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Cambridge City Council

PLANNING COMMITTEE

To: Councillors Stuart (Chair), Tunnacliffe (Vice-Chair), Blencowe, Brown, Dryden, Hipkin, Marchant-Daisley, Saunders and Znajek

Despatched: Tuesday, 24 April 2012

Date: Wednesday, 2 May 2012

Time: 9.30 am

Venue: Committee Room 1 & 2 - Guildhall

Contact: James Goddard

Direct Dial: 01223 457015

AGENDA

4 **AMENDMENT SHEET** (*Pages 1 - 16*)

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PLANNING COMMITTEE MEETING – 2nd May 2012

Amendment/De-brief Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 12/0086/FUL

Location: 169 - 173 High Street, East Chesterton

Target Date: 24.04.2012

To Note:

Submission of online petition by County Councillor Ian Manning

- Received on 30 April.
- The petition has been supported by 59 people and argues for the retention of 'The Dog and Pheasant' public house.
- It is argued that the current owners of the premises should allow the building to continue as a pub, and;
- That planning permission is refused.

2 Further representations

161 and 163 High Street, Chesterton

The comments can be summarised as follows:

- Numbers 161 and 163 strongly object to the development, as detailed within the previous representations.
- The amendments do not address the points raised at the DCF.
- The density of the development has not been altered.
- The visualisations have been embellished with notional trees, which is impractical to enforce.
- The proposed solar panels are not enforceable.

Officer Comments

- The amenity issues are covered from paragraph 8.15 of the officer report.
- Conditions 11 and 14 secure replacement trees and the proposed renewable energy strategy.

Comments from the Disability Panel (28 February 2012)

No adverse comments.

Although not required for a development on this scale, the Panel noted the absence of a lift.

1 Further letter from the applicants agent

This has already been circulated to Members. I have attached a copy to the amendment sheet.

Amendments To Text: No amendments.

Pre-Committee Amendments to Recommendation: No amendments.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 12/0345/LBC

Location: 33 Parkside

Target Date: 11.05.2012

To Note:

Condition 2 of the Officer report, recommends that the proposed lighting is switched off when the business closes. The applicants have requested the imposition of an alternative condition as set out below:

The advertisement hereby approved shall only be illuminated until 23:00 hrs Monday to Sunday.

Reason: In the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4 and 3/15)

In order to reduce the opportunity for the lights to be left on, the practice would like to install a timer so that the lighting automatically switches off by 11 pm. The reason for this time is that sometimes the practice has meetings with clients that can go on until 11 pm.

Barr Ellison Solicitors, some 50 m away, has illumination to the front elevation of their property and Parkside is illuminated by street lights. The National Express Coach stops are situated opposite and there are comings and goings of coaches throughout the evening. For these reasons, Officers do not consider that the setting of the listed building or Parkers Piece would be detrimentally harmed by the proposed lighting remaining on until 11 pm.

I have not altered my recommendation and would welcome guidance from Members on whether or not condition 2 should be amended as above.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

GENERAL ITEMS

ITEM: APPLICATION REF: Enforcement Item

Location: The Howard Mallett Centre, Sturton Street, Cambridge.

Target Date: N/A

To Note: Paragraph 3.7 of the report states "The agent working on behalf of the owners requested that a representation be added to the report from the owners. This was agreed to, but at the time of writing the report no submissions had been received." A letter was received today (30/04/12) by email and has therefore been attached as an amendment.

Amendments To Text:

Pre-Committee Amendments to Recommendation: No amendments

DECISION:

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PLANNING

To All Members of the Main Planning Committee

† +44 (0) 1223 326826
f +44 (0) 1223 329402
e cwb@januarys.co.uk
w januarys.co.uk

Our ref: PMcK/CWB
Your ref:

27 April 2012

Dear Councillor

12/0086/FUL – PROPOSED RESIDENTIAL DEVELOPMENT (ERECTION OF 11 DWELLINGS) AND A RETAIL UNIT (WITH 2 BEDROOM FLAT ABOVE) FOLLOWING DEMOLITION OF NOS 169 AND 171 HIGH STREET.

169-173 HIGH STREET, EAST CHESTERTON, CAMBRIDGE, CB4 1NL

I am writing to you in advance of the forthcoming Planning Committee Meeting on Wednesday 2nd May 2012, when the above-mentioned planning application is to be considered with a recommendation of approval. I am the applicants' agent, and on behalf of Mr Neil Cook and Mr Dan Brown, who are the co-applicants, I would wish to emphasise how pleased they are with the Officer recommendation to the Committee.

I hope you are able to take a moment or two to read through this letter as it explains some of the rationale behind the application and also addresses a few issues that were raised at the Development Control Forum meeting that was held on the 14th March.

The application to be presented to you has been the subject of extensive public consultation, both before and since the planning application was submitted, and we feel this has resulted in a well considered design solution for the site. Prior to the application being submitted a public exhibition was held, and this was extremely well attended. The planned redevelopment of the site for residential purposes was generally well received. A number of detailed questions and comments were raised at the exhibition, many of these relating to design and traffic, and these comments were all fully considered ahead of the application being submitted with key amendments being made to the scheme.

In addition to the public exhibition, the applicants have also had a number of individual one to one meetings with immediate neighbours, both before and since submission of the application, and have sought at all times to reach consensus on individual elements of the scheme, wherever this has been possible.

During the DCF a number of questions were raised by the Committee Members regarding the layout and in particular the positioning of some of the dwellings. Since the DCF additional and amended drawings have been submitted. Concerns regarding the gable to gable relationship between Plot 8 and the existing dwelling at No.125 were raised with one Councillor

querying whether this relationship was uncomfortably close. This distance is in fact approximately 5.2 metres, and since the DCF we have looked at other precedents in the area where gable to gable distances, between adjoining properties, are either equivalent to that distance, or in a number of instances somewhat less. In our estimation, the gable to gable distances in this scheme are entirely acceptable, and characteristic of what one would expect in an urban area. The comparative study that was submitted to the Council showing the gable to gable distances has been attached for reference. The existing vegetation along the boundary with No.125 makes the adjacent garden extremely dim and dark, and dominates it. A new boundary solution has been proposed here and the existing corrugated metal and concrete wall is to be removed and replaced with a traditional brickwork wall with trellis and climbers. This new boundary treatment has been agreed in principle with the owner of this property and as a result a more congruous landscaping scheme has been proposed. Plot 8 only extends to 2 storeys, compared to other plots in the scheme which are 3 storeys, and has a flat roof which will reduce overshadowing further. The Planning Committee report also supports this and the officer correctly states he does ***"not consider any harmful visual impact to result upon number 125, which will benefit from a general improved outlook, because of the removal of the conifers"***.

Since the DCF we have also addressed concerns raised by another Councillor regarding the relationship between Plots 7 and 8 and the flank, gable wall of Plot 9. Clarification and a clearer understanding of the living conditions that would be experienced by the occupiers of Plots 7 and 8 in terms of their outlook was sought. In response to this and as explained at the DCF the rear part of the site has been designed as a Mews or Courtyard- type development. It did not appear to us that the relationship between the front elevation of Plot 7 and the gable of Plot 9 was particularly uncharacteristic of what one would see in this sort of scenario. To further emphasise this point we have since produced a drawing which highlights how this relationship works elsewhere in the city (please find a copy attached). The locations referred to in the drawing are Willow Walk, a well-known Mews Street in Cambridge, situated to the rear of New Square and a typical terraced street, in this case at Sturton Street. This drawing clearly demonstrates that within tight urban environments, these relationships are not at all uncommon, and we would also emphasise that Plot 7 does, in any event, retain oblique views past Plot 9. In summary, the separation distances between each of the 6 dwelling blocks is in our estimation entirely acceptable and a sustainable form of development for the site has been proposed. It cannot be viewed as overdevelopment and the Planning officer within the Committee Report correctly states that he does not consider ***"that the relative density of this arrangement to be unacceptable in this location, directly behind the High Street"***.

Since the DCF amended drawings have been submitted to the Council and these have resulted in the first floor bedroom windows of Plots 6-8 being relocated onto the rear elevations (previously they were on flank walls). Importantly, the Planning officer is happy with this arrangement. These windows do face onto the rearmost part of the adjoining gardens on the High Street; however, the plans also incorporate a clever window design which further reduces any impact of overlooking. "Privacy Hoods" have been fitted to the rear windows which adjoin neighbouring properties, and these will restrict views back towards the most private parts of adjacent houses (see attached sketch, which is the simplest way of demonstrating this arrangement). The use of these "hoods" has also meant that no windows on the side elevations of Plots 6 and 7 face each other, as they did previously. The above combination of factors will in the applicant's opinion ensure that the development will not adversely affect the amenity of any of the adjoining residents.

We are aware that a number of objections have been received regarding the loss of the restaurant presently on site, although as Members will doubtless be aware, this use ceased in December 2011, with the owners having surrendered their lease, having concluded that their business was no longer viable. We note that these objections have mainly referred to the use

of this building as a pub, however, it is important to clarify that this particular building has not traded as a pub for many years (in excess of 10 years), and this has been acknowledged by Planning Officers. It is acknowledged that there was a small bar area within the restaurant (and some people did use this on an occasional basis), however the primary and lawful planning use of the building was as a restaurant. Plainly, and as stated within the Committee Report, there is no protection for the loss of these facilities within the Cambridge Local Plan.

Some concern has also been expressed by local residents that this development will change their outlook, and the character of the area, and will therefore reduce residential amenity. It is important to note that this is a windfall site within an urban area and development of this form should therefore be generally encouraged. We believe that this scheme represents a high quality design that responds positively to its context and will undoubtedly improve the quality and character of the area. Importantly the new dwellings will not appear overbearing in the locality and will respect the privacy of surrounding neighbours. In scale and massing terms it is considered that the proposed dwellings are consistent with those seen elsewhere in the area, albeit a more contemporary scheme has been provided at the rear. Each of the dwellings has been provided with a private rear garden which will be enjoyed by future occupiers.

With regard to highway safety a new access junction will be provided onto High Street and the Local Highway Authority has confirmed that it has no objection to this proposal either in terms of its access arrangements, or in relation to traffic generation. The level of car parking provided complies with the maximum standards set out in the Cambridge Local Plan. The Transport Statement that accompanied the application has also indicated that the application would result in a decrease of traffic movements as compared to the previous and existing use. It is considered that due to the site's proximity to a number of alternative transport choices and the amenities and services that are within very easy walking distance of the site, this level of parking is appropriate.

In summary this application represents a high quality scheme in an urban area that will provide much needed and valued housing in a sustainable location. For all of the above reasons, we would invite you to support this planning application, and we very much hope you will feel able to do so.

Yours sincerely,

Colin Brown BA (Hons) MRTPI
Director

cc. John Evans, Planning Officer, Cambridge City Council

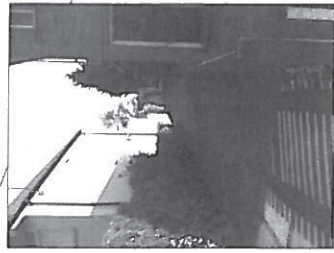
Enc. Copy of Gable Study
Copy of Mews Study
Window Hood Detail Sketch
Site Layout Plan (for reference)

1. The proposed development is shown in grey.
2. The existing buildings are shown in white.
3. The proposed gable distance is shown in red.
4. The proposed gable distance is shown in blue.
5. The proposed gable distance is shown in green.
6. The proposed gable distance is shown in yellow.
7. The proposed gable distance is shown in orange.
8. The proposed gable distance is shown in purple.
9. The proposed gable distance is shown in pink.
10. The proposed gable distance is shown in light blue.

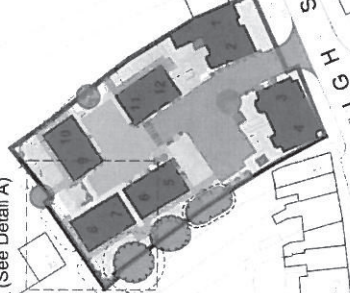
70 Scotland Road to 70A Scotland Road
Gable to Gable Distance = 5.4 m



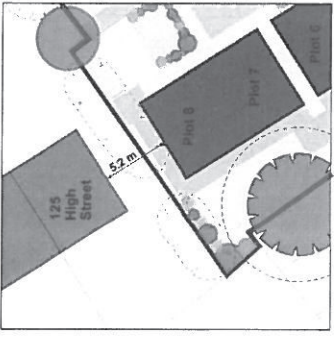
58 Scotland Road to 60 Scotland Road
Gable to Gable Distance = 4.4 m



125 High Street to Proposed Plot 8
(See Detail A)

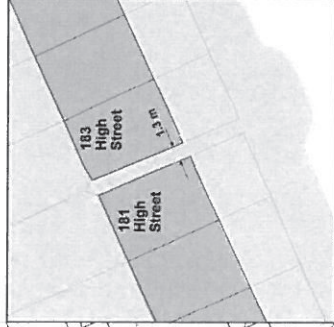


DETAIL A

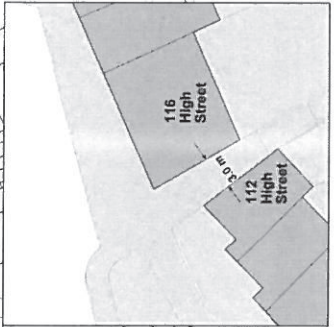


125 High Street to Proposed Plot 8
Gable to Gable Distance = 5.2 m

181 High Street to 183 High Street
Gable to Gable Distance = 1.3 m



116 High Street to 112 High Street
Gable to Gable Distance = 3.0 m



Modell Court (Flats) to 109 High Street
Gable to Gable Distance = 2.0 m



Planning

Saunders Boston
MR N Cook & Mr D Brown
109 - 173 High Street, Chesterton
Gable to Gable Distance Study
1:500 @ A1 1:1000 @ A3
March 2012
1142 / P / 05



WILLOW WALK, CAMBRIDGE



Mews type development

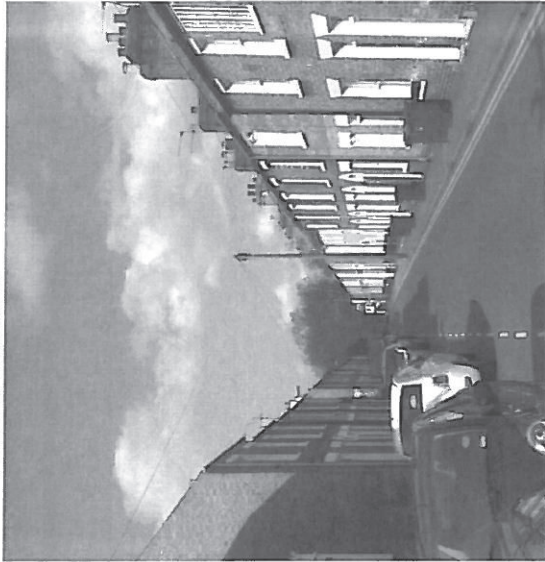
Houses on Willow Walk (left of picture) face and look out onto gable ends (right of picture)

Roadway, parking and footpath between.

Maximum distance between houses and gable ends = 7.5m



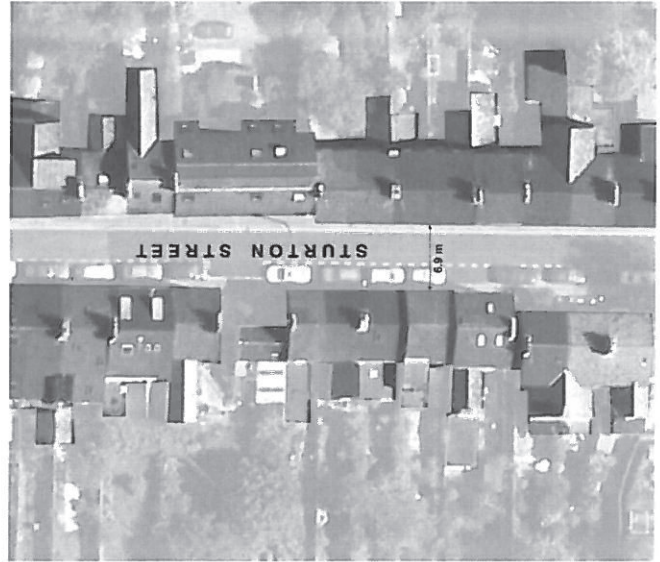
STURTON STREET, CAMBRIDGE



Victorian terraces, typical of many examples in Cambridge

Terraced houses face each other across a narrow road.

Typical distance between houses = 6.9m



PROPOSED DEVELOPMENT, PLOTS 6, 7 & 8



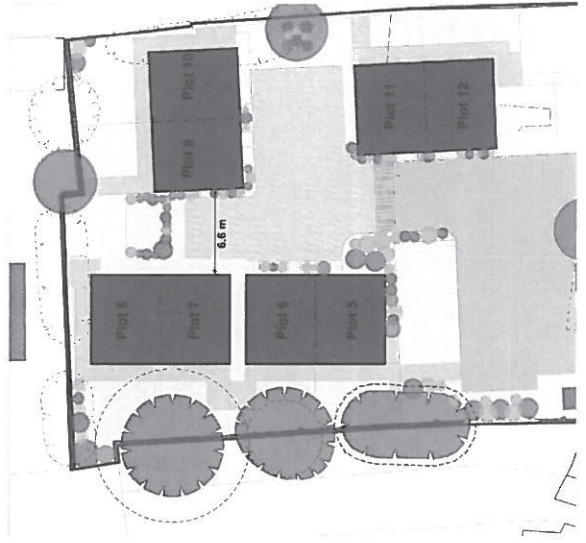
Mews type development

Plot 6 has outlook to the north east (across the shared driveway)

Plot 7 has direct view of the side of plot 9, which is around 6.5 metres away. (with parking and landscaping between)


Oblique views are available to the sides of plot 9

Plot 8 has outlook the north east (across the rear gardens of plots 9 and 10)



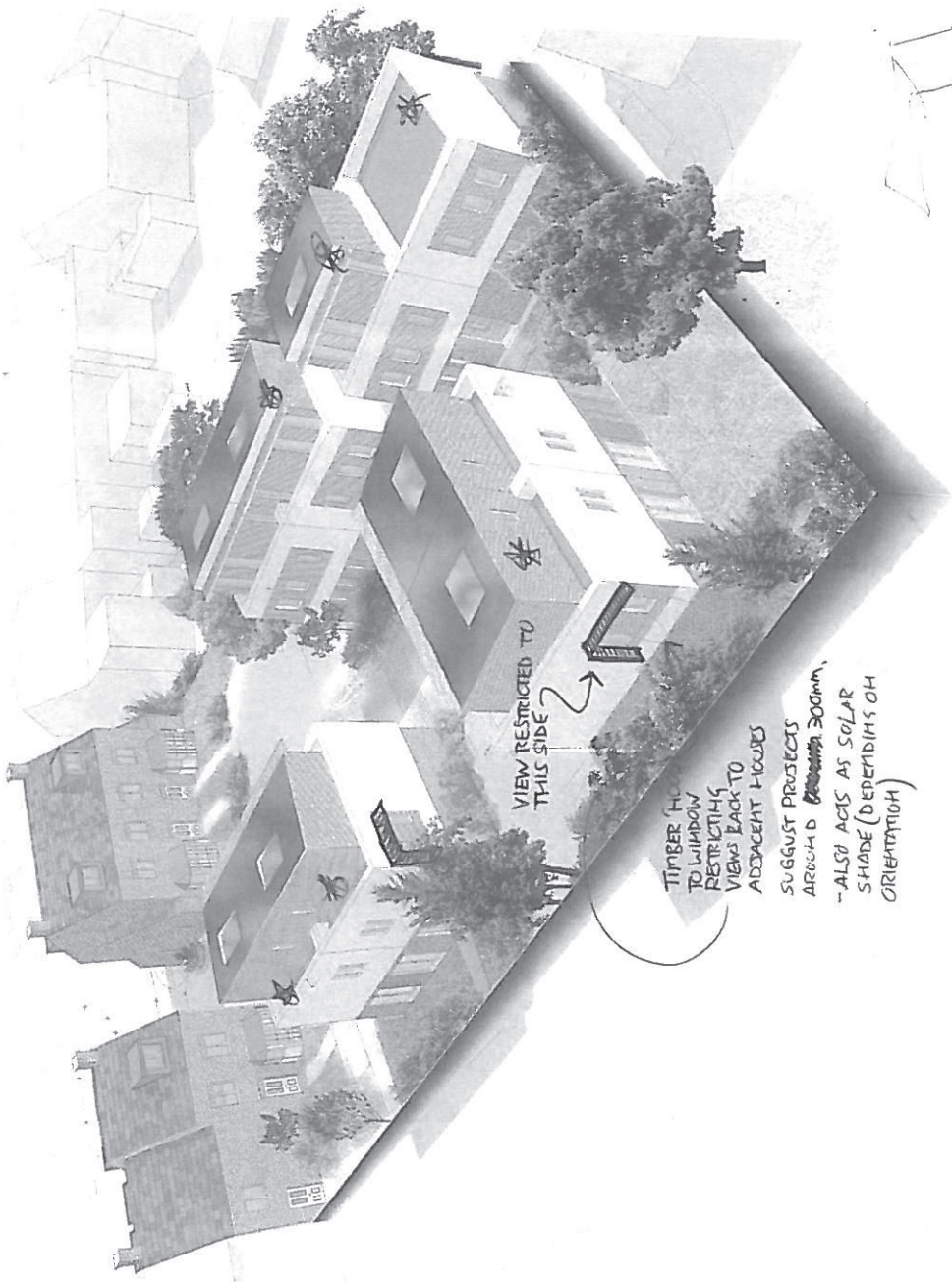
Planning

1. Mews
2. CONSTRUCTION OF NEW TERRACED DEVELOPMENT, TO BE BUILT ON THE SITE OF THE EXISTING DEVELOPMENT, TO BE BUILT ON THE SITE OF THE EXISTING DEVELOPMENT.
3. Details of the proposed development.
4. Details of the proposed development.
5. Details of the proposed development.
6. Details of the proposed development.
7. Details of the proposed development.
8. Details of the proposed development.
9. Details of the proposed development.
10. Details of the proposed development.
11. Details of the proposed development.
12. Details of the proposed development.


Saunders Boston
 Mr N Cook & Mr D Brown
 169 - 173 High Street, Chesterton
 Cambridge CB3 9EJ
 'Mews' Examples Study
 Date: 14th March 2012
 Scale: Not to Scale
 Drawing: HDWG
 Sheet: 1142 / P / 06

- 1. The design team has reviewed the site plan and the proposed building footprint.
- 2. The design team has reviewed the site plan and the proposed building footprint.
- 3. The design team has reviewed the site plan and the proposed building footprint.
- 4. The design team has reviewed the site plan and the proposed building footprint.
- 5. The design team has reviewed the site plan and the proposed building footprint.
- 6. The design team has reviewed the site plan and the proposed building footprint.
- 7. The design team has reviewed the site plan and the proposed building footprint.
- 8. The design team has reviewed the site plan and the proposed building footprint.
- 9. The design team has reviewed the site plan and the proposed building footprint.
- 10. The design team has reviewed the site plan and the proposed building footprint.

☼ = HOOD APPLIED TO REAR WINDOWS.



View from South West

Planning	
Project Name	173 High Street
Client	Mr N Cook & Mr D Brown
Address	169 - 173 High Street, Chesterton
Sheet	Visual Sheet 2
Scale	1:100 @ A1, 1:200 @ A3
Date	January 2012
Drawn	RCE

Saunders Boston
 ARCHITECTS
 173 High Street, Chesterton, Cambridge CB3 9ET
 Tel: 01223 326373
 Fax: 01223 326374
 Email: info@saundersboston.co.uk
 www.saundersboston.co.uk

- 1. The proposed development is shown in black.
- 2. The proposed development is shown in grey.
- 3. The proposed development is shown in white.
- 4. The proposed development is shown in light grey.
- 5. The proposed development is shown in dark grey.
- 6. The proposed development is shown in medium grey.
- 7. The proposed development is shown in light blue.
- 8. The proposed development is shown in dark blue.
- 9. The proposed development is shown in green.
- 10. The proposed development is shown in yellow.
- 11. The proposed development is shown in orange.
- 12. The proposed development is shown in red.



Site Plan Key:

- Access Road Block Paving (Colour 1)
- Block Paving (Colour 2)
- Paving Slabs
- Proposed Turf
- Proposed Tree
- Proposed Landscaping
- Existing Tree
- Existing Tree Removed
- Cycle Store and Shed (Plots 2 - 4 Only)
- Bins

Landscaping Shown Indicatively. Please Refer to Landscape Architects Drawing for Full Details.

Planning	
1	1:100 (E.A.1) 1:200 (E.A.3)
2	1:100 (E.A.1) 1:200 (E.A.3)
3	1:100 (E.A.1) 1:200 (E.A.3)
4	1:100 (E.A.1) 1:200 (E.A.3)
5	1:100 (E.A.1) 1:200 (E.A.3)
6	1:100 (E.A.1) 1:200 (E.A.3)
7	1:100 (E.A.1) 1:200 (E.A.3)
8	1:100 (E.A.1) 1:200 (E.A.3)
9	1:100 (E.A.1) 1:200 (E.A.3)
10	1:100 (E.A.1) 1:200 (E.A.3)
11	1:100 (E.A.1) 1:200 (E.A.3)
12	1:100 (E.A.1) 1:200 (E.A.3)

Saunders Boston
 Mr N Cook & Mr D Brown
 169 - 173 High Street, Chesterton
 Proposed Site Plan
 Date: 11th July 2011
 Scale: 1:100 (E.A.1) 1:200 (E.A.3)
 Drawing No: NDMG
 Page: P.13



- 1 Retail (Ground Floor)
- 1A 2 Bedroom Flat (First Floor)
- 2 4 Bedroom House (3 Storey)
- 3 4 Bedroom House (3 Storey)
- 4 4 Bedroom House (3 Storey)
- 5 3 Bedroom Town House (3 Storey)
- 6 3 Bedroom Town House (3 Storey)
- 7 3 Bedroom Town House (3 Storey)
- 8 2 Bedroom Town House (2 Storey)
- 9 3 Bedroom Town House (3 Storey)
- 10 3 Bedroom Town House (3 Storey)
- 11 3 Bedroom Town House (3 Storey)
- 12 3 Bedroom Town House (3 Storey)
- 47 Sq Metres
- 58 Sq Metres
- 107 Sq Metres
- 118 Sq Metres
- 118 Sq Metres
- 87 Sq Metres
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Alison Twyford
Planning Enforcement Officer
Cambridge City Council
The Guildhall
Cambridge
CB2 3QJ

The Future Business Building
Cambridge City Football Club
Milton Road
Cambridge
CB4 1UY

30th April 2012

Dear Alison

**POTENTIAL ENFORCEMENT NOTICE – FORMER HOWARD MALLET CENTRE (NOW CITYLIFE HOUSE),
STURTON STREET, CAMBRIDGE**

I refer to your recent exchanges of emails with our Planning Agent, Colin Brown, of Januarys, and to the Report which you have prepared for consideration by the Planning Committee at its meeting next Wednesday, 2nd May.

We note your assertion that there is a breach of planning control at the former Howard Mallet Centre, due to the fact that there is a D2 Assembly and Leisure use currently taking place in the form of a gymnasium use. We further note that you assert that it is expedient for Cambridge City Council to take Enforcement Action to secure cessation of that use as its presence has displaced a community activity contrary to the requirements of Local Plan Policy 5/11.

Whilst Allia's position is that it will of course comply with the terms of any Enforcement Notice, it does believe that the following considerations ought to be taken into account:

1. Your Report to Committee confirms that the lawful planning use of the former Howard Mallet Centre is a "sui generis" use, being for a broadcasting studio, café bar and multi-media education centre, and community facility. This is in accordance with the permission which was granted under Planning Application Reference 97/1020/FP, which was granted to Dawe Media.
2. It is our understanding that the reason why the overall use of the building was deemed to be "sui generis" was because what was approved was an agglomeration of uses within an individual building envelope, and because no individual element dominated, the use was essentially a hybrid or "sui generis" use.
3. Your Committee Report confirms, at paragraph 3.2, that from 1998 to 2005 the former Howard Mallet site was leased to Dawe Media for use as a multi-media centre, and that during this time community use was limited.

4. As you will be aware, following its purchase of the site in January 2006, this organisation made a planning application in June 2006 to demolish the former Howard Mallet Centre and to erect in its place a Community Innovation Centre. That application was approved and written confirmation of Full Planning Permission 06/0567/FUL was dated 14.12.06. On application of Anna Lindsay for judicial review that permission was quashed in the High Court in July 2007. It was reconsidered by the Council's Planning Committee in January 2008, when permission for the development was refused contrary to the Officer's recommendation of approval.
5. In the Officer's report to Committee (in January 2008), at paragraph 9.8 it is commented that, *"following a number of changes in the use of the Howard Mallet building, the extent of community or leisure use of the building in recent years has been very limited; the building is not well suited to such uses in the modern era, and suffers particularly from a number of inconvenient and restricting changes of level. If the building can be regarded as a community facility or a leisure facility at all, it is of poor quality in both respects."* This comment was made in the face of representations from third parties that the proposed development was going to result in the loss of a community facility, contrary to Local Plan policy.
6. What this demonstrates very clearly, is that right through until January 2008 it had been accepted by the City Council that the level of community usage within the building was nominal. It has remained nominal since that time. Although for a period a modest amount of space within the overall building was used by a Chinese community group, this represented a small proportion of the overall floorspace within the building.
7. Earlier references to very limited community use within the building, even during the period of occupation by Dawe Media (and indeed subsequently) was, with the exception of limited use by the Chinese community, limited to a single room at mezzanine level on the southern elevation of the building. This was a single room extending to approximately 25 sq.m. The position today is that the Chinese community use has now ceased within the building completely, and the former community space is now occupied by Cambridgeshire County Council.
8. It is also the case that, from time to time, community groups made use of the main hall (which reflects the space the subject of the proposed Enforcement Notice), however that was very much on an occasional basis, and for limited periods (an hour here or there), and the gymnasium use has been the primary use of this space throughout Allia's period of ownership.
9. Allia has, in any event, re-provisioned the 25 sq.m. of dedicated community space that was present within the building to a property which it leases at Norfolk Street, where it has provided a community hall and other community space, and accordingly there is no community usage whatsoever of the former Howard Mallet Centre at this time.
10. Consequently, the picture is of a limited and declining amount of community usage going back over the last 13/14 years, acknowledged in Committee Reports and elsewhere by the City Council, and now, currently, there is no community use i.e D1 use, within the building

whatsoever. In light of this, it seems rather strange to us that a use which is quite happily taking place within the building, we believe without causing a nuisance, and which provides some limited recreational opportunities for the community, should be the subject of an Enforcement Notice in this way. The Committee Report does not really spell out the harm of retaining this use, other than an alleged conflict with Local Plan Policy 5/11 on account of loss of community usage of the former Howard Mallet Centre. As indicated above, this is simply not the case.

11. I think you and Members probably know that Allia is a charitable social investment intermediary that creates investment vehicles to raise finance for organisations delivering social impact. The organisation seeks to provide business space and to raise funding for employment initiatives through local campaigns in communities around the UK and it is commensurate with the charity's ethos to facilitate usage of its accommodation by members of the local and wider community, primarily by social enterprises. Some of Allia's income derives from the letting of space within properties that it occupies, and therefore the "offending" gymnasium use contributes to the charity fulfilling its wider objectives. It would be disappointing to the charity if this use were to be required to cease, but as indicated above, we would not wish to contest an Enforcement Notice, and would naturally comply with its terms should the Planning Committee be minded to endorse that one be served. If that is the wish of the Planning Committee, then we will immediately serve the occupiers of the gymnasium Notice to Quit, and they will then vacate the premises in accordance with the requirements of any Enforcement Notice.

I hope this helps to explain Allia's position on this matter. Whilst we are aware that you have invited us to consider the submission of a retrospective application, this is not something that we wish to do, as we have imminent proposals to redevelop the site. To this end, the gymnasium use is only temporary (albeit established for some time), and we would not wish to spend the charity's precious resources in pursuing planning at this time.

Thank you for your consideration in this matter.

Yours sincerely

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