; people with disabilities and active older people to participate in their communities and improve their own health and well-being
 - Improve community access to legal advice services.
 - Increase awareness of, celebrate and challenge intolerance of the city's cultural diversity.
 - Strengthen the voluntary sector
 - Meet any needs specific to its area as determined by the area committee.
2. Leisure grants are intended to increase access to cultural and leisure activities, which improve health, well-being, confidence and skills, for residents of all or part of the wards covered by each committee - especially young people and those whose lives are restricted by discrimination, disability and/or disadvantage.
3. Funds may also be used to meet any needs specific to its area as determined by the area committee.
4. Each area committee may decide to reserve part of its budget for one or more of these purposes. Grants may be awarded for capital or revenue expenditure.
5. Applications will be invited from:
 - constituted voluntary and not-for-profit organisations which meet existing Community Development and Leisure grant-aid conditions.
 - groupings of local residents able to meet basic accountability requirements.
 - partnerships of constituted group(s) and local residents.
6. There is no upper limit on application or grant award levels.
7. Members will generally be asked to consider and decide on applications twice a year.
8. Grants may be made between meetings if the applicants can demonstrate that they are unable to wait for the next scheduled grants meeting. The Grants Manager will consult with the Chair and, where relevant, ward members. The full committee will be notified at the next appropriate meeting.
9. Grants will not generally be made retrospectively.
10. Grants will be publicised, administered and monitored by the Grants Manager and the Voluntary Sector Support Team.

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Application Number	06/1327/FUL	Agenda Item	8.1
Date Received	6th December 2006	Officer	Mrs Rebecca Flood
Target Date	31st January 2007		
Ward	Newnham		
Site	1 Clarkson Close Cambridge Cambridgeshire CB3 0EJ		
Proposal	Erection of additional dwelling and car port plus replaced car port for No 1 Clarkson.		
Applicant	Dr And Mrs Stark C/o Trumpington Road Cambridge CB2 2LD		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Clarkson Close is situated to the south of Clarkson Road, and is a private cul-de-sac running north to south. The private road currently serves five dwellings which are a mix of two and three storey in height. No. 1 is at the end of the cul-de-sac, to the south west of the road. To the west and south west of the site is the Adams Road Bird Sanctuary, while to the north and east are residential properties and to the south are the playing fields of Trinity Old Field.
- 1.2 The surrounding area is predominantly residential in nature comprising a mix of both age and style, although the character of the area can mainly be defined as being one of detached properties set in large plots with large gardens with extensive vegetation. To the north east of the site is no. 3 Clarkson Road which is a Grade II listed building. No. 1 Clarkson Close, the subject of this application, is currently occupied by a two storey dwelling with a garage set adjacent to the northern boundary with no. 6 Clarkson Close. There is no defined character in terms of building style, to the area, most houses are two or three storeys in height and are set back from the road but are a range of styles and designs.
- 1.3 The site is not allocated in the Cambridge Local Plan (2006), however the adjacent Sanctuary is identified as a City Wildlife Site of 1.70 ha. The site is in the City of Cambridge Conservation Area number 2 (West).

2.0 THE PROPOSAL

- 2.1 This application seeks consent for the erection of a dwelling house on part of the garden of no. 1 Clarkson Close, as well as a car port for the proposed property and a car port/garage for the existing house. The dwelling would be to the west of that property and set back slightly from the building line set by no. 1 Clarkson Close. The proposed dwelling is two storey in height, measuring approximately 9 metres at the highest point of the roof. The

footprint of the building is approximately 19.5 metres in length and 12.8 metres in width. The proposed materials comprise timber in mushroom grey with the roof constructed in blue slate and the chimney in brick.

2.2 The proposed dwelling is to be accessed off Clarkson Close in the same way as the existing house at no. 1 and those at nos. 2 and 3. The car port for the proposed dwelling is to be located to the north of the property, set off the boundary with no. 6 Clarkson Close and close to the boundary with the wildlife site. The height of this is approximately 2.8 metres. The car port for the existing house is to be located to the east, adjacent to the boundary with no. 3 Clarkson Close and will measure approximately 2.8 metres in height and be attached to that dwelling.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Tree Survey

3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
06/1326/CAC	Demolition of existing garage.	A/C
C/76/0061	Erection of single storey extension to existing dwelling house	A/C
C/67/0039	Extension and alteration of existing dwelling house	A/C

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

5.0 POLICY

Central Government Advice

PPS1 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.

Planning Policy Statement 3 (PPS 3) Housing : Sets out to deliver housing which is: of high quality and is well designed; 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 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.

PPS9: Biodiversity and Geological Conservation (2005): Paragraph 1 states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.

PPG13 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.

PPG15 Planning and the Historic Environment (1994): This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

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.

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.

Cambridgeshire and Peterborough Structure Plan 2003

- P1/1 Approach to development
- P1/2 Environmental restrictions on development
- P1/3 Sustainable development in built development
- P5/2 Re-using previously developed land and buildings
- P5/3 Density
- P7/6 Historic Built Environment
- P8/1 Sustainable development – links between land use and transport

Planning Obligation Related Policies

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

Cambridge Local Plan 2006

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/7 Creating successful places
- 3/10 Sub-division of existing plots
- 3/11 The design of external spaces
- 3/12 The design of new buildings
- 4/4 Trees
- 4/6 Protection of sites of local nature conservation importance
- 4/11 Conservation Areas
- 5/1 Housing provision
- 8/2 Transport impact
- 8/4 Walking and Cycling accessibility
- 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

Material Considerations

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.

Cambridge City Nature Conservation Strategy – Enhancing Biodiversity (2006): and Cambridge City Wildlife Sites Register (2005): Give guidance on which habitats should be conserved and enhanced, how this should be carried out and how it relates to Biodiversity Action Plans.

Cambridge City Council (2006) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposed development may trigger payments under the Advanced Payments Code of the Highways Act 1980 and should be brought to the attention of the applicant. The existing highway could not however be

brought up to a satisfactory standard without the acquisition of land from adjacent dwellings.

- 6.2 Clarkson Close is too narrow for two vehicles to pass and may lead to problems at its junction with Clarkson Road. A vehicle exiting Clarkson Close to turn right at the same as a vehicle is waiting to turn right into the close from Clarkson Road would obstruct each other, and obstruct Clarkson Road with potential delay to traffic. However, the likelihood of this happening would be unlikely as there is no through route from Madingley Road to Clarkson Close via Wilberforce Road as a physical road closure is in place.
- 6.3 In terms of good design, the access at Clarkson Close at its junction with Clarkson Road should be hardened to allow two cars to pass (4.5 metres minimum would be needed to achieve this). An additional passing place would also be advantageous to prevent vehicles cutting up the verges of Clarkson Close whilst passing.
- 6.4 An informative regarding works to highways should be added to the recommendation.

The Wildlife Trust

- 6.5 No comments to make on this occasion
- 6.6 The application was accompanied by a letter of advice by the Wildlife Trust regarding the proposed development which set out mitigation measures that should be employed to avoid any impact on the Adams Road Sanctuary.

Natural England (formerly English Nature)

- 6.7 No objection to the proposed development in respect of legally protected sites or species. Reference is made to previous comments dated 20 July 2005 which accompanied the planning application.
- 6.8 The comments can be summarised as follows. English Nature concurs with the advice of the Wildlife Trust following a visit to the site by Martin Baker regarding mitigation measures that should be undertaken before, during and after the development to ensure that neither great crested newts nor birds are affected by the proposal. We agree that the development area should be kept closely mown and have no logs, rubble or other materials that might provide adequate hibernacula for great crested newts stored upon it. Removal of trees should be undertaken outside the breeding season (March – August). It seems unlikely that the trees would support roosting bats but if during the felling operations any bats should be discovered then all operations should cease and English Nature contacted for further advice.

Head of Environmental Services

- 6.9 No adverse comments to make regarding this application.

Cambridgeshire County Council (Archaeology)

- 6.10 The road running south west from the Roman town at Cambridge does cross the site and traces of this may survive below ground level. Although the site is potentially of archaeological importance it is not considered to be of sufficient merit to raise objections to the proposed development. However, a condition requiring some archaeological investigation should be added to the recommendation.
- 6.11 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:

- Clements End, Conduit Head Road
- Harfield House, Hedgerley Close
- 2 Hedgerley Close
- 7 Hedgerley Close
- 54 Gough Way
- 1 Wilberforce Road (2)
- 7 Wilberforce Road
- 9 Wilberforce Road (2)
- 21 Wilberforce Road
- 7A Adams Road
- 10 Adams Road
- 11 Adams Road
- 12 Parsonage Street
- 17 Madingley Road
- 19 Madingley Road
- 19a Madingley Road (2)
- 31 Madingley Road
- 35a Madingley Road
- 51 Madingley Road
- 53 Madingley Road
- 24 Wilberforce Road
- 4 George's Terrace, Halifax Road
- 4 Herschel Road
- 7 Clarkson Road
- 9 Clarkson Road
- 11 Clarkson Road (2)
- 6 Clarkson Close
- 7 Clarkson Close
- 4 Bulstrode Gardens
- 12 Bulstrode Gardens
- 102 Grange Road
- 18 St Mark's Court, Barton Road
- 1 Redwood Lodge, Grange Road
- 74 Norwich Street
- 17 Belvoir Road

- 31 Newmarket Road
- 86 De Freville Avenue
- 20 Millington Road
- 83 Hertford Street
- 4 The Lawns, Clerk Maxwell Road
- 1 Cockcroft Place
- 50 Thornton Close, Girton
- North Newnham Residents Association c/o 7A Adams Road
- West Cambridge Preservation Society c/c 10 Adams Road

7.2 The representations can be summarised as follows:

Impact on the Sanctuary

- Impact on the adjacent Sanctuary during the construction stage and the completed building
- Impact on the wildlife within the Sanctuary due to the proximity of the building
- Impact on the Sanctuary from noise and light associated with the proposed dwelling
- Loss of privacy
- All other properties have a garden buffer to the Sanctuary which this erodes

Impact on the conservation area

- The proposal neither enhances or preserves the character of the conservation area
- The design of the building is inappropriate for the character and context of the site

Trees

- Loss of trees on the application site
- Loss of trees within the Sanctuary

Highway safety

- The proposal will impede routine and emergency access along Clarkson Close
- Clarkson Close is too narrow and in too poor a condition to serve another property
- There are no visibility splays at the junction with Clarkson Road

Other

- Sets a precedent for other sites to come forward
- Impact on the ridge and furrow field patterns very close to the route of a Roman road

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
3. Impact on the City Wildlife Site
4. Trees
5. Residential amenity
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligation Strategy

Principle of Development

8.2 Policy P1/1 of the Cambridgeshire and Peterborough Structure Plan (2003) states that the majority of land for new development will be located within Cambridge and Peterborough. Policy P5/2 of the Cambridgeshire and Peterborough Structure Plan (2003) sets a target for Cambridge City to achieve 65% of all new dwellings to be built on previously developed land by 2016. Policy 5/1 of the Cambridge Local Plan (2006) supports the provision of extra housing within the City and states that windfalls are an essential component of future housing provision in the City.

8.3 The Government is committed to maximising the re-use of previously developed land to minimise the amount of greenfield land being taken for development. The proposal would be developing at 5.7 dwellings to the hectare. Policy P5/3 of the Structure Plan states that Local Planning Authorities should be seeking to maximise the use of land by applying the highest density possible that is compatible with maintaining local character and that densities of less than 30 dwellings to the hectare will not be acceptable. However, the constraints of this particular site are such that to have a greater density would not maintain the local character nor address the constraints of the site such as the trees and the adjacent wildlife site.

8.4 Policy 3/10 of the Cambridge Local Plan (2006) refers to the sub-division of existing plots and sets out criteria a) to f) which needs to be overcome for development within an existing plot to be acceptable. These criteria relate to the a) impact on the amenity of neighbouring properties; b) inadequate amenity space or vehicular access or car parking; c) detract from the character and appearance of the area; d) adversely affect the setting of listed buildings or gardens of local interest close to the site; e) adversely affect trees, wildlife features or architectural features of local importance; and f) prejudice the comprehensive development of the wider area. Criterion f) is not considered relevant to this proposal due to the site being constrained on all sides such as to prevent a more comprehensive development taking place.

8.5 In my opinion, the principle of the development is acceptable and in

accordance with policies P1/1, P5/2 and P5/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and policy 5/1 of the Cambridge Local Plan (2006), however compliance with policy 3/10 of the Cambridge Local Plan (2006) will need to be considered in relation to the following sections of my report.

Context of site, design and external spaces

- 8.6 The character of the area is predominantly residential in nature, with houses set in large plots with large gardens. In general terms the siting of the building respects the character of the surrounding area, set back from the access road with a similar relationship to no. 1 as that between nos. 2 and 3 Clarkson Close. These two properties between them occupy a site of a similar size as that currently occupied by no. 1 Clarkson Close. The proposed dwelling does sit back in the site compared to no. 1, however I am of the view that this does not result in an adverse relationship between the two dwellings in visual terms.
- 8.7 The design of the buildings along Clarkson Close and Clarkson Road offer a very mixed assortment of diverse architectural style. The proposed dwelling is to be constructed in timber with slate for the roof while the existing building on the site is of a brick construction with a shallow pitched roof. I am of the view that given the mixed character of the area there is no need for the proposal to replicate the adjacent building at no, 1 as long as it sits comfortably within its context, which in my opinion it will do.
- 8.8 The proposal will not be visible within the wider context of the conservation area as Clarkson Close is a private road with the northern end being screened from views within Clarkson Road due to the extensive planting and also the other dwellings. In this context, the proposal will not have an impact on the character and appearance of the conservation area, or on the listed building at no. 3 Clarkson Road, however it is important to consider it in the light of its relationship to the adjacent wildlife site which is within the conservation area. I am of the view that when considering the proposal there would be instances and opportunities to see parts of the dwelling but that it would not have an adverse impact on the Wildlife Site in visual terms. In approaching the entrance to the Wildlife Site there is a need to pass other dwellings and this would be the case on entering the Wildlife Site, I do not think that the ability to view the dwelling or its car port in a very small part of the wider Wildlife Site would be sufficient as to warrant a reason for refusal. The physical impact of the proposal in relation to the Wildlife Site is covered in the next section of my report.
- 8.9 The Conservation Officer has given the view that the site can comfortably accommodate an appropriately designed building without having a detrimental effect on the character of the conservation area and therefore has no objections in principle, however, he does raise concerns about the height and mass of the building. For my part consider that the height of the building at the apex being 9 metres is not particularly high and that at the eaves the proposal is only 3.2 metres in height. The design of the building with timber as the principal external treatment, in my opinion gives the form a far lighter

weight structure than that of the brick on no. 1 Clarkson Close. The proposed dwelling does extend further back into the site than no. 1 Clarkson Close, but that property does have a wider frontage than that being proposed here. In my opinion for these reasons I consider the proposed design of the building to be appropriate for its context and in doing so preserves the appearance of the conservation area, there is space around the building and a large garden area is retained both at the front and rear of the property.

- 8.10 The two car ports proposed as part of this application are also considered not to have an impact on the conservation area. The car port associated with the proposed dwelling will only be open in design and has been designed to use the same material. The car port associated with no. 1 will be adjacent to that property and again is in keeping with that property and the context of the site.
- 8.11 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2 and P1/3, Cambridge Local Plan (2006) policies 3/4, 3/7, criterion d) of policy 3/10, 3/11, 3/12 and 4/11.

Impact on the City Wildlife Site

- 8.12 The majority of the third party representations have raised concerns about the impact of the proposed dwelling on the adjacent City Wildlife Site. Policy 4/6 of the Cambridge Local Plan (2006) requires development not to have an adverse impact upon City Wildlife Sites and identifies the need for proposals to provide an appropriate assessment of the impact of the proposed development and details of the measures to protect and enhance the habitat or features identified. The site record sheet for this Wildlife Site states that the site qualifies as a woodland and that it contains breeding population of Common Frog, Common Toad and Great Crested Newt.
- 8.13 Advice has been sought from both the Wildlife Trust and Natural England, independent of the applicant. Both have indicated that the letters provided to the applicant cover the mitigation measures that would be required should the proposal be approved and have raised no objections to what has been proposed. In light of this and in relation to the requirements of policy 4/6 of the Cambridge Local Plan (2006) the applicant provided, as requested, a document setting out possible mitigation measures to ensure that there was not an adverse impact on the adjacent Wildlife Site. This document includes measures such as keeping the grass mown and ensuring that there are no log piles to ensure that the area remains unsuitable for Great Crested Newts as currently the case.
- 8.14 Third party comments have raised concerns about the consultees responding to the questions asked by the applicant. In order to ensure that this was not the case both consultees were sent full copies of the planning application and asked to comment as is the usual procedure when seeking advice on planning applications. In relation to any proposed tree works on the site or the Wildlife Site, I can confirm that all of the trees are protected due to their being located within a conservation area. Further consideration of the impact on the trees is considered in the next section of my report.

- 8.15 Third parties have also raised concerns about the proposal in relation to its visual impact from within the Wildlife Site. The proposed dwelling is set off the boundary with the wildlife site by approximately 3 metres, at the closest point. Having visited the site, it is along this boundary that there is the least amount of planting in comparison with the other boundaries of the site. The current building at no. 1 is visible from the pathway through the Wildlife Site but only for a small distance before the trees and other planting obscure views as well as the path continuing on. In considering the impact on the Wildlife Site, there is a fine balance between being able to see the proposal and whether this therefore has an adverse impact. There are various points around the Site where other properties can be viewed, however, this proposal would be the closest to the Site. The new dwelling is to be constructed in timber which would undoubtedly have a lesser impact than a brick building.
- 8.16 Reference has been made to light pollution of the Wildlife Site from the proposed dwelling. The internal layout of the dwelling, the 2 metre high boundary fence and the absence of any objection from the consultees dictates that any impact will be minimal and not sufficient as to warrant a reason for refusal.
- 8.17 The proposal is therefore considered to comply with policy 4/6 and criterion c) and e) of the Cambridge Local Plan (2006).

Trees

- 8.18 In relation to the proposed impact on the trees within the site itself and within the Wildlife Site, advice has been sought from the Arboriculture Officer. The Officer has raised no objections to the proposed loss of trees on the site itself, however, the Officer has raised concerns about the impact of the car port associated with the new dwelling in relation to the Weeping Willow within the garden of no. 6 Clarkson Close. Further details have been requested and I shall report the outcome on the amendment sheet.
- 8.19 The Officer has also commented on the fact that a number of the trees from the Wildlife Site overhang the boundary of no.1 Clarkson Close and that at present these trees are only managed when necessary. She has stated that development may only require the boundary plants to be pruned back and the limb of the overhanging ash to be reduced. Reference is also made to the fact that the future owners may provide pressure to make safe those trees within the Wildlife Site which have the possibility of failing and falling into the garden or on the dwelling. The advice has been given that if this became the case that it would change the nature of the Site at this point but would not alter its character overall. This would also be subject to permission from the City Council as all of the trees are protected by virtue of their location within the conservation area. A tree protection condition is recommended should approval be given.
- 8.20 In my opinion the proposal is compliant with policies criterion e) of policy 3/10 and 4/4 of the Cambridge Local Plan (2006).

Residential Amenity

- 8.21 The proposed dwelling is to the west of no. 1 Clarkson Close with a distance of approximately 8.5 metres between the closest windows. The buildings are off-set from one another due to the proposal being set further back in the site and the applicant proposes planting along this boundary to prevent overlooking and a loss of privacy between the two properties. At first floor there is one window that could result in overlooking, however, the bottom part of that window is to be obscure glazed. To the north of the site is no. 6 Clarkson Close, the existing planting is to be retained along this boundary and there is only one first floor window on the north elevation which serves to light the landing area with a void below. No other properties will be affected by the proposal. I am therefore of the view that there will not be an impact on the residential amenity of either property as a result of this development.
- 8.22 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and criterion a) of policy 3/10.

Refuse Arrangements

- 8.23 The layout plan does not identify an exact location for the waste and recycling, however there is sufficient space within the site to accommodate the storage and therefore I have added a condition to the recommendation.
- 8.24 In my opinion subject to compliance with the condition the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.25 The Highway Authority has made some comments regarding the existing access to Clarkson Close and their preference for works to be carried at the Clarkson Close/Clarkson Road junction. No objections are raised to the development in relation to the existing private road, however I have added an informative to the recommendation advising of the works, which could be undertaken to assist access into and out of Clarkson Close.
- 8.26 Third party comments have referred to the proposed dwelling impeding emergency vehicles. The proposal is at the end of Clarkson Close and therefore will not have an impact on such movements over and above the existing situation.
- 8.27 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policy P8/1 and Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.28 The application proposes three car parking spaces; two for the proposed

dwelling and one for the existing house. The Car Parking Standards set a maximum of two spaces per dwelling for houses with three or more bedrooms. The proposal therefore complies with policy 8/10 of the Local Plan.

- 8.29 In relation to cycle parking, no precise location has been given, however, there is sufficient space within the site to accommodate cycle parking, and I have added a condition to the recommendation to ensure that adequate provision is made.
- 8.30 In my opinion subject to compliance with the cycle parking condition, the proposal is compliant with Cambridge Local Plan (2006) policies criterion b) of policy 3/10, 8/6 and 8/10.

Third Party Representations

- 8.31 Most of the third party comments have been addressed in the above sections. The impact on ridge and furrow field patterns very close to the route of a Roman road has been considered following advice from the Archaeological Department at the County Council and a condition regarding archaeological work has been added to the recommendation to safeguard any remains.
- 8.32 Third party concerns have related to noise and disturbance during the construction phase of the proposed dwelling. The majority of the construction of the dwelling takes place off site and it is transported in a modular form to the site where it is put together. While this will not eliminate noise it will assist in reducing the time of on-site construction. The issue of precedent is not a material planning consideration as each site must be judged on its own merits.

Planning Obligation Strategy

- 8.33 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning obligations. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.34 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.
- 8.35 The proposed development requires contributions to be made towards open space comprising formal open space, informal open space and children's play areas and these have been calculated as follows: Formal open space: £1440, Informal open space: £1224 and Play space: £1596.

Community Development

8.36 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. The proposed development requires a contribution to be made towards community development. The total contribution sought equates to £1625.

8.37 The applicants have indicated a willingness to enter into a S106 agreement to meet the infrastructure requirements of the Planning Obligation Strategy. I am satisfied that subject to the completion of the Section 106 Agreement and the appropriate level of payments being provided in accordance with the Planning Obligation Strategy, I am satisfied that the application accords with the Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8, and Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1.

9.0 CONCLUSION

9.1 In conclusion, I am of the view that the proposed development subject to compliance with the recommended conditions is acceptable and accords with the objectives and criteria of the development plan.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

1. APPROVE subject to the satisfactory completion of the s106 agreement by 23 March 2007 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. No development shall take place until samples of the 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles.
(Cambridge Local Plan 2006 policy 8/6)

4. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment of materials) until:

a) A Tree Protection Plan, as defined in BS 5837:2005 Trees in Relation to Construction æ Recommendations, containing the following Arboricultural Method Statements/ Specifications has first been agreed to, in writing, by the Council's Principal Arboriculture Officer:

Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to the site, in order to establish Root Protection Areas and construction exclusion zones;

Arboricultural method statements for any special engineering operations within Root Protection Areas;

Arboricultural method statements for root pruning and root barrier installation; including specifications for root barrier material; and root-soil back-fill;

Arboricultural method statement for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air space technology; irrigation; and mulching where appropriate;

Arboricultural method statement for any development facilitation pruning.

And,

b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist and the Council's delegated Arboriculture Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboriculture Officer.

All Arboricultural works shall be carried out by a competent tree contractor, and shall follow strictly the agreed method statements and specifications. All tree protection barriers and ground protection must be in accordance with BS 5837:2005 clause 9 æ The construction exclusion zone: barriers and ground protection. The developer shall appoint a competent arboriculturalist to oversee the project who shall monitor, records and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

Reason: To ensure the protection of the trees on and adjacent to the site
(Cambridge Local Plan 2006 policy 4/4)

5. 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)

6. 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)

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

8. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

9. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the building [s] is/are occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

10. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason - To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/7 and 3/12).

11. Prior to occupation of the building, the first floor window in the east elevation shall have the lower panels obscure glazed, and shall be retained thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 4/13).

12. Prior to the commencement of the development hereby permitted, an ecological mitigation strategy shall be produced and agreed by the local planning authority. The strategy shall include full details for negating or mitigating construction impacts, and include a long-term management plan for the wildlife interest of the site to ensure that wildlife is preserved and increased.

Reason: To protect a site designated as a City Wildlife Site (Cambridge Local Plan 2006 policy 4/6).

13. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

INFORMATIVE: The applicant is advised to contact the County Council Highway Authority for advice regarding the Clarkson Close roadway and possible alterations that could be carried out to improve access.

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan 2003: P1/1, P1/2, P1/3, P5/2, P5/3, P6/11, P7/6, P8/11 and P9/8;

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

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 detail on the decision please see the officer report by visiting the Council Planning Department.

16. **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 23 March 2007 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, and community development facilities in accordance with the following policies, standards and proposals 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, Guidance for Interpretation and Implementation of Open Space Standards 2006.

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.



06/1327/FUL
1 Clarkson Close Cambridge Cambridgeshire CB3 0EJ

Application Number	07/0057/FUL	Agenda Item	8.2
Date Received	5th February 2007	Officer	Mr Paul Johnson
Target Date	2nd April 2007		
Ward	Newnham		
Site Proposal	Street Record Newnham Road Cambridge Cambridgeshire Installation of a 10 metre telegraph pole with 3 integrated antennas within a shroud painted to match the pole, ground based equipment cabinet and associated equipment.		
Applicant	O2 Uk Ltd 260 Bath Road Slough Berkshire SL14 DX		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Newnham Road has a broadly northeast-southwest orientation. It forms a well used arterial route into the City from the west. The east side of Newnham Road comprises a sizable area of Green Belt land known as Lammas Land. This area has a green, broadly open character, punctuated by numerous mature trees and dissected by a number of paths. The western side of Newnham Road comprises the cricket and sports grounds of Gonville and Caius College. These sports grounds and Lammas Land are Protected Open Spaces as designated in the Cambridge Local Plan 2006. The sports fields are demarcated from the pedestrian footway by 1.5-metre high railings, and mature hedging behind of approximately 3.5 metres in height.
- 1.2 The application site is on the west side of Newnham Road, approximately equidistant between Newnham roundabout with the petrol station and almshouses to the north, and the junction of Newnham Road, Grantchester Road and Barton Road to the south.
- 1.3 The proposed installation would be set on the back edge of the pavement, adjacent to the boundary railings and hedging of Gonville and Caius sports ground, on the west side of Newnham Road, where the pavement is at its widest.
- 1.4 The site falls within Cambridge Conservation Area No. 2 (West), and in close proximity to Cambridge Conservation Area No. 8 (Newnham Croft). There are two trees adjacent to the site that are protected by virtue of being within a designated Conservation Area.

2.0 THE PROPOSAL

2.1 This application seeks full planning permission for the installation of a 10-metre high, mock 'telegraph pole' with 3 integrated antennas within a shroud painted to match the pole, and 2 ground based cabinets and associated equipment, for the purposes of mobile telecommunications.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. ICNIRP Declaration
3. Supporting statement and supplementary information

3.0 SITE HISTORY

3.1 No planning history relating to this specific site.

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 **PPS1 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 **PPG8 Telecommunications (2001):** This Government guidance seeks to strike a balance between facilitating the operational needs of developers with the protection of amenity. The use of sympathetic design and camouflage to minimise the visual impact of the apparatus is encouraged.

5.4 **PPG15 Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

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 **Cambridgeshire and Peterborough Structure Plan 2003**

P1/2 Environmental restrictions on development
P1/3 Sustainable development in built development
P7/6 Historic Built Environment
P6/5 Telecommunications

5.7 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
4/2 Protected Open Space
4/4 Trees
4/11 Conservation Areas
8/14 Telecommunications

5.14 **Material Considerations**

Newnham Croft Conservation Area Appraisal (1999): Provides a detailed analysis of the Conservation Area and its special characteristics.

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

6.1 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

Head of Environmental Services

6.2 No objection: No adverse comments on this proposal.

Arboriculture

6.3 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

Defence Estates

6.4 No objection: The Ministry of Defence has no safeguarding objections to this proposal.

Conservation

6.5 No objection: No Conservation Objections.

6.6 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 Cantrill has commented on this application. The representation is attached to this report.

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

1 Summerfield
3 Summerfield
8 Cherwell Court
9 Cherwell Court
11 Cherwell Court
12 Cherwell Court
12 Hardwick Street
10 Wordsworth Grove
15 Wordsworth Grove
4 Clare Road

7.3 The representations can be summarised as follows:

Visual impact, siting and design

The site is inappropriate
This is a fragile portion of the Cambridge landscape
The mast, however camouflaged would be a large, significant, industrial/commercial and an inappropriate visual intrusion into its surroundings
The mast is very tall
The application is visually intrusive in the Conservation Area(s)
The only difference between this and previously refused poles are the height and precise siting
The beech hedge will not screen the cabinet, and 3 sides will not be screened at all. As such it does not respect its context.
The beech hedge will be detrimentally affected
The trees will not offer sufficient screening

Health concerns

Concerns raised regarding the type of installation and microwave transmissions in a residential area with schools in the vicinity
Have long term health considerations been considered?
Concerns that the power output may increase in the future
There are known health hazards relating to these masts

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. Context of site, design and external spaces
2. Trees
3. Third party representations

Context of site, design and external spaces

8.2 The applicants have stated that the mast is required in this location to improve 3G network coverage to the residential areas of Newnham and the surrounding area which does not benefit from adequate in building coverage. Pre-application discussion has been undertaken regarding siting and a list of alternative sites and mast types have been discounted for various reasons including the lack of site owner interest and advice from the Council.

8.3 The proposed mock 'telegraph pole' containing 3 antenna and ancillary equipment would be sited on the back edge of the pedestrian footway, immediately adjacent to a 3.5 metre hedge, and in close proximity to a number of existing trees. These trees and hedge play a significant visual role in the street scene and the character of the immediate vicinity. The trees are situated in the middle of the pavement, and as such, are prominent in the street scene in an area otherwise considered to have a fairly open character.

8.4 As the mock telegraph pole would be sited to the rear (west) of these trees, when viewed from the street scene (north, east and south) or Lammas Land, the pole would not be located in front of the trees. As such, it would set back from the road and would be less visually prominent in the street scene and wider Conservation Area than those trees. Furthermore, the proposed mast would have a maximum height of 10-metres. The two nearest trees measure approximately 10 and 16 metres tall. Given this, I am of the opinion that the scale of the mast is respectful of the height of existing street scene features and of a scale that is not unduly prominent or out of keeping in the street scene that is already characterized by existing tall streetscene features. The trees also provide a degree of visual screening to help further mitigate the visual impact of the pole, and cannot be removed as they are protected by virtue of being within a Conservation Area, thereby ensuring their retention in perpetuity.

8.5 In this respect, the proposal is considered to be both more respectful of the scale of streetscene features in its immediate context, of an appropriate height, and not unduly prominently sited in the street scene,

and therefore, is materially different to other proposals that have been refused in the locality previously.

- 8.6 Notwithstanding the above, the mock telegraph pole design provides a more sympathetic visual appearance in the street scene in line with the guidance contained within PPG8, and whilst I appreciate that the pole would be visible in this area, visibility does not necessarily equate to harm.
- 8.7 The massing of the proposed equipment cabinets would be read against the backdrop of the existing railings and high hedging to their rear (the west), and in terms of scale, are also respectful of the immediate context. From the sports grounds to the west, the fencing and hedging also provides further visual screening. As such, I consider that the siting, screening, scale and design have been considered in the proposal, and as such, the proposal would not have a significantly detrimental impact upon the overall quality or character of the area, or introduce unacceptable harm to the character or appearance of the conservation areas.
- 8.8 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2, P1/3 and P7/6, Cambridge Local Plan (2006) policies 3/4, 3/7, 4/11 and 8/14, and guidance in the form of PPG8.

Trees

- 8.9 The proposed mast has been sited to minimize any impact upon the existing trees in the locality. Comments from the arboricultural section are being sought and will be communicated at the meeting or on the amendment sheet. The applicant has stated that any foundations for the equipment cabinet would be hand dug and roots protected in accordance with BS5837, and the site considered a Tree Protection Zone during the pole lift.

Third Party Representations

- 8.10 Central Government guidance contained within Planning Policy Guidance Note 8: - Telecommunications, states that:

“29. Health considerations and public concern can in principle be material considerations in determining applications for planning permission and prior approval. Whether such matters are material in a particular case is ultimately a matter for the courts. It is for the decision-maker (usually the local planning authority) to determine what weight to attach to such considerations in any particular case.

30. However, it is the Governments firm view that the planning system is not the place for determining health safeguards. It remains central Governments responsibility to decide what measures are necessary to protect public health. In the Governments view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an

application for planning permission or prior approval, to consider further the health aspects and concerns about them.”

- 8.11 This application was accompanied by an ICNIRP compliance certificate, and as such, is considered to meet current public exposure guidelines. Therefore, on balance, and within the remit of this decision, the application is considered to be acceptable on agreed health grounds. As such, I do not consider that health concerns are sufficient to justify the refusal of planning permission.

10.0 RECOMMENDATION

1. APPROVE subject to the following conditions:

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

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. No development shall take place until details of the materials and external finish, including colour treatment, of the mock telegraph pole with 3 integrated antennas within a shroud, and ancillary equipment cabinets 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 visual impact of the mast and ancillary equipment is sympathetic to the character and appearance of its immediate context and within the wider Conservation Area. (Cambridgeshire and Peterborough Structure Plan 2003 policies P1/2, P1/3 and P7/6 and policies 3/4, 3/7, 4/11 and 8/14 of the Cambridge Local Plan 2006)

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: Policies P1/2, P1/3, P6/5 and P7/6.

Cambridge Local Plan (2006):

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 detail on the decision please see the officer report by visiting the Council Planning Department.

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.

From: "rod cantrill" <rcantrill@millingtonadvisory.com>
To: "Paul Johnson" <Paul.Johnson@cambridge.gov.uk>
Date: 23/02/2007 07:58:52
Subject: RE: Planning Application Ref C/07/0057/FUL - Proposed O2 mast,Newnham

Paul

Thanks for your mail. I would like to refer the application for consideration by the area committee. The planning reason is my perception that there will be a significant deterioration in the visual amenity of a key conservation area

Could you confirm that based on the above you intend to take the application to the March WC area committee

Many thanks

Rod

-----Original Message-----

From: Paul Johnson [mailto:Paul.Johnson@cambridge.gov.uk]
Sent: 22 February 2007 17:01
To: rod cantrill
Subject: Planning Application Ref C/07/0057/FUL - Proposed O2 mast,Newnham

Dear Cllr. Cantrill,

I took this application to our preview meeting this morning, and based upon my site visit and discussions, am of the opinion that the application should be put forward with a recommendation of approval. Further to your original e-mail, I am writing to seek confirmation of whether you think you might call the application in or not?

If so, I would appreciate as much warning as possible, as I would like it to make the West/Central Area Committee on 15 March so that it determined within its 8 week target date, and my target date for completing my Committee Report is the middle of next week.

Kind regards,

Paul Johnson

Paul Johnson
Planning Officer
Cambridge City Council

Tel: (01223) 457475

>>> "rod cantrill" <rcantrill@millingtonadvisory.com> 13/02/2007 12:06

>>>

Paul

Thanks for this.

If I recall, we rejected a proposal on the other side of the road in roughly the same location. what is the status of the application, and what would be the timing issues if I wanted to revert it to an area committee - if you

were minded to approve it.

Regards

Rod

-----Original Message-----

From: Paul Johnson [mailto:Paul.Johnson@cambridge.gov.uk]
Sent: 13 February 2007 11:55
To: rcantrill@millingtonadvisory.com
Subject: Planning Application Ref C/07/0057/FUL - Proposed O2 mast, Newnham

Dear Cllr Cantrill,

Further to your request for information relating to this application, I can confirm that the proposal is for a 10-metre high 'mock telegraph pole' mast, with 3 integrated antennas inside the shroud, plus 2 equipment cabinets.

The proposed site is on the west side of Newnham Road, approximately south, half way between the Newnham roundabout with the Shell garage and almshouses, and the junction of Newnham Road, Barton Road and Grantchester Road. The precise siting is on the highways verge, set back adjacent to the hedging and mesh fencing of Gonville and Caius sports field. There are trees adjacent to the proposed site measuring 10 metres and 16 metres in height. The site is within the West Conservation Area.

The applicant is O2 UK.

If you require any additional information, please let me know.

Yours sincerely,

Paul Johnson

Paul Johnson
Planning Officer
Cambridge City Council

Tel: (01223) 457475

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Please scan attachments for viruses before opening them.

Please read our disclaimer at
<http://www.cambridge.gov.uk/maildisc.html>

CC: <sianreid@dsl.pipex.com>, "Julie Smith" <jes42@cam.ac.uk>, "Alex Reid" <reid@dsl.pipex.com>

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Application Number	06/1309/FUL	Agenda Item	8.3
Date Received	4th December 2006	Officer	Mr Paul Johnson
Target Date	29th January 2007		
Ward	Newnham		
Site	33 Eltisley Avenue Cambridge Cambridgeshire CB3 9JQ		
Proposal	Change of use of first floor bedroom to consulting room for psychotherapy.		
Applicant	Ms S Greaves 33 Eltisley Avenue Cambridge Cambridgeshire CB3 9JQ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 33 Eltisley Avenue lies on the west side of Eltisley Avenue in the Newnham area of Cambridge. No. 33 is an end-of-terrace property, with its garden area to the northeast side. The surrounding area has a very distinct residential character and rhythm of development that differs on the east and west sides of the road. A small corner shop located on the opposite side of the road and a small distance to the north.
- 1.2 The property is currently in use as a residential dwellinghouse, with two bedsits provided on the first-floor and one in the roof space. Under planning law this does not constitute a house in multiple occupation, due to the way the spaces function, sharing of facilities such as bathrooms, and the number of tenants.
- 1.3 The site falls within Cambridge Conservation Area No. 8 (Newnham Croft). The site falls outside the controlled parking zone (CPZ).

2.0 THE PROPOSAL

- 2.1 The application for full planning permission proposes the change of use of the first floor bedroom fronting Eltisley Avenue to a consultancy room for psychotherapy. The room is proposed to be used between the hours of 9am to 6pm, Monday to Friday only by one psychotherapist. Such a use falls within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended.
- 2.2 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Supporting letter from the applicant

3.0 SITE HISTORY

3.1 None relevant to the determination of this change of use application.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **PPS1 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 **PPS6 Planning for Town Centres (2005):** States that the key objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres, promoting and enhancing existing centres by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all. The statement seeks to enhance consumer choice to meet community needs and ensure new development is well served by a choice of means of transport.

5.4 **PPG13 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.

5.5 **PPG15 Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

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 **Cambridgeshire and Peterborough Structure Plan 2003**

P1/2 Environmental restrictions on development

P1/3 Sustainable development in built development

P7/6 Historic Built Environment

P8/1 Sustainable development – links between land use and transport

5.8 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

4/11 Conservation Areas

4/13 Pollution and Amenity

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/10 Off-street car parking

5.9 **Material Considerations**

Cambridge City Council (2003) – Sustainable Development Guidelines: Highlights issues that should be considered when drawing up policies and development briefs, appraising sites and development proposals. The Guidelines identify opportunities for mitigation of the impacts of development and for delivering environmental enhancement, giving examples of how this has been achieved in successful projects. The Guidelines include practical ways of implementing the principles of sustainable development at all stages of the development process. Applicants for major developments will be asked to complete and submit a Sustainable Development Checklist and a Sustainability Statement to accompany their planning application, setting out the key sustainable development issues relevant to the development, and describing how they have complied with the Guidelines.

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

6.1 No objection: No significant adverse effect upon the Public Highway should result from this proposal, should it gain the benefit of Planning Permission.

Head of Environmental Services

6.2 No objection: No adverse comments are made regarding this application, however, it is noted that the property is occupied by the owner and 3 tenants.

Cambridge City Council Access Officer

- 6.3 No objection: It should be noted that if patients cannot get to the first floor room the practice must see patients on the ground floor or at home at no extra cost to comply with DDA law.
- 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 The owners/occupiers of the following addresses have made representations:

54 Eltisley Avenue
51 Eltisley Avenue
50 Eltisley Avenue
33 Eltisley Avenue
Room 1, 33 Eltisley Avenue
30 Eltisley Avenue
29 Eltisley Avenue
25 Eltisley Avenue
1 Owlstone Road

- 7.2 The representations can be summarised as follows:

Principle of development

The proposed non-residential use is inappropriate in this residential area

Residential amenity

There will be an increase in noise and disturbance from the arrival and departure of clients
There will be a loss of privacy to the occupier(s) of 25 Eltisley Avenue
Tenants have sole use of the bathroom on the first floor, it has not been made clear if this arrangement will continue
Increased visitors to the property would interfere with the quiet enjoyment and security of No. 33 Eltisley Avenue that tenants can reasonably expect to achieve

Parking

Residents find it very difficult to find car parking spaces on the street and in the locality, this will be exacerbated by the proposed development
There is no residents parking scheme, and one should be introduced
The surrounding roads cannot cope with any additional traffic and demand for parking spaces
The application assumes that most people will arrive by foot or bicycle
The applicant should use their side garden to provide off-street parking

Other issues

Tenants of the property have not been informed by the owner of the application

Considerable works have already been undertaken to the property that have affected the tenants

Post has not been delivered to tenants

- 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
3. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Car and cycle parking
7. Third party representations

Principle of Development

- 8.2 The application proposes to change the use of one of the first-floor bedrooms of the existing residential property to a consultancy room for psychotherapy. The room is proposed to be used between the hours of 9am to 6pm, Monday to Friday only by one psychotherapist.
- 8.3 Planning permission is required as the intensity of this use, at up to 20 visitors per week (maximum) is considered to materially alter the way in which the premises are used, as well as the number of visitors that would reasonably expect to travel to and from the site in any give day. Where lower numbers are expected, e.g. 1 visitor per day, the use would likely be ancillary to the main use of dwellinghouse, and as such, at that lower level, planning permission for a material change of use is unlikely to be required. Were the number of visitors to the site to be at the lower end of the scale, then as noted, planning permission is unlikely to be required due to its ancillary nature, only once this increases toward the proposed maximum number would there be a material change of use. As such, this use is considered to be very low key in terms of its overall impact upon the character of the property and the way that it would reasonably be used above a normal dwellinghouse.
- 8.4 The site is in a sustainable location very close to the Newnham local centre and within a reasonable distance of the City Centre. The

surrounding area has a residential character, punctuated by local retail facilities to the north.

- 8.5 There are no policies in the Cambridge Local Plan (2006) that specifically relate to the running of small businesses from residential properties, and as such, the application will be considered on the specifics of the site and its material impacts upon it and its surrounding context.

Context of site, design and external spaces

- 8.6 No internal or external changes are proposed as part of this application, and as such, there would be no visual impact whatsoever upon the appearance of the property itself, the wider street scene or the Conservation Area. As the premises would be unaltered visually, there would be no material impact upon the residential character of this property or of its immediate setting.
- 8.7 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2, P1/3 and P7/6, and Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/11.

Disabled access

- 8.8 Based upon the comments of the Access Officer, an informative has been recommended to bring the applicants attention to the requirements of DDA legislation, however, this is not something that could be conditioned or controlled within the remit of this planning application.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

Residential Amenity

- 8.10 The supporting statement issued by the psychotherapist wishing to use the site states that the proposed use is very quiet in terms of what that work entails i.e. discussion and listening. As such, the impact upon both residents of No. 33 Eltisle Avenue and surrounding residential properties would not be adversely impacted upon by the proposed use in itself, given its nature and type.
- 8.11 In terms of the number of visitors that are proposed to use the site, as noted above, were this to be at the lower level of use, it is unlikely to require a formal change of use application given that it would be a use ancillary to its primary use as a residential dwellinghouse. As such, at its upper limit (20 visitors per week), this would equate to around four visitors per day. Given the size of the property, I consider that a family dwelling with a number of teenage children would generate a similar number of movements when taken in totality, even with the 3 tenants, and as such, I am of the opinion that the proposed use would not significantly or adversely impact upon the residential amenity of the adjoining occupiers. However, the applicant notes that this is unlikely to extend to that level,

and is more than likely to remain in the region of 8 visitors per week. Given this intensity of use, I am of the opinion that this would not introduce significant harm to the residential amenity of the surrounding occupiers such as to warrant refusal. A condition has been recommended limiting the hours of use between 9am and 6pm, to further limit the impact on the tenants and surrounding occupiers, as well as to help address the concerns over security and privacy at the most sensitive times of the day.

- 8.10 A condition has been recommended that would restrict any future change of use of the room from the use proposed. This would ensure that any intensification of use can be assessed for any alternative proposal, even those falling within the same use class, given the sensitivity of the site and its relationship to the host residential property and those abutting.
- 8.11 Furthermore, a condition has been recommended restricting the use to the proposed room only, as well as being the practice of only one psychotherapist at any time to ensure there is no cumulative or incremental increase in the intensity of use over time.
- 8.12 As noted above, no external changes to the property are proposed, and as such, the residential amenity of neighbouring occupiers will not be adversely affected by any extension or alteration to the property. The relationship to neighbouring properties will remain the same, and I am of the opinion that the use of this room as a consulting room rather than a bedroom would not significantly compromise the occupier over the road due to this changed use.
- 8.13 In my opinion the proposal adequately respects the residential amenity of the tenants, its neighbours, and the constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Refuse Arrangements

- 8.14 Given the nature and scale of the proposed use, it seems very unlikely that the proposed use and dwellinghouse would generate significant levels of waste above that of a single-family dwellinghouse, and as such, existing refuse arrangements are considered to be adequate.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

Car and Cycle Parking

- 8.16 The site is located outside the CPZ, and as such, there is no control over on-street parking. The scale of the proposed use is such that the overall maximum numbers of visitors per week is never likely to exceed 20. Given that only a percentage of these users will come by car, especially given the accessibility of Newnham to the rest of the City by foot and bicycle, even at its maximum extent, I am of the opinion that this will not significantly impact upon highway safety or the amenity of nearby

residents. Furthermore, should they wish to drive to the site, visitors would be there for only a short period of time, when most residents are at work. As noted previously, at its lowest level, planning permission would not be required for such a use, and as such, issues such as car parking would not be considered at all by this Authority. No concerns in this regard have been raised by the Highways Authority.

- 8.17 Para 51.2 of PPG13 states that local planning authorities should, ³ not require developers to provide more spaces than they themselves wish. As such, it would not be reasonable to make the applicant provide off-street parking if it they themselves do not wish to do so.
- 8.18 As it anticipated that visitors to the site will either walk or cycle to ensure an adequate quantity of secure cycle storage is provided in a suitable location, a condition has been recommended requiring details of the provision and location of secure cycle storage.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.20 I am of the opinion that the majority of the issues raised by third party representations have been fully considered in the text above. With regards to the issues relating to postal deliveries, previous works and communication between the tenants of No. 33 Eltisley Avenue and the landlady, these are civil matters that are outside of the remit of this planning application, or that do not require planning permission.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The first floor consultancy room hereby permitted, as illustrated on drawing number WC 152.5 of the approved plans, shall be used for the purposes of psychotherapy consultation only, and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because the use of the room for any other purpose would require re-examination of its potential impacts. (Cambridge Local Plan 2006 policies 4/13 and 8/2)

3. The extent of the psychotherapy consultancy hereby permitted shall be restricted to the room marked 'consultancy room' on drawing number WC 152.5 of the approved plans, and only one psychotherapist shall operate their practice from this room at any time, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt, and because a more intense use of the room by more than one psychotherapist or wider use of the site for this purpose would require the re-examination of its potential impacts upon the character of the site and its impact upon local residential amenity. (Cambridge Local Plan 2006 policies 4/13 and 8/2)

4. The use of the consultancy room hereby permitted shall be between the hours of 09:00 hours to 18:00 hours only on Monday to Friday (inclusive), and at no time outside of these hours, or at the weekend, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt, and because a more intense use of the room would require the re-examination of its potential impacts upon the character of the site and its impact upon local residential amenity. (Cambridge Local Plan 2006 policies 4/13 and 8/2)

5. Prior to the change of use hereby permitted, details of the facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the Local Planning Authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of visitors bicycles. (Cambridge Local Plan 2006 policies 8/4 and 8/6)

INFORMATIVE: The applicant/agents attention is advised that if patients cannot get to the first floor, under the requirements of DDA legislation they must see patients on the ground floor or at home at no extra charge to the patient.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: Policies P1/2, P1/3, P7/6 and P8/1.

Cambridge Local Plan (2006): Policies 3/1, 3/4, 3/7, 4/11, 4/13, 8/2, 8/4, 8/6 and 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 detail on the decision please see the officer report by visiting the Council Planning Department.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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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 ³ 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.



06/1309/FUL

33 Eltisley Avenue Cambridge Cambridgeshire CB3 9JQ

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Application Number	06/1284/FUL	Agenda Item	8.4
Date Received	27th November 2006	Officer	Mrs Rebecca Flood
Target Date	22nd January 2007		
Ward	Market		
Site	Street Record Parkside Cambridge Cambridgeshire		
Proposal	Erection of a temporary bus supervisor's kiosk (4 years) in Parkside opposite Warkworth Terrace.		
Applicant	Cambridgeshire County Council Highways And Access Box ET 1028 Castle Court Shire Hall Cambridge CB3 0AP		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Parkside itself sits on a south east to north west axis and comprises a mix of residential and commercial buildings, many of which are listed. To the south west of the site is a large area of public open space known as Parker's Piece. The south west side of Parkside is currently being used for long distance coach services and three bus stops and shelters have been installed.
- 1.2 The site falls within the City of Cambridge Conservation Area No. 1 (Central) and is adjacent to an area designated as protected open space. Many of the buildings on the north east side of Parkside are Grade II listed.

2.0 THE PROPOSAL

- 2.1 This application seeks consent for the installation of a temporary Bus Supervisors Kiosk on a 'built out' pavement opposite Warkworth Terrace and the Police Station. The kiosk will measure approximately 2 metres by 2.5 metres with an overall height of 2.5 metres. The design of the kiosk comprises a stainless steel frame with a mid-rail in the side panels, separating the lower opaque black infill from the clear polycarbonate glazing on the upper half of the panel. The curved roof is to be constructed in clear polycarbonate covered in a light reflective film. Within each of the end panels there will be stainless steel ventilation grilles.
- 2.2 The background to this application has been provided by the applicant and can be summarised as follows. In 2005 Cambridgeshire County Council conducted a consultation on the proposed changes to the Emmanuel Street/Drummer Street and St Andrews Street areas as part of Stage 4 of the Core Traffic Scheme. The measures proposed were to help accommodate the anticipated growth in local bus services and provide clearer footways around the Grand Arcade and Christ's Lane. One of the main proposals was the re-location of the long distance coach services out of Drummer Street. In

January 2006, the County Council's Cambridge Traffic Management Area Joint Committee reviewed the feedback and decided to create three new bus stops for long distance coach services on the south west side of Parkside. Three bus shelters were installed in 2006 and the Traffic Regulation Order will come into operation on 5 March 2007.

- 2.3 The application is accompanied by a Design and Access Statement which explains that the kiosk is required for the on-street staff who man the bus stops from 8am until 6pm, seven days a week who are there to provide customer care and perform operational tasks. The customer care will include assisting passengers with luggage and providing advice to those who may have missed their coach or lost their luggage. On the operational side the work includes issuing drivers with details of passenger journey bookings and making alternative arrangements if buses are delayed or breakdown. The applicant has stated that the need for a bus supervisor to be present has generated the need for the kiosk which will have electricity, telephone and internet connection points to provide up to date information to the supervisor. The kiosk will not sell tickets.

3.0 SITE HISTORY

- 3.1 None relevant to this application.

4.0 PUBLICITY

- | | |
|------------------------|-----|
| 4.1 Advertisement: | Yes |
| Adjoining Owners: | Yes |
| Site Notice Displayed: | Yes |

5.0 POLICY

Central Government Advice

PPS1 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.

PPS6 Planning for Town Centres (2005): States that the key objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres, promoting and enhancing existing centres by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all. The statement seeks to enhance consumer choice to meet community needs and ensure new development is well served by a choice of means of transport.

PPG13 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.

PPG15 Planning and the Historic Environment (1994): This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

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.

Cambridgeshire and Peterborough Structure Plan 2003

- P1/2 Environmental restrictions on development
- P1/3 Sustainable development in built development
- P7/6 Historic Built Environment
- P8/1 Sustainable development – links between land use and transport

Cambridge Local Plan 2006

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/12 The design of new buildings
- 4/4 Trees
- 4/11 Conservation Areas
- 4/13 Pollution and amenity
- 8/2 Transport impact

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 significant adverse effect upon the public highway should result from this proposal should it gain the benefit of planning permission.

7.0 REPRESENTATIONS

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

- 31 Parkside

- 37 Parkside
- 98 Balsham Road, Linton

A petition has also been received containing 69 signatures from residents of Cambridge and the surrounding villages.

7.2 The representations can be summarised as follows:

- The kiosk will have an unsightly visual impact on a major city green space.
- The kiosk will attract litter, vandalism and graffiti in the surrounding area.
- There will be unsightly advertisement and information posters.
- The proposal will enable the bus companies to regard Parkside as a permanent bus station with associated noise, disturbance and air pollution close to two schools.
- Four years does not appear to be a temporary period.

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. Impact on the surrounding area
2. Trees
3. Highway safety
4. Third party representations

Impact on the surrounding area

8.2 There has been much discussion with Officers regarding the location of the proposed kiosk due to the sensitivity of the surrounding area in both historical terms and also the importance of the adjacent public open space. During those discussions, the kiosk has been reduced in size and the applicant has stated that it is now at the minimum size necessary to provide shelter and house the portable equipment needed by the bus supervisor.

8.3 The location, the subject of this application, set on a proposed built out kerb is considered to be the better of all the other options in terms of its impact on the surrounding area. The proposed design of the kiosk has attempted to reduce the impact on Parker's Piece and the conservation area through the use of glazing on the upper part of the panels to enable the structure to appear more lightweight and enable views through to the open space beyond. The Conservation Officer has concerns about the kiosk in any location within Parkside and considers that there will be a significant impact on the conservation area and Parker's Piece. He has stated that if the requirement

for the kiosk is unavoidable then consent should only be granted for two years rather than the four proposed. There is not considered to be an impact on the listed buildings on the north east side of Parkside due to the kiosk being at the south eastern end of the road and opposite Warksworth Terrace and the Police Station.

- 8.4 I do have concerns about the impact of what is proposed, but having considered the proposal in the light of its temporary nature, am of the view that its impact will be acceptable in the short term. The location, set against the backdrop of the Police Station and Warksworth Terrace, in my opinion helps to reduce the impact, and the existing trees around the boundary of Parker's Piece along with the fencing all reduce the wider views. In my view, the three bus stops that have already been installed along Parkside have a greater impact as they are set against the boundary of the open space whereas the proposed kiosk will be located on a built out pavement, within the highway. Having regard to the suggestion of the Conservation Officer about the consent being restricted to two years, I am of the view that the four year timescale proposed by the applicant is acceptable and that it is the physical impact which should be considered in this instance irrelevant of timescales. If the proposal is deemed to be visually acceptable for two years then the four years should be acceptable. This would however continue to reflect the temporary nature of the bus stops.
- 8.5 The applicant has stated that no information such as timetables will be in display in the kiosk in order to avoid the transparency being diminished and a condition has been added to the recommendation.
- 8.6 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2 and P1/3, Cambridge Local Plan (2006) policies 3/4, 3/12, 4/10 and 4/11.

Trees

- 8.7 There are a number of trees in close proximity to the proposed kiosk. The need for electricity and internet connection would involve some ground works needing to take place along the pavement within Parkside and close to the trees. The Arboriculture Officer has stated that the location of the kiosk has been chosen to lessen the impact on the trees and that any works which may take place within the canopy spread or rooting zone of the trees should be carried out under the supervision of the Officer. A condition regarding details of works has been added to the recommendation.
- 8.8 In my opinion subject to compliance with the tree protection condition, the proposal is in accordance with policy 4/4 of the Cambridge Local Plan (2006).

Highway Safety

- 8.9 The location of the proposed kiosk has received no objections from the Highway Authority on highway safety grounds. There are two bollards proposed at either end of the kiosk, on the road side to prevent any vehicles colliding with the kiosk.

- 8.10 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policy P8/1 and Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.11 Most of the third party comments have been addressed above. In terms of the kiosk attracting vandalism, litter and graffiti to the area, I am of the view that the proposal will have no greater impact than the existing bus shelters and other structures within the area and that the presence of the supervisor for most of the day is likely to provide more of a deterrent for anti-social behaviour than currently.

9.0 CONCLUSION

- 9.1 I am of the view that the temporary nature of the proposed kiosk is acceptable, and in accordance with the objectives and criteria of the development plan.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The building hereby permitted shall be removed from the site and the land restored to its former condition before the end of March 2011, or upon completion of permanent replacement accommodation, whichever is the sooner.

Reason: The building construction and materials are considered inappropriate for more than a temporary period. (Cambridge Local Plan (2006) policy 3/4).

3. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment of materials) until:
a) A Tree Protection Plan, as defined in BS 5837:2005 Trees in Relation to Construction æ Recommendations, containing the following Arboricultural Method Statements/ Specifications has first been agreed to, in writing, by the Council's Principal Arboriculture Officer:

Arboricultural method statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to the site, in order to establish Root Protection Areas and construction exclusion zones;

Arboricultural method statements for any special engineering operations within Root Protection Areas;

Arboricultural method statements for root pruning and root barrier installation; including specifications for root barrier material; and root-soil back-fill;

Arboricultural method statement for the amelioration of the rhizosphere within the Root Protection Areas comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air space technology; irrigation; and mulching where appropriate;

Arboricultural method statement for any development facilitation pruning.

And,

b) that there has been:

A pre-construction site meeting between the site agent, the developers chosen arboriculturalist and the Council's delegated Arboriculture Officer.

All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

All tree protection barriers and ground protection measures have been installed to the satisfaction of the Council's delegated Arboriculture Officer.

All Arboricultural works shall be carried out by a competent tree contractor, and shall follow strictly the agreed method statements and specifications. All tree protection barriers and ground protection must be in accordance with BS 5837:2005 clause 9 æ The construction exclusion zone: barriers and ground protection. The developer shall appoint a competent arboriculturalist to oversee the project who shall monitor, records and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

Reason: To ensure the protection of the trees on and adjacent to the site (Cambridge Local Plan 2006 policy 4/4)

4. Prior to commencement of development, full details of the colours to be used for the external treatment of the kiosk shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained thereafter. Colour treatment shall be specified by means of the RAL or British Standards (BS 4800:1989) systems and not by means of manufacturers trade names.

Reason: To protect the conservation area (Cambridgeshire and Peterborough Structure Plan 2003 policy P7/6 and Cambridge Local Plan 2006 policy 4/11).

5. No printed information or posters are to be displayed within the kiosk unless otherwise agreed in writing by the local planning authority.

Reason: To protect the conservation area (Cambridgeshire and Peterborough Structure Plan 2003 policy P7/6 and Cambridge Local Plan 2006 policy 4/11).

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P1/2, P1/3, P7/6 and P8/1;

Cambridge Local Plan (2006): 3/1, 3/4, 3/12, 4/4, 4/11, 4/13 and 8/2;

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.

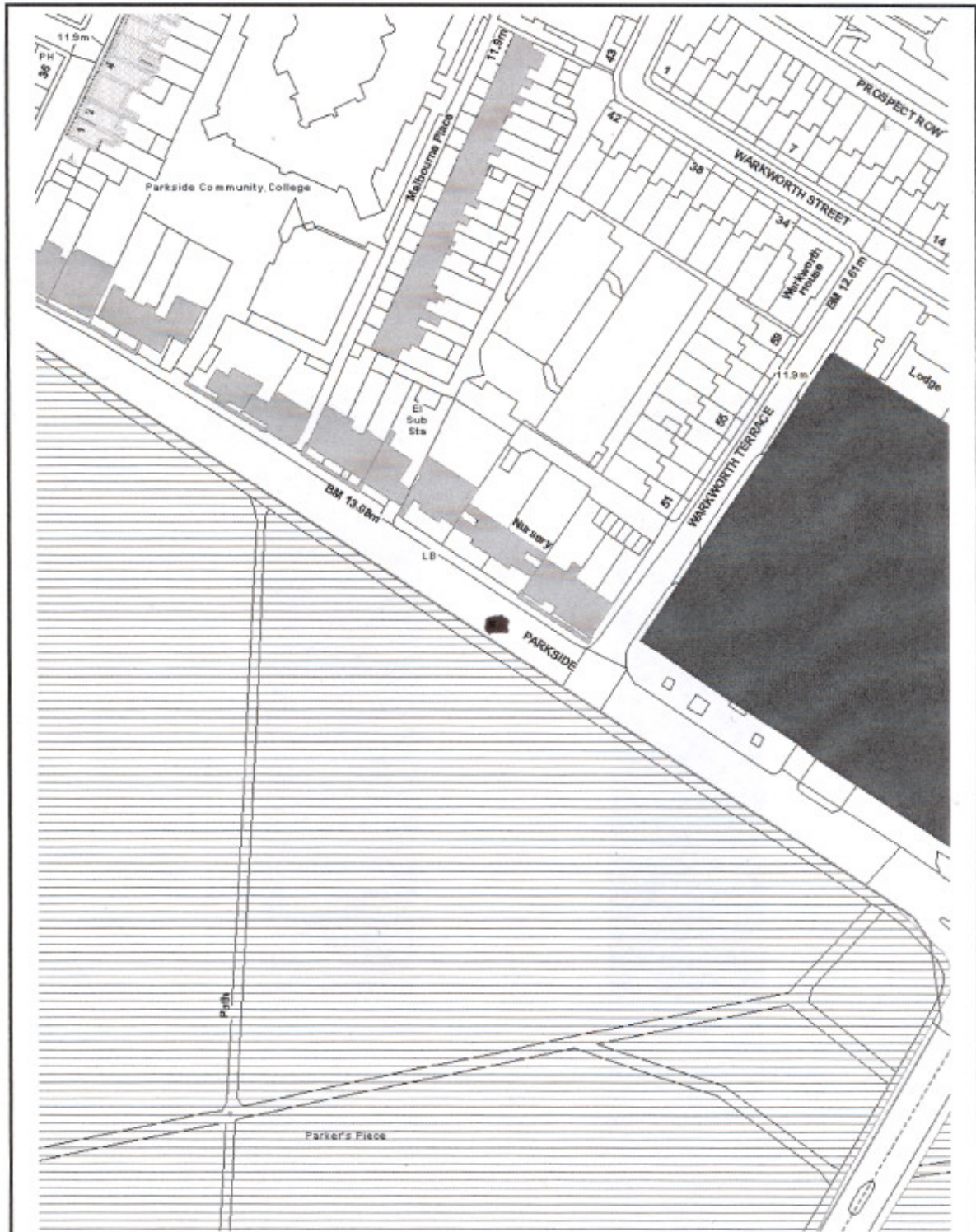
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

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.



06/1284/FUL
Street Record Parkside Cambridge Cambridgeshire

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Application Number	06/1254/FUL	Agenda Item	8.5
Date Received	21st November 2006	Officer	Mr Paul Johnson
Target Date	16th January 2007		
Ward	Market		
Site Proposal	6 Newmarket Road Cambridge Cambridgeshire CB5 8DT Change of use from residential to Business (Basement)/Residential.		
Applicant	Iain Sabberton 96 Cromwell Road Cambridge Cambridgeshire CB1 3EG		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 No. 6 Newmarket Road is a mid-terrace property situated on the southern side of Newmarket Road, near to its junction with Parsonage Street (to the north of Newmarket Road) and James Street (to the south). To the west of the site are a group of modern buildings, currently in uses as offices and a health spa. Buildings to the east are predominantly residential in character. The surrounding area is generally mixed in character with some commercial and other uses close-by, including two public houses and a hairdressers.
- 1.2 The site is situated in the City of Cambridge Conservation Area No. 1 (Central) and is a grade II listed building. The site is also within the Controlled Parking Zone (CPZ).

2.0 THE PROPOSAL

- 2.1 The application for full planning permission proposes a change of use of the basement of No. 6 Newmarket Road from residential use to business use.
- 2.2 The proposed business to be operated from the basement would be a product design and innovation consultancy. The output of the company would be electronic, broadly in the form of designs and reports. The company has 3 employees at present, one of which resides in No. 6 Newmarket Road. The applicant has stated that they do not aim to increase the number of employees. Visitors to the business are less than one per week, on average.
- 2.3 The application is accompanied by the following supporting information:
1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	A/C, W/D	REF,
06/0375/LBC	2 storey extension, replace windows and external doors, part removal of internal partition walls	A/C	
06/0381/FUL	Erection of a 2-storey rear extension	A/C	

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **PPS1 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 **PPS6 Planning for Town Centres (2005):** States that the key objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres, promoting and enhancing existing centres by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all. The statement seeks to enhance consumer choice to meet community needs and ensure new development is well served by a choice of means of transport.

5.4 **PPG13 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.

5.5 **PPG15 Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

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 **Cambridgeshire and Peterborough Structure Plan 2003**

P1/2 Environmental restrictions on development

P1/3 Sustainable development in built development

P7/6 Historic Built Environment

P8/1 Sustainable development – links between land use and transport

5.8 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

4/10 Listed Buildings

4/11 Conservation Areas

4/13 Pollution and Amenity

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/10 Off-street car parking

5.9 **Material Considerations**

Cambridge City Council (2003) – Sustainable Development Guidelines: Highlights issues that should be considered when drawing up policies and development briefs, appraising sites and development proposals. The Guidelines identify opportunities for mitigation of the impacts of development and for delivering environmental enhancement, giving examples of how this has been achieved in successful projects. The Guidelines include practical ways of implementing the principles of sustainable development at all stages of the development process. Applicants for major developments will be asked to complete and submit a Sustainable Development Checklist and a Sustainability Statement to accompany their planning application, setting out the key sustainable development issues relevant to the development, and describing how they have complied with the Guidelines.

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: Following development, residents will not qualify for residents' parking permits.

Head of Environmental Services

- 6.2 No objection: I have no adverse comments to make regarding this application.

Conservation

- 6.3 No objection: No objection to the use of the basement for business purposes.
- 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 C Rosenstiel has commented on this application. His representations are attached to this report.

- 7.2 The owners/occupiers of the following address has made representations:

17 Christchurch Street

- 7.3 The representation can be summarised as follows:

The change of use to business would erode the quality of the domestic character of the area, making it harder to resist subsequent applications, thereby leading to cumulative affects.

- 7.3 The above representation is 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 (including the wider impact upon the character and appearance of the Conservation Area and setting of the listed building)
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations

Principle of Development

- 8.2 The application proposes a small office in the basement of an existing residential property, the function of which would be linked very closely to the occupation of the dwellinghouse above, as the occupier of the dwellinghouse would be one of the three members of staff. The site is in a highly sustainable location and closely related to both the Grafton Centre and the City Centre. The surrounding area has a broadly mixed-use character with a number of retail, commercial and varied uses in the immediate locality.
- 8.3 There are no policies in the Cambridge Local Plan (2006) that specifically relate to the running of small businesses from residential properties, and as such, the application will be considered on the specifics of the site and its potential impact.

Context of site, design and external spaces

- 8.4 No internal or external changes are proposed as part of this application, and as such, there would be no visual impact whatsoever upon the appearance of the historic property itself, the wider street scene or the Conservation Area. As the premises would be unaltered visually, there would be no visual degradation of the residential character of this property, or upon the broadly mixed-use character of its immediate setting.
- 8.5 An informative has been added to bring the fact that the property is listed to the attention of the applicant, should they wish to undertake any additional works as a result of this change of use application in the future. However, the application relates to the principle of the change of use only, and any subsequent works that require consent would be subject to a new application that would also be assessed on its own merits. Planning application reference C/06/0381/FUL and partnering listed building consent reference 06/0375/LBC have already permitted a 2-storey extension to the listed property and the removal of internal walls.
- 8.6 Whilst no signage is proposed as part of this change of use application, given that the building is listed, any external signage attached to the building would be subject to a separate application for Listed Building Consent (and advertisement consent if necessary). Again, these would be assessed on their own merits were they to be forthcoming, however, such matters do not form part of this planning application. The applicant has stated that no signage will be required.
- 8.7 The Conservation section have raised no objection to the impact upon the character, appearance or setting of this listed building, nor have they raised any concerns over any wider impact upon the surrounding Conservation Area.
- 8.8 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2, P1/3 and P7/6, and Cambridge Local Plan (2006) policies 3/4, 3/7, 4/10 and 4/11.

Residential Amenity

- 8.9 The design and access statement accompanying and supporting this application notes that the business premises would only have 3 employees in total, one of which would reside at No. 6 Newmarket Road. Visitors are predicted to be less than one per week. Given the small numbers of staff, very small number of visitors, and the nature of the business use i.e. report writing and consultancy that does not deal with a vast number of collections, deliveries or visitors, I am of the opinion that the proposed use would not significantly or adversely impact upon the residential amenity of the adjoining occupiers given the scale and nature of the proposed business or movements to and from the site. Overall, I am of the opinion that the low level of intensification of the use of the basement would have no adverse impact upon the character of the area or the functioning of the existing property.
- 8.10 A condition has been recommended that would restrict any future change of use of the basement from the use permitted. This will ensure that any intensification of use can be assessed for any alternative proposal, even those falling within the same use class, given the sensitivity of the site and its relationship to the host residential property and those abutting (condition 3).
- 8.11 Furthermore, to ensure that the level of residential amenity of the host property is fully protected, a condition has been recommended that would tie the use of the business premises to the occupation of the house (condition 2.)
- 8.12 As noted above, no external changes to the property are proposed, and as such, the residential amenity of neighbouring occupiers will not be adversely affected by any extension or alteration to the property.
- 8.13 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 4/13.

Refuse Arrangements

- 8.14 The applicant has stated in the supporting statement that the business would not produce significant waste. Given the electronic nature of the proposed business operation, it seems unlikely that the proposed business use and dwellinghouse would generate significant levels of waste above that of a large single-family dwellinghouse, and as such, existing refuse arrangements are considered to be adequate.
- 8.15 In my opinion, therefore, the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

Car and Cycle Parking

- 8.16 The site is within the CPZ and on a main road with double yellow lines restricting parking on the street to the front. As such, any visitors and delivery vehicles will not impact upon on-street parking in the locality as this is strictly controlled by permits and traffic control measures. The number of proposed visitors per week is less than one, and there are large areas of public car parking at the Grafton Centre and off Fitzroy Street in very close proximity to the site for any visitors with cars.
- 8.17 As part of the proposal, the residents of 6 Newmarket Road will lose their residents parking permit. Whilst this situation is not ideal for the residents of that property, this is out of the control of the Local Planning Authority and governed by a Traffic Regulation Order over which there is no leeway for interpretation or variation. Given that the site is in a highly sustainable location with convenient access to the city centre by bike and foot, and other destinations via the bus services on Newmarket Road, I do not consider that this would warrant the refusal of the application solely on those grounds.
- 8.18 The applicant has stated that 3 staff will run the business. One of those will be resident at 6 Newmarket Road, so will not need to travel to and from the site to work. The supporting statement notes that the 2 other staff will travel to and from the business element of the property. It is anticipated that these staff will either walk or cycle to work, and as such, there will be no material impact upon the on-street parking and the existing controls in place over that parking. To ensure an adequate quantity of secure cycle storage is provided in a suitable location, a condition has been recommended requiring details of the provision and location of secure cycle storage.
- 8.19 As such, in my opinion, the proposal is broadly compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.20 I am of the opinion that the majority of the issues raised by third party representations have been fully considered in the text above. With regard to the potential cumulative impact upon the residential character of the area by such developments, any subsequent application will be assessed on its own merits given its precise location and the nature of any external or other works proposed, and therefore its wider impact upon the character of the area. In this instance, given the lack of external alterations, the tangible impacts of the development are considered to be very minimal, and do not set a precedent as every application is considered on its own merits. Should the character of this mixed-use area begin to alter substantially, then this would be considered as part of any subsequent application.

9.0 RECOMMENDATION

1. APPROVE subject to the following conditions:

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

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

2. The use of the basement of 6 Newmarket Road for the business purposes hereby permitted shall be solely in conjunction with, and incidental to, the use of the dwellinghouse as a single dwelling, and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

3. The basement of 6 Newmarket Road shall be used for a product design and innovation consulting business and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because the use of the building for any other purpose would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 4/10, 4/13 and 8/2)

4. Prior to the change of use hereby permitted, details of the facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the Local Planning Authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of staff bicycles. (Cambridge Local Plan 2006 policies 8/4 and 8/6)

INFORMATIVE: The applicant is advised that the property is a listed building, and as such, any internal or external works, including proposed signage, alterations to attached railings and/or the removal of existing features may require listed building consent. Prior to the commencement of any works that do not have listed building consent or planning permission, the applicant is advised to discuss such works with a Conservation Officer.

INFORMATIVE: Following development residents of the site will not qualify for Residents' Parking Permits within the existing Residents' Parking Scheme operating in the area.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: Policies P1/2, P1/3, P7/6 and P8/1.

Cambridge Local Plan (2006): Policies 3/4, 4/10, 4/11, 4/13 and 8/2.

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.

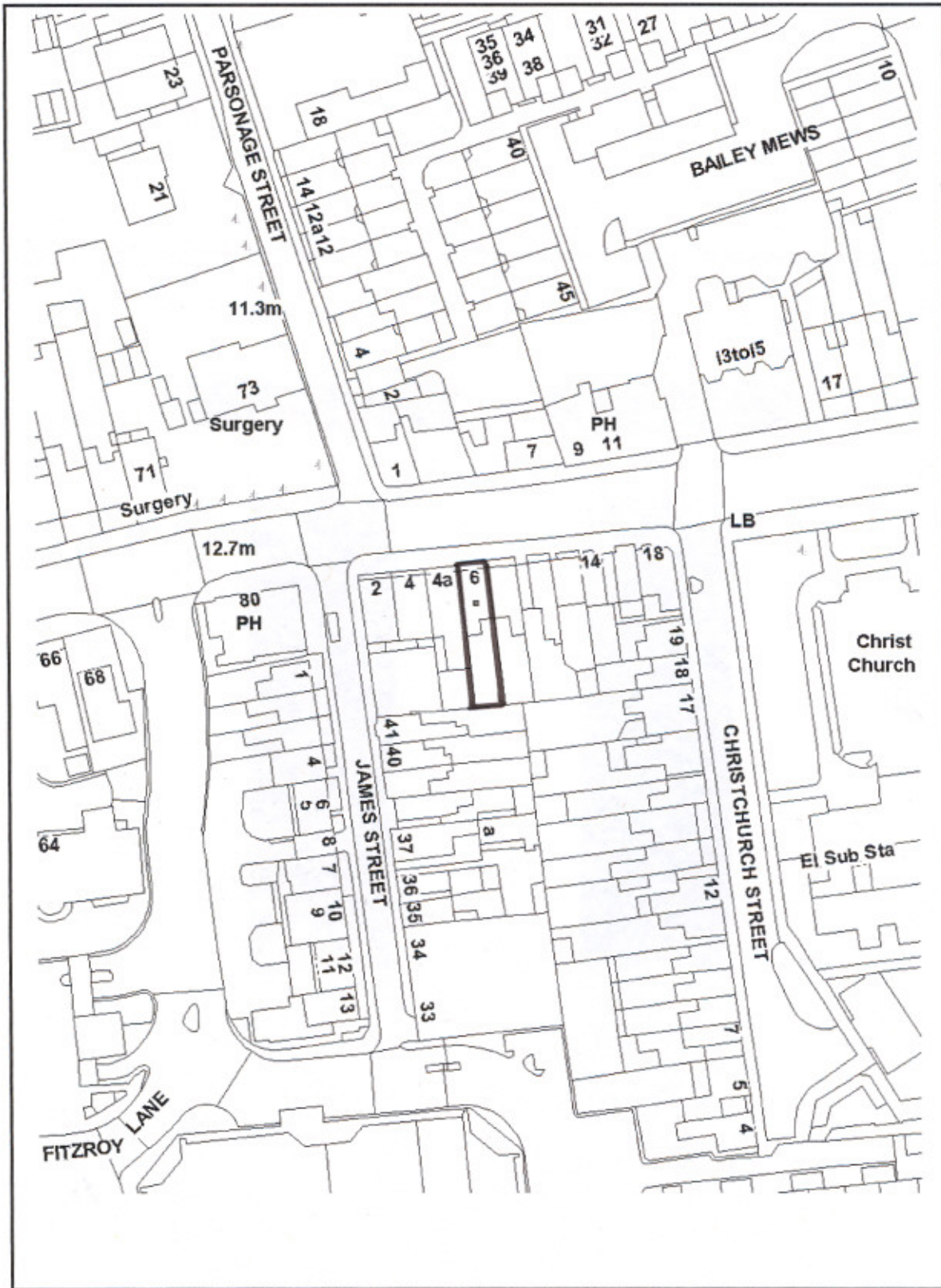
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06/1254/FUL
 6 Newmarket Road Cambridge Cambridgeshire CB5 8DT

From: Lauren Wilby
To: Paul Johnson
Date: 28/11/2006 08:13:27
Subject: Fwd: Re: Weekly List

>>> "Colin Rosenstiel" <colin.rosenstiel@cambridge.gov.uk> 27/11/2006 22:34 >>>
Please forward this to the case officer. The last list of case officer abbreviations I have doesn't mention PJO.

06/1254/FUL

Can you give me details of the proposed business use please and how the premises are to be served? There is no parking available at these premises with even loading and unloading activities likely to be illegal due to the mandatory cycle lanes in this part of Newmarket Road.

Colin Rosenstiel

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From: "Colin Rosenstiel" <colin.rosenstiel@cambridge.gov.uk>
To: <Paul.Johnson@cambridge.gov.uk>
Date: 28/11/2006 22:38:58
Subject: Re: Planning application reference C/06/1254/FUL

Thanks for the explanation. Can the use be conditioned to be in combination with the residential use only then? In other words, could a condition say that the business use can only be carried on by the residential occupier?

Colin Rosenstiel

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CC: <colin.rosenstiel@cambridge.gov.uk>

From: "Colin Rosenstiel" <colin.rosenstiel@cambridge.gov.uk>
To: <Paul.Johnson@cambridge.gov.uk>
Date: 30/11/2006 19:21:31
Subject: Re: Planning application reference C/06/1254/FUL

I agree a personal permission would not be best which is why I suggested a condition that the business use could only be in conjunction with the residential use or some such formula.

I have in mind a condition applied some years ago to an extension to the Liberal Democrats' HQ at 4 Glisson Road that limits its use to an extension to the Liberal Democrat HQ without allowing it to revert to residential use along with the rest of the building without first obtaining planning consent. That condition was drafted in such an inflexible way that a purchaser recently lost her purchase because of conditions imposed by a prospective lender.

In this case it should be clear that the business use can operate with the applicant and subsequent residents of the house but that it can also revert to residential use without the need to obtain planning consent.

Colin Rosenstiel

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CC: <colin.rosenstiel@cambridge.gov.uk>

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Application Number	06/1251/FUL	Agenda Item	8.6
Date Received	16th November 2006	Officer	Mr Marcus Shingler
Target Date	11th January 2007		
Ward	Castle		
Site	Travellers Rest Huntingdon Road Cambridge Cambridgeshire CB3 0DL		
Proposal Applicant	Two storey 20 bedroom hotel block. Whitbread Group Plc Whitbread Court Houghton Hall Business Park Dunstable Beds		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located circa 2km from the city centre, to the northern end of Huntingdon Road. The site is a flat area of land totalling 0.38 hectares in area. To the site frontage is the existing Beefeater public house/restaurant known as the Traveller's Rest. To the rear of the site is an existing car park with space for 66no. cars in total. The site takes access direct from Huntingdon Road.
- 1.2 There is hedging to the south eastern boundary of the site, with a driveway that serves the residential property (Mill House) and University land to the rear. The south western boundary has 1.8m fencing whilst there is further hedging to the north western boundary
- 1.3 The site does not lie within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 The application follows the withdrawal of an earlier scheme for a 20 bed hotel (06/0868/FUL) and as revised, seeks permission for a new 20 bed hotel located to the rear of the existing pub/restaurant, within what is currently the car parking area. The proposed building is two-storey in height and is 22.4m by 14.4m and has a hipped/pitched roof of maximum height 7.2m. The building will be sited to the immediate south west of the existing pub/restaurant, linked to it via a small covered entrance lobby. The parking layout is reconfigured to provide parking to serve the pub/restaurant and the new hotel and in total 71no. spaces are proposed (4no. disabled spaces).
- 2.2 The application is accompanied by the following supporting information:

- Supporting Planning Statement
- Transport Statement
- Travel Plan

3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
06/0786/FUL	New external dining areas	W/D
06/0868/FUL	Two-storey 20 bedroom hotel block	W/D

PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **PPS1 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. It further states that *“design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted”*.

PPS 6 Planning for Town Centres (2005): States that the key objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres, promoting and enhancing existing centres by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all. The statement seeks to enhance consumer choice to meet community needs and ensure new development is well served by a choice of means of transport.

5.3 **PPG13 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.

- 5.4 **Good Practice Guide on Planning for Tourism:** This Good Practice Guidance, to be read alongside national planning policies, is designed to:
- ensure that planners understand the importance of tourism and take this fully into account when preparing development plans and taking planning decisions;
 - ensure that those involved in the tourism industry understand the principles of national planning policy as they apply to tourism and how these can be applied when preparing individual planning applications; and
 - ensure that planners and the tourism industry work together effectively to facilitate, promote and deliver new tourism development in a sustainable way.
- 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 1/97 - Planning Obligations:** Accepts that planning obligations may enhance the quality of development and enable proposals to go ahead which might otherwise be refused.

5.7 **Cambridgeshire and Peterborough Structure Plan 2003**

- P1/2 Environmental restrictions on development
- P1/3 Sustainable development in built development
- P7/6 Historic Built Environment
- P8/1 Sustainable development – links between land use and transport

Planning Obligation Related Policies

- P6/1 Development-related Provision
- P8/2 Implementing Sustainable Transport for New Development
- P8/3 Area Transport Plans
- P9/8 Infrastructure Provision
- P9/9 Cambridge Sub-Region Transport Strategy

5.8 **Cambridge Local Plan 2006**

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/7 Creating successful places
- 3/11 The design of external spaces
- 3/12 The design of new buildings
- 4/4 Trees
- 6/3 Tourist Accommodation
- 8/2 Transport impact
- 8/4 Walking and Cycling accessibility
- 8/6 Cycle parking

- 8/10 Off-street car parking
- 9/1 Further Policy/Guidance for the Development of Areas of Major Change
- 9/7 Land between Madingley Road and Huntingdon Road

Planning Obligation Related Policies

- 8/3 Mitigating measures (*transport*)
- 10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.9 Material Considerations

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.

Cambridge City Council (2003)–Western Corridor Area Transport Plan: The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The additional 8 spaces seem unnecessary given that the occupancy of the car park did not exceed 22 vehicles. The existing level of parking already exceeds the maximum allowable in the Local Plan Parking Standards. WCATP contribution required on basis of 80 trips.
- 6.2 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 A letter of objection has been received on behalf of the owner of Mill House, the residential property to the rear (south west) of the site.
- 7.2 The representations can be summarised as follows:

The applicant has failed to demonstrate the need for development, that there are not more appropriate sites in a central location or that there are no unacceptable impact upon the existing centre.

Increased noise and disturbance.

A petition was signed by over 50 local residents against the previous proposals.

Potential 24 hour drinking would cause additional noise and disturbance.

7.3 The representations submitted also include a traffic survey that indicates levels of parking at the site significantly higher than suggested by the Transport Study submitted with the application, particularly at peak times on Friday and Saturday evenings.

7.4 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.

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. Disabled access
4. Residential amenity
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

8.2 The proposed hotel is located to the rear car park area of the existing pub/restaurant and it is considered that such uses are not incompatible in such a location. Policy 6/3 of the Cambridge Local Plan (2006) is supportive of development, which maintains, strengthens and diversifies the range of short stay accommodation and provides for disabled visitors and thus there is no conflict with this policy in principle.

8.3 The site lies within an area zoned as one of the Areas of Major Change but the redevelopment of part of the rear car park for a relatively small hotel, would not be likely to prejudice future major development in the locality. In my opinion, the principle of the development is acceptable and in accordance with policy 6/3 of the Local Plan.

Context of site, design and external spaces

8.4 The proposed hotel will be sited to the rear of the site, behind the existing pub/restaurant although views of the building will be afforded from the south on Huntingdon Road. The proposed building is of simple design and incorporates a pitched roof above that has been lowered in comparison with the originally submitted plans (9.8m down to 7.2m) to lessen its impact, and is rendered at ground floor level with timber weatherboarding at first floor level. The design, whilst not of outstanding merit, is considered

to be acceptable in its context to the rear of the existing pub/restaurant. I do not consider that the proposals would cause harm to the character and appearance of the locality and am satisfied that the development responds suitably to its context.

- 8.5 No details are submitted in respect of landscaping on the submitted layout and it is considered that there is scope for the incorporation of some new landscaping within the development and a condition is suggested requiring submission of such details, should Members be minded to grant consent.
- 8.6 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2 and P1/3, Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, and 3/12.

Disabled access

- 8.7 The building will be accessible for the disabled. Ramps are provided to the door threshold, with flat corridor routes and an adapted bedroom at ground floor level. 4no. disabled parking bays are provided adjacent to the hotel entrance.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

- 8.9 This current application follows the withdrawal of a previous application for a 20 bed hotel. This earlier application proposed a hotel sited close to the south western boundary of the site and Officers expressed concerns as to the impact of the development upon residential amenity, particularly in respect of the dwelling to the south west of the site known as Mill House.
- 8.10 The current application has addressed these concerns by resiting the building further north east and adjacent to the existing pub/restaurant. The building is now some 38m distant from the nearest flank of Mill House and given this separation distance, it is not considered that this property would be adversely affected by way of loss of light or outlook. The building will be circa 30m distant from the nearest dwelling to the south east at No. 215a Huntingdon Road and this property would not be impacted by way of any significant loss of light or outlook.
- 8.11 In terms of privacy, there are no south west facing windows looking towards Mill House and although there is a first floor door providing an emergency fire exit, I do not consider that this would be likely to lead to a significant loss of privacy to this property. There are first floor bedroom windows facing south east towards No. 215a, but given the 30m separation and existing boundary hedging, it is not considered that privacy would be impacted to a significant degree.
- 8.12 In terms of noise and disturbance, the development will inevitably lead to an intensification of use of the site, which will give some additional

potential for noise and disturbance. In my opinion the impact upon existing residential amenities would not be so severe as to justify refusal of planning permission. In reaching this view I am mindful of the fact that the additional car parking spaces are achieved as a result of a rearrangement of the car park and will retain a separation distance of 11 metres between Mill House and the nearest car parking spaces.

- 8.13 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Highway Safety

- 8.14 The development will take its access from the existing access from Huntingdon Road and given the scale of proposals it is not considered that this would impact adversely upon highway safety. The Highways Officer has not raised any concerns in respect of highway safety issues.
- 8.15 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policy P8/1 and Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.16 The hotel is to be sited on the existing car park to the rear of the pub/restaurant and the car park reconfigured to provide 71 spaces in total, including staff parking. The adopted car parking standards suggest a maximum provision of 2 spaces per 3 rooms and one space per resident staff. There are no resident staff, therefore the maximum parking provision for this proposal is 7 car parking spaces. An additional 5 will be provided. The Transport Statement submitted with the application indicates that there is significant under utilization of the existing car park and that this figure will be more than adequate to serve both the pub/restaurant and hotel.
- 8.17 Evidence has been submitted on behalf of a third party objector suggesting significantly higher levels of car park usage than that suggested by the Transport Statement. At the time of my site inspection the car park was not heavily used and the layout of spaces is slightly haphazard. In my view the proposed arrangement will improve the quality of the car parking facilities. There is no evidence to suggest that even at peak times, the current car park is unable to cope with demand and I do not consider that the levels of additional parking required to serve a 20 bed hotel would be greater than that proposed in this application. Additionally, Government guidance seeks to promote more sustainable forms of transport and I do not consider that refusal of the development on the grounds of lack of parking could be sustained.
- 8.18 The applicants have submitted a Travel Plan to support their application that sets out measures to encourage staff and customers to use alternative forms of transport to the private car. One example of how this would be

achieved is the concept of a 'Travel Pack' to be provided to hotel guests and staff detailing public transport opportunities etc.. There is reference to the concept of Travel Plans in the Western Corridor Area Transport Plan. However these are required only in relation to the major developments and those that generate significant levels of traffic and this application does not fall within these criteria. Therefore, while the concept of the Travel Plan is welcomed there is no policy basis upon which to insist that this is followed through. I have, however included an informative to encourage the implementation of the Travel Plan.

- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.20 The issues raised in third party correspondence are largely covered above, except in respect of the issue raised regarding the failure to demonstrate there are other more suitable sites and that the proposals would not impact on the existing centre. In view of the encouragement given to the provision of additional short stay accommodation by Policy 6/3 of the Local Plan and the scale of the development I do not consider that a sequential test assessment is necessary or that the development will have a significant impact on the vitality and viability of the city centre tourist accommodation.

Planning Obligation Strategy

- 8.21 The applicants have expressed their desire to enter into an agreement to provide a contribution to the Western Corridor Area Transport Plan in accordance with the Strategy. Such a contribution has been calculated on the basis of 80 trips generated and therefore amounts to £13, 680.

9.0 CONCLUSION

- 9.1 For the reasons set out above the proposals are considered to be acceptable subject to the completion of a satisfactory legal agreement in respect of the contribution to the WCATP.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 30th April 2007 and subject to the following conditions:

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.}

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. No development shall take place until samples of the 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. The building shall not be occupied until the area identified on the approved plans for car parking has been drained and surfaced in accordance with details submitted to and approved by the local planning authority in writing and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)

4. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. 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)

INFORMATIVE: This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended).

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 following the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

Cambridgeshire and Peterborough Structure Plan 2003: P1/2, P4/1, P8/1

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

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 detail on the decision please see the officer report by visiting the Council Planning Department.

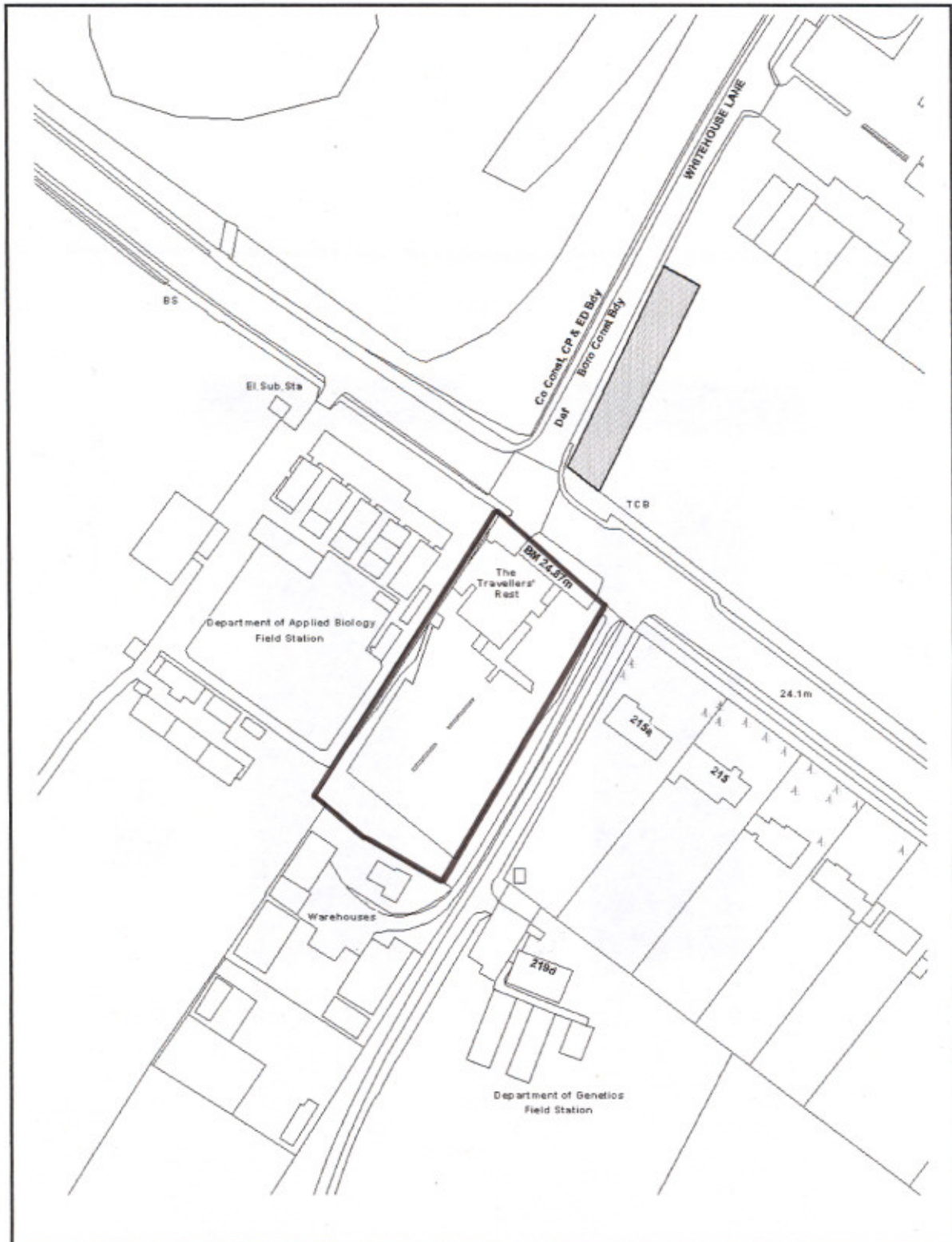
2. In the event that an appeal is lodged against a decision to refuse this application, DELEGATED AUTHORITY is given to Officers to complete a section 106 agreement on behalf of the Local Planning Authority, in accordance with the requirements of the Planning Obligation Strategy.

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.



06/1251/FUL
Travellers Rest Huntingdon Road Cambridge Cambridgeshire