

Application Number	09/0942/FUL	Agenda Item	
Date Received	21st October 2009	Officer	Mr Amit Patel
Target Date	16th December 2009		
Ward	West Chesterton		
Site	179-185 Chesterton Road Cambridge Cambridgeshire CB4 1AF		
Proposal	Change of use from vacant car showroom (Sui Generis) to convenience store (Use Class A1) and external alterations to existing building, including the installation of louvres, a new bin store, new sliding doors, security bollards, security gates and laying out of customer car parking.		
Applicant	C/o 14 Regents Wharf All Saints Street London N1 9RL		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located to the north of the City Centre, adjacent to Mitcham's Corner District Centre. The building is mixed use in character with commercial use (previously a car showroom) on ground floor and residential above.
- 1.2 The area surrounding the site to the east, north and west is mainly two and three storey buildings and residential in character. There are properties on the south side of Chesterton Road that have a similar layout to the proposal with commercial on the ground floor and residential above.
- 1.3 The site is rectangular in shape and sits on a corner plot at the junction of Chesterton Road and Herbert Street. Herbert Street has no through passage for vehicular traffic.
- 1.4 The building itself is a typical example of a late 70's early 80's construction with buff brick and projecting bay windows with wood panelling on the bays.
- 1.5 The building is not listed nor are there any Listed Buildings adjacent to the site. The site falls outside the controlled parking zone and outside the District Centre, numbers 187 and 189 Chesterton Road are buildings of local interest.

2.0 THE PROPOSAL

2.1 The proposal seeks approval for the change of use from vacant car showroom (Sui Generis) to convenience store (Use Class A1), external alterations to existing building, including the installation of louvres, a new bin store, new sliding doors, security bollards, security gates and laying out of customer car parking are also proposed.

2.2 The application is accompanied by the following supporting information:

1. Design Statement
2. Planning Statement
3. Transport Statement
4. Associated Drawings

The submitted drawings have been superseded due to discrepancies between drawings. The discrepancies related to a painted keep clear area to the rear of the shop and the layout of the car parking to the front of the shop.

3.0 SITE HISTORY

There is no relevant planning history for this site.

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 **PPG4: Industrial, Commercial Development and Small Firms (1992):** States that Many urban areas contain large amounts of land, once used for industrial purposes but now under-used or vacant. Getting this land back into beneficial use is important to the regeneration of towns and cities. Optimum use should be made of potential sites and existing premises in inner cities and other urban areas, taking into account such factors as accessibility by public transport, particularly in the case of labour-intensive uses. Local planning authorities should identify such areas and indicate their appropriate alternative uses, including industrial and commercial uses, in their development plans, keep up-to-date details on available sites, and provide information about them to potential developers.
- 5.4 **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.
- 5.5 **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.
- 5.6 **PPS24 Planning and Noise (1994):** Provides policy advice for guidance on noise sensitive areas such as residential dwellings. Planning authorities when determining planning applications for

development which will be exposed to an existing noise source, local planning authorities should consider both the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the foreseeable future.

5.7 **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.

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

5.9 **East of England Plan 2008**

SS1	Achieving sustainable development
SS6	City and town centres
T4	Urban transport
T9	Walking, cycling and other non-motorised transport
T14	Parking
ENV7	Quality in the built environment
CSR2	Employment-generating development in the Cambridge subregion

5.10 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.11 **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

3/15 Shop Fronts and Signage

6/7 Shopping Development and Change of Use in District and Local Centres

- 6/8 Convenience Shopping
- 8/2 Transport impact
- 8/3 Mitigating Measures
- 8/4 Walking and Cycling accessibility
- 8/6 Cycle parking
- 8/9 Commercial Vehicles and Servicing
- 8/10 Off-street car parking
- 10/1 Infrastructure improvements

Planning Obligation Related Policies

- 3/7 Creating successful places (*public art/public realm*)
- 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*)

5.12 Supplementary Planning Documents

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

5.13 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)–Northern Corridor Area Transport Plan (NCATP):

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.

Cambridgeshire Design Guide For Streets and Public Realm (2007): The purpose of the Design Guide is to set out the key principles and aspirations that should underpin the detailed discussions about the design of streets and public spaces that will be taking place on a site-by-site basis.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Objection.

Cambridgeshire County Council (Transport)

6.2 Further comments are awaited from agent on whether or not contributions under the NCATP are needed. These will be reported on the amendment sheet or verbally at the meeting.

Head of Environmental Services

6.3 Approve subject to conditions relating to noise and hours of delivery.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.4 No detrimental comments in relation to this application, however further tightening of security is recommended.

Cambridge Policy Section

6.5 Although not in a District Centre this is acceptable as it will replace existing unit, which is within the District Centre. Policy 6/8 of the Cambridge Local Plan (2006) is a saved policy, and

relates to convenience shopping. Part (a) of the policy permits smaller convenience shops (up to 1,400 sq metres net) in existing centres. The proposal is for a net sales area of 258 sq metres, which would fall within the scale permitted by the policy, however it is not within an existing centre but on the edge of one. The applicants have highlighted part (c) of the policy which states that convenience shopping will be permitted if 'it would replace existing provision in the locality'. The intention of this part of the policy is to allow relocation of existing convenience provision to more sustainable and accessible sites, preferably within a centre. This is explained in the supporting text to this policy at paragraph 6.26. The intentions of the Co-op is therefore not in line with this part of the policy as they would be relocating their existing store which is within a District Centre to an edge of centre location. However, in reality both locations are sustainable and accessible.

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

Support:

- Representations on behalf of Prudential
- Representation on behalf of Universities Superannuation Scheme (USS) Limited.

Objectors:

- 1 Ailsa Court
- 6 Ailsa Court
- Ailsa Court Management Ltd.
- 23 Herbert Street

- 7.2 The representations can be summarised as follows:

Support:

- Acceptable due to proximity of the Mitcham's Corner District Centre and in accordance with policy 6/8 of Cambridge Local Plan 2006 subject to a condition restricting the use to convenience goods.

Objections:

- Residential Amenity – increase in noise and disturbance through use and deliveries.
- Highway Safety – The delivery vehicles will block sightlines of existing traffic and cycle routes as well as waiting vehicles to enter into the car park will block the residents route into the car park area.
- Security – As there are possibilities of people still being able to access the yard behind the flats and shop.
- Mitcham's Corner District Centre – Concern about this application constituting an extension to the existing District Centre.
- Fall outside the Local Development Plan – The site is not appropriate as the site border the development plan rather than being in the development plan site.
- Encroachment – the red line is incorrect, as the residents above own part of the site.
- Re-notification – There was a discrepancy with the plans.
- Consultation – The consultation process is not clear and was not able to comment via the planning web site.
- Sale of Alcohol – Will create a situation of people drinking and gathering in a residential area.

- Letters of support from local people, including Cllr. Ian Nimmo-Smith have been received via the applicant, there were not the result of our consultation process and therefore I have not referred to them in my report.

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. Residential amenity
4. Refuse arrangements
5. Highway safety

6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

- 8.2 The principle of the change of use is acceptable because it is in accordance with Cambridge Local Plan 2006 policy 6/8 part c, which states that the convenience shopping will only be permitted if it replaces existing provision in the locality. Although this part of the policy implies that the relocation takes place within the District Centre, the site is located in close proximity to the centre. Also PPS 6, Planning for Town Centres (2005), sets out the considerations which should be taken into account for this type of development.
- 8.3 The new CO-OP store is relocating from the south side of Chesterton Road within the District Centre, to this new site which was a commercial unit albeit not within the same use class, and therefore acceptable in terms of policy 6/8 part c.
- 8.4 The proposal seeks to move from the existing location to the new location, and therefore in order to merit this as acceptable, I suggest a condition that this unit be restricted to convenience goods within the Use Class Order (A1).
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 6/8 of the Cambridge Local Plan and Government Guidance Planning Policy Statement 6.

Context of site, design and external spaces

- 8.6 The site is located to the north of the City Centre, in close proximity to Mitcham's Corner District Centre. The site currently is a vacant unit which was used previously by Suzuki for car sales and servicing.
- 8.7 The site is on the north side of Chesterton Road and is located in a predominately residential area. The application is not going to alter the footprint of the building but a more up to date shop front is to be installed, and associated external works. The changes to the elevation on Chesterton Road are, in my opinion not that significant. There is glazing there already, however the proposed new shop front will keep the glazing element but

reduce the width of the glazing sections which will be more in keeping with the strong vertical features of the building

- 8.8 The Herbert Street elevations introduce a vertical feature, which is acceptable as this allows the residential and commercial elements to be distinguished. This also raises the potential for the creation of a blank frontage, however with this area is overlooked by the flats above and is a well used through link by pedestrians and cyclists and I do not consider this to be a significant failure of design. The applicants have assured that the treatment to this will be done in anti-graffiti paint and therefore an informative to state that in order to discharge the external material condition information be submitted on the treatment.
- 8.9 The other aspects of infilling existing voids with matching brickwork is acceptable, however a condition is recommended in relation to the choice of materials shall be submitted for approval.
- 8.10 The proposal also seeks to create a more pleasing frontage with the introduction of planting and car park area. This in my opinion is trying to re-create what is there already in the locality of residential properties which have small gardens, and successfully breaks up the frontage, by using planting.
- 8.11 The application states that there is to be a roller shutter door on the Chesterton Road elevation. Although I do not feel that this is a location where there is likely to be high levels of crime, I do think that there is to be a balance between design and function of the shutter. The Shop Front Design Guide allows for shutters as long as they are not a dominating feature of the front of the unit and that they should allow the views into the shop when fully closed. I feel that this element can be conditioned and recommend a condition to secure the approval of further details.
- 8.12 Subject to conditions, in my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 The proposal will be likely to create an intensification of the use of the site. There is an existing commercial enterprise on site and therefore the issue is of increased impact. The applicant wants to have early delivery of news papers to take place and there is also the impact of the operational use of the store to be open from 7am till 11pm Monday to Sunday. This site was formerly in commercial use and therefore the impact will need to be assessed against the additional impact for the change of use and long delivery hours, there is no information on when delivery is to take place.

Delivery Hours

- 8.14 I feel that due to the location of the site within a predominately residential area, the delivery hours should be restricted. I feel that delivery to this site needs to be restricted to the times of 0700 hours to 2100 hours Monday to Saturday and no deliveries or collections on a Sunday, Bank or public holidays, as the cumulative impact of noise generated by deliveries i.e. movement of goods in trolleys from the truck to the store will create and increase noise and disturbance to the occupiers of the residential dwellings adjacent. A condition to restrict the delivery hours has been recommended.

Plant

- 8.15 I have concerns on the potential noise emitting from the plant and the impact this will have on the occupiers of the flats in particular. Environmental Health officers agree that there is potential for adverse impact and have suggested a condition to mitigate against this.

Shop Opening Hours

- 8.16 The operation of the shop with higher volume of people coming and going and car movements to and fro from the car parking area, in combination with people getting into and out of cars, opening hours will have a detrimental impact on the residents nearby. The premises will be for A1 retail convenience shopping. The hours of opening are to be increased compares with previous hours, the application states that the proposed unit will open from 7am to 11pm Monday to Sunday. This is a

general feature of similar stores around the City, and is not an unusual scenario that is found in Cambridge, such as sites in Milton Road, Mill Road and Chesterton Road. There are other sites in the immediate locality within the Mitchams Corner District Centre as well as, wider area that has a configuration of retail units with residential above.

- 8.17 The proposal will increase the intensification of use. However due to the location of the site, albeit being set back from a major road by approximately 15.5 metres, the road is busy and the noise emitted from this does already have an impact on the residential properties. I feel on balance taking into account the nature of the highway and distances involved, the opening hours and delivery hours should be restricted to balance the needs of the servicing of the commercial units and the residents and feel that the condition suggested by colleagues in Environmental Health are appropriate.
- 8.18 There are elements of the surrounding area that potentially increase the amount of anti-social behaviour on the site. However, from the comments raised by residents and Architectural Liaison Officer about the security for the site. I agree that the proposed shop layout should encourage a safe environment for all using the shop and surrounding environment. I feel that by having an occupier in this premises will do this as if the unit was to remain vacant the possibility of anti-social behaviour and crime are greatly increased. There are some aspects of the site not in control of the applicant and therefore fall outside this application. The path leading to the stairs for the flats above from Chesterton Road is outside the red line area. The applicant has confirmed that they are willing to meet with the residents to provide a more secure site and provide a secure access to this area. An informative is added to make sure that the applicant and residents agree to discuss a more secure area to the rear yard.
- 8.19 The area is characterised by residential properties, surrounding and above the proposed site. The overlooking created by the residential properties and the shop unit, in my opinion will discourage anti-social behaviour.
- 8.20 I do have concerns over the accessibility of the unit. Currently the Co-op is located within the District Centre of Mitcham's Corner. The new location is on the opposite side which is less accessible, in terms of, pedestrian crossing and routes

pedestrians have to take to get to the new location. I find that on balance that the new location is slightly awkward to reach but there are pedestrian crossings close by to allow people to cross this road safely. However the location is within a residential area and therefore will be able to serve the residents on the north side of Chesterton Road in a more safe and accessible manner.

- 8.21 Subject to conditions, in my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.22 The plans show proposals for a new waste storage facility. This is acceptable, however, colleagues in Environmental Health have recommended a condition for further details to show, whether or not the space allocated for the bins is acceptable to accommodate the required bins for trade and recycling.

- 8.23 Subject to condition, in my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.24 have been in discussion with the local highway authority about issues I had, however these have been worked through and accepted the use of the highway to service the shop and the combination of the fact that the road is very wide and the controlled junction and lights in the locality will slow the traffic down in this area will allow safe passage of vehicles entering and exiting the site.

- 8.25 In my opinion the proposal is compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.26 The application provides car and cycle parking to the front of the shop. The proposal will include parking for 6 cars and 2 disabled spaces. The Cambridge Local Plan 2006 Car Parking

Standards state that 1 space for every 50 square metres is to be provided which equates to 5.16 and in line with the standards there are 8 spaces provided. Out of the 8 spaces 5% need to be disabled and by providing 2 spaces this equates to 25%, well above the prescribed allowance. This has been accepted by the local highway authority as acceptable, although this is above the prescribed numbers allowed, I feel that this area was used as part of the showroom car park, displaying for sale vehicles which equated to more than the numbers proposed. The development has reduced this and I feel that this is acceptable in this instance.

8.27 The application proposes the installation of 11 stands to provide 22 cycle parking spaces. The Cambridge Local Plan 2006 states that 1 space per every 25-metre square should be provided, which equates to 10.32 spaces. The proposal, will provide double what is needed and will encourage customers to cycle. The spacing between the stands needs to be in accordance with the Cycle standards. The spacing should be a minimum of 900mm between the stands. I feel that this can be accommodated on site and further information on the type of stands proposed will need to be clarified. I have recommended a condition to address this.

8.28 Subject to condition, in my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.29 The points raised regarding residential amenity have been responded to in the main body of the report under the heading „ Residential Amenity„ . The issue regarding re-notification has been dealt with. The issue raised when there were discrepancies between plans submitted which were superseded and ones that were not. It was clear from all the plans the foot print and description as this was not altered, but further clarification sought.

8.30 The Mitcham's Corner District Centre was mentioned as a description and give a general context of the site and the surrounding area. This application does not extend the District Centre.

- 8.31 Issue surrounding encroachment is a legal issue and cannot be considered as a material planning objection, however the agent has confirmed that the redline drawn is the same as the one in the lease.
- 8.32 The issue of consultation is a material fact. However, as mentioned previously the plans did not change in great detail but clarification was sought on certain matters. The elevation and footprint of the building had not changed and therefore re-consultation on new plans was not considered to be necessary.
- 8.33 This point appears to be confusion with the Local Plan and the Mitchams Corner District Centre. The application is determined against policies in the Cambridge Local Plan 2006 and other material considerations.
- 8.34 The sale of alcohol is a matter for the applicant. The Licensing Committee will have control over licensing hours. It is not the role for planning to interfere in what the owner sells nor to double up on other legislation.

Planning Obligation Strategy

- 8.35 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy. The proposed development may trigger the requirement for the transport contributions under NCATP and public realm contributions but this matter is not yet resolved.

Transport

- 8.36 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the North Corridor Area Transport Plan where the contribution sought per trip is £##.
- 8.37 The applicants have submitted a transport assessment on which the following assessment of additional trips and contributions is based.

or

8.38 The Highway Authority has made an assessment of the proposal, on which the following assessment of expected additional trips and contributions is based.

or

8.39 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), I am satisfied that the proposal accords with East of England Plan policies T1 and T4, Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9 and Cambridge Local Plan (2006) policies 8/3 and 10/1.

Public Realm

8.40 The site lies within/outside the city centre/station area where contributions for the public realm are sought for developments or redevelopments where 50/250 or more (all mode) trips on a daily basis are likely to be generated. The contribution per trip equates to £310.

8.41 The applicants have submitted a transport assessment that concludes that an additional ## trips per day will be generated.

or

8.42 The Highway Authority have assessed the proposal and determined that an additional ## trips per day will be generated.

8.43 Therefore, a contribution of £## is required.

8.44 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/7 and 10/1.

8.45 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003)

policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/7 and 10/1.

9.0 CONCLUSION

This application is for the change of use. The proposal seeks permission for the Co-op to operate from these premises. The proposed use will be different to what was there but I feel on balance the re-using of land and the benefits of having a convenience store in a residential location will have a more beneficial use than an harmful impact. I do agree that there are going to be some impacts with the change of use, however these can be controlled by conditions.

10.0 RECOMMENDATION: APPROVE subject to the satisfactory completion of the s106 agreement by 7th January 2010 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. The use hereby approved shall be used in conjunction with A1 (convenience) only.

Reason: The use is for the replacement of an existing unit in the locality. (Cambridge Local Plan policy 6/8)

3. 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. 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)

5. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

6. Prior to the commencement of development, full details of the on-site storage facilities for trade 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, paladins 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. (East of England Plan 2008 policy ENV7 and in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

7. Except with the prior agreement of the local planning authority in writing, all deliveries should be to the front of the premises on Chesterton Road and there should be no deliveries to the site outside the hours of 0700 hrs and 2100 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Protect the amenity of the neighbouring occupiers.

8. Except with the prior agreement of the local planning authority in writing, the opening hours should be in accordance with what is stated on the planning application: Monday to Sunday 7am to 11pm.

Reason: Protect the amenity of the neighbouring occupiers.

9. No development/use hereby permitted shall commence until details of spacing between the stands for 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)

10. No development shall take place until further details to be used in the construction of the roller shutter of the development hereby permitted has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

INFORMATIVE: The applicant is advised to contact the Council's Food and Occupational Health Team at Mandela House in order for advice regarding compliance with the relevant food hygiene and health and safety legislation.

INFORMATIVE: To satisfy standard conditions relating to Noise Insulation, the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 'Method for rating industrial noise affecting mixed residential and industrial areas' or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: The application shows no proposal for adverts, however it should be noted that Advert Consent will be needed for this site.

INFORMATIVE: The applicant is advised to contact the Petroleum Officer Mr. Alan Easey on 01954 284621.

INFORMATIVE: The applicant is reminded that condition 3 includes the anti - graffiti treatment of the facade facing Herbert Street.

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:

East of England plan 2008: SS1, SS6, T4, T9, T14, ENV7 and CSR2;

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9;

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/15, 6/7, 6/8, 8/2, 8/4, 8/6, 8/9, 8/10 and 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.

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 7th January 2010 it is recommended that the application be refused for the following reason(s).

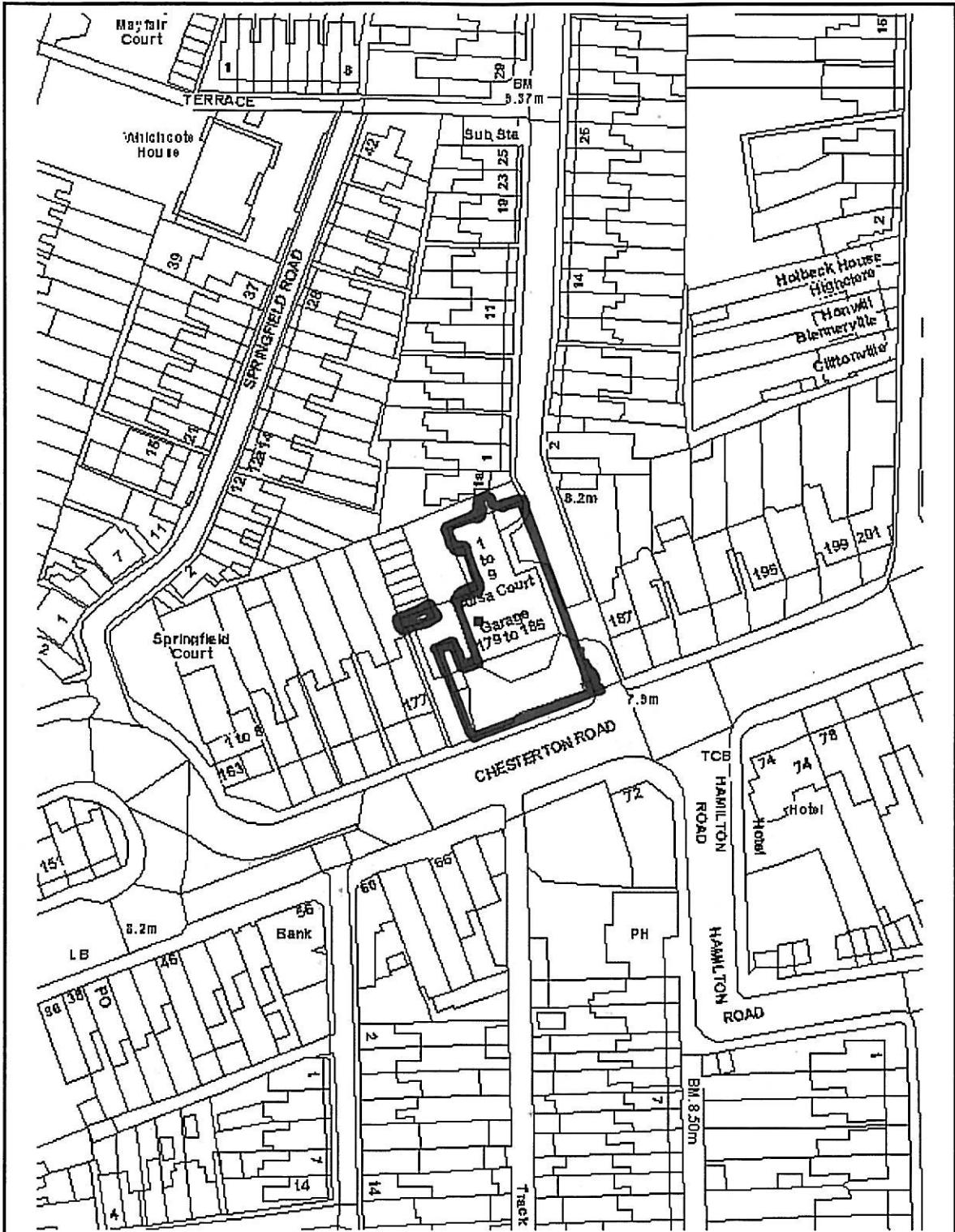
1. The proposed development does not make appropriate provision for transport mitigation measures, in accordance with the following policies, standards and proposals 8/3 and 10/1 of the Cambridge Local Plan 2006; and policies P6/1, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004, Northern Corridor Area Transport Plan 2003.

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.



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