

---

<b>Application Number</b>	07/0841/FUL	<b>Agenda Item</b>	9_1
<b>Date Received</b>	24th July 2007	<b>Officer</b>	Mr James D'Arcy
<b>Target Date</b>	18th September 2007		
<b>Ward</b>	Market		
<b>Site</b>	22 Burleigh Street Cambridge Cambridgeshire CB1 1DG		
<b>Proposal</b>	Change of use of ground floor from Launderette (sui generis) to A1 and A2 (in the alternative).		
<b>Applicant</b>	Chalfont Jupiter Ltd As Agent		

---

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located on the north edge of Burleigh Street, a Primary Shopping Frontage located to the south west of the Grafton Centre within the Kite area of the city. The area of Burleigh Street in which the site is located is a pedestrian zone, and features a regular footfall from both nearby residents and customers of the Grafton Centre and associated businesses. The site backs onto the Grafton Centre and the associated works and delivery areas which are in continuous use.
- 1.2 The street features a wide mix of commercial businesses, and also benefits from a blend of residential and commercial occupation, which aids the vibrant yet informal nature of this local centre.
- 1.3 Currently the large, recently relocated Robert Sayle/John Lewis department store occupies a significant position within the northern end of Burleigh Street, and this is seen as being a primary regenerative factor in the growth and development of this shopping area.
- 1.4 Number 22 Burleigh Street is a ground floor unit, currently vacant, which was previously in use as a launderette, which does not fall into a use class defined by the Use Classes Order and therefore constitutes a "Sui Generis" use. The property is adjacent to both a chinese restaurant and Andrew Northrop Butchers. On the opposing side of the street exists a pawnshop, and also a ceramics sales property and a chocolatier.
- 1.5 The street has been subject to a number of Change of Use applications, which have emphasised the public and residential requirements of the area to remain in localised retail use.
- 1.6 The site itself is not within a Conservation Area, but is in close proximity to Cambridge City Council Conservation Area 1 (Central). The site falls within a controlled parking zone.

## 2.0 THE PROPOSAL

- 2.1 The application seeks permission to change the use of Number 22 Burleigh Street from its current permitted use as a Launderette (although the unit is currently vacant) to a use within Class A1, or A2 in the alternative.
- 2.2 The applicant states that the reasoning for this “alternative” use category is to increase the viability of the unit, and increase the spectrum of uses in which it could operate as an integral part of the shopping frontage.
- 2.3 The application is accompanied by the following supporting information:
1. Design & Access Statement
  2. Floor Plans
  3. Site Plan

## 3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
C/92/0206	Change of use from retail to Launderette (Ground Floor) and alterations to shop front to form new entrance to first floor.	W/D
C/92/0217	Alterations to shop front to form entrance to retail use at first floor.	A/C
07/0517/FUL	Change of use from retail to Adult Amusement Centre.	REF (appeal in progress)

## 4.0 PUBLICITY

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

**5.5 Cambridgeshire and Peterborough Structure Plan 2003**

P1/2 Environmental restrictions on development

P1/3 Sustainable development in built development

**5.6 Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

6/6 Change of Use in the City Centre

### **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.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

6.1 No Objection

### **Cambridgeshire County Council (Transport)**

6.2 No Objection

### **Head of Environmental Services**

6.3 No Objection

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

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

102 York Street  
3 Temple Road West, Birmingham

7.1.2 The representations can be summarised as follows:

- Concerns raised over a potential gambling use at the location
- Loss of a local facility
- Effects of a change of use upon vulnerable members of the community
- Dilution of the “weakened” shopping frontage
- Loss of A1 use in the retail centre
- Introduction of further betting facilities and reduced diversity in facilities offered in Burleigh Street.

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. Policy Implications
4. Third party representations

### **Principle of Development**

- 8.2 The application seeks to utilize a current vacant unit, the recently vacated “laundrette” site. The applicant intends to offer the unit as a retail unit, under either A1 or A2 retail use classes. It is important for the vitality and viability of the shopping frontage that as many units as possible are in functioning retail use, and that each unit can offer an additional element to the Burleigh Street shopping frontage as a whole. Currently there are a number of vacant units in the area, and the intention to gain permission for this unit to be re-introduced into retail usage should be supported due to its prominent location, and key position within the shopping facade.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with Cambridgeshire & Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/1, 3/4, 3/7, and 6/6.

### **Policy Implications**

- 8.3.1 Relevant policy in relation to this application has been cited by objectors as policy 6/6 of the Cambridge Local Plan 2006, however this is not strictly accurate. Policy 6/6 details Changes of Use *from* A1 retail use, and the associated situations in which this can be permitted. As the application seeks a return to A1 use (albeit with an additional A2 use permission), the application therefore accords with the plan and the associated policy, as any alternative use of the site would require a change of use permission due to its current Sui Generis status. Consequently, there is little policy provision for an application of this type, although by reflecting the importance upon A1 uses in Primary Frontages, as indicated in policy 6/6 it is reasonable to assume that this application would broadly accord with the needs of the plan.
- 8.3.2 In terms of vitality and viability (reasons in which another Change of Use application was refused by Area Committee on another vacant property within the streetscene), the provision of two permitted use classes would allow for greater scope to introduce new and viable operations to the area, and increase the services provided within the area.
- 8.3.3 The proposed A2 use in the alternative would provide another element to encourage active use of the property, and would increase the potential viability of the shop as a functioning piece within the regeneration of the street. The A2 use, as a secondary option, would be acceptable in terms of policy provision (Cambridge Local Plan Policy 6/6) as this places emphasis on vitality and viability of the shopping frontage, and there will also still remain a high percentage of A1 uses on Burleigh Street.
- 8.3.4 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P1/2 and P1/3, Cambridge Local Plan (2006) policy 6/6

## **Context of Site, design, and external spaces**

- 8.3.5 The application site sits within a well-established row of local businesses, and is prominent in both outlook and positioning within Burleigh Street. The external public features of the street, and shopping frontage in general, would be greatly enhanced by the creation of a unit in viable retail use.
- 8.3.6 It has been stressed by residents that the need for A1 retail use in the area is felt to be key in the on-going regeneration of this area, driven by the Robert Sayle development, and the continuation of this is important to the area. The site is located near to a number of vacant properties, and also to a number of charity retail outlets, and as such the introduction of another viable and prominent retail outlet would be beneficial to the streetscene as a whole.
- 8.3.7 There are no proposed external changes to the building or surrounding area.
- 8.3.8 In my opinion the proposal is compliant with Cambridgeshire & Peterborough Structure Plan (2003) policies P1/2 and P1/3, and Cambridge Local Plan 2006 policies 3/4, 3/7, and 6/6

## **Third Party Representations**

The concerns of residents centre around the loss of the Launderette and its associated effect upon the amenity the street affords to residents, and concerns over why the unit is currently vacant. In terms of “dilution” of the retail streetscene I disagree with a number of the objections on the grounds that the application seeks permission for A1 retail use also, which is the use category most desired in accordance with Policy 6/6 of the Cambridge Local Plan in relation to primary shopping frontages. By increasing the viability of the vacant retail unit, and the attractiveness of the unit to potential occupants the viability of the street can only be strengthened as the unit in constant and profitable use would be significantly more beneficial (both in terms of active frontages and vitality) than a vacant unit, especially in light of the other vacant units in the area.

The shopping frontage contains a number of “Charity” retail shops, and these are the subject of much disagreement and derision amongst local residents who feel that they are a sign, (and indirectly a factor within the realisation), that the street is “in decline” and should be the subject of a more focused effort at regeneration.

The argument concerning the loss of a viable and important unit within the streetscene, whilst understandable as an individual concern, misrepresents the current status of the building. The activity which was once conducted was lost in advance of this application, and as such the application cannot be decided or influenced upon by the presumption that this use was lost as a direct connection. The re-introduction of the retail

unit will only seek to strengthen the A1 retail stock on offer to tenants within the Burleigh Street facade, and will allow greater scope for diversity in use upon the street.

It has been noted by residents that there has been an application for a Gambling Licence for this property, (which would fall under the A2 Use category in event of a betting shop being implemented), but the application must be decided on its own merits. There was no information included in this application regarding a betting use therefore the potential for all A2 uses (Financial and Professional Services) must be considered in terms of occupation, and it is considered that the increase in potential occupant roles is acceptable.

8.3.9 In my opinion the proposal is compliant with Cambridgeshire & Peterborough Structure Plan (2003) policies P1/2 and P1/3, and Cambridge Local Plan 2006 policies 3/4, 3/7, and 6/6

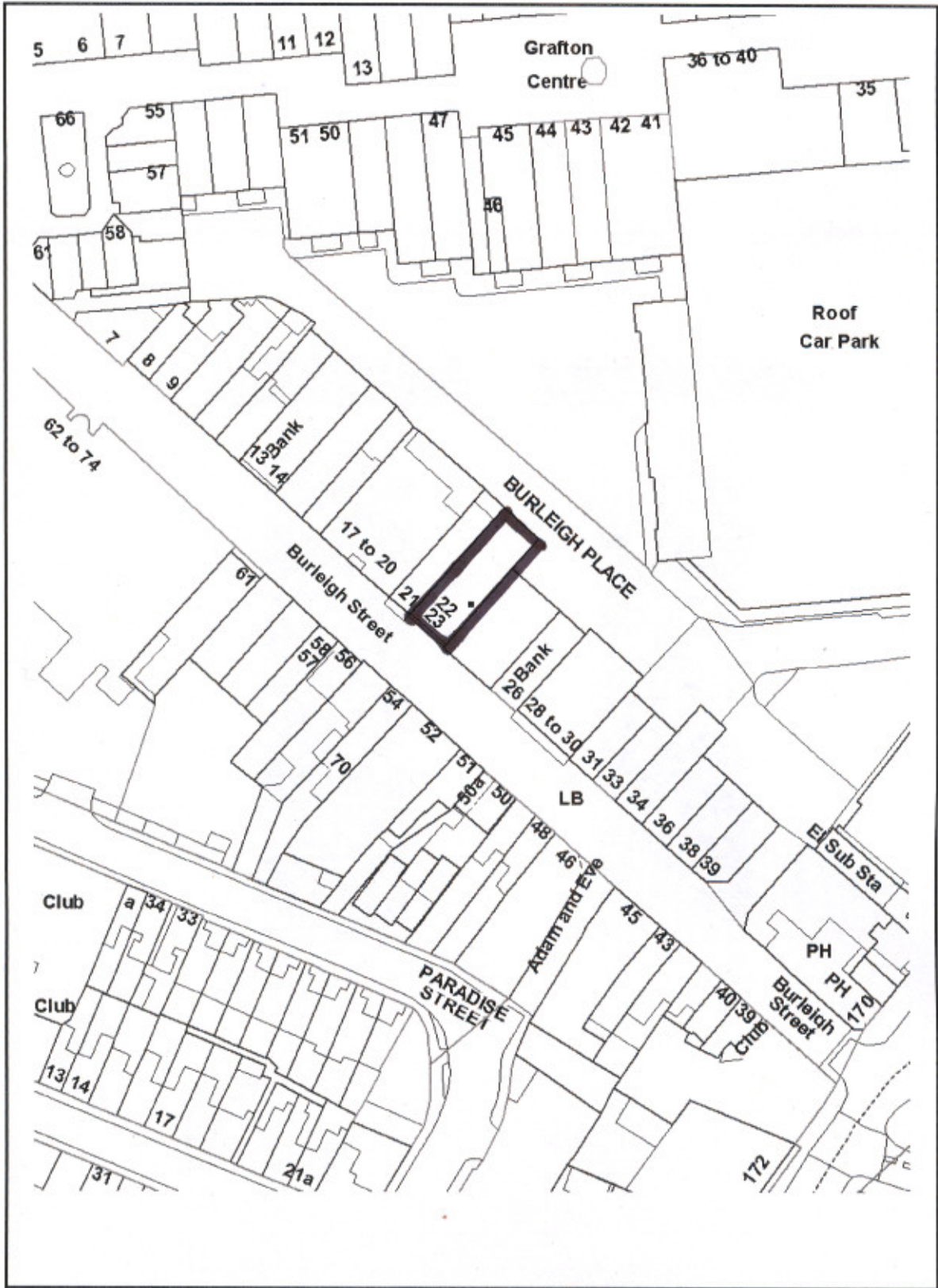
**Recommendation: APPROVE**

## **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.



07/0841/FUL  
 22 Burleigh Street Cambridge Cambridgeshire CB1 1DG