



SOUTH AREA COMMITTEE



AGENDA

To: City Councillors: Dryden (Chair), Meftah (Vice-Chair), Ashton, Blackhurst, Birtles, McPherson, Pippas, Stuart and Swanson

County Councillors: Ashwood, Crawford and Taylor

Dispatched: Friday, 5 July 2013

Date: Monday, 15 July 2013

Time: 6.30 pm

Venue: Meeting Room - CHVC - Cherry Hinton Village Centre, Colville Road, Cherry Hinton, Cambridge, CB1 9EJ

Contact: Glenn Burgess

Direct Dial: 01223 457013

1 ELECTION OF CHAIR AND VICE CHAIR

2 APOLOGIES FOR ABSENCE

3 MINUTES *(Pages 7 - 22)*

To approve the minutes of the meeting held on 9 May 2013. *(Pages 7 - 22)*

4 MATTERS AND ACTIONS ARISING FROM THE MINUTES

5 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 should be sought **before the meeting**.

6 OPEN FORUM

7 POLICING AND SAFER NEIGHBOURHOODS *(Pages 23 - 32)*

8 ENVIRONMENTAL IMPROVEMENT PROGRAMME (*Pages 33 - 52*)

9 PLANNING APPLICATIONS

Appendix 1 for Full Details of Central Government Planning Guidance

9a 13/0310/FUL - Land between 2 & 3 Shaftesbury Road
(*Pages 63 - 110*)

9b 13/0518/FUL - 19 Worts Causeway (*Pages 111 - 134*)

9c 13/0801/CAC - 46 Alpha Terrace (*Pages 135 - 146*)

9d 13/0800/FUL - 46 Alpha Terrace (*Pages 147 - 176*)

9e 13/0581/S73 12 Rosemary Lane (*Pages 177 - 190*)

9f 13/0059/FUL - Parking Area Rear Of 66-68 Hartington Grove
(*Pages 191 - 208*)

9g 13/0286/FUL - 14 Fishers Lane (*Pages 209 - 236*)

9h 13/0681/FUL - 4 Topcliffe Way (*Pages 237 - 254*)

9i 13/0346/FUL - 3 Chalk Grove (*Pages 255 - 264*)

9j 13/0466/FUL - 33 Queen Ediths Way (*Pages 265 - 300*)

10 ENFORCEMENT ITEMS

10a Planning Enforcement Report - 28 Almoners Avenue
Enforcement report 2013 (*Pages 301 - 316*)

Meeting Information

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.

Public Speaking on Planning Items

Area Committees consider planning applications and related matters. On very occasions some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

Members of the public who want to speak about an application on the agenda for this meeting may do so, if they have submitted a written representation within the consultation period relating to the application and notified the Committee Manager that they wish to speak by **12.00 noon on the working day before the meeting.**

Public speakers will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

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speaking scheme regarding planning applications for general planning items and planning enforcement items.

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Representations on Planning Applications

Public representations on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

Submission of late information after the officer's report has been published is to be avoided. A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report.

Any public representation received by the Department after 12 noon two working days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

Filming, recording and photography

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making. Recording is permitted at council meetings, which are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chair of the meeting will facilitate by ensuring that any such request not to be recorded is respected by those doing the recording.

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<http://democracy.cambridge.gov.uk/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=42096147&sch=doc&cat=13203&path=13020%2c13203>

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Queries reports on If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

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SOUTH AREA COMMITTEE9 May 2013
7.00pm - 9.30 pm

Present: Councillors Dryden (Chair), Meftah (Vice-Chair), Ashton, Blackhurst, Birtles, McPherson, Pippas, Stuart, Swanson, Ashwood and Taylor

County Councillors: Councillor Ashwood and Taylor

Officers Present:

Head of Streets and Open Spaces: Toni Ainley

Urban Growth Manager: Tim Wetherfield

Planning Officer: Toby Williams

Safer Communities Manager: Lynda Kilkelly

Operations and Resources Manager: Jackie Hanson

Committee Manager: Glenn Burgess

Others Present:

Police and Crime Commissioner: Sir Graham Bright

Police Sergeant: Jim Stevenson

Community Fire Officer: Jim Meikle

Police Inspector: Steve Poppitt

FOR THE INFORMATION OF THE COUNCIL**13/18/SAC Apologies for Absence**

Apologies for absence were received from County Councillor Crawford.

13/19/SAC Minutes**13/16/SAC S106 funding from Area Corridor Transport Plans**

With regard to the improvements to the Robin Hood Pub signals (minute item 13/16/SAC) it was noted that the Head of Transport, Infrastructure Policy & Funding had agreed to investigate and report back to Councillor Ashton (not report back to a future meeting as indicated in the minutes).

With this minor amendment the minutes were agreed as a true and accurate record and signed by the Chair.

13/20/SAC Matters and Actions Arising from the Minutes

There were no matters and actions arising from the minutes.

13/21/SAC Declarations of Interest

Councillor	Item	Interest
Swanson	13/28/SAC	Personal: Member of the Church of St John the Evangelist
Stuart	13/26/SAC	Personal: Resident of Accordia

13/22/SAC Open ForumCommunity Announcements:

Rubbish and Recycling Event: 18 May 2013

Table Top Sale: 18 May 2013 at Trumpington Pavilion

Plant Swap: 19 May 2013 at Foster Road Allotments

Church Garden Party: 8 June 2013

Fawcett School Fete: 6 July 2013

Trumpington RA Hunstanton Trip: 20 July 2013

1) Jenny Blackhurst: Requested further information on the permission given to the car boot sale at the Trumpington Park and Ride Site, and if a condition could be added to ensure a pedestrian route to the building.

Councillor Ashwood agreed to look into the issue and liaise with the questioner outside of the meeting.

2) Stuart Weir: Raised concern that, whilst City Council officers had been very helpful, the process for Capital Grants and S106 Contributions was very complex and complicated. It was suggested that a faster, less complicated process would be beneficial.

The Head of Streets and Open Spaces acknowledged that the process could be complex and noted the comments.

13/23/SAC Police and Crime Commissioner (PCC)

The Chair welcomed Sir Graham Bright to the South Area Committee and invited him to address the meeting.

Sir Graham bright introduced himself and made the following comments:

- i. The PCC acted as the face of the public, not the face of the Police.
- ii. Police posts had been secured through increasing the precept.
- iii. The Chief Constable had been reappointed.
- iv. The Police and Crime Plan sets out the main priorities.
- v. Increasing Police visibility is a priority
- vi. Issuing all Police Officers with smart phones would allow them to access information and submit reports without having to return to the station – saving an estimated 38,000 man hours
- vii. Protecting and increasing PCSO's numbers is a priority.
- viii. Improvements had been made to the '101' non-emergency telephone number, with 94% now being answered within 30 seconds.
- ix. New Neighbourhood Watch software was being trailed in South Cambridgeshire.
- x. Responsibility for Victim Support services would pass to the PCC in 2014.
- xi. The PCC was keen to engage fully with the community, local businesses and the education sector.
- xii. A Deputy PCC was now in post along with two outreach workers to help engage with the local community.
- xiii. South Cambridgeshire is the 3rd safest place in the Country.

Questions to Sir Graham Bright:

Q1 Ms Shepherd: Raised concern regarding the lack of enforcement, for example 20mph limits and cycling on pavements.

PCC: Confirmed that work was ongoing to tackle anti-social cycling in Cambridge. He had patrolled with local Police and within 35 minutes over 17 cyclists had been ticketed. In total over 1000 tickets had been issued to cyclists without lights, with a process for rescinding the tickets if they reported back to the station with proof of purchase for new lights. As a result of this scheme it was estimated that between 800 and 900 additional cycles were now fitted with lights.

Q2 Mr Chisholm: Whilst not condoning anti-social cycling it was felt that unsafe cyclists did not cause deaths, whereas unsafe motorists did. Questioned how many motorists had been convicted of driving in cycle lanes.

PCC: Noted the comments and agreed to look at the figures.

Q3 City Councillor McPherson: Highlighted the importance of the dedicated Community Policing Teams and PCSO's.

PCC: Acknowledged the importance of these teams and confirmed that the Chief Constable would be reviewing PCSO's in 2014 with a view to increasing their responsibility and providing more training. Increasing the numbers of PCSO's would however be dependent on the budget. Highlighted the need to save £10m before 2016 but confirmed that cross working with other Police Authorities could help to achieve this.

Q4 County Councillor Taylor: Questioned whether the process of Area Committees setting Police priorities would be re-evaluated.

PCC: Confirmed that whilst the process worked well, the mechanics for setting local priorities may be looked at in the future.

13/24/SAC Policing and Safer Neighbourhoods

The committee received a report from the Neighbourhood Police Sergeant and the Community Fire Officer.

Q1 Ms Shepherd: Raised concern regarding parking issues at the Accordia Site and the impact this may have for emergency vehicles.

A: Advised that this be reported to the local Police who would tackle the issue. Highlighted that parking over a fire hydrant was also a criminal offence.

Q2 Mr Craw: Thanked the Community Fire Officer for the recent visit to the Accordia Site made by Bluewatch.

A: This comment was noted.

Q3 Mr Chisholm: Questioned whether any enforcement action had been taken against cars using mandatory cycle lanes.

A: Confirmed that, whilst motorists could not be written to with enforcement action *after* the event, the Police could stop and ticket motorists for this offence.

Q4 City Councillor Ashton: Thanked the Cherry Hinton PCSO's for all their hard work in the area and encouraged the PCC to fight to increase the budget for this important resource.

A: This comment was noted.

Q5 City Councillor Ashton: Emphasised the need to continue to tackle drug related crime in the area.

A: This comment was noted.

Q6 City Councillor Swanson: Thanked the Police for all their hard work in the Almoners Avenue area but noted that vehicles parking on the pavement in Edendale Close and Magnolia Close were now causing problems for mobility scooters.

A: Requested that further details be forwarded to the Police so that the issue could be looked at in detail.

Q7 City Councillor Pippas: Highlighted the importance of the Immobiliser Scheme

A: Confirmed that there would be a campaign locally to promote the scheme further.

Q8 County Councillor Taylor: Questioned what responses had been received to the recent survey on Police Surgeries in the Queen Edith's area.

A: It was confirmed that mobile Police Surgeries would be held at Addenbrookes Hospital and outside of Waitrose.

Q9 County Councillor Taylor: Suggested that areas in the north of the Ward near to schools would benefit from a Police Surgery.

A: This comment was noted.

Resolved (by 10 votes to 0) to adopt the following priorities

- i. Reduce the theft of pedal cycles in the South area
- ii. Combat the supply of drugs in the South area
- iii. Vehicle parking issues in Almoners Avenue and Mill End Road

13/25/SAC Community Development and Leisure Grants

The committee received a report from the Operations and Resources Manager.

Resolved (unanimously) to:

Agree the proposed awards detailed in Appendix 1 of the officers report and summarised in the table below:

Ref	Organisation	Purpose	Award
S1	Accordia Community Residents Association	Big Outdoors Music Event	£700
S2	Accordia Community Residents Association for Families living in Accordia Social Housing	Summer trip to Yarmouth	£455
S3	Cambridge Royal Albert Homes	Coach trip to Woburn Safari Park	£360
S4	Centre at St Pauls	New electric ovens	£1,000
S5	Centre at St Pauls for Families from Newton Area	Coach trip to Shepreth Wildlife Park	£129
S6	Denis Wilson Court Social Club	1. Visit to the Arts Theatre 2. 'Celebration of Age' event 3. Christmas lunch event 4. New Year brunch	£1,145
S7	Hanover and Princess Court Residents' Association	1. Christmas event 2. Summer outing 3. September barbeque 4. Community room launch	£1,923
S8	Newtown Residents' Association	Website development	£1,500
S9	Rawlyn Court Resident's Association	Country and Western evening	£ 340
S10	St Andrew's Tuesday Club	Social activities: talks, parties, trips	£1,550

S11	The Cherry Hinton Townswomen's Guild	50 th Anniversary	£300
S12	Trumpington Bowls Club	Equipment for bowls games	£1,473
S13	Trumpington Elderly Action Group	1. 8 meetings per year 2. Summer trip 3. Christmas outing 4. New Year Party	£1,336
S14	Queen Edith Community Forum	4 newsletters (quarterly)	£2,000
S15	Queen Edith Community Forum	Environment Day	£400
S16	Queen Edith Community Forum	Fun on the Rec event	£300
S17	Queen Edith Community Forum	Christmas event	£300

13/26/SAC Devolved decision-making and developer contributions: taking forward South Area's priority projects

The committee received a report from the Urban Growth Project Manager.

A revised version of table 4.1 of the officer's report was circulated at the meeting. This can be accessed via:

<http://democracy.cambridge.gov.uk/documents/b7189/Develoved%20Decision%20Making%20Report%2009th-May-2013%2019.00%20South%20Area%20Committee.pdf?T=9>

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Q1: Ms Saunders: Asked for an update on when Trumpington Bowls Club may be considered for future S106 funding.

A: It was confirmed that a second round of shortlisting and prioritisation would be reported back to the committee in the autumn. It was however noted that the number of schemes outnumbered the funding available.

Q2: Mr Cray: Noted that the 2nd round of prioritisation was originally scheduled for March and raised concern regarding the governance of the process.

A: It was clarified that the timing of the second round was revised in the light of the area consultation and first round priority-setting processes, in order to focus on the delivery of priority projects. The change of timescales for the second round was reported to the Community Services Scrutiny Committee last January and was publicised via an email to all workshop participants and via the Council's Developer Contributions web page.

The opportunity to clarify the governance arrangements was welcomed. The process for devolved decision making has been set out in reports to the Community Services Scrutiny Committee in January and June 2012. Area workshops and other consultation took place in autumn 2012. Over 250 project ideas for new/improved facilities were received. All these ideas were summarised and reported to the area committees in November 2012. First round priorities were agreed by those area committees and strategic priorities were also identified by the executive councillors following a report to the Community Services Scrutiny Committee in January 2013. The Council's Developer Contributions web page (www.cambridge.gov.uk/s106) provides an overview of the approach being taken, with links to background reports and other useful information.

The Recreation Services Manager highlighted the 8 week consultation for outdoor fitness equipment/trim trail at Nightingale Avenue Recreation Ground. It was noted that an on-line consultation had been launched, leaflets distributed and discussions held with councillors and the public. A report would be brought back to the South Area Committee and, if agreed, the equipment could be installed in September.

Q3: City Councillor Ashton: Asked how confident officers were of completing the Cherry Hinton Recreation Ground improvements by spring 2014.

A: The Head of Streets and Open Spaces confirmed that the three projects would need to be phased due to the positioning of some of the equipment. Officers were optimistic of completing the works on time but with this type of project it was dependent on the weather. The Urban Growth Project Manager confirmed that the refurbishment of the existing play equipment had already been completed.

Resolved (unanimously) to:

- i. Note the steps being taken to deliver the South Area Committee's priority projects funded by devolved developer contributions.

13/27/SAC Enforcement Expediency Report: 28 Almoners Avenue

The committee received a report asking members to authorise the closure of an Enforcement Investigation into works, which are not in accordance with the approved plans for 11/0781/FUL on the grounds that it is not expedient to pursue the breach of planning control further.

The Committee:

Resolved (by 0 votes to 9) to reject the officer recommendation that the Head of Planning Services be authorised to close the investigation into unauthorised operational development at 28 Almoners Avenue on the grounds that it is not expedient to pursue the matter further.

Resolved (by 9 votes to 0) that a report authorising enforcement action be brought back to the next South Area Planning Committee for consideration.

13/28/SAC 13/0409/FUL - EF Language School, 221 Hills Road

The committee received an application for full planning permission.

The application sought approval for Partial demolition of an existing language school and replacement with a new side extension with increased social space. The amount of teaching space and Use Class (D1 - Non-residential Education and Training Centres) remains the same.

The Case Officer highlighted the following minor addition to the proposed Condition 13 (addition underlined):

13. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope and including plant (having regard to the building fabric, glazing and ventilation) shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice".

The applicant's agent spoke in support of the application.

The Committee:

Resolved (unanimously) to accept the officer recommendation to GRANT DELEGATED AUTHORITY to officers to approve the application subject to:

- the conditions listed below
- the Nature Conservation Officer and the Planning Case Officer being satisfied that the necessary additional bat emergence surveys have taken place and that any proposed mitigating measures are acceptable; and
- officers drafting and attaching to the permission any additional conditions which, in the officers' opinion, are necessary to address the protection of bats including to secure any required mitigating measures.

(ii) If Officers are not satisfied that the additional bat emergence surveys have taken place, or they are not satisfied that the proposed mitigating measures are acceptable, the application is to be brought back to the next meeting of South Area Committee.

Conditions and reasons for approval:

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. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

4. No development, other than demolition, shall commence until full details of the following architectural features have been submitted to, and approved in writing by the local planning authority. This may require drawings at 1:20. Development shall proceed only in accordance with the agreed details. main entrance roof ridges and eaves recessed masonry panels door and window joinery junctions with the original building metal shutters fire escape stairs

Reason: To ensure the building responds appropriately to its context. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

5. Except with the prior written agreement of the local planning authority 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. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

7. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

8. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of neighbouring occupiers and highway users (Cambridge Local Plan 2006 policy 3/4)

9. No development shall take place until a site visit has taken place involving the retained arboriculturalist, the developer and the City Council Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection. Development shall proceed thereafter only in accordance with the agreed details.

Reason: To protect trees of amenity value. (Cambridge Local Plan 2006 policy 4/4)

10. The agreed means of tree protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect trees of amenity value. (Cambridge Local Plan 2006 policy 4/4)

11. No development other than demolition 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, demonstration that no excavation will be carried out within Root Protection Areas; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures including cycle hoops, picnic tables and railings; services above and below ground including drainage, power, and communications cables. 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

12. No development shall take place until full details of surface water attenuation have been submitted to, and approved in writing by, the local planning authority.

Reason: To avoid the risk of flooding. (Cambridge Local Plan policy 4/16)

13. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope and including plant (having regard to the building fabric, glazing and ventilation) shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice". The approved scheme shall be fully implemented and a completion report submitted prior to the occupation of the noise sensitive development. The approved scheme shall remain unaltered in accordance with the approved details.

Reason: To protect the amenity of future occupiers from noise.
(Cambridge Local Plan 2006 policies 3/4 and 4/16)

14. No development other than demolition shall take place until full details of the provision for the storage of waste and recycling have been submitted to, and approved in writing by, the local planning authority.

Reason: To ensure satisfactory waste storage (Cambridge Local Plan policy 3/12)

15. Before the development/use hereby permitted is commenced, details of equipment for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced.

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

16. No unbound material shall be used on the surface of the vehicle access within 6m of the boundary of the public highway.

Reason: To prevent the spread of debris onto the highway. (Cambridge Local Plan 2006 policy 8/2)

17. 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)

18. 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)

INFORMATIVE: To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

Cambridge City Council's Supplementary Planning Document
'Sustainable Design and Construction 2007':

http://www.cambridge.gov.uk/public/docs/sustainable-designand_construction-spd.pdf

Control of dust and emissions from construction and demolition
- Best Practice Guidance produced by the London Councils:
http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

INFORMATIVE: To satisfy the standard condition on 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) (i.e. the rating level of the plant needs to match the existing background level). This requirement applies 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 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 applicant is advised that the accessibility of the building for people with disabilities would be significantly improved if the following enhancements were incorporated: entrance door wider and power assisted and preferably automatic avoidance of dog-leg turn in entrance lobby foyer double doors asymmetric, power assisted and preferably automatic dropped height section and hearing loop in reception hearing loops in classrooms fire alarm provision for those with hearing impairments. good colour contrast within the building to aid visually impaired users to wayfind.

Reasons for Approval

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

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/7, 3/12, 4/4, 4/13, 4/16, 7/11, 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.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy

Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at

www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm

The meeting ended at 9.30 pm

CHAIR

Neighbourhood profile update Cambridge City South Neighbourhood

July 2013



**Steve Poppitt, Safer
Neighbourhoods
Inspector**

**Lynda KilKelly, Safer
Communities Manager,
Cambridge City Council**



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1. INTRODUCTION

Aim

The aim of the Neighbourhood profile update is to provide an overview of action taken since the last reporting period, identify ongoing and emerging crime and disorder issues, and provide recommendations for future priorities and activity in order to facilitate effective policing and partnership working in the area.

The document should be used to inform multi-agency neighbourhood panel meetings and neighbourhood policing teams, so that issues can be identified, effectively prioritised and partnership problem solving activity undertaken.

Methodology

This document was produced using the following data sources:

- Cambridgeshire Constabulary crime and anti social behaviour (ASB) incident data for April 2013 to May 2013, compared to the previous two months (February 2013 to March 2013) and the same reporting period in 2012.
- City Council environmental services data for the period April to May 2013; and
- Information provided by the Safer Neighbourhood Policing Team, Cambridgeshire Fire & Rescue Service and the City Council's Safer Communities Section.

2. CURRENT PRIORITIES

At the South Area Committee meeting of 9 May 2013, the committee recommended adopting the following priorities:

- Reduce the theft of pedal cycles in the South Area;
- Combat the supply of drugs in the South area; and
- Vehicle parking issues in Almoners Avenue and Mill End Road.

The Neighbourhood Action Group, at its meeting of 16 May, assigned the actions to be taken and the lead officers for each of the priorities. The tables below summarise the action taken and the current situation.

Reduce the theft of pedal cycles in the South Area	
Objective	<ul style="list-style-type: none"> □ Reduce the theft of pedal cycles in Trumpington, specifically those occurring in the Newtown area of the Ward. □ Increase the awareness of local pedal cyclists about the risks of becoming a victim of cycle crime, by encouraging the use of sound crime prevention measures.
Action Taken	<p>The work undertaken by the South area team consists of two approaches to tackling the cycle crime problem in Newtown: crime prevention and targeted enforcement.</p> <p>The crime prevention work consists of visits to local businesses, residences with communal cycle parks and educational premises, as well as local engagement with cyclists in the street and at neighbourhood surgeries. We are promoting the use of good quality locks and the Immobilise internet database.</p> <p>The message of Register, Report and Reunite is now a recurring theme on the South Area e-cops messages and frequent high visibility patrols around the Newtown area have been used to deter would be offenders. Over the last reporting period, there have been approximately 12 hours of dedicated patrols on this priority.</p>
Current Situation	<p>There continue to be high levels of cycle crime associated with the Trumpington beat area. Cycle crime for this reporting period (60 offences) compared to the previous reporting period (31 offences) and the same reporting period last year (39 offences) shows an increase. Analysis of this increase shows that almost all of the Trumpington cycle crime occurs in the Newtown area with its increasing number of residential and student accommodation. Its large number of commercial and educational premises and its proximity to the town centre being</p>

	contributing factors to the prevalence of cycle crime in the area. As the summer seasonal peak approaches the historical data suggests that this is the time for continued and focused attention.
Lead Officer	Sergeant Jim Stevenson, Cambridgeshire Constabulary

Combat the supply of drugs in the South Area	
Objective	<ul style="list-style-type: none"> □ Target individuals and organised groups travelling to the South area of Cambridge to engage in the supply of controlled drugs, particularly Class A drugs. □ Target the supply of drugs, particularly Class A drugs, by individuals resident in the South area.
Action Taken	<p>In the last two months, the South area police team, working with the East area police team, have successfully executed 4 search warrants under the Misuse of Drugs Act 1971. This has resulted in the recovery of several quantities of Class A and Class B drugs and the discovery of a sizeable cannabis factory containing plants with a potential street value of £50,000.</p> <p>Three people have been arrested for being concerned in the supply of Class A drugs, one person reported for possession of class B drugs and one person circulated as wanted for being concerned in the production of a class B drug.</p> <p>Information supplied by concerned residents led to the stop of three vehicles. The first one resulted in the recovery of a small amount of Class B drugs and the cautioning of a male for possession. The second resulted in the arrest of 3 persons for being concerned in the supply of Class A drugs all of whom are now on police bail. The last resulted in the recovery of another small amount of Class B and two Formal Warnings for the occupants.</p> <p>Enquiries made as a result of the second vehicle stop resulted in the search of a premises under powers granted by the Police and Criminal Evidence Act 1984. A cannabis factory was found at the premises as well as a quantity of Class A drugs. The two occupants were arrested for possession of Class A, Possession of Class B, Production of Class B and permitting premises to be used for the production of a controlled drug.</p> <p>A welfare visit to the tenant of one of the addresses searched under a court warrant resulted in the discovery of another suspected Class A dealer setting up shop in the premises and</p>

	another arrest for possession with intent to supply.
Current Situation	Intelligence and information from the public still continues to come to the attention of the South team. This indicates there are still several individuals in the South area who remain active in the supply of controlled drugs. Work is currently being undertaken to develop this information into a form that can be presented to a court so that further search warrants can be issued and executed. Although we have received some positive feedback from local residents about individuals we have already targeted, this is balanced by information about new individuals coming to the attention of concerned residents. There is still plenty of information that organised groups of individuals continue to travel to Cambridge from outside the area to supply controlled drugs. Identifying and targeting those individuals remains a priority for the South team.
Lead Officer	Sergeant Jim Stevenson, Cambridgeshire Constabulary

Vehicle parking issues in Almoners Avenue and Mill End Road	
Objective	To reduce the incidents of anti-social and illegal parking in the areas of Almoners Avenue and Mill End Road.
Action Taken	<p>Almoners Avenue</p> <p>Anti-social parking problems continue along Almoners Avenue, especially on that part of the road between Topcliffe Way and Beaumont Road. Double parking is common, where vehicles have parked on both sides of the road causing the obstruction. Unfortunately, it is rare that it can be established which vehicle parked there last, causing the obstruction as the person parking first did so quite lawfully. This is making fair punitive enforcement action difficult.</p> <p>A joint day of action is planned with the Fire Service. We are also liaising with Addenbrooke's Hospital to get messages about considerate parking around the hospital out to their staff and visitors via their own internal and public information sources such as the quarterly staff newsletter.</p> <p>Mill End Road</p> <p>The bollards and cycle rack were installed in April due to the number of complaints the police and councillors had been receiving from residents with regards to people driving on the path and parking outside the shop. The first set of bollards did not discourage people and they were still parking outside the shop. However since the last bollard was placed in June this has stopped people parking on the path at the front of the</p>

	<p>shop.</p> <p>The problem has shifted to people now parking on the double yellow lines on Mill End Road. The police cannot issue Fixed Penalty Notices (FPNs) for this offence so have contacted Cambridgeshire Parking Services who have given an undertaking to increase the frequency of their patrols in response to this issue and issue Penalty Charge Notices when appropriate. The police continue to move people, work with the local shops to discourage people from parking illegally and issue FPNs for the offence of causing an unnecessary obstruction.</p>
Current Situation	<p>Although the situation in both areas remains far from ideal, positive work with partner agencies has been undertaken and more is planned. This situation is unlikely to be resolved purely through police enforcement and further work with Highways, the Fire Service and local parking enforcement can be progressed as part of business as usual.</p> <p>The fire service continues to monitor and engage with drivers who park and constrict access in the Queen Edith's for emergency vehicles. 14 hours of time was devoted to engaging with drivers parking in the constrained area of Almoners Ave. Advisory notices placed on 47 cars and posters attached to lamp posts in the affected areas. However when there is no presence, drivers continue to park regardless. There has been no response from the County Highways Department with regard for a request for temporary measures to be enacted at this location pending the outcome of larger scale research.</p>
Lead Officer	Sergeant Jim Stevenson, Cambridgeshire Constabulary

3. PRO-ACTIVE WORK & EMERGING ISSUES

- ❑ Although the statistics only cover a two month period, overall crime is down compared to same period last year
- ❑ Good reductions in criminal damage and shed burglary compared to same period last year
- ❑ Anti-social behaviour is stable
- ❑ Previous experience indicates there may be a seasonal increase in ASB in the Spinney School area which is associated with the 'lake' in Cherry Hinton. This is therefore recommended as a priority.

4. ADDITIONAL INFORMATION

CURRENT CRIME & ASB INCIDENT LEVELS BY WARD

AREA	WARD	Period	Dwelling Burglary	Other Burglary	Violent Crime	Robbery	Theft of Vehicle	Theft from Vehicle	Cycle Theft	Theft from Shop	Criminal Damage	Other Crime	TOTAL CRIME	TOTAL ASB
City South		April 13 – May 13	12	6	36	0	2	13	60	3	21	51	204	133
		April 12 – May 12	12	16	47	2	6	7	39	5	31	62	227	132
		Feb 13 – March 13	11	16	30	0	1	15	31	5	21	36	166	91
Cherry Hinton		April 13 – May 13	2	1	10	0	1	4	11	1	10	11	51	43
		April 12 – May 12	4	6	21	0	5	4	12	2	8	13	75	41
		Feb 13 – March 13	2	2	7	0	0	2	8	0	5	9	35	22
Queen Edith's		April 13 – May 13	8	1	19	0	0	3	15	1	5	12	64	41
		April 12 – May 12	4	6	14	2	1	2	11	1	10	16	67	45
		Feb 13 – March 13	7	5	11	0	0	3	11	0	8	14	59	33
Trumpington		April 13 – May 13	2	4	7	0	1	6	34	1	6	28	89	49
		April 12 – May 12	4	4	12	0	0	1	16	2	13	33	85	46
		Feb 13 – March 13	2	9	12	0	1	10	12	5	8	13	72	36

ARSON DATA

Period: April 2013 to May 2013

Deliberate fire summary:

Incident	Refuse	Bin	Vehicle	Residential	Non residential
Cherry Hinton					2
Queen Edith's					1
Trumpington					

General	The south of the city remains very quiet in terms of fire related anti-social behavior. However the fire service is aware of community concerns regarding youth conduct in the area. The service is undertaking preventative patrols in the area and working with partners to maintain a preventative presence.
Cherry Hinton	Two grass fires.
Queen Edith's	Single small fire outdoor structure.
Trumpington	Nil.

ENVIRONMENTAL SERVICES DATA

Cherry Hinton

Abandoned vehicles

- April 2013 to May 2013: 3 reports, which included 3 vehicle subsequently claimed by their owners
- Hotspots: None
- April 2012 to May 2012: 3 reports

Fly tipping

- April 2013 to May 2013: 22 reports
- Hotspots: None
- April 2012 to May 2012: 6 reports

Derelict cycles

- April 2013 to May 2013: 1
- Hotspots: None
- April 2012 to May 2012: 1

Needle finds

- April 2013 to May 2013: None
- Hotspots: None

- April 2012 to May 2012: None

Queen Edith's

Abandoned vehicles

- April 2013 to May 2013: 2 reports, which included
 - 1 vehicle subsequently claimed by their owners
 - 1 CLE26 notices issued to offenders on behalf of the DVLA for not displaying road tax on a public highway
- Hotspots: None
- April 2012 to May 2012: 1 report

Fly tipping

- April 2013 to May 2013: 2 reports
- Hotspots: None
- April 2012 to May 2012: 2 reports

Derelict cycles

- April 2013 to May 2013: 2
- Hotspots: None
- April 2012 to May 2012: 8

Needle finds

- April 2013 to May 2013: None
- Hotspots: None
- April 2012 to May 2012: None

Trumpington

Abandoned vehicles

- April 2013 to May 2013: 2 reports, which included 2 vehicles not on site following inspection
- Hotspots: None
- April 2012 to May 2012: No reports

Fly tipping

- April 2013 to May 2013: 15 reports
- Hotspots: Anstey Way (4)
- April 2012 to May 2012: No reports

Derelict cycles

- April 2013 to May 2013: 9
- Hotspots: None
- April 2012 to May 2012: 9

Needle finds

- April 2013 to May 2013: None
- Hotspots: None
- April 2012 to May 2012: None

5 RECOMMENDATIONS

- Reduce the theft of pedal cycles in the South area
- Combat the supply of drugs in the South area
- Anti-social behaviour around the Spinney School area



To: South Area Committee 15/07/2013

Report by: Simon Payne
Director of Environment

Wards affected: Trumpington, Queen Ediths, Cherry Hinton

ENVIRONMENTAL IMPROVEMENT PROGRAMME

1.0 Executive summary

- This report requests that the Committee determine which of the proposed EIP schemes are allocated funding as part of the 2013/14 Environmental Improvement Programme, from those listed in Appendix A of this report.
- This report also requests that the Committee determine whether the proposed minor traffic regulation order schemes, listed in Appendix E of this report under 'Proposed Traffic Regulation Order Schemes', should be allocated funding from its remaining joint minor highway works budget.

2.0 Recommendations

The South Area Committee is recommended:

- 2.1 To allocate funding of up to £74,448 to the list of proposed projects in Appendix A of this report.
- 2.2 To approve those projects for implementation, subject to positive consultation and final approval by local Ward Councillors.
- 2.3 To note the progress of existing schemes listed in Appendix C of this report.
- 2.4 To approve the delivery of the new minor traffic regulation orders listed in Appendix E, at an estimated cost of £2000, funded by the remainder of the South Area Committee 2011/12 joint minor highway works budget.

3.0 SUGGESTED SCHEMES FOR THE 2013/14 PROGRAMME

- 3.1 Initial feasibility work has been carried out on all of the schemes that have been suggested for the 2013/14 Environmental Improvement Programme (EIP).
- 3.2 The table in Appendix A lists all of the schemes that could be feasibly delivered as part of this year's EIP Programme, should they be allocated funding by South Area Committee.
- 3.3 Any scheme that involves the public highway was submitted to the Highway Authority (Cambridgeshire County Council), to apply for funding from the County Council's Minor Highway Works Budget.
- 3.4 None of the schemes have yet secured funding from the County Council minor highway works budget for 2013/14.
- 3.5 The South Area Committee has £74,448 available to allocate to schemes from its Environmental Improvement Programme Budget. This is made up of an annual allocation of £41,800, plus savings from projects completed within budget from previous programme years of £32,648.
- 3.6 Further details of the proposed schemes can be found in Appendix A of this report.
- 3.7 Some of the suggested schemes for this year's programme have not been included in Appendix A. This is a result of the scheme not being deliverable or the work implemented by others. Table below provides a summary of these schemes.

Scheme	Position
Hills Road – Verge Protection	Illegal verge parking on Hills Road, between Fendon Road and Wort's Couseway has been addressed by the Cambridgeshire County Council.

Table 1.0. Schemes that are non-deliverable or have been already implemented by others.

4.0 PROPOSED TRAFFIC REGULATION ORDER SCHEMES

- 4.1 In 2011/12 the County Council, through the Cambridge Area Joint Committee, allocated £5500 to the South Area Committee from its minor highway works budget, to deliver minor traffic regulation orders and related works.

- 4.2 The South Area Committee approved a matched funding allocation from its Environmental Improvement Programme budget in September 2011, taking the total budget to £11,000.
- 4.3 Since then various traffic regulation orders have been delivered, following approval by this Committee, as shown in Appendix E under 'Traffic Regulation Orders Implemented'.
- 4.4 There are also some proposed orders that are still in progress from the list of proposed schemes put forward last year as shown in Appendix E under 'Traffic Regulation Orders in Progress'.
- 4.5 These schemes rely on resources made available by the County Council as the traffic authority. The City Council does not have the authority to carry out the statutory process required for the introduction of the traffic regulation order. It also cannot determine any objections that are subsequently received. This currently has to be carried out by the respective portfolio holder, County Cllr Mac McGuire.
- 4.6 Taking into consideration the cost of schemes that have now been completed and the estimated cost of those still in progress, the remaining budget available for new suggested schemes is approximately £6500.
- 4.7 Suggestions have been received from Ward Councillors and Officers from the City Council's Waste Services Department.
- 4.8 There are streets across the city where access for larger vehicles is made very difficult or in many cases impossible by the location of on street parking.
- 4.9 This also has a direct implication for emergency services, particularly the fire brigade, where the consequences are far more serious.
- 4.10 All of the suggestions made by these officers have therefore been included in Appendix E.
- 4.11 Members of the Committee are asked to approve further development and implementation of the schemes listed Appendix E under 'Proposed Traffic Regulation Order Schemes', subject to positive consultation and any subsequent objections to the proposed TRO being upheld as part of the statutory process.

5.0 Background papers

None

6.0 Appendices

APPENDIX A

Summary of Feasible EIP Schemes for 2013/14.

APPENDIX B

Details of Proposed Schemes

APPENDIX C

Progress of Existing Schemes

APPENDIX D

EIP Eligibility Criteria

APPENDIX E

Proposed Minor Traffic Regulation Order Schemes

7.0 Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Andrew Preston
Author's Phone Number: 01223 457271
Author's Email: andrew.preston@cambridge.gov.uk

SUMMARY OF FEASIBLE EIP SCHEMES FOR 2013/14(CCMHW) = County Council Minor Highway Works Budget
(ESF) = Environmental Safety Fund

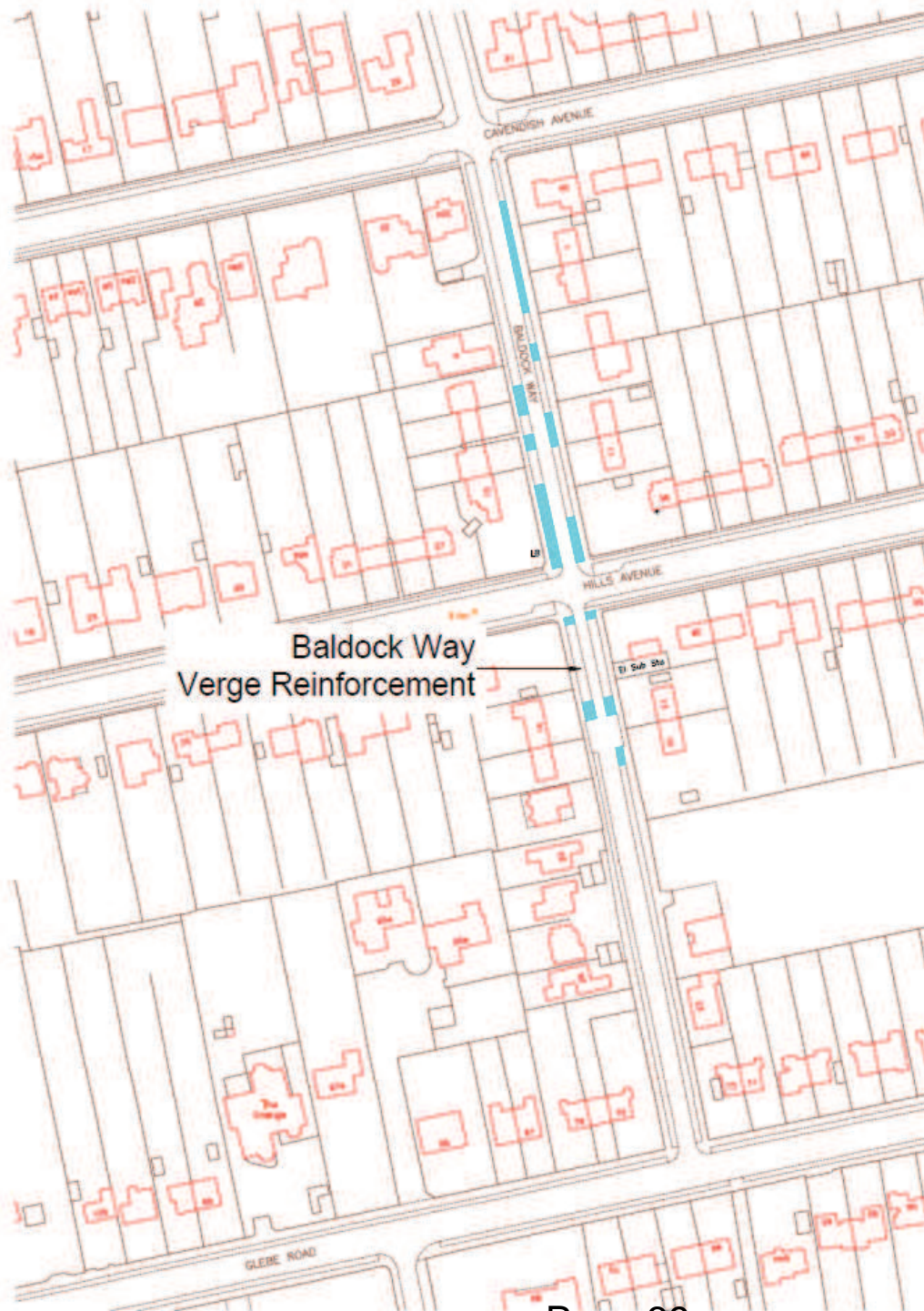
No.	Scheme Title	Scheme Description	Promoted by	Ward	Estimated Budget £	Secured funding contributions £	EIP Allocation requested	Risks to delivery
1	Baldock Way - Verge Reinforcement	Existing grass verges which are subject to vehicle overrun to be reinforced and reseeded. Selected driveways to be widened and resurfaced.	Councillor Sue Birtles	Queen Edith	25,000	0	25,000	Tree routes, position and depth of underground services may impede/ prevent installation.
2	Bateman Street - New Tress and Improved Tree Pits	Improvements to existing tree pits and planting new trees.	Local Councillor	Trumpington	20,000	0	20,000	Existing layout, street furniture and underground services may impede/ prevent required works.
3	Fendon Road - Controlled Pedestrian Crossing	Installation of a controlled pedestrian crossing on the approach to the junction with Queen Edith's Way	Councillor George Pippas	Queen Edith	70,000	0	70,000	Proposal is subject to site constraints. Needs to be approved by the Cambridgeshire County Council as highway authority.
4	Babraham Road - Verge Reinforcement	Soft landscaping improvements - existing grass verges which have been subject to vehicle overrun to be reseeded. Existing crossovers to be re-profiled.	Councillor Sue Birtles	Queen Edith	15,000	0	15,000	Tree routes, position and depth of underground services may impede/ prevent installation.

APPENDIX A

No.	Scheme Title	Scheme Description	Promoted by	Ward	Estimated Budget £	Secured funding contributions £	EIP Allocation requested	Risks to delivery
5	Godwin Way - Amendments to Carriageway Layout	Carriageway adjacent to the existing grass island to be widened.	Councillor Sue Birtles	Queen Edith	3,000	0	3,000	Underground services may impede/ prevent construction works. Needs to be approved by the Cambridgeshire County Council as highway authority.

Scheme Number:	1
Scheme Title:	Baldock Way – Verges Stabilisation
Scheme Description:	Grass verges affected by vehicle over-run to be appropriately reinforced and reseeded. Driveways to be widened and resurfaced where required.
Promoted by:	Sue Birtles
Ward:	Queen Edith
Estimated Budget:	£25,000
Risks to Delivery:	Existing tree routes, street furniture, position and depth of the underground services may impede installation and increase cost. Proposal to be approved by the Cambridgeshire County Council as the highway authority.
Further Scheme Information:	-

Location Plan:

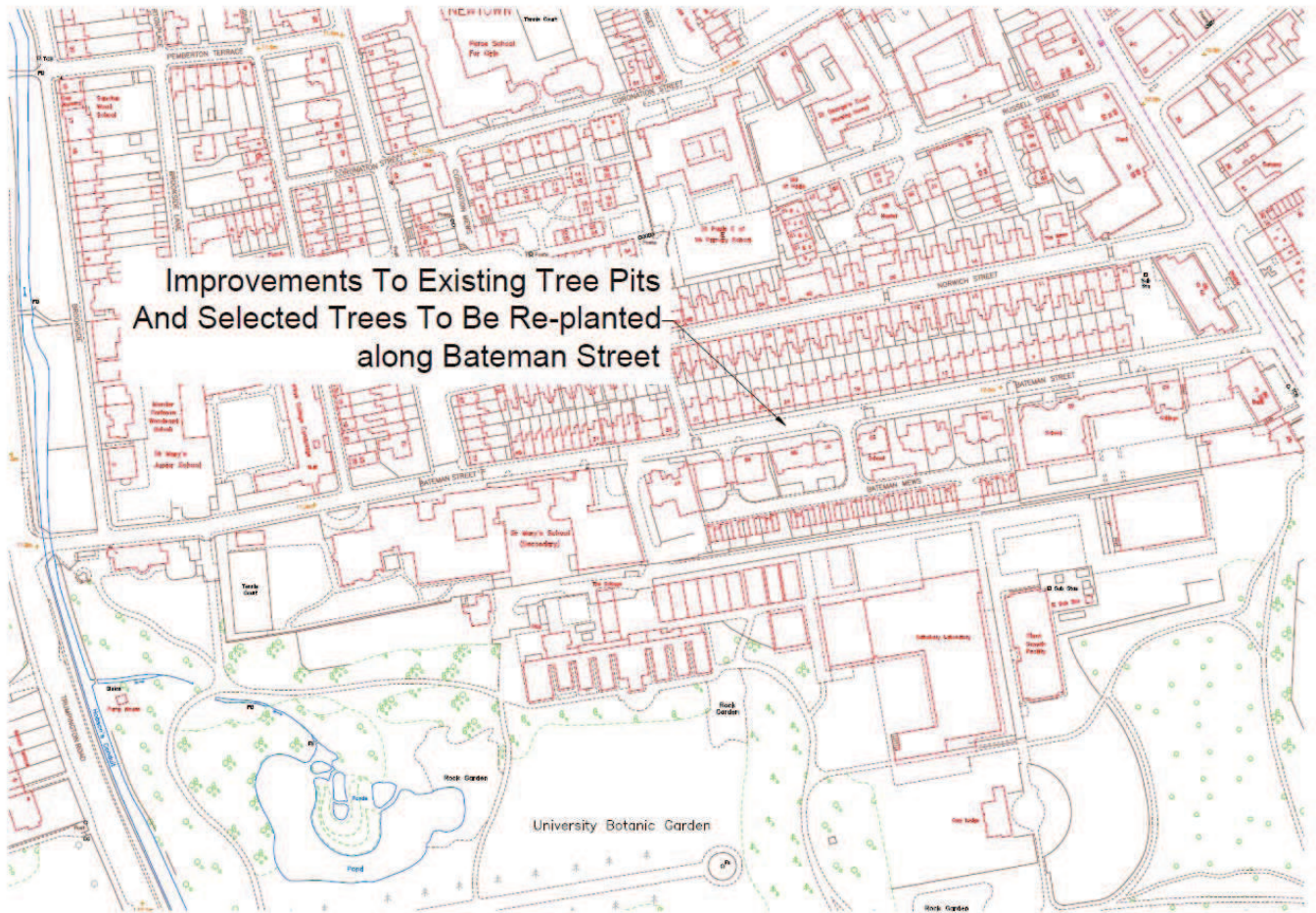


Selected Photos of Existing Location:



Scheme Number:	2
Scheme Title:	Bateman Street – Improved Tree Pits and New Trees
Scheme Description:	Existing trees to be retained and new trees to be planted, in order to replace those which did not survive. All existing tree pits to be improved. Larger tree pits are required to provide sufficiently large volume of soil to supply the trees with water and nutrients needed for growth. Also appropriate species to be selected.
Promoted by:	Local councillors
Ward:	Trumpington
Estimated Budget:	£20,000
Risks to Delivery:	Existing street furniture, position and depth of the underground services may impede installation and increase cost. Proposal to be approved by the Cambridgeshire County Council as the highway authority.
Further Scheme Information:	-

Location Plan:

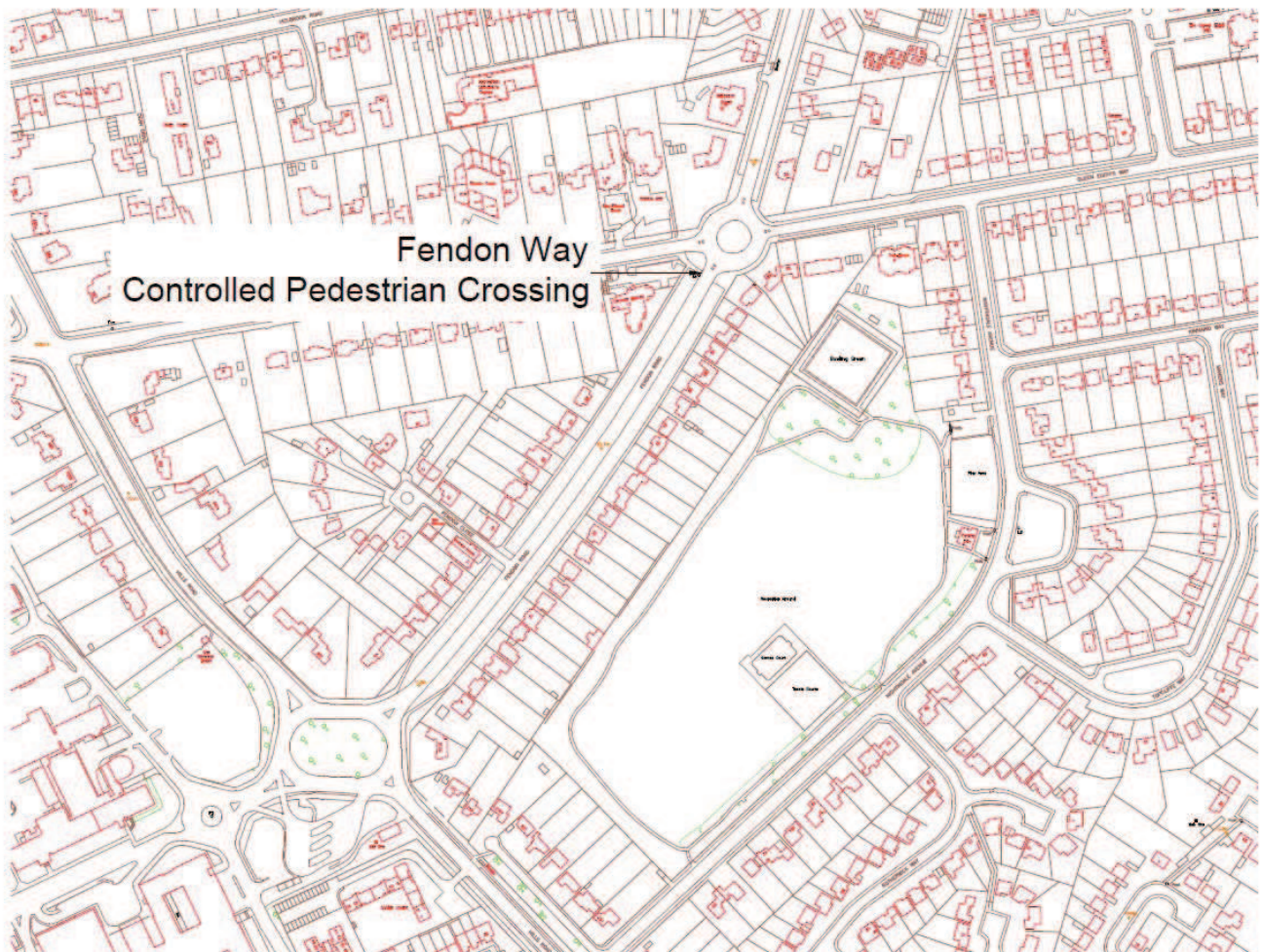


Selected Photos of Existing Location:



Scheme Number:	3
Scheme Title:	Fendon Road - Controlled Pedestrian Crossing
Scheme Description:	Installation of a controlled pedestrian crossing on the approach to the junction with Queen Edith's Way. Existing uncontrolled crossing to be removed. New crossing to be located at 20m from the give way line. The crossing to comprise of the appropriate tactile paving, road markings and features that cater for the needs of those with visual disabilities.
Promoted by:	George Pippas
Ward:	Queen Edith
Estimated Budget:	£70,000
Risks to Delivery:	The crossing is subject to site constraints. Needs to be approved by the Cambridgeshire County Council as the highway authority.
Further Scheme Information:	-

Location Plan:

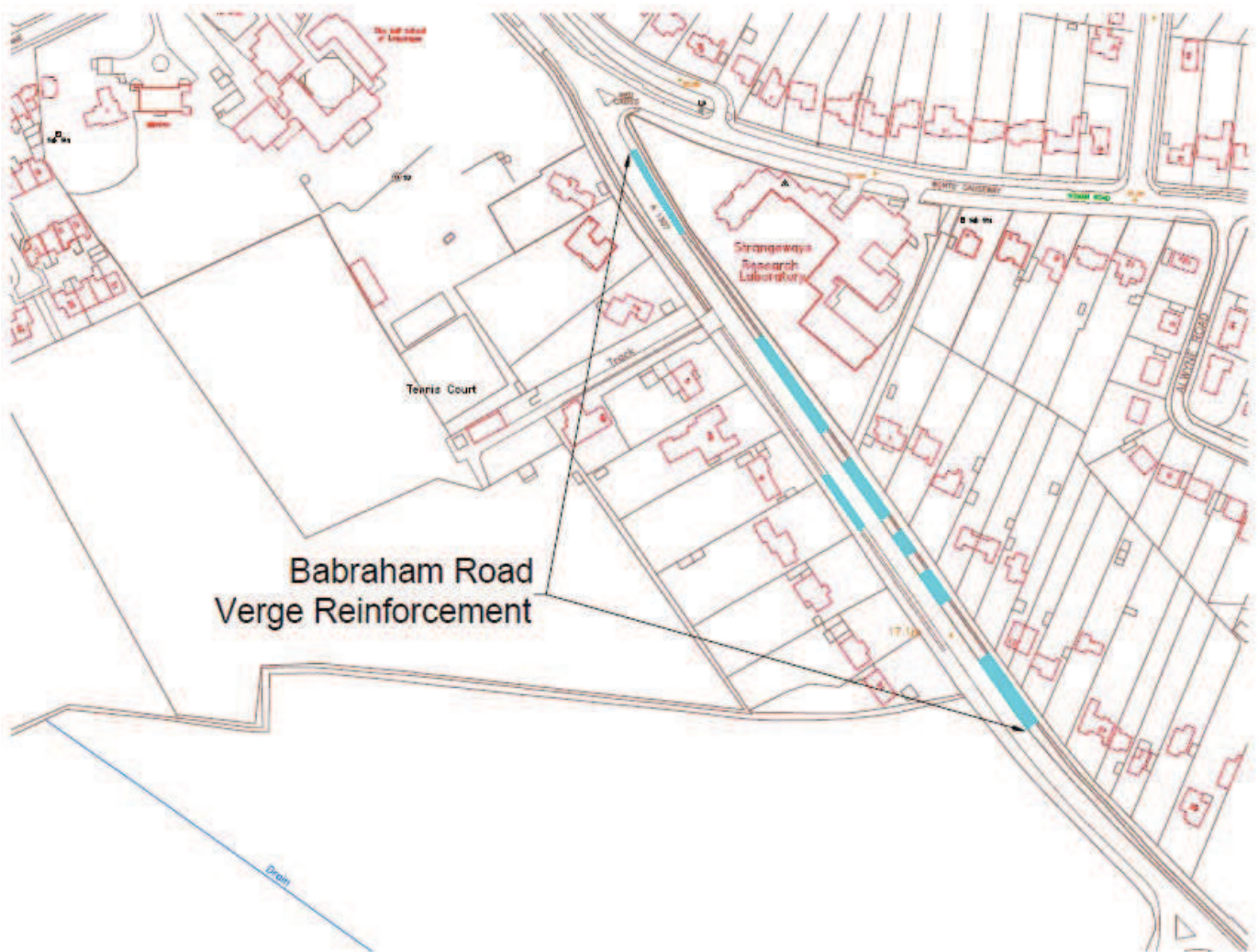


Selected Photos of Existing Crossing:



Scheme Number:	4
Scheme Title:	Hills Road - Verge Protection
Scheme Description:	Illegal verge parking on Hills Road, between Fendon Road and Wort's Couseway has been already addressed by the Cambridgeshire County Council. As grass verges on Babraham Road have been badly damaged by vehicular over-run, it is recommended to reseed them. Selected crossovers to be re-profiled.
Promoted by:	Sue Birtles
Ward:	Queen Edith
Estimated Budget:	Proposed works on Babraham Road priced at 15,000
Risks to Delivery:	Proposal to be approved by the Cambridgeshire County Council as the highway authority.
Further Scheme Information:	-

Location Plan:



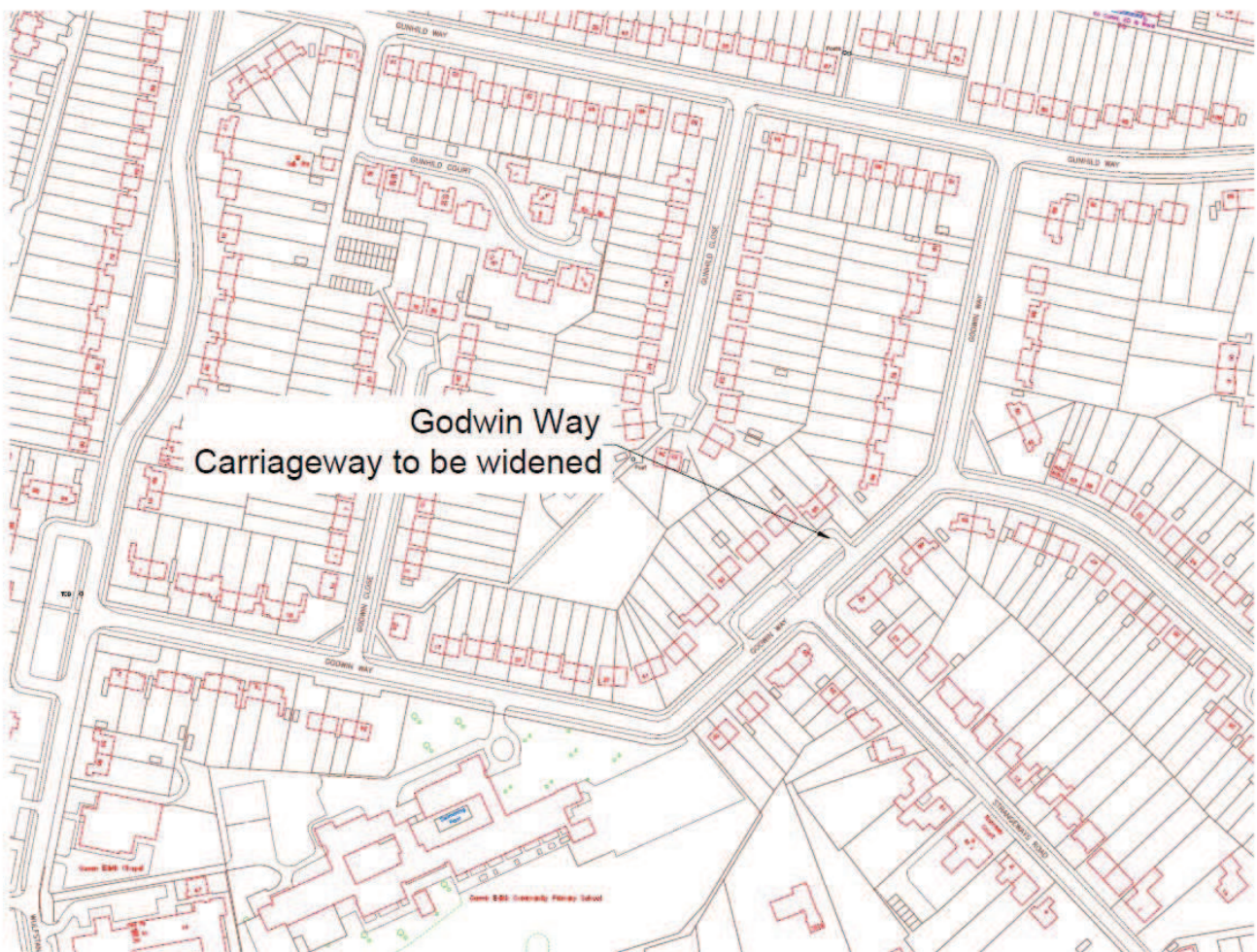
Selected Photos of Existing Location:

Babraham Road



Scheme Number:	5
Scheme Title:	Godwin Way – Verge Protection
Scheme Description:	Existing corner of the grassed verge island has been badly damaged due to vehicle overrun. Cars tend to park within existing carriageway, which forces vehicle driving pass to drive over existing grass verge. In order to improve appearance of the verge as well as to make it safe, it is proposed to widen the carriageway.
Promoted by:	Sue Birtles
Ward:	Queen Edith
Estimated Budget:	£3,000
Risks to Delivery:	Position and depth of the underground services may impede construction works and increase cost. Proposal to be approved by the Cambridgeshire County Council as the highway authority.
Further Scheme Information:	-

Location Plan:



Selected Photo of Existing Location:



PROGRESS OF EXISTING EIP SCHEMES

No.	Scheme Title	Scheme Description	Promoted by	Ward	Approved Budget £	Completion Expected	Comments
1	Rectory Terrace Cherry Hinton High St	Refurbishment of privately owned shop forecourt.	Ward Cllrs	Cherry Hinton	60,000	Mar-14	Final design option to be agreed with forecourt owner. Legal agreement to be signed by the owner. Meeting with land owner on the 1st of July to discuss design options.
2	Mill End Road/Cherry Hinton High Street Bollards	Installation of bollards and cycle stands to prevent vehicles mounting the pavement and parking on the forecourt.	Ward Cllrs	Cherry Hinton	3,500	Completed	-
3	Cherry Hinton War Memorial	Village war memorial near the recreation ground. Existing fence to be moved back, hard surface to be put down around this area and the memorial to be raised up from the ground.	Ward Cllrs	Cherry Hinton	5,000	Mar-14	On hold until additional funds found.
4	Noticeboard on Cherry Hinton Rec	Provision of double sided noticeboard.	Ward Cllrs	Cherry Hinton	4,500	Completed	-
5	Trumpington War Memorial	Drainage and landscaping around the base to be improved. Information board to be installed.	Ward Cllrs	Trumpington	8,500	Mar-14	On hold until additional funds found from war memorial fund.
6	Hobson's Brook from Bateman Street to Lensfield Road	Railings along Hobson's Brook from Bateman Street to Lensfield Road (on the Trumpington Road frontage of the brook) to be refurbished.	Ward Cllrs	Trumpington	9,000	Completed	-
7	South Mobility Crossings	Disabled dropped crossing to get constructed.	Ward Cllrs	-	6,000	Mar-14	Online consultation to be undertaken in order to determine crossings that need attention. Councillors suggestions welcome.

ELIGIBILITY CRITERIA

As agreed by the Executive Councillor (Environment) on the 18th March 2003 with amendments agreed on the 22nd March 2005.

Essential Criteria:

- Schemes should have a direct, lasting and noticeable improvement to the appearance of a street or area.
- Schemes should be publicly visible and accessible.
- Should the scheme be on private land, the owners' permission must be granted – unless there are exceptional circumstances by which the Area Committee may wish to act unilaterally, with full knowledge and responsibility for the implication of such action.
- Schemes must provide low future maintenance costs.

Desirable criteria:

- Active involvement of local people.
- The project will benefit a large number of local people.
- 'Partnership' funding.
- The potential for inclusion of employment training opportunities.
- Ease and simplicity of implementation.
- Potential for meeting key policy objectives (e.g. improving community safety or contributing to equal opportunities).

Ineligible for funding:

- Where a readily available alternative source of funding is available.
- Revenue projects.
- Schemes that have already received Council funding (unless it can be clearly demonstrated that this would not be 'top up' funding).
- Works that the City or County Council are under an immediate obligation to carry out (e.g. repair of dangerous footways)
- Play areas (S106 funding should pay for this resource)

Other Information:

The following categories of work were agreed as being eligible for funding by the Area Committees:

- Works in areas of predominately council owned housing
- Works to construct lay-bys where a comprehensive scheme can be carried out which not only relieves parking problems but achieves environmental improvements.

SUMMARY OF MINOR TRAFFIC REGULATION ORDER SCHEMES**APPENDIX E****SOUTH AREA BUDGET £11,000****Traffic Regulation Orders Implemented**

No.	Scheme Title	Scheme Description	Ward	Status	Final Cost £	Comments
1	Reed Close, Shelford Road	Double yellow lines on the corner of Reed Close/Shelford Road	Trumpington	Completed	£ 355.75	Traffic order made and double yellow lines implemented on site.
2	Chelwood Road junctions with Claygate road/Chartfield Rd	Double yellow lines on Chelwood Road at the junction of both Claygate road and Chartfield Rd	Cherry Hinton	Completed	£ 643.15	Traffic order made and double yellow lines implemented on site.
3	Nightingale Avenue	Change from single yellow line to double yellow line around the central crassed island.	Queen Ediths	Completed	£ 588.30	Traffic order made and double yellow lines implemented on site.
4	Cranleigh Close, Shelford Road	Double yellow lines on the corner of Cranleigh Close/Shelford Road.	Trumpington	Completed	£ 329.33	Traffic order made and double yellow lines implemented on site.
SUB-TOTAL					£ 1,916.53	

Traffic Regulation Orders In Progress

No.	Scheme Title	Scheme Description	Ward	Status	Estimated Budget £	Comments
1	Paget Close/Paget Road	Proposed double yellow lines and Bus Stop Clearway where Paget Close meets Paget Road.	Trumpington	Ongoing	£ 500.00	This proposal is being implemented by the County Council, an update on the status of ths traffic order has been requested.
SUB-TOTAL					£ 500.00	

Proposed Traffic Regulation Order Schemes

No.	Scheme Title	Scheme Description	Ward	Status	Estimated Budget £	Comments
1	Langdale Close	Proposed double yellow lines to improve access for larger vehicles.	Cherry Hinton	New	£ 500.00	Proposal to be developed further by the City Council.
2	Aberdeen Avenue Area (including Kingfisher Way)	Investigation of access issues for larger vehicles and the selection of suitable options to resolve any current issues.	Trumpington	New	£ 1,500.00	Proposal to be developed further by the City Council.
SUB-TOTAL					£ 2,000.00	

TOTAL ESTIMATED SPEND	£ 4,416.53
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BUDGET REMAINING	£ 6,583.47
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APPENDIX 1 – DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS

1.0 Central Government Advice

1.1 National Planning Policy Framework (March 2012) – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

1.2 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.

1.3 Community Infrastructure Levy Regulations 2010 – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

2.0 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

3.0 Cambridge Local Plan 2006

3/1 Sustainable development

3/3 Setting of the City

3/4 Responding to context

3/6 Ensuring coordinated development

3/7 Creating successful places

3/9 Watercourses and other bodies of water

3/10 Subdivision of existing plots

3/11 The design of external spaces

3/12 The design of new buildings

3/13 Tall buildings and the skyline

3/14 Extending buildings

3/15 Shopfronts and signage

- 4/1 Green Belt
- 4/2 Protection of open space
- 4/3 Safeguarding features of amenity or nature conservation value
- 4/4 Trees
- 4/6 Protection of sites of local nature conservation importance
- 4/8 Local Biodiversity Action Plans
- 4/9 Scheduled Ancient Monuments/Archaeological Areas
- 4/10 Listed Buildings
- 4/11 Conservation Areas
- 4/12 Buildings of Local Interest
- 4/13 Pollution and amenity
- 4/14 Air Quality Management Areas
- 4/15 Lighting

- 5/1 Housing provision
- 5/2 Conversion of large properties
- 5/3 Housing lost to other uses
- 5/4 Loss of housing
- 5/5 Meeting housing needs
- 5/7 Supported housing/Housing in multiple occupation
- 5/8 Travellers
- 5/9 Housing for people with disabilities
- 5/10 Dwelling mix
- 5/11 Protection of community facilities
- 5/12 New community facilities
- 5/15 Addenbrookes

- 6/1 Protection of leisure facilities
- 6/2 New leisure facilities
- 6/3 Tourist accommodation
- 6/4 Visitor attractions
- 6/6 Change of use in the City Centre
- 6/7 Shopping development and change of use in the District and Local Centres
- 6/8 Convenience shopping
- 6/9 Retail warehouses
- 6/10 Food and drink outlets.

- 7/1 Employment provision
- 7/2 Selective management of the Economy
- 7/3 Protection of Industrial and Storage Space
- 7/4 Promotion of cluster development
- 7/5 Faculty development in the Central Area, University of Cambridge
- 7/6 West Cambridge, South of Madingley Road
- 7/7 College and University of Cambridge Staff and Student Housing
- 7/8 Anglia Ruskin University East Road Campus
- 7/9 Student hostels for Anglia Ruskin University
- 7/10 Speculative Student Hostel Accommodation
- 7/11 Language Schools

8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/6 Cycle parking
8/8 Land for Public Transport
8/9 Commercial vehicles and servicing
8/10 Off-street car parking
8/11 New roads
8/12 Cambridge Airport
8/13 Cambridge Airport Safety Zone
8/14 Telecommunications development
8/15 Mullard Radio Astronomy Observatory, Lords Bridge
8/16 Renewable energy in major new developments
8/17 Renewable energy
8/18 Water, sewerage and drainage infrastructure

9/1 Further policy guidance for the Development of Areas of Major Change
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/7 Land between Madingley Road and Huntingdon Road
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area

10/1 Infrastructure improvements

Planning Obligation Related Policies

3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/12 The Design of New Buildings (*waste and recycling*)
4/2 Protection of open space
5/13 Community facilities in Areas of Major Change
5/14 Provision of community facilities through new development
6/2 New leisure facilities
8/3 Mitigating measures (*transport*)
8/5 Pedestrian and cycle network
8/7 Public transport accessibility
9/2 Phasing of Areas of Major Change
9/3 Development in Urban Extensions
9/5 Southern Fringe
9/6 Northern Fringe
9/8 Land between Huntingdon Road and Histon Road
9/9 Station Area
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

4.0 **Supplementary Planning Documents**

- 4.1 **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.
- 4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.
- 4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.
- 4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.
- 4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.
- 4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

Eastern Gate Supplementary Planning Document (October 2011)

Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:

- To articulate a clear vision about the future of the Eastern Gate area;
- To establish a development framework to co-ordinate redevelopment within the area and guide decisions (by the Council and others); and
- To identify a series of key projects, to attract and guide investment (by the Council and others) within the area.

5.0 Material Considerations

Central Government Guidance

5.1 Letter from Secretary of State for Communities and Local Government (27 May 2010)

The coalition government is committed to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils. Decisions on housing supply (including the provision of travellers sites) will rest with Local Planning Authorities without the framework of regional numbers and plans.

5.2 Written Ministerial Statement: Planning for Growth (23 March 2011)

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant and consistent with their statutory obligations they should therefore:

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should ensure that they give appropriate weight to the need to support economic recovery, that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4), and that they can give clear reasons for their decisions.

5.3 City Wide Guidance

Arboricultural Strategy (2004) - City-wide arboricultural strategy.

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001) - This document aims to aid strategic and development control planners when considering biodiversity in both policy development and dealing with planning proposals.

Cambridge Landscape and Character Assessment (2003) – An analysis of the landscape and character of Cambridge.

Cambridge City Nature Conservation Strategy (2006) – Guidance on habitats should be conserved and enhanced, how this should be carried out and how this relates to Biodiversity Action Plans.

Criteria for the Designation of Wildlife Sites (2005) – Sets out the criteria for the designation of Wildlife Sites.

Cambridge City Wildlife Sites Register (2005) – Details of the City and County Wildlife Sites.

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) - a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

Strategic Flood Risk Assessment (2005) – Study assessing the risk of flooding in Cambridge.

Cambridge and Milton Surface Water Management Plan (2011) – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

Cambridge City Council (2011) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

- sets out the protection of existing open spaces;
- promotes the improvement of and creation of new facilities on existing open spaces;
- sets out the standards for open space and sports provision in and through new development;
- supports the implementation of Section 106 monies and future Community Infrastructure Levy monies

As this strategy suggests new standards, the Cambridge Local Plan 2006 standards will stand as the adopted standards for the time-being. However, the strategy's new standards will form part of the evidence base for the review of the Local Plan

Balanced and Mixed Communities – A Good Practice Guide (2006) – Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change and as a material consideration in the determination of planning applications and appeals.

A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Cambridge Sub-Region Culture and Arts Strategy (2006) - Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

Cambridgeshire Quality Charter for Growth (2008) – Sets out the core principles of the level of quality to be expected in new developments in the Cambridge Sub-Region

Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) - sets out in more detail how existing council policy can be applied to proposals for tall buildings or those of significant massing in the city.

Cambridge Walking and Cycling Strategy (2002) – A walking and cycling strategy for Cambridge.

Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004) – Guidance on how development can help achieve the implementation of the cycle network.

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.

Cycle Parking Guide for New Residential Developments (2010) – Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

Air Quality in Cambridge – Developers Guide (2008) - Provides information on the way in which air quality and air pollution issues will be dealt with through the development control system in Cambridge City. It compliments the Sustainable Design and Construction Supplementary Planning Document.

The Cambridge Shopfront Design Guide (1997) – Guidance on new shopfronts.

Roof Extensions Design Guide (2003) – Guidance on roof extensions.

Modelling the Costs of Affordable Housing (2006) – Toolkit to enable negotiations on affordable housing provision through planning proposals.

5.6 Area Guidelines

**Cambridge City Council (2003)–Northern Corridor Area Transport Plan:
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:
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.

Buildings of Local Interest (2005) – A schedule of buildings of local interest and associated guidance.

**Brooklands Avenue Conservation Area Appraisal (2002)
Cambridge Historic Core Conservation Area Appraisal (2006)
Storeys Way Conservation Area Appraisal (2008)
Chesterton and Ferry Lane Conservation Area Appraisal (2009)
Conduit Head Road Conservation Area Appraisal (2009)
De Freville Conservation Area Appraisal (2009)
Kite Area Conservation Area Appraisal (1996)
Newnham Croft Conservation Area Appraisal (1999)
Southacre Conservation Area Appraisal (2000)
Trumpington Conservation Area Appraisal (2010)
Mill Road Area Conservation Area Appraisal (2011)**

West Cambridge Conservation Area Appraisal (2011)

Guidance relating to development and the Conservation Area including a review of the boundaries.

Jesus Green Conservation Plan (1998)

Parkers Piece Conservation Plan (2001)

Sheeps Green/Coe Fen Conservation Plan (2001)

Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)

Long Road Suburbs and Approaches Study (March 2012)

Barton Road Suburbs and Approaches Study (March 2009)

Huntingdon Road Suburbs and Approaches Study (March 2009)

Madingley Road Suburbs and Approaches Study (March 2009)

Newmarket Road Suburbs and Approaches Study (October 2011)

Provide assessments of local distinctiveness which can be used as a basis when considering planning proposals

Station Area Development Framework (2004) – Sets out a vision and Planning Framework for the development of a high density mixed use area including new transport interchange and includes the **Station Area Conservation Appraisal**.

Southern Fringe Area Development Framework (2006) – Guidance which will help to direct the future planning of development in the Southern Fringe.

West Cambridge Masterplan Design Guidelines and Legal Agreement (1999) – Sets out how the West Cambridge site should be developed.

Mitcham's Corner Area Strategic Planning and Development Brief (2003) – Guidance on the development and improvement of Mitcham's Corner.

Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) (2007) – Development Brief for Proposals Site 7.12 in the Cambridge Local Plan (2006)

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Application Number	13/0310/FUL	Agenda Item	
Date Received	11th March 2013	Officer	Miss Catherine Linford
Target Date	6th May 2013		
Ward	Trumpington		
Site	Land Between 2 And 3 Shaftesbury Road Cambridge Cambridgeshire CB2 8BW		
Proposal Applicant	Construction of a new dwelling. Mr Geoffrey Race 6 Aberdeen Avenue Cambridge CB2 8DP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. It enhances the character and appearance of the Conservation Area. 2. It does not have significant detrimental impact on the residential amenity of neighbouring occupiers 3. The development would be unique for this part of the Conservation Area, and be of a high quality design, and successfully contrast with it
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated between Nos. 2 and 3 Shaftesbury Road, on the east side of the street, within City of Cambridge Conservation Area 10 (Brooklands). The site was formerly a car park, when No 2 was occupied by the Red Cross as offices.
- 1.2 The ‘square’ of roads formed by Shaftesbury Road, Brooklands Avenue (north), Clarendon Road (east), and Fitzwilliam Road (south) contains a mix of housing types and styles. Buildings are predominantly in residential use, though there are school

and CUP premises south of Fitzwilliam Road, offices east of Clarendon Road and at 5 Shaftesbury Road a house has been converted to office use. Nos. 2 and 3 Shaftesbury Road are substantial, double-fronted, Victorian villas, in residential use. The Accordia development, a scheme of approximately 380 houses and flats, is opposite the site on the west side of the road, set back behind trees and an area of green space. The Accordia development is now within the Conservation Area.

2.0 THE PROPOSAL

2.1 Full planning permission is sought for the erection of a three storey, detached dwelling with basement. The house would be circular in footprint, covering the full width of the plot, and would consist of a basement, ground floor and a set back first floor, and second floor.

2.2 The accommodation would be laid out as follows:

Basement/Lower ground floor: Utility room, studio and store.

Ground floor: Entrance hall, kitchen/dining room, cloakroom and bin and cycle store.

First floor: Salon, and two bedrooms both with ensembles.

Second floor: Study, and bedroom with ensuite bathrooms.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement

2.4 Amended plans have been received which show the following revisions:

- Removal of the terraces at the rear at first and second floor levels;
- Alterations to the fenestration at the rear, to include obscure glazing;
- Modifications to the design of the parapet wall to the front;
- The removal of two of the proposed four trees at the front; and
- Amendments to the proposal materials – stone replaced with white Cambridge gault bricks or equivalent, and copper coloured roof replaced with raised seam roof to be formed in pre-weathered graphite zinc.

Reconsultation on the amended plans has been undertaken.

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/1040/FUL	Erection of one detached 3 bed dwelling house (following demolition of out buildings.	A/C
10/1143/FUL	Erection of eco-friendly house.	REF
12/0438/FUL	Construction of a new dwelling.	REF
12/0505/FUL	New dwelling on land adjacent to 2 and 3 Shaftesbury Road.	Withdrawn

3.1 The decision notice for the previously refused application 12/0438/FUL is attached to this report as Appendix 1.

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/4 4/11 5/1 5/14 8/6 8/10 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Area Guidelines:</u> Conservation Area Appraisal: Brooklands Avenue (2002 and 2013)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The application states that a new dropped kerb or kerbs will be provided on the frontage of the site but provides no further details. The site is fronted by a residents parking bay, which is not shown on the plans. The proposed access would require the removal of the bay, which would require an amendment of the existing Traffic Regulation Order. The residents of the proposed dwelling would not be eligible for Residents Parking Permits. A condition is recommended relating to the materials used for the driveway.

Head of Environmental Services

- 6.2 A condition is recommended restricting construction hours.

Urban Design and Conservation Team

- 6.3 Following the amendments to the application, it is now supported. Their comments are attached as Appendix 2.

Head of Streets and Open Spaces (Tree Team)

- 6.4 Satisfied that the remaining tree on the site can be excluded from the construction area and remain unaffected by the development subject to installation of tree protection barriers at the edge of the root protection area.

Design and Conservation Panel (Meeting of 16 January 2013)

- 6.5 The conclusions of the Panel meetings at the pre-application stage were as follows:

The Panel were reminded that the previous proposal for this site was refused principally on grounds of amenity and not design. However, as the owners of both adjacent properties have sold this site with planning permission it is clear that the principle of the development of the site has been established and the Panel feel that the issue of amenity can be resolved despite the constraints imposed by the narrowness of the site.

The Panel feel that the drum like form of the house would be considerably less oppressive in its impact on the neighbouring gardens but consider that the pure cylindrical form will need modification to address the boundary problems on either side. While persuaded that this approach has the potential for success, the Panel feel that the simplicity of the starting point for the design will need careful detailed handling of questions like the fenestration, the relationship between basement and garden in order to realise its promise.

The design has been amended since this meeting. The relevant section of the minutes of the panel meeting(s) are attached to this report as Appendix 2

7.0 REPRESENTATIONS

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

- 1 Shaftesbury Road
- 2 Shaftesbury Road
- 3 Shaftesbury Road
- 4 Shaftesbury Road
- 7 Fitzwilliam Road
- 22 Brooklands Avenue
- 22A Brooklands Avenue
- 3 Clarendon Road
- 5 Clarendon Road
- 7 Clarendon Road
- 9 Clarendon Road
- 15/17 Clarendon Road (x3)

7.2 The representations can be summarised as follows:

Character, context and impact on the Conservation Area

- The proposed building is very wide and tall relative to its plot and would detract from the feel of the Conservation Area
- A house with a similar design was rejected in 2010 and 2012. The proposal is very similar to those and has not changed enough to be an enhancement to the area
- Out of context
- The footprint is too large for the plot
- The rounded shape does not respect the character of the area

- If approved it would set a precedent for the infilling of gaps between houses, which would lead to the loss of important green space in the City
- Would alter the symmetry and the spacing between buildings
- Prevent views between buildings into gardens
- Balconies and large areas of glazing would be out of character with the rest of the street
- In a neighbourhood of detached houses there should be at least 4 feet either side of any dwelling, between the dwelling and the boundary wall or fence. This is the general pattern in the Conservation Area
- Overdevelopment
- The removal of gates and boundary walls in the drawings falsely create an appearance of space that does not exist
- A house on this plot should be subservient to the houses on either side
- The bin and cycle stores within the building are inadequate. These will therefore be stored outside which will have a detrimental impact on the Conservation Area

Amendment

- Juliet balconies are proposed in an area where balconies of any sort are alien

Residential amenity

- Loss of privacy caused by the extensive glazing and balconies at the rear
- Overshadowing and overlooking of neighbouring properties
- Dominance
- Light pollution from the large, modern windows
- The garden is not large enough for the house

Amendment

- The occupant will want to replace the obscured glass to the rear of the building with clear glass and to relocate the railings to give balcony space leading to unacceptable overlooking
- Conditions are unlikely to be enforced relating to obscure glazing. The City Council has a poor record with respect to enforcement and there is pressure on local government finance

- Due to the sliding floor-to-ceiling glass doors behind the Juliet balconies it would still lead to high-level noise, motion and disturbance in close proximity to the private areas of neighbouring gardens
- First floor – the bannister of the Juliet balcony is not obscured which means there would be overlooking
- First floor – the door of the Juliet balcony to bedroom 2 looks like a partial screen but that depends on its hinge being fixed on the window side of the wall
- Obscure glazing would mean that fewer window coverings would be used so there would be significant light pollution from the upper floors.

Car parking

- Insufficient parking spaces
- The loss of the on-street parking bay would be detrimental to existing households

Other

- High water table and potential flooding of the basement
- Why has the applicant been given time to amend long after the due date has passed

7.3 Brooklands Avenue Residents Association have made representations as follows on the original application:

Any house being built on the plot in question needs to be in due proportion to the houses surrounding it and must respect the context of the Brooklands Avenue Conservation Area, and of Shaftesbury Road in particular. The current design fails to do this, both as regards massing and design. The proposed new dwelling would encroach unacceptably, in terms of both the plot boundaries and the open “terraces” on both numbers 2 and 3, and in the case of the rear “terraces” in particular would also encroach on the amenity and privacy of the back gardens of all the properties in Brooklands Avenue (south side) and Clarendon and Shaftesbury Roads and possibly even Fitzwilliam Road as well. We urge that this application be refused.

Brooklands Avenue Residents Association have made representations as follows on the amended application:

The revisions do not make any material difference to the application, and the objections remain valid. The plot is simply too small for a house with the bulk of the present design, I understand that it is now proposed that the terrace windows would be of frosted or otherwise opaque glass. Whilst this might seem to be an acceptable approach, there would be nothing to prevent the occupants, or their successors in title, from replacing them with clear glass in five years or so, under the regulations for general permitted development. Making the provision of opaque glass a condition of any planning consent would simply be unenforceable. We again urge that this application be refused.

7.4 Cambridge Past Present and Future/Cambridge Cycling Campaign have made representations as follows:

7.5 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 impact on the Conservation Area
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Background

8.2 There have been a number of applications for single dwellings submitted for this plot. In 2004, planning permission was granted for a 'coach house' (04/1040/FUL) but this was not built. In 2010, another planning application was submitted for a large house (10/1143/FUL) which was refused.

- 8.3 In 2012 two applications were submitted. The first (12/0505/FUL) was a resubmission of the 2004 application. This was withdrawn before it could be determined. The other application, (12/0438/FUL) was for a contemporary building. This application was refused under delegated powers due to the dominance of the proposed building which abutted the common boundaries with numbers 2 and 3 Shaftesbury Road, and loss of privacy to the neighbours due to the levels of glazing and terracing to the rear.

Principle of Development

- 8.4 The provision of extra housing in the City is supported in the Cambridge Local Plan (2006). Policy 5/1 of the Cambridge Local Plan (2006) maintains that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. There is previous planning permission for residential development on this site (a detached, two-storey 'coach house') and therefore the principle of residential development is acceptable.

Context of site, design and impact on the Conservation Area

- 8.5 The site is currently vacant and overgrown with vegetation and was formerly the garden to what is now 2 Shaftesbury Road. When the Brooklands Avenue Conservation Area Appraisal (2002) was written, 2 Shaftesbury Road was still the County Headquarters of the British Red Cross Society 'part of whose rear and side garden has been taken over by car parking and storage sheds'. The Brooklands Avenue Conservation Area Appraisal (2013), which has recently been adopted refers to the fact that No.2 has now been converted back into a family home. It also mentions the poor condition of this site which 'needs to be developed sensitively'.
- 8.6 The Cambridge Local Plan Policy 4/11 (b) states that the design of any new building should preserve or enhance the character or appearance of the conservation area by 'faithfully reflecting its context or providing a successful contrast with it'. The National Planning Policy Framework in section 12, Conserving and Enhancing the Historic Environment, refers to the

‘desirability of new development making a positive contribution to local character and distinctiveness’, and that new development in conservation areas should enhance ‘or better reveal their significance’. These matters must be taken into consideration when determining any application on this site.

- 8.7 The character of Shaftesbury Road is one of detached dwellings in plots that allow views through to the trees in the gardens beyond. This is somewhat curtailed by the modern extension to No.5. In addition, due to a number of single storey side extensions, and garages, the original layout of the houses has been heavily altered and some of the gaps have been lessened as a result, albeit only at ground floor level.
- 8.8 The applicants have submitted a new application for a single dwelling on this site which has taken the form of a round house in order to retain a strong design principle. The proposed design helps to keep it back from the boundary of the site as far as possible in order that it can overcome one of the reasons for refusal for the previous application, that of being overbearing. The architect gives the semi-circular bay to the front of number 5 as a local reference for this form.
- 8.9 Innovative design in Conservation Areas can be supported when it enhances the character or appearance of that area. It also should be executed in an appropriate manner. Generally, the footprint of buildings in the locality is square or rectangular, and the circular footprint will therefore be unique. In my opinion, this form would be a positive addition to the streetscene. A plan has been submitted showing the massing of all the buildings in the road, and it shows that the proposal is of appropriate mass to fit with the rhythm of the street. The space between buildings is at its widest between numbers 4 and 5, but towards the Brooklands Avenue end, the gaps are smaller due to a number of single storey extensions to dwellings.
- 8.10 It has been suggested that in order to be acceptable, a building on this site should be subservient to those on either side. I do not agree with this. The proposed dwelling is not an annexe to either of the neighbouring houses and should not, in my view read as such. Instead, in order to enhance the streetscene the building should complete the row, continuing the rhythm of the street, and it is my strong opinion that the proposal is successful in achieving this.

- 8.11 The 'columns' on the front elevation go some way towards replicating the predominant three bays that are on the Victorian villas in the street and were evident in the previous application. However, in the original design, this was weakened by the 'attic' storey which was lost above the heavy parapet at first floor level. To respond to this concern, the parapet detail has been revised to create a more balanced proportion between the three floors of the building; and provide a better balance of proportions of windows and solids/voids for the front elevation.
- 8.12 The material choice was also of concern to the Urban Design and Conservation Team. Stone, which was originally proposed, is not used characteristically in facades as a principal component in this part of the Conservation Area; and the use of copper as a roofing material is uncharacteristic of Shaftesbury Road. The building materials have been amended to much better reflect that of neighbouring residential buildings. The previous stone facing material and copper coloured roof have been replaced with white Cambridge Gault bricks or equivalent and the roof cladding is now a raised seam roof to be formed in pre-weathered graphite zinc. This would appear grey to match the slates on adjoining buildings. Both of these materials are considered to be appropriate for this building and this part of the Conservation Area. It is recommended that a condition is added requiring samples of all materials used on the external surfaces of the building (4)
- 8.13 Originally the plans showed four trees to the front, close to the common boundary with the highway. Concern was raised that this would make it extremely difficult for vehicles to gain access to and from the site, and therefore this has been amended, removing two trees, one on either end. I recommend that details of the landscaping to the front of the proposed dwelling are required by condition (6)
- 8.14 The character of the frontages to the existing houses is of brick walls between the properties which come down to the back of pavement. In some cases this is topped with railings and/or a short wall and railings to the front of the site. Originally, the submitted plans for this building showed just a railing along the side boundaries, with Nos. 2 and 3 Shaftesbury Road, which did not sit well with the character or appearance of the Conservation Area. This has now been amended, to provide

dwarf walls with railings along both side boundaries, matching the existing boundary treatment between the site and No. 3 Shaftesbury Road. This is considered to be acceptable and in keeping with the Conservation Area. It is recommended that full details of the boundary treatments are required by condition (7).

- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.16 The previous application was refused for the following reasons:

1. *The positioning of the proposed house, abutting the common boundaries with 2 and 3 Shaftesbury Road, combined with its height and depth, would result in a built form that would appear dominant and overbearing on the amenity of the occupiers of 2 and 3 Shaftesbury Road and their ability to enjoy rooms and spaces immediately facing the north and south boundaries of the site. For these reasons, the proposal is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).*
2. *The positioning of the proposed house, its combined height and width, the proposed level of glazing and size of the rear 2nd floor terrace, would result in the occupiers of the neighbouring properties at nos. 2 and 3 Shaftesbury Road experiencing a loss of privacy, a degree of noise and disturbance from the terrace and an overbearing visual impact from the assertive presence of the building in otherwise spacious and secluded rear garden areas. The development would therefore significantly detract from the privacy, enjoyment and use of the rear garden areas for the occupants of nos. 2 and 3 Shaftesbury Road and is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).*

- 8.17 In my opinion, the new proposal satisfactorily addresses these reasons for refusal, as discussed below.

Dominance and enclosure

- 8.18 I have visited the houses and gardens of 2 and 3 Shaftesbury Road. 2 Shaftesbury Road has single storey extensions on its southern side, and the side extension at the front only has windows on the side, which serve a ground floor room with a mezzanine floor above, facing the development site. 3 Shaftesbury Road has an extension on the northern side, which includes windows on the side serving a utility room and study.
- 8.19 The side walls of the proposed house would be 8m in height. Although the proposed dwelling is not dissimilar in height to the previous refused dwelling, the circular footprint will, in my view, greatly reduce the dominance of the building when viewed from both 2 Shaftesbury Road and 3 Shaftesbury Road. The proposed dwelling will abut the common boundaries, but it has been positioned so that when looking out of the side windows of the extensions to both neighbouring properties, views will be possible past the building, with the built form moving away from view.
- 8.20 The previously refused dwelling was deeper in footprint than the dwelling proposed here, and was refused (in part) due to concerns regarding the built form appearing dominant and overbearing and it being an assertive presence when seen from the neighbouring rear gardens. The rear wall of the proposed house would stand in line with the original rear walls of both 2 and 3 Shaftesbury Road, and as views would be possible past the building, because of the shape of the building, it is my opinion that the building would not be dominant or oppressive when viewed from the neighbouring houses. As it would stand in line with the neighbouring houses, it is also my opinion that it would also not be oppressive when viewed from neighbouring gardens.

Overshadowing and loss of light

- 8.21 Shadow diagrams have been submitted as part of the application. Due to the height of the proposed house, its close proximity to the neighbouring properties, and the orientation of the buildings, the proposed dwelling would cast some shadow over 2 Shaftesbury Road, as it would stand to the south of this neighbour. However, due to the positioning of the proposed house and layout of the neighbour's main rooms and size of its

garden, it is my view that it will not significantly impact on the level of light reaching any of the neighbour's main living spaces or garden area.

8.22 I acknowledge that the windows in the side extension of No. 2 would experience less light as a result of the proposal, but this would not be to an extent that would be any significantly worse than the previously approved scheme. The occupiers of no. 2 Shaftesbury Road would also likely have been aware of the existing consent for the approved dwelling at the time of building the more recent side extension. I have no concerns regarding the impact on light into the existing flat roofed games/utility room, attached to no. 2, set further back from the front on the side of the house. The potential level of overshadowing, therefore, does not warrant the refusal of planning permission.

Overlooking and loss of privacy

8.23 Currently the rear gardens of 2 and 3 Shaftesbury Road are predominantly private spaces. The most private part of the rear garden of 3 Shaftesbury Road (i.e. the area closest to the house) is overlooked by windows at the side of 2 Shaftesbury Road but at a distance of 20m. Interlooking into the remaining gardens between the properties is limited by tree planting, the generous space between the buildings and the angle of view.

8.24 At the rear of the house, the original application included a significant amount of glazing and a terrace at first and second floor level. Due to Officer concerns regarding the overlooking of immediate neighbours, the terraces have been removed and alterations have been made to the glazing to include obscured glass screens outside the windows. Concern has been raised that the obscure glazing would be replaced with clear glass in the future. To prevent this, I recommend a condition requiring that all obscured glass shown on the submitted plans will be installed prior to occupation and remain as such (8). If this condition is breached, it will be open to the local planning authority to consider enforcement action.

8.25 At first floor level, the windows at the rear serve the Salon and Bedroom 2. It is proposed that clear glass is used in the centre of this elevation, which will effectively create two windows, one serving the Salon and one serving Bedroom 2. This replicates

exactly the positioning and size of the clear glazing on the rear elevation of the approved coach house. This level of glazing and, and the associated overlooking, has already been accepted through this previous permission and therefore there is no valid reason to resist it. The other windows serving these rooms would be obscured, preventing any views from the areas of the proposed dwelling closest to the boundaries.

- 8.26 At second floor level, all of the glazing would be obscured, with the exception of a strip at the top of the windows. This could not be looked out of easily, and any views from here would be of such a distance that privacy would not be affected.

Light pollution

- 8.27 The windows are large, and concern has been raised that the obscured glazing will mean that window coverings will not be used by the occupants, leading to light pollution. Light will be generated by the building but in my opinion that this would not be so significant as to warrant refusal of planning permission.

Dust

- 8.28 All building works create dust, and therefore I recommend a condition requiring details of dust suppression (9).
- 8.29 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 Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.30 The proposal includes a garden at the rear of the property of approximately 11m. This garden is not large, and is considerably smaller than the rear gardens of other houses in the area, but I consider it to be acceptable.
- 8.31 In my opinion, the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.32 Bin storage is proposed with the building. Concern has been raised that this store is not large enough and therefore bins will be stored at the front of the house, and will look unsightly. No concerns have been raised by Environmental Health but to address this I recommend a condition requiring details of bin storage (10).
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

- 8.34 Off-street parking spaces will be available at the front of the house, and it is proposed that vehicles will be able to enter and leave the frontage in a forward gear. Originally, four trees were proposed along this frontage, but due to concerns regarding the maneuvering of vehicles, the number of trees has now been reduced to two, in the centre of the frontage. Due to the existence of an on-street parking bay and the positioning of a lamppost, access will be problematic but will be possible. It is my view that this is acceptable. It will be for the applicants to pursue any necessary Traffic Regulation Orders to relocate the parking bay.

Cycle Parking

- 8.35 A cycle store is proposed within the house. This meets the standards detailed in Appendix D (Cycle Parking Standards) of Cambridge Local Plan (2006) and is acceptable.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

High water table and potential flooding of the basement

- 8.37 This is not a planning consideration.

Why has the applicant been given time to amend long after the due date has passed

8.38 The decision to allow an application to be amended is discretionary.

The removal of gates and boundary walls in the drawings falsely create an appearance of space that does not exist

8.39 This has been rectified in the amended plans.

Planning Obligations

8.40 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) 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 and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.41 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. The proposed development

requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.42 The application proposes the erection of one three-bedroom house. A house or flat is assumed to accommodate one person for each bedroom. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714	1	714
4-bed	4	238	952		
Total					714

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807	1	807
4-bed	4	269	1076		
Total					807

Informal open space					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726	1	726
4-bed	4	242	968		
Total					726

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£ per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948	1	948
4-bed	4	316	1264		
Total					948

8.43 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.44 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£ per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882	1	1882
4-bed	1882		
Total			1882

8.45 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy

(2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.46 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£ per unit	Number of such units	Total £
House	75	1	75
Flat	150		
Total			75

8.47 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.48 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as _150 per financial head of term and _300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.49 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning

Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The proposal is a controversial one, and there have been a number of objections to the application relating to concerns regarding the visual impact of the proposal on the Conservation Area and the impact the proposal would have on the residential amenity of the occupiers of neighbouring properties. Taking all views into consideration, on balance, it is my opinion, that this proposal is of a high quality design and will enhance the streetscene and the wider Conservation Area; and will not have a significant detrimental impact on the occupiers of neighbouring properties. The proposal has satisfactorily addressed the previous reasons for refusal, in my view, and the application is therefore recommended for approval.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the s106 agreement by 31 October 2013 and subject to the following conditions and reasons for approval:

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. Except with the prior written agreement of the local planning authority 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)

3. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. 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. This should include a brick sample panel constructed on site. Development shall be carried out in accordance with the approved details.

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

5. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

6. 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

7. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

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

8. The screens identified as having obscured glass on the east elevation at first and second floor levels shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and fixed shut prior to occupation and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

9. Prior to the commencement of development full details of a method for of dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

10. Prior to occupation of the use hereby permitted, 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. The approved arrangements shall be retained thereafter.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows other than those expressly authorised by this permission shall be constructed.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

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

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

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

2. The decision has been made having had regard to all other material planning considerations, and the representations received relating to character, impact on the Conservation Area and residential amenity, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with 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 31 October 2013, or if Committee determine that the application be refused against officer

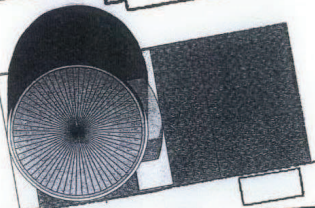
recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16 and as detailed in the Planning Obligation Strategy 2010.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

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12.8m



3

Church

SHAFTES



19

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POULSON
ARCHITECTURE

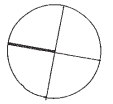
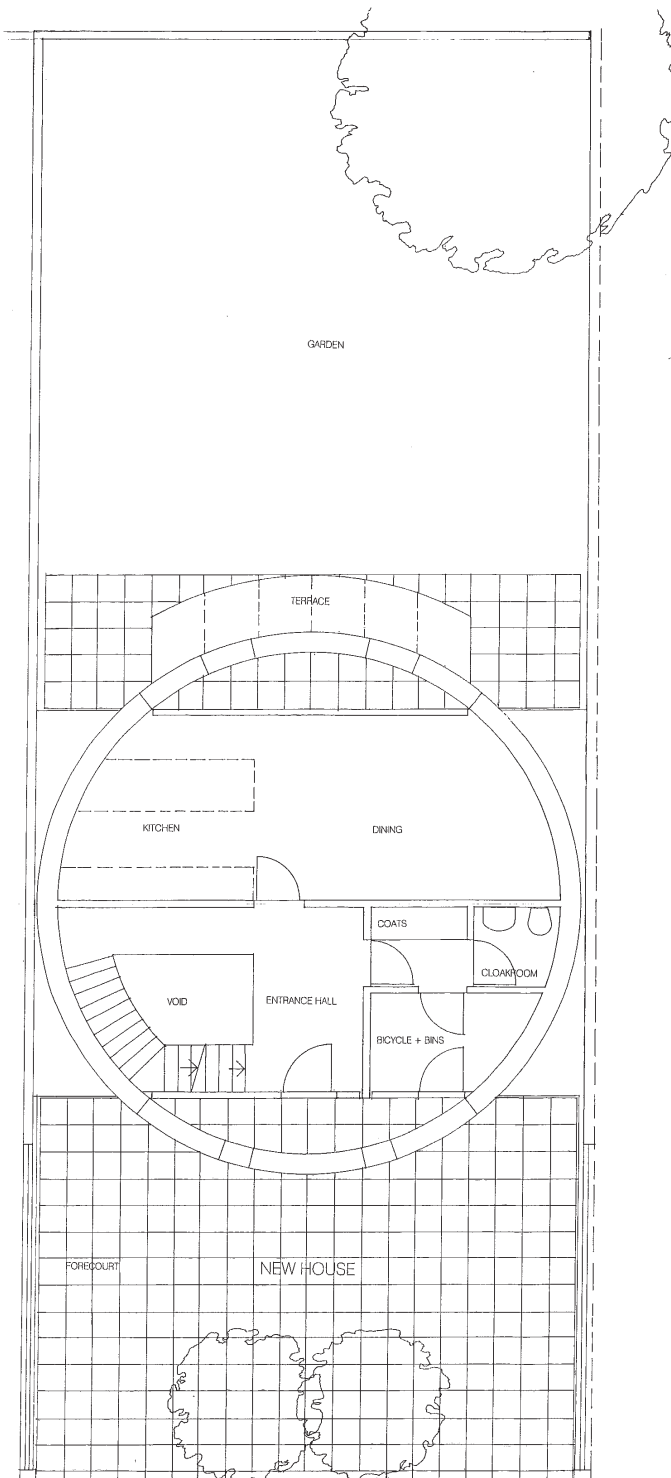
MILL FARM
FOWLMERE ROAD
MELBOURN
ROYSTON
HERTFORDSHIRE
SG8 4EZ
T 01763 260705
F 01763 262541
M 07768 810417
E tim@poulson.com

CLIENT THE RACE HOUSE
PROJECT SHAFTESBURY ROAD
CAMBRIDGE
TOPIC THE ROUND HOUSE
LOCATION + SITE PLAN
SCALE 1:750, 1:200 @A1 50% @A3
DATE 02.12.12
STATUS P

SRC 160

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2 SHAFTESBURY ROAD



3 SHAFTESBURY ROAD



MILL FARM
 FOWLMEERE ROAD
 MELBOURN
 ROYSTON
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 F 01763 262541
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CLIENT THE RACE HOUSE

PROJECT SHAFTESBURY ROAD
 CAMBRIDGE

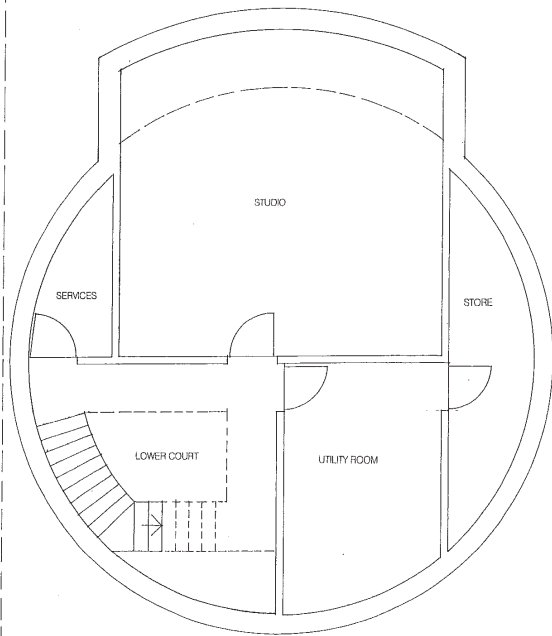
TORIC THE RACE HOUSE
 GROUND FLOOR PLAN

SCALE 1:50 @A1 1:100 @A3

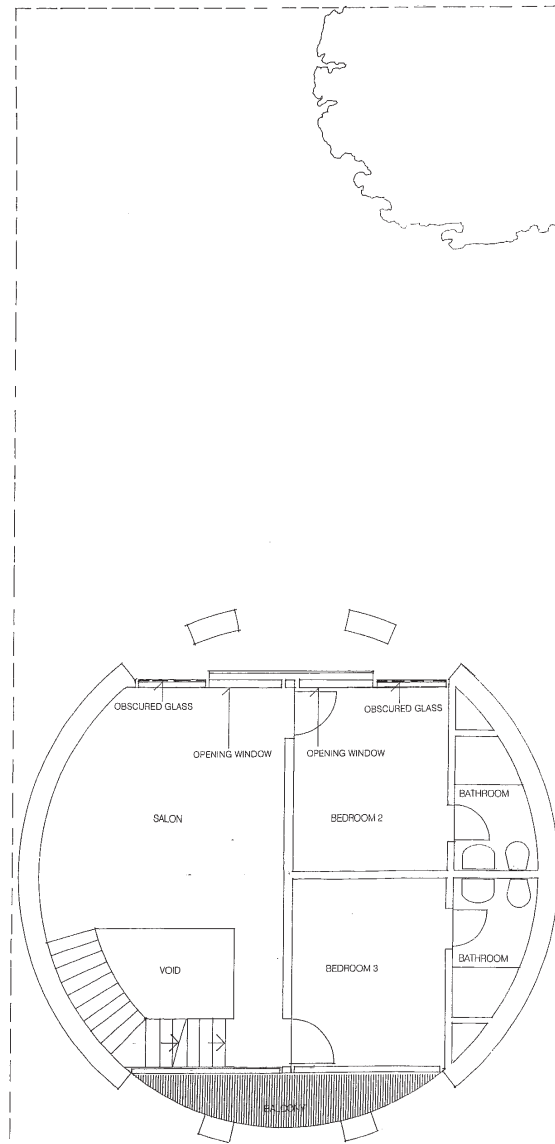
DATE 02 12 12

STATUS P

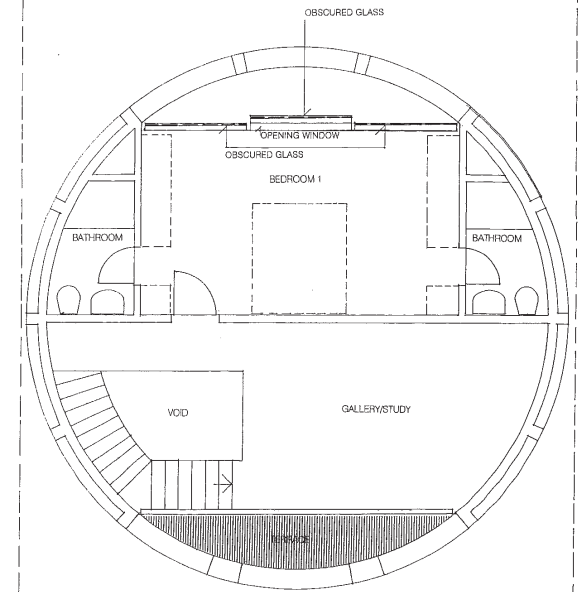
SRC 161A



LOWER GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



POULSON
ARCHITECTURE

MILL FARM
FOWLMERE ROAD
MELBOURN
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CLIENT THE RACE HOUSE

PROJECT SHAFTESBURY ROAD
CAMBRIDGE

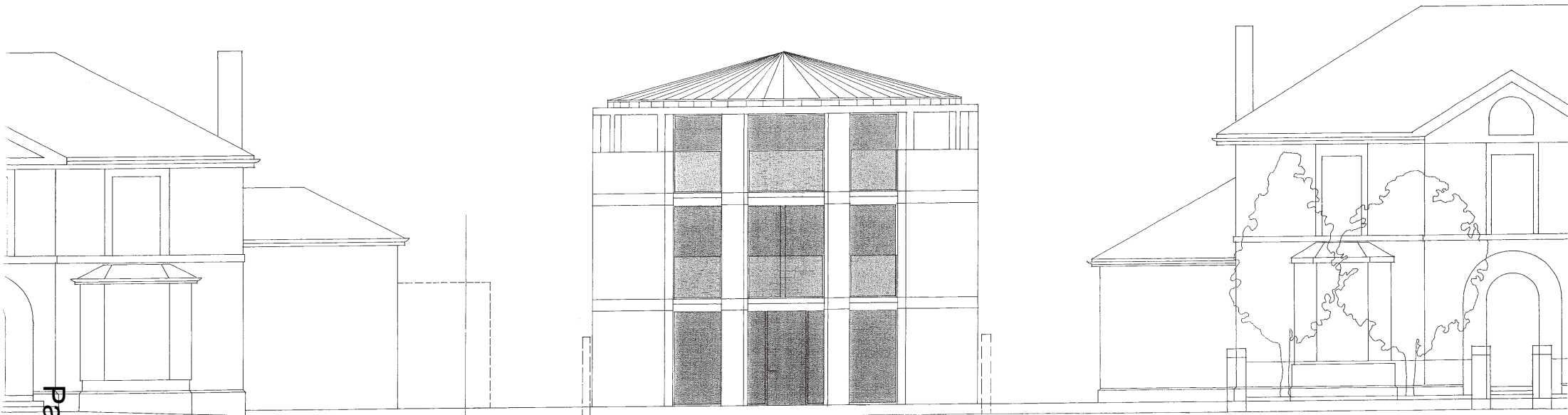
TOPIC THE ROUND HOUSE
LG, FF AND SF PLANS

SCALE 1.50 @A1 1.100 @A3

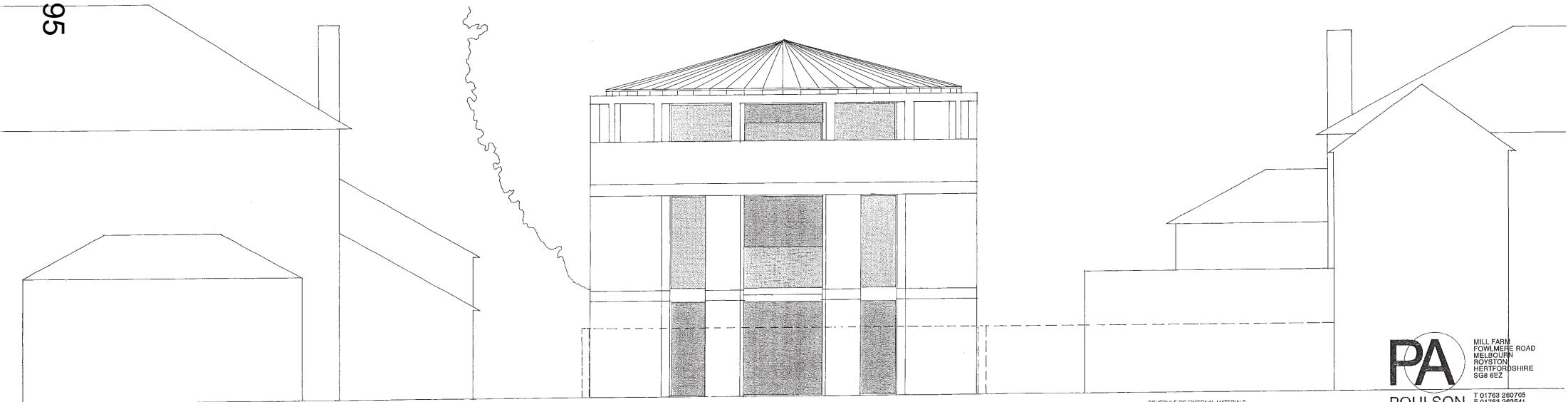
DATE 02 12 12

STATUS P

SRC 162 A



WEST ELEVATION



EAST ELEVATION

SCHEDULE OF EXTERNAL MATERIALS

WALLS	FAIR FACED BRICKWORK IN WHITE CAMBRIDGE GAULT BRICKS OR EQUIVALENT WITH THE STRING COURSES IN SMOOTH RUBBED BATH STONE THE ATTIC STORES TO BE GLAZED IN PRE-WEATHERED 'GRAPHITE' ZINC
ROOF	THE LOW PITCH RAISED SEAM ROOF TO BE FORMED IN PRE-WEATHERED 'GRAPHITE' ZINC
WINDOWS + DOORS	HIGH PERFORMANCE COMPOSITE WOOD/ALUMINIUM CONSTRUCTION WITH A LIGHT GREY POWDER COATED FINISH
ENTRY COURT	SAWN STONE PAVING AND SETTS DESIGNED TO ALLOW PERMEABILITY
BOUNDARY ENCLOSURE	WHITE CAMBRIDGE GAULT BRICK WALLS WITH WROUGHT IRON BALUSHS TO MATCH THE BOUNDARY WITH 3 SHAFTESBURY ROAD

PA
 MILL FARM
 FOWLMEERE ROAD
 MELBOURN
 ROYSTON
 HERTFORDSHIRE
 SG8 8EZ

POULSON ARCHITECTURE
 T 01783 260705
 F 01783 262541
 M 07768 010417
 E tim@poulson.com

CLIENT THE RACE HOUSE

PROJECT SHAFESBURY ROAD
 CAMBRIDGE

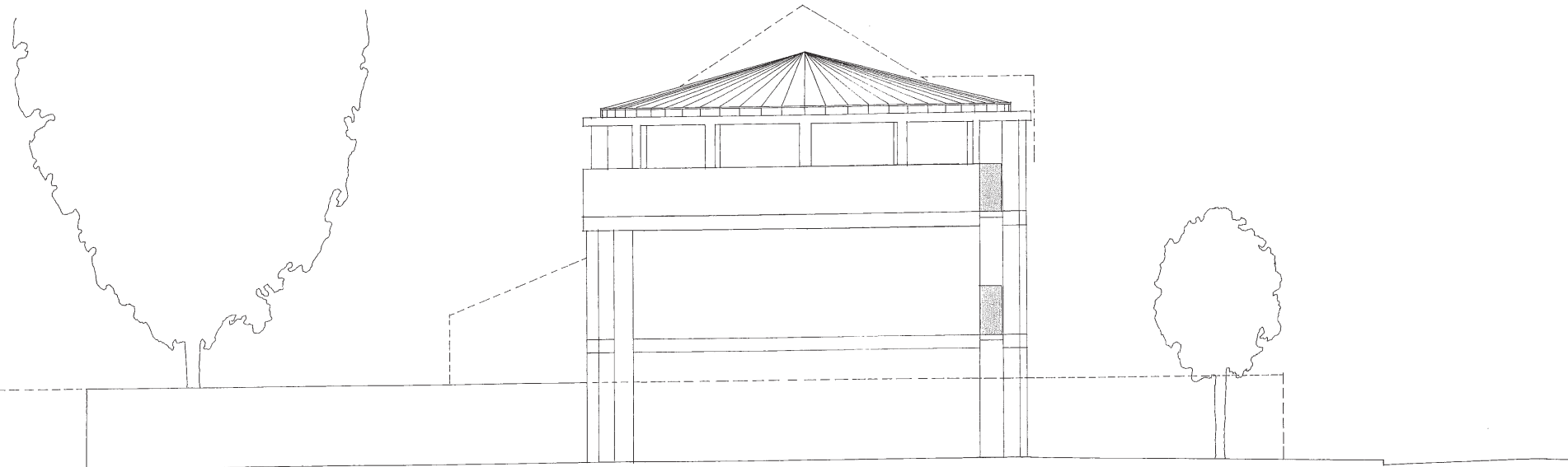
TOPIC THE ROUND HOUSE
 EAST + WEST ELEVATIONS

SCALE 1.50 @A1 1.100 @A3

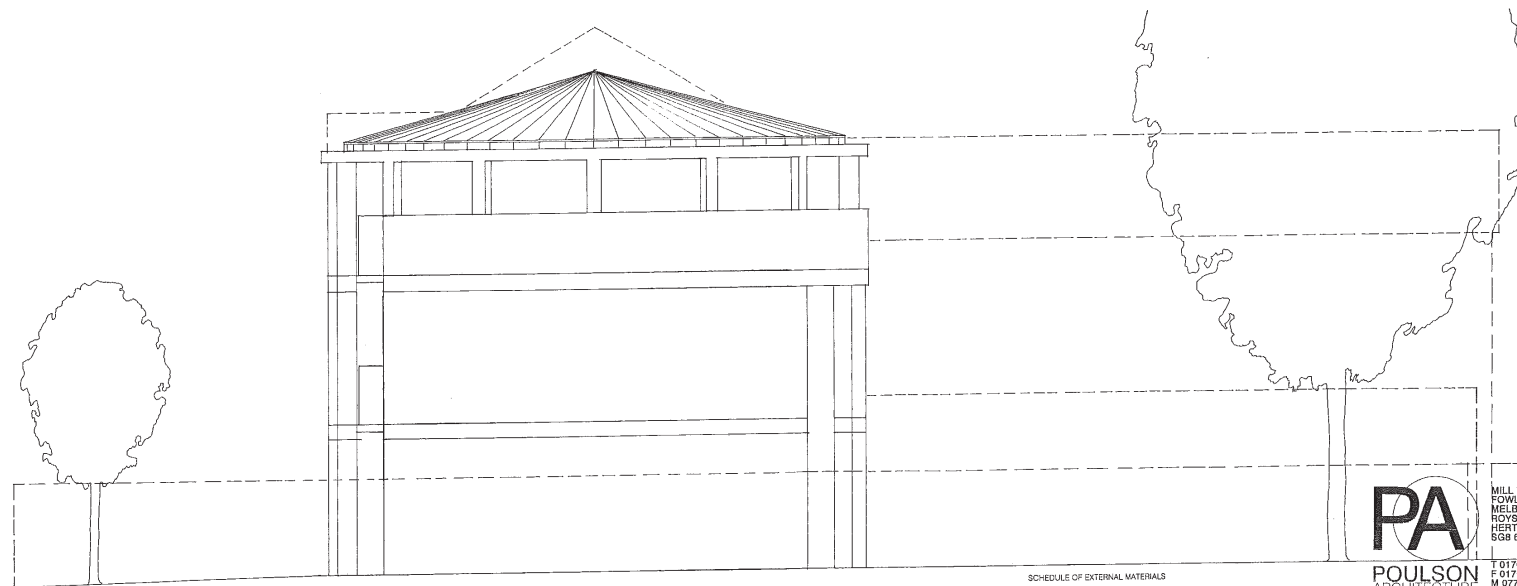
DATE 02 12 12

STATUS P

SRC 163 A



NORTH ELEVATION



SOUTH ELEVATION

SCHEDULE OF EXTERNAL MATERIALS

- WALLS FAIR FACED BRICKWORK IN WHITE CAMBRIDGE GULLT BRICKS OR EQUIVALENT WITH THE STRING COURSES IN SMOOTH RUBBED BATH STONE THE ATIC STOREY TO BE CLAD IN PRE-WEATHERED 'GRAPHITE' ZINC
- ROOF THE LOW PITCH RAISED SEAM ROOF TO BE FORMED IN PRE-WEATHERED 'GRAPHITE' ZINC
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- BOUNDARY ENCLOSURE WHITE CAMBRIDGE GULLT BRICK WALLS WITH WROUGHT IRON BALUNGS TO MATCH THE BOUNDARY WITH 3 SHAFESBURY ROAD



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CLIENT **THE RACE HOUSE**

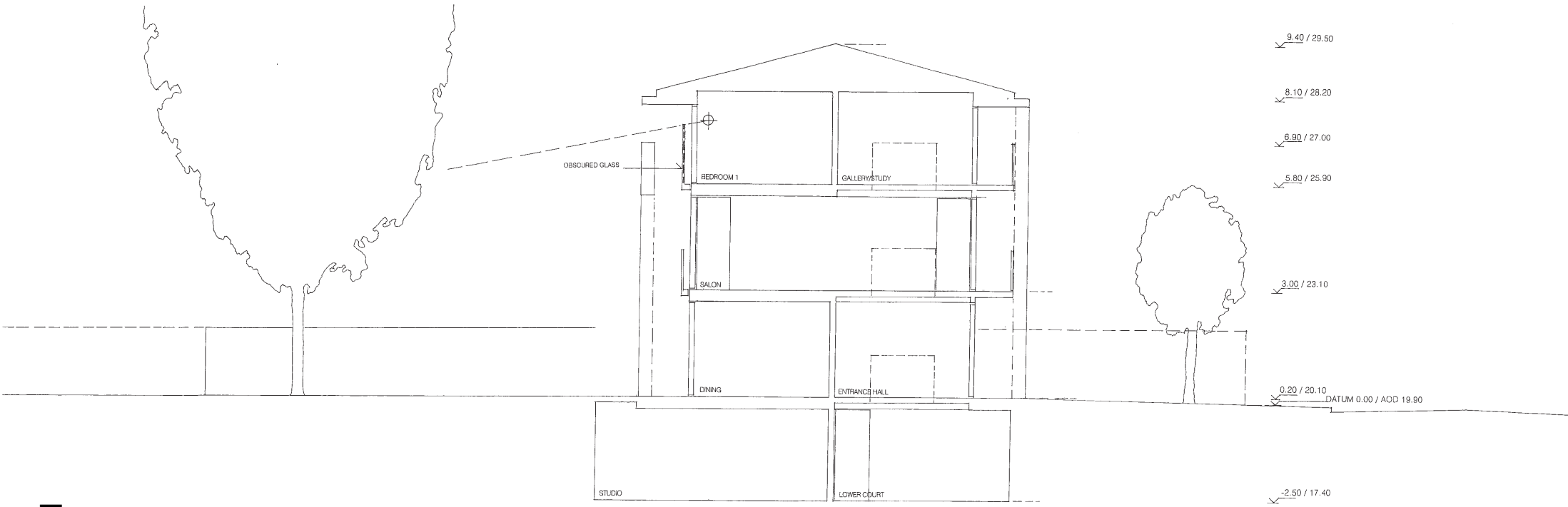
PROJECT **SHAFTESBURY ROAD CAMBRIDGE**

TOPIC **THE ROUND HOUSE NORTH+ SOUTH ELEVATIONS**

SCALE **1.50 @A1 1.100 @A3**

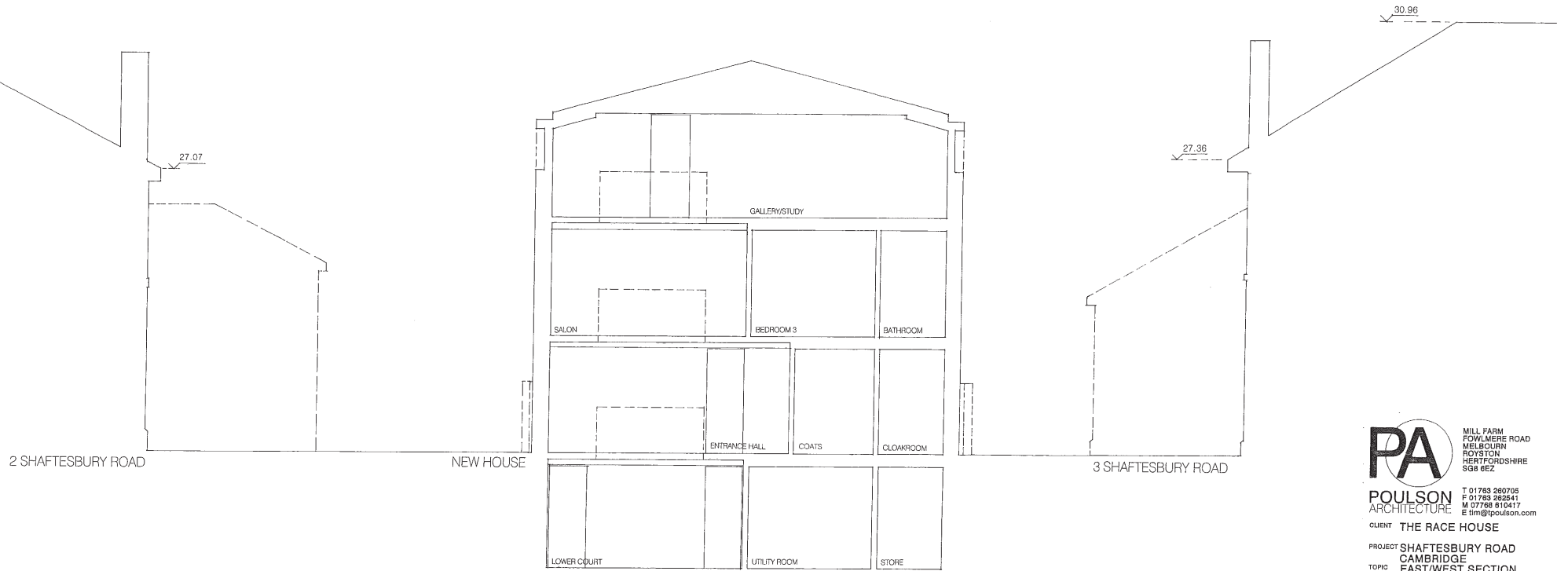
DATE **02 12 12**
 STATUS **P**

SRC 164 A



EAST / WEST SECTION

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NORTH / SOUTH SECTION

PA
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CLIENT THE RACE HOUSE

PROJECT SHAFTESBURY ROAD
 CAMBRIDGE

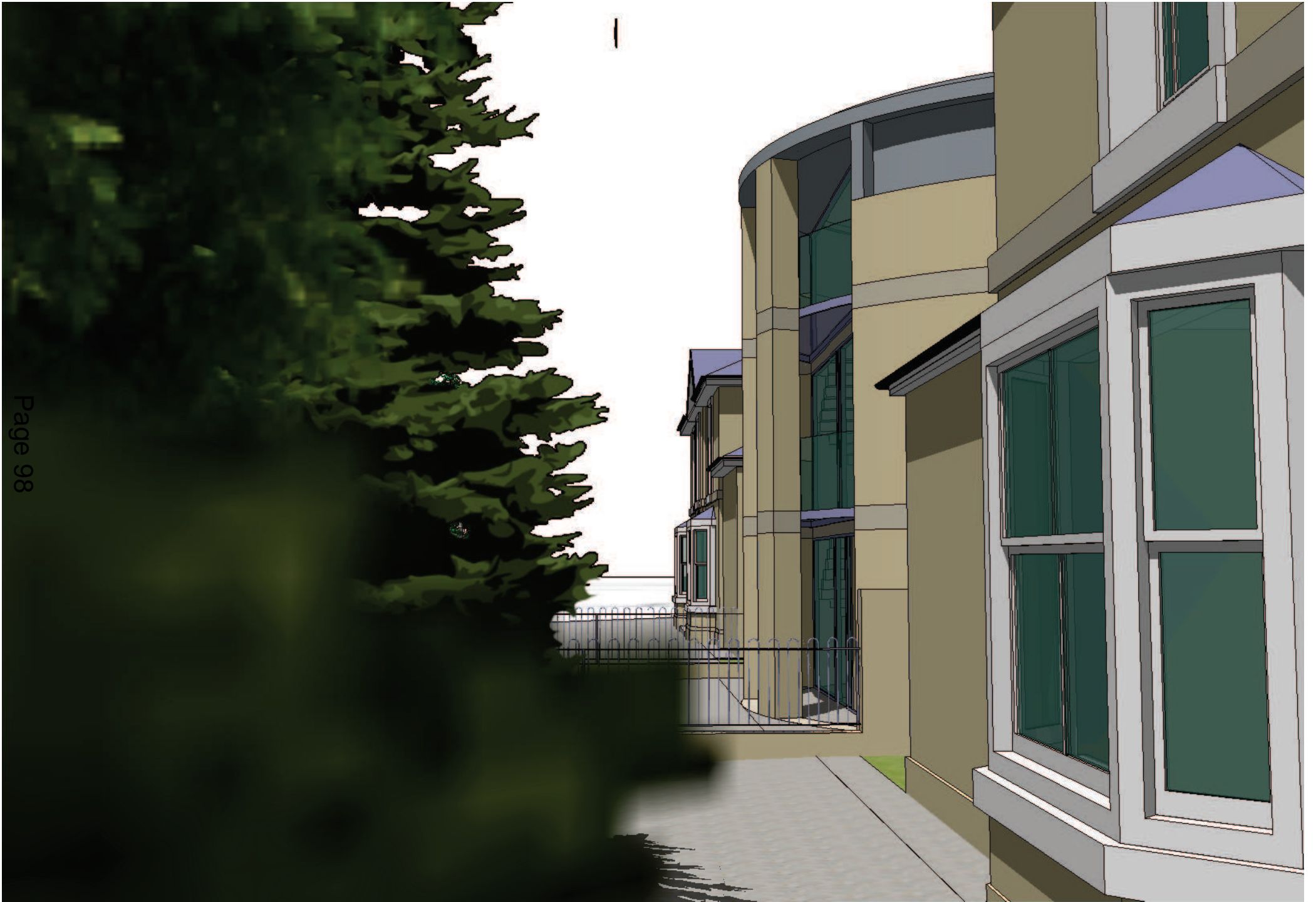
TOPIC EAST/WEST SECTION
 NORTH/SOUTH SECTION

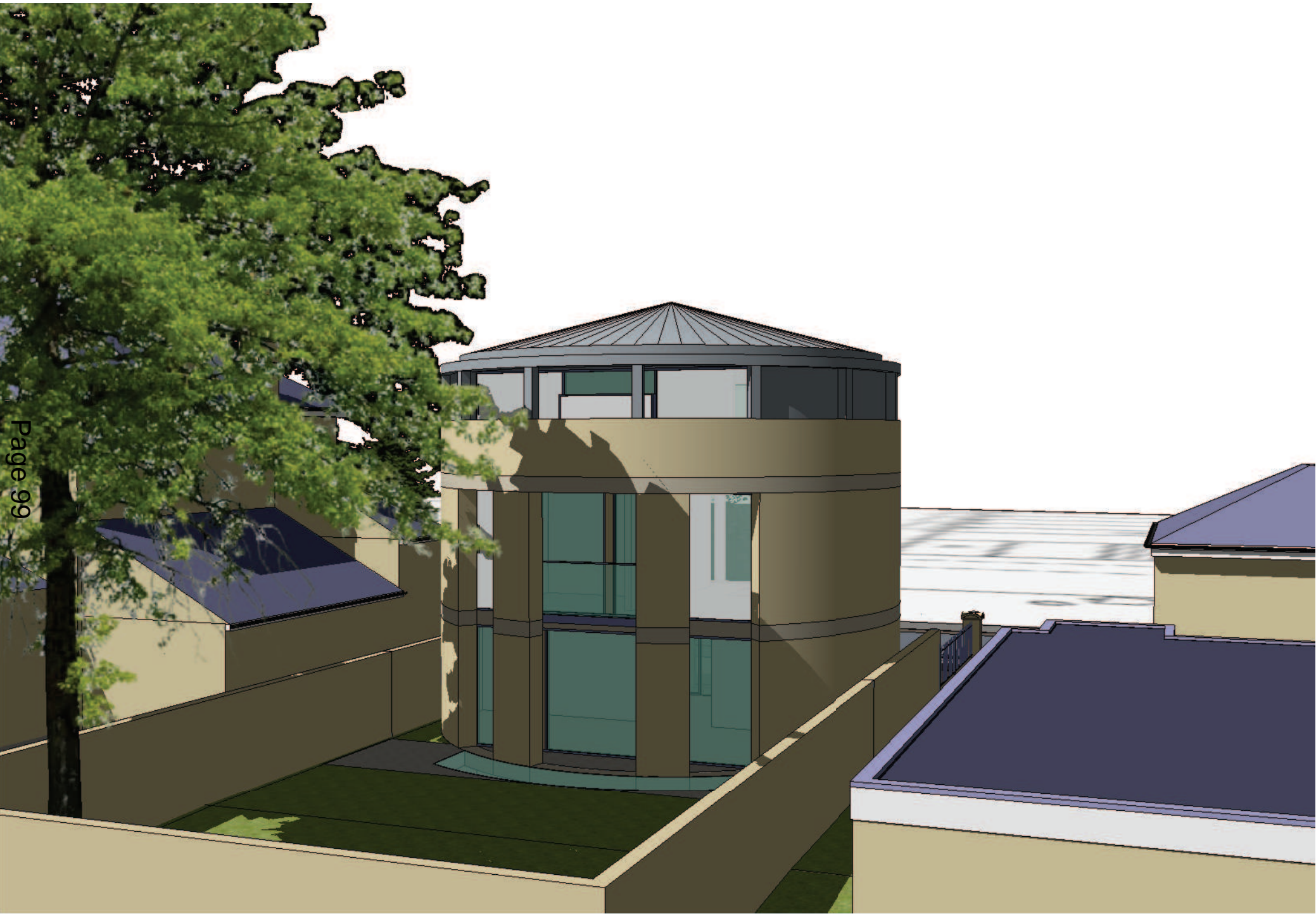
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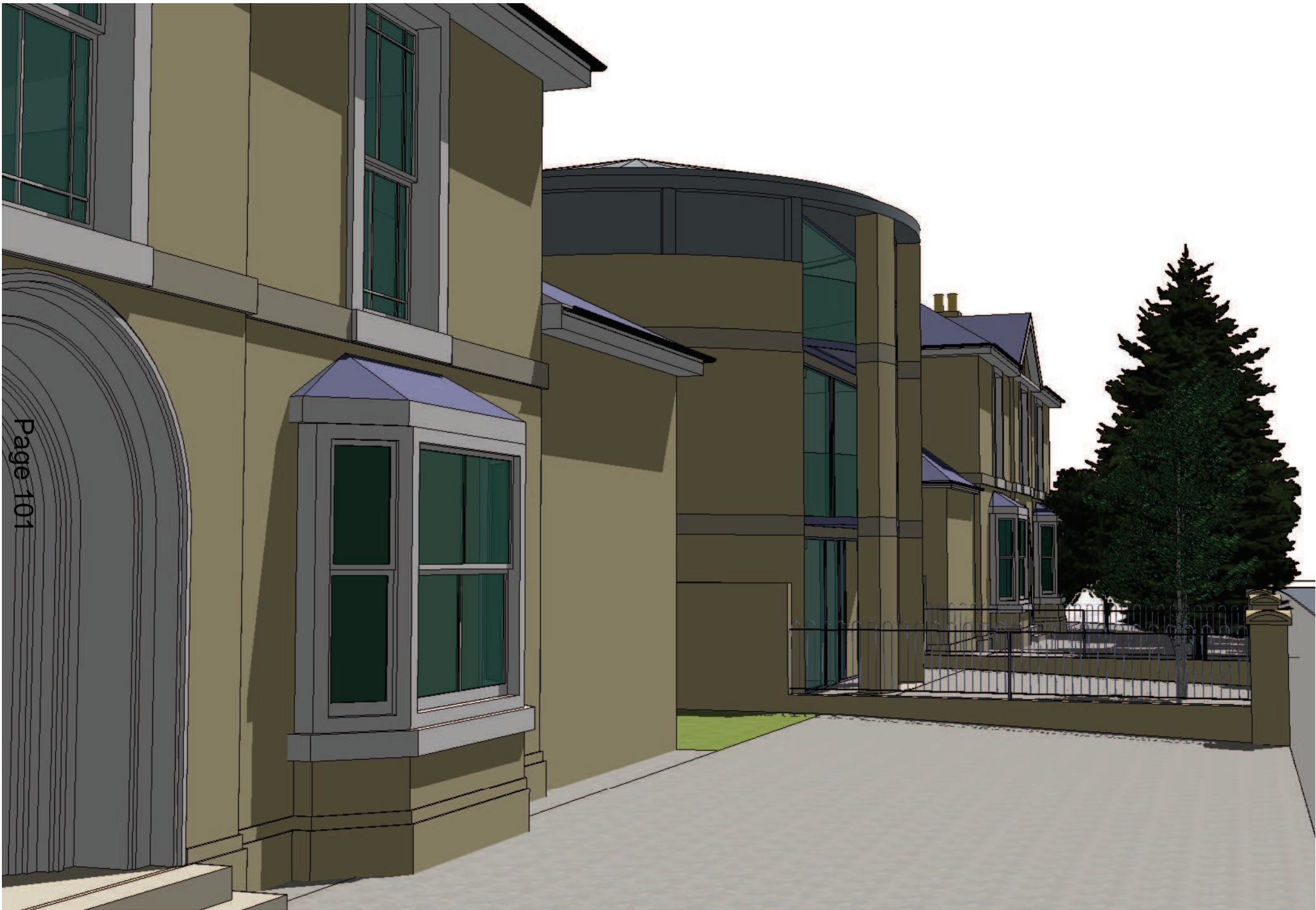
STATUS P

SRC 165 A











**Cambridge City Council
Design & Conservation Panel**

Notes of the meeting Wednesday 16th January 2013

Attendees:

Nick Bullock	Chair
Terry Gilbert	RTPI (vice Chair)
Ian Bramwell	RIBA
Kieran Perkins	RIBA
Carolin Gohler	Cambridge PPF
David Grech	English Heritage
Jo Morrison	Landscape Institute
Jon Harris	Co-opted member
Ian Steen	Co-opted member

Officers:

Catherine Linford	City Council
Susan Smith	City Council

Observers:

Cllr Paul Saunders	City Council
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1. Apologies – Dennis Goldsmith, Chris Davis, Tony Nix and Russell Davies.

2. Presentation – The Race House, Shaftesbury Road.

A presentation on a round house proposal on the land between 2 & 3 Shaftesbury Road. The building has been designed over four floors with a basement level, two full floors at ground and first floor level and an 'attic' storey at the second floor level. Previous proposals were brought before the Panel in October 2011 and May 2012. Although the final scheme was strongly supported by the Panel (verdict unanimous GREEN), the planning application made in April 2012 was refused under delegated powers in July 2012.

Presentation by Tim Poulson of Poulson Architecture.

Carolin Gohler declared an interest and did not participate in the vote.

The Panel's comments are as follows:

- The Impact on the Neighbouring Properties. The impact of this building on the gardens of the neighbouring properties was a key concern last time and remains crucial to the building's success. The Panel would have welcomed further information on the neighbours' gardens to both north and south and the rooms looking on to them in order to gauge the effect of the proposal. Further detail of the proposed fenestration and views from within the proposed building looking out onto these gardens would be necessary to assess the impact on the adjoining properties.
- The Impact on the Streetscape. The Panel felt the building would be successful in the streetscape: open at the front but revealing the circular form behind the trees. However, the possibility of success also depends on a successful resolution of the boundaries of the site, requiring negotiation with the neighbours at No 1 and 3 Shaftesbury Road so that the drumlike form of the house can be clearly read without being encumbered with boundary walls.

- Nature of the parapet. With fenestration only to the front, this was viewed by the Panel as overly simplistic. Exploring alternative treatments to the ground floor while maintaining the implicit shape of the 'drum' at the upper levels would necessitate a welcome re-visiting of the top level.
- Handling of the Ground and Top Floor. The Panel wondered whether the question of the boundaries might be addressed by slightly modifying or inflecting the simple drum form of the dwelling on the ground and the top floor while maintaining the integrity of the drum at first floor level. Exploring alternative treatments to the ground floor while maintaining the implicit shape of the drum might also open up possibilities for rethinking the top level.
- The Link between Basement and Garden. The Panel were disappointed to learn that this space would only have a visual link to the garden at the rear. The Panel were told that there is an issue with the water table which was noted but thought nevertheless, that every effort should be made to create a physical link between the basement and the garden.
- The Detailing of the Design. The Panel thought the choice of stone was an appropriate material for the house but felt strongly that details such as crisp arises and the handling of the window cills would be essential for the success of the design, not just in the short term but in the longer terms as the stone weathers.
- Forecourt parking. The Panel questioned the practicality of the parking arrangements and whether the proposed trees along the street line could be accommodated given the limited space.
- Landscaping. The Panel advise against the planting of Hornbeams or Plane trees along the Shaftesbury Road boundary line as these will grow too tall resulting in excessive shadowing and recommended instead the choice of lighter species designed for the longer term. The Panel also thought that any screening to the rear of the building would need to incorporate a protected root zone, as the existing tree makes a significant contribution to the Conservation Area.

Conclusion.

The Panel were reminded that the previous proposal for this site was refused principally on grounds of amenity and not design. However, as the owners of both adjacent properties have sold this site with planning permission it is clear that the principle of the development of the site has been established and the Panel feel that the issue of amenity can be resolved despite the constraints imposed by the narrowness of the site.

The Panel feel that the drum like form of the house would be considerably less oppressive in its impact on the neighbouring gardens but consider that the pure cylindrical form will need modification to address the boundary problems on either side. While persuaded that this approach has the potential for success, the Panel feel that the simplicity of the starting point for the design will need careful detailed handling of questions like the fenestration, the relationship between basement and garden in order to realise its promise.

VERDICT – GREEN (5), AMBER (3) with 1 abstention.

3. Minutes of the last meeting – Wednesday 12th December 2012.

Paul Milliner of the University had requested clarification regarding the minutes for Arup Building proposal; specifically the Panel's view on the gable extension.

ACTION: Terry Gilbert to re-visit the minutes for the Arup item to clarify the Panel's discussion on the gable end of the building.

4. Review of the D&C Panel – Glen Richardson.

Panel members, officers, and agents will be invited to participate in an open dialogue over the coming months to discuss objectively how well the Panel is working and where any 'fine tuning' may be required. Nick Bullock will be included as a crucial participant in this discussion.

5. A farewell and thanks to Nick Bullock.

All those in attendance thanked Nick for his skilful chairing of the Panel over the last two years. Terry Gilbert will be the Acting Chair for the period of the review.

6. Date of next meeting – Wednesday 13th February 2013.

Reminder

CABE 'traffic light' definitions:

GREEN: a good scheme, or one that is acceptable subject to minor improvements

AMBER: in need of *significant* improvements to make it acceptable, but not a matter of starting from scratch

RED: the scheme is fundamentally flawed and a fresh start is needed.

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CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

CAMBRIDGE
CITY COUNCIL

REFUSAL OF PLANNING PERMISSION

Ref: 12/0438/FUL

Mr Timothy Poulson
Poulson Architecture
Mill Farm
Fowlmere Road
Melbourn
Royston
Herts
SG8 6EZ

The Council hereby refuse permission for

Construction of a new dwelling
at
Land Between 2 And 3 Shaftesbury Road Cambridge Cambridgeshire CB2 8BW

in accordance with your application received 4th April 2012 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The positioning of the proposed house, abutting the common boundaries with 2 and 3 Shaftesbury Road, combined with its height and depth, would result in a built form that would appear dominant and overbearing on the amenity of the occupiers of 2 and 3 Shaftesbury Road and their ability to enjoy rooms and spaces immediately facing the north and south boundaries of the site. For these reasons, the proposal is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).
2. The positioning of the proposed house, its combined height and width, the proposed level of glazing and size of the rear 2nd floor terrace, would result in the occupiers of the neighbouring properties at nos. 2 and 3 Shaftesbury Road experiencing a loss of privacy, a degree of noise and disturbance from the terrace and an overbearing visual impact from the assertive presence of the building in otherwise spacious and secluded rear garden areas. The development would therefore significantly detract from the privacy, enjoyment and use of the rear garden areas for the occupants of nos. 2 and 3 Shaftesbury Road and is contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan (2006).

3. In the absence of a S106 agreement to mitigate its impact, the proposed development does not make appropriate provision for public open space, community development facilities, or waste in accordance with policies 3/7, 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 2010, and the Open Space and Recreation Strategy (2010).

This decision notice relates to the following drawings: SRC 110, SRC 111 GF, SRC 112 FF & SF, SRC 113 E & W, SRC 114 N & S, SRC 115 EW & N/S, SRC 116 E + W WITH LEVELS, SRC 117 E + W WITH LEVELS, SRC 131 STREET ELEVATIONS and SRC 133 ELV MONTAGE STREETSCAPE.

A copy of the refused plan(s) is/are kept in the planning application file.

For further information please go to www.cambridge.gov.uk/planning.

Dated: 16 July 2012



Guildhall, Cambridge, CB2 3QJ

Head of Planning Services



SEE NOTES ATTACHED

PLANNING PERMISSION

1. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development' or to grant permission subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal then you must do so within 6 months of the date of this notice or within 12 weeks of the date of the decision notice against a refusal of any householder planning application that was valid on or after 6th April 2009, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from www.planningportal.gov.uk/pcs

The Secretary of State can allow for a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, he does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be permitted. In these circumstances, the owner may serve a purchase notice on the council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

3. Notification of Demolition

If listed building consent has been granted and any demolition is to take place, you must in accordance with Section 8(2)(b) of the Planning (Listed Building and Conservation Areas) Act 1990 complete a Final Notice of Demolition Form and send it to English Heritage at least one month before demolition occurs.

4. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse listed building or conservation area consent, or to grant either subject to conditions then you may appeal to the Secretary of State for the Environment in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Appeals must be made within 6 months of the date of the decision (see notes under 1 above).

5. Purchase Notice

If listed building or conservation area consent is refused, or if either is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring the council to purchase his interest in the land in accordance with section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

6. Compensation

In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

CONSENT TO DISPLAY AN ADVERTISEMENT

7. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse consent to display an advertisement, or to grant consent subject to conditions then you may appeal to the Secretary of State for the Environment under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. Appeals must be made within 8 weeks of the date of the decision (see notes under 1 above)

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Application Number	13/0518/FUL	Agenda Item	
Date Received	19th April 2013	Officer	Ms Nanayaa Ampoma
Target Date	14th June 2013		
Ward	Queen Ediths		
Site	19 Worts Causeway Cambridge Cambridgeshire CB1 8RJ		
Proposal	Erection of one 3-bedroom one and a half storey house with car lodge and new access from Field Way on land to the rear of 19 Worts Causeway.		
Applicant	Mr And Mrs John Carroll 19 Worts Causeway Cambridge Cambridgeshire CB1 8RJ		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The development would have a detrimental impact on the special character of the area by reducing the openness of the rear garden environment. -It fails to provide amenity space relative to the context of the area and size of the dwelling. -The applicant has failed to sign a S106
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site relates to the land behind No.19 Worts Causeway. The site is almost a square plot of land measuring 18.5 metres by 15.5 metres. Planning history suggests that the land may have originally been part of the proposed amenity space for the property at No.1.A Field Way. Currently, the land is used as part of the garden of No.19 Worts Causeway, although it is separated from the main garden by a fence.

1.2 The surrounding area is predominantly residential in nature and is characterised by large two storey detached houses with deep gardens.

1.3 The site does not fall within a Conservation Area and it is outside of the controlled parking zone. The site is not in a Flood Risk Zone.

2.0 THE PROPOSAL

2.1 The application seeks planning permission for the erection of a one and half storey house, with car lodge and new access fronting Field Way. The property would have three bedrooms and is built to accommodate a disabled user.

2.2 Outside, space is allocated for three bins, bikes and one car space. A rear garden patio will serve as the amenity space for the property. This measures (approximately) 3.5m in depth, by 15m in width.

2.3 The proposed house would have hipped eaves that would step. It would also have a ridge and eaves height that matches the site's closest neighbour.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans

2.5 The application is brought before Committee at the request of Councillor Swanson for the following reasons:

- Councillor is sympathetic to the need for a disabled unit.

3.0 SITE HISTORY

Reference	Description	Outcome
C/70/0098	Erection of house and garage	Permitted
05/0675FUL	Erection of 1no. 2 bed house	Refused at Committee, withdrawn at appeal.

- 3.1 The closest neighbour is No.1A Field Way, which has been divided into flats. 1A dates back to the 1970's and was given permission to become a house with a garden (C/70/0098) as part of the subdivision of no.19 Worts Causeway.
- 3.2 No.1B Field Way dates back to the 1980's (C/85/0636). Both of these properties front onto Field Way, both are used as flats and both have a much smaller footprint than other properties in the location.
- 3.3 The 2005 application under reference 05/0675/FUL was refused by South Area Committee for a house on a plot size not dissimilar to that proposed (attached).

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/3 3/4 3/7 3/10 3/11 3/12 5/1 8/2 8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework (2012) Circular 11/95 Community Infrastructure Levy Regulations (2010)
Supplementary Planning Documents	Sustainable Design and Construction Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Strategic Flood Risk Assessment (2005) Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Southern Corridor Area Transport Plan Southern Fringe Area Development Framework

6.0 CONSULTATIONS

6.1 Cambridgeshire County Council (Highways)

- The proposal should have no significant impact on the public highway subject to conditions.

6.2 Environmental Health

- Application supported subject to conditions.

6.3 **Head of Streets and Open Spaces (Landscape Team)**

- Application supported subject to conditions.

6.4 The above responses are a summary of the comments 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:

- 2 Bowers Croft
- 7 Bowers Croft
- 17 Bowers Croft
- 19 Bowers Croft
- 7 Field Way
- 16 Field Way
- 19 Field Way
- 21 Field Way
- 6 Worts Causeway
- 23 Worts Causeway

7.2 The representations received in support of the application can be summarised as follows:

- Would be in keeping with area
- Application should be given sympathetic hearing due to the reasons for the application.
- Property would be good for wheelchair users
- Design acceptable

7.3 The representations received in objection of the application can be summarised as follows:

- Nothing has changed since the last application for a similar development on the site
- Development would be too dense
- Would set negative precedent
- No guarantee that the property will remain in disabled use

7.4 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, 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. Car and cycle parking
6. Third party representations
7. Planning Obligations

Principle of Development

8.2 The area is predominantly residential in nature and is characterised by large two storey detached houses with deep gardens. There is an open feel to the environment with a few houses fronting the Field Way.

8.3 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.

8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

8.5 Policy 3/10 of the Cambridge Local Plan sets out the criteria for assessing proposals involving the subdivision of existing plots. It states that residential development within the garden area of a curtilage of an existing property will not be permitted if it provides inadequate amenity space or detracts from the prevailing character of the area.

8.6 The proposed development is not in keeping with the character of the area, which is typified by large houses, large plots, good

sized gardens and an open feel. In contrast, the proposed development presents a good sized house on a relatively tight plot. The development of a house would have an irreversible impact on the degree of openness of the rear garden, which has already been subdivided.

- 8.7 The building of the three bedroom unit would have an impact on the openness experienced of the garden at 17 and 19 Worts Causeway and diminish the feeling of space around the property at 1A Field Way. The garden space at 17 Worts Causeway is 47m long. No.19 would have had a similar sized garden (41m). Due to the previous subdivision the garden currently measures 27m deep. It would be reduced to around a third of its original size if the proposal was implemented, going from 41m to 12m deep. The proposed development would also be built 2m away from 1A Field Way. As the property at 1A has very little outside space it would appear enclosed in a way that is uncharacteristic of the area.
- 8.8 For these reasons the development of a house on this particular plot of land is unacceptable as it does not complement its context and would have a harmful impact on the character of the area, particularly the spaciousness of the rear garden environment at Worts Causeway. Therefore, it is contrary to policies 3/4, 3/7, 3/10, 3/11, 3/12 of the Cambridge Local Plan (2006).

Residential Amenity

Impact on Neighbouring Amenity

- 8.9 I do not envisage that the development would lead to an unacceptable loss of light or overshadowing for its neighbours. The design of the northeast facing elevation has been created with a step back in levels. This avoids over shadowing of the property at 1A. There are no privacy or overlooking concerns associated with the development in relation to this neighbour. Windows that may affect any neighbouring properties will be obscure glazed. The gap between the two properties and the design of the northeast elevation will mean the proposed new dwelling will not lead to issues of enclosure for 1A, although it will have an impact on their outlook and feeling of space.

8.10 Given the distance between the proposed dwelling and 19 Worts Causeway, I am satisfied that this property will also not be adversely affected. The proposed rear garden and rear side of the development would face 17 Worts Causeway. There are no proposed windows looking into this garden at first floor and at ground floor there is boundary treatment by way of trees and planting that would most likely provide a screen. I do not envisage that this property would be affected by the above concerns.

Amenity of future occupiers

8.11 Policy 3/4 of the Local Plan seeks to ensure that development responds to its context by using the characteristics of the locality to help inform its design. The majority of other family dwellings within the surrounding area have substantial private gardens.

8.12 In this particular case, the design of the house is acceptable and its consideration of disabled living requirements commendable. However, the proposed three bedroom unit does not reflect the context of other household developments in the area. The applicant has argued that the space provided is in keeping with the flats nearby and the disabled users will not require lots of outside space. However the principle of sustainability as set out by the NPPF states that in assessing an application the future use of the site must be considered. It would not be unreasonable to consider that a three bedroom unit as the one being proposed could be used as a future family dwelling. That being so, in my opinion, the amenity provision, a narrow 3.5m deep garden, is below an acceptable standard.

8.13 This consideration has become an important part of the assessment of any development of this kind. So much so that the draft Cambridge City Local Plan has set out a specific policy to deal with this issue. The draft Plan sets out specific criteria's under external residential space standards that must be met by all new developments when making provision for outside amenity space. It also specifically requires that new dwellings can be used flexibly by a range of residents.

8.14 In my opinion, the level of amenity provided as part of this development is not in keeping with other houses in the area and the narrowness of the garden would be impractical for use.

Therefore, the proposal does not adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Refuse Arrangements

- 8.15 The proposal shows bin storage space in accordance with the requirements of the City Council.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.17 The application proposes one car parking space and three cycle parking spaces. The Highway Authority has commented that the application is acceptable. However that the pedestrian visibility splays should be applied from the back of highway.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 car and cycle parking standards.

Third Party Representations

- 8.19 I have received third party comments in support of the application and in objection. I have addressed these comments in the above sections.

Planning Obligations

- 8.20 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

8.21 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) 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 and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.22 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. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.23 The application proposes the erection of 1x three-bedroom house. A house or flat is assumed to accommodate one person for each bedroom. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714	1	714
4-bed	4	238	952		
Total					714

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807	1	807
4-bed	4	269	1076		
Total					807

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726	1	726
4-bed	4	242	968		
Total					726

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948	1	948
4-bed	4	316	1264		
Total					948

8.24 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and in accordance with the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010).

Community Development

- 8.25 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882	1	1882
4-bed	1882		
Total			1882

- 8.26 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.27 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	1	75
Flat	150		
Total			75

8.28 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), the proposal is in conflict with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.29 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.30 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

9.1 The application should be refused as the proposed three bedroom dwelling does not complement its context and would have a detrimental impact on the character of the area. Additionally, it fails to provide adequate outside space relative to other similar properties in the area and the applicant has failed to sign a S106 agreement.

10.0 RECOMMENDATION

REFUSE for the following reasons:

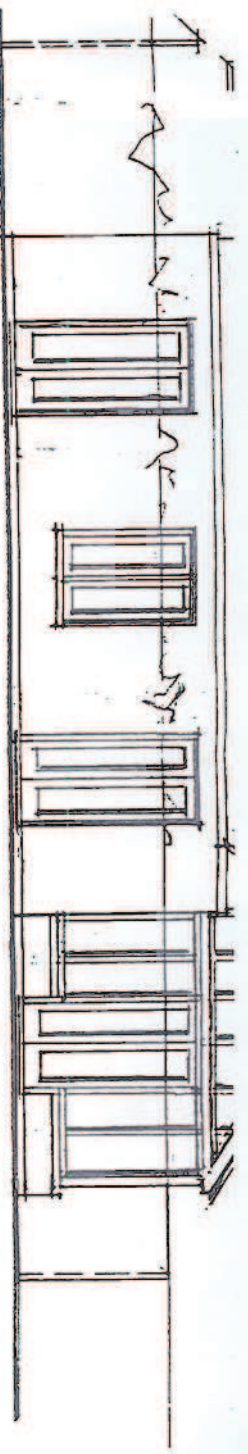
1. The proposed dwelling does not respond to its context in that it would further shorten the space between 19 Worts Causeway and built form within its garden, already subdivided by 1A Field Way, and as such have a detrimental impact on the character of the area by eroding and foreshortening the long and verdant character of the existing rear garden landscape and gardens adjoining. As such, the space between 19 Worts Causeway and 1A Field Way would appear unnecessarily cramped and out of context and for these reasons the proposal is in conflict with policies 3/4, 3/7, 3/10, 3/11 and 3/12 of the Cambridge Local Plan (2006).
2. The proposed development does not make sufficient outdoor garden provision for the future users of the site and is therefore contrary to policies 3/4, 3/7, 3/10, 3/11 and 3/12 of the Cambridge Local Plan (2006).
3. The proposed development does not make appropriate provision for public open space, public realm improvements and waste facilities, in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010.

INFORMATIVE: In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.



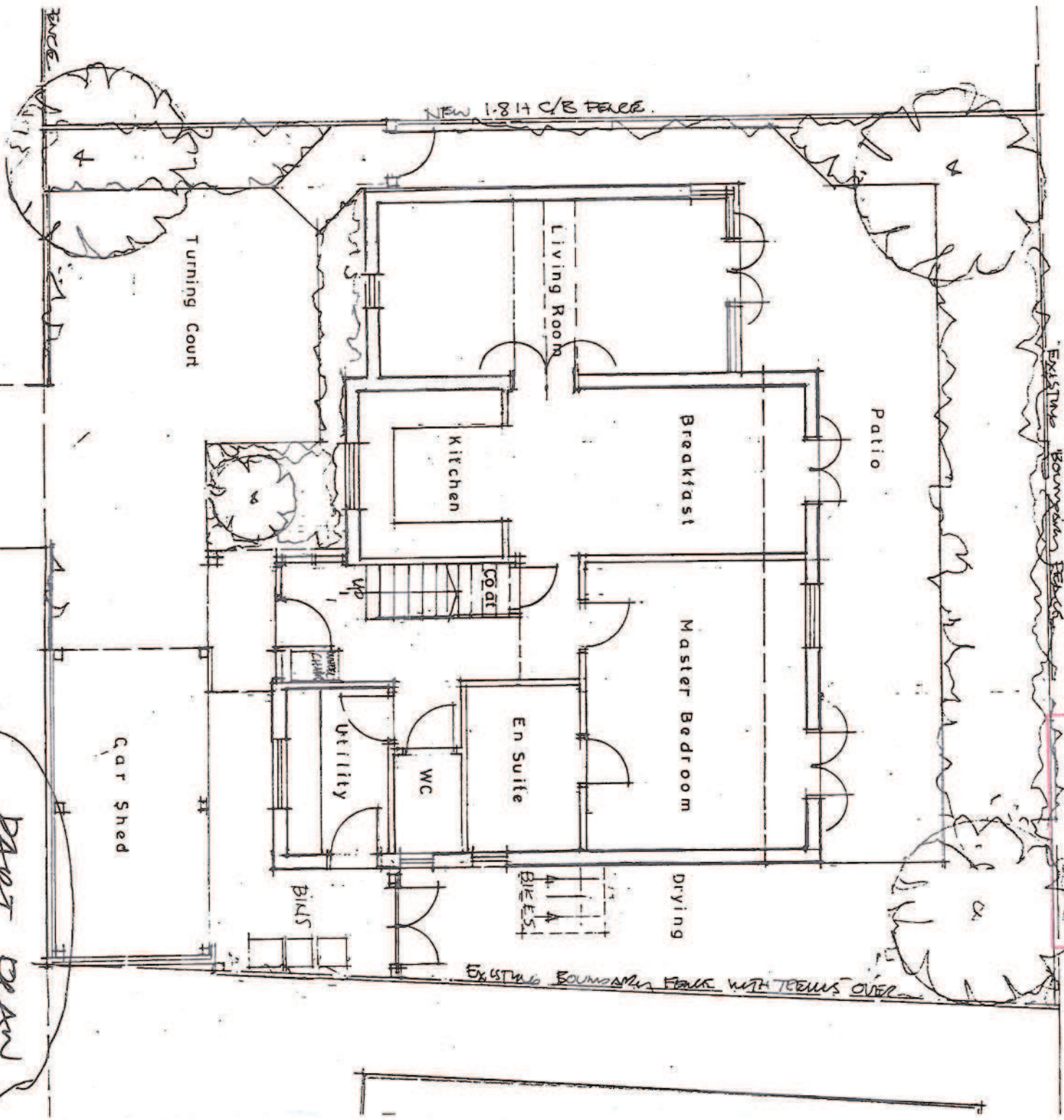
LAND TO BE BUILT IN WORTS CAUSEWAY
1:500

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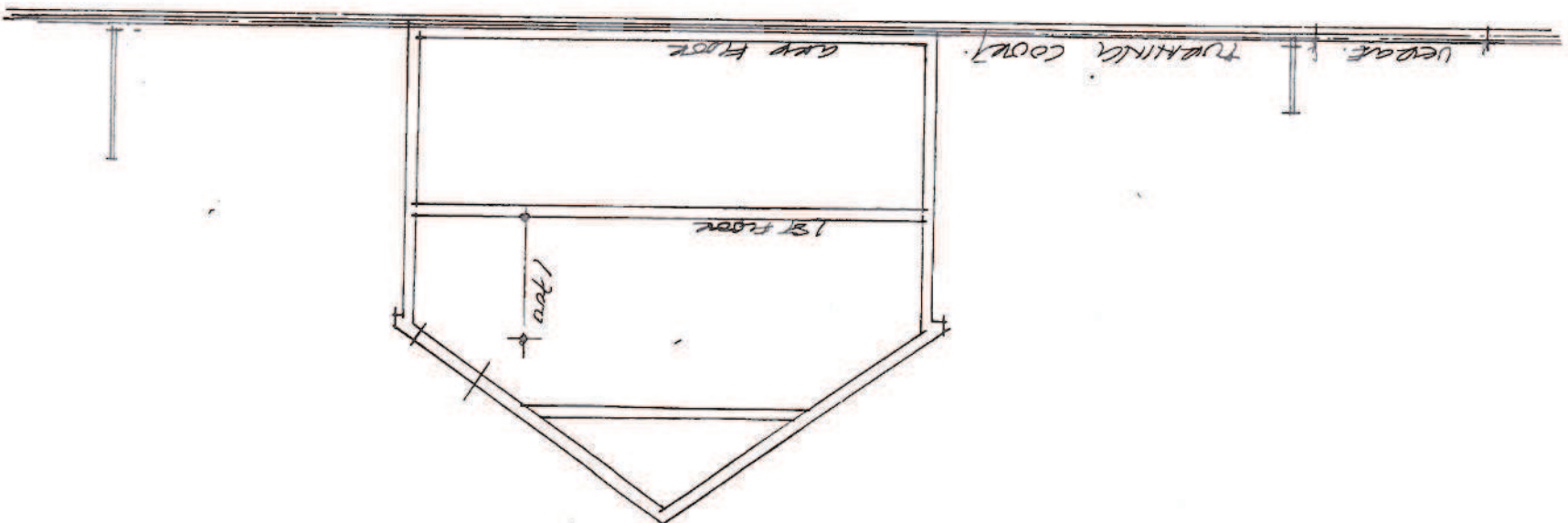


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CAMBRIDGE CITY
COUNCIL
19 APR 2013



Page 127
PLOT PLAN
13/1349/002



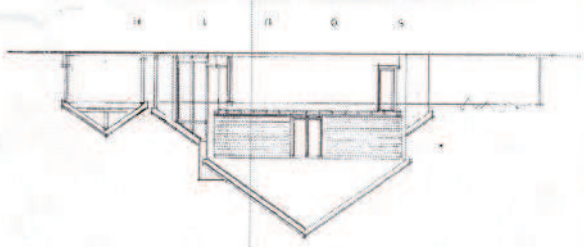
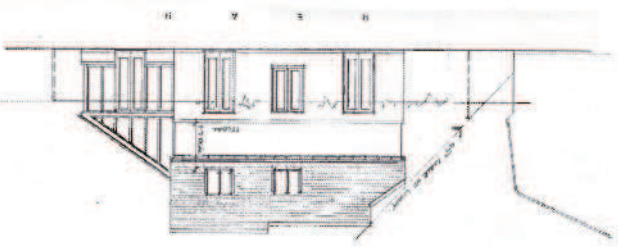
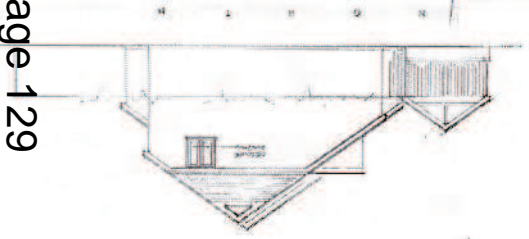
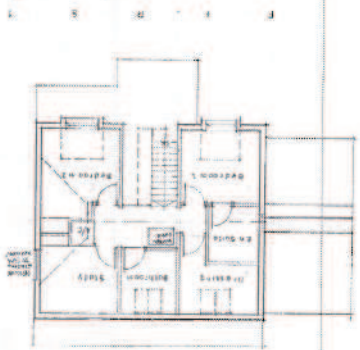
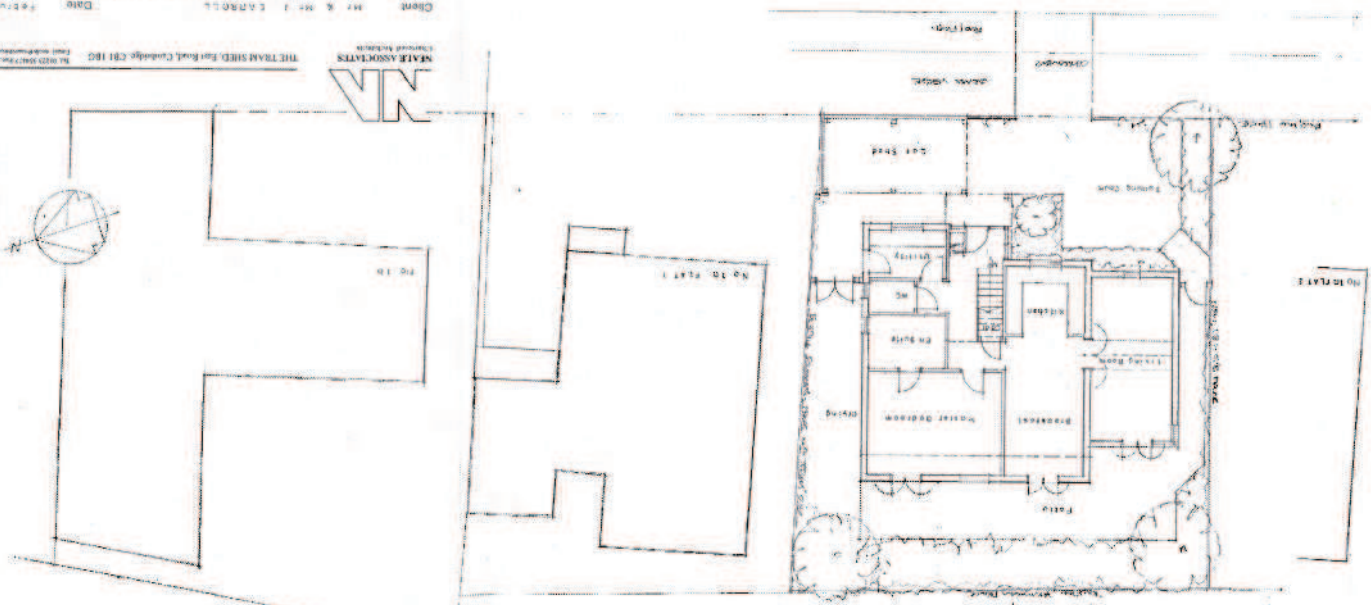
CLIENT.
PROJECT.
DRAWING

Mr. M. J. Carroll
42 19 West Crayford
SE7 5HT

DATE.
SCALE.
DWG. No.

Apr 15
1:100
1349/55 01

G R O U N D F L A N



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CAMBRIDGE CITY COUNCIL

**CAMBRIDGE
CITY COUNCIL**

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACTS 1990

Hysteria

REFUSAL OF PLANNING PERMISSION

Ref:05/0675/FUL

David Page Associates
The Gallery
96 King Street
Cambridge
CB1 1LN

The Council hereby refuse permission for

Erection of 1no. 2 bed house.

at
1A Field Way Cambridge Cambridgeshire CB1 8RW

in accordance with your application received 17th June 2005 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The size of the proposal site, its spatial relationship with the adjacent property and its position within the streetscene is such the new dwelling will introduce a form which would appear cramped and contrived within its context detracting from the local townscape and changing the character of the area. The proposal therefore fails to recognise the constraints of the site or to relate well to its surroundings and is therefore contrary to policies BE2 and BE4 of the Cambridge Local Plan (1996) and policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and guidance contained in Planning Policy Guidance Note 3 Housing (2000) in relation to the good design and layout of new development.



2. The limited size of the development site, and the proposed siting of the new dwelling due south of and only 3 metres from no. 1A Field Way is such that the introduction of a two storey dwelling would have an overbearing and overpowering impact upon the dwelling causing the occupants to feel unreasonably enclosed and suffering a loss of outlook and natural light and, thereby creating an adverse impact upon the residential amenity of the occupiers of that property. The proposal is therefore contrary to policy BE2 of the Cambridge Local Plan (1996) and guidance contained in Planning Policy Guidance Note 3 Housing(2000) and the Cambridge Housing Development and Design Guide 2001.

3. 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 CS3 and RL3 of the Cambridge Local Plan 1996; 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 2004 adopted as supplementary planning guidance by Cambridge City Council.

This decision notice relates to the following drawings

Site location plan and FW01.

A copy of the refused plan(s) is/are kept in the planning application file.

Dated: 11 August 2005



P.P.

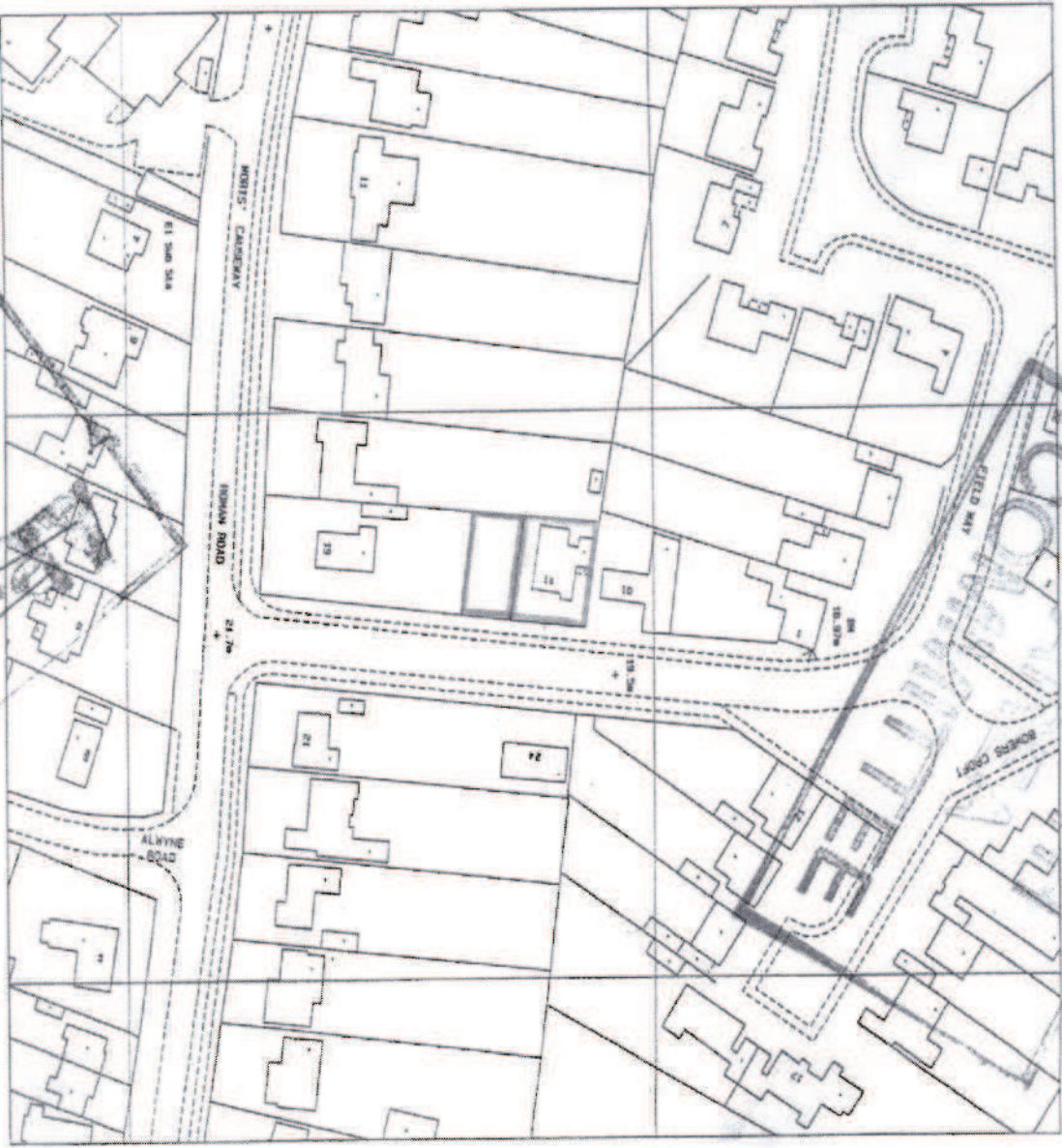
Guildhall, Cambridge, CB2 3QJ Director of Environment & Planning *JK*

SEE NOTES OVERLEAF

**IMPORTANT ADVICE ON CHANGE TO TIME LIMITS FOR LODGING
PLANNING APPEALS**

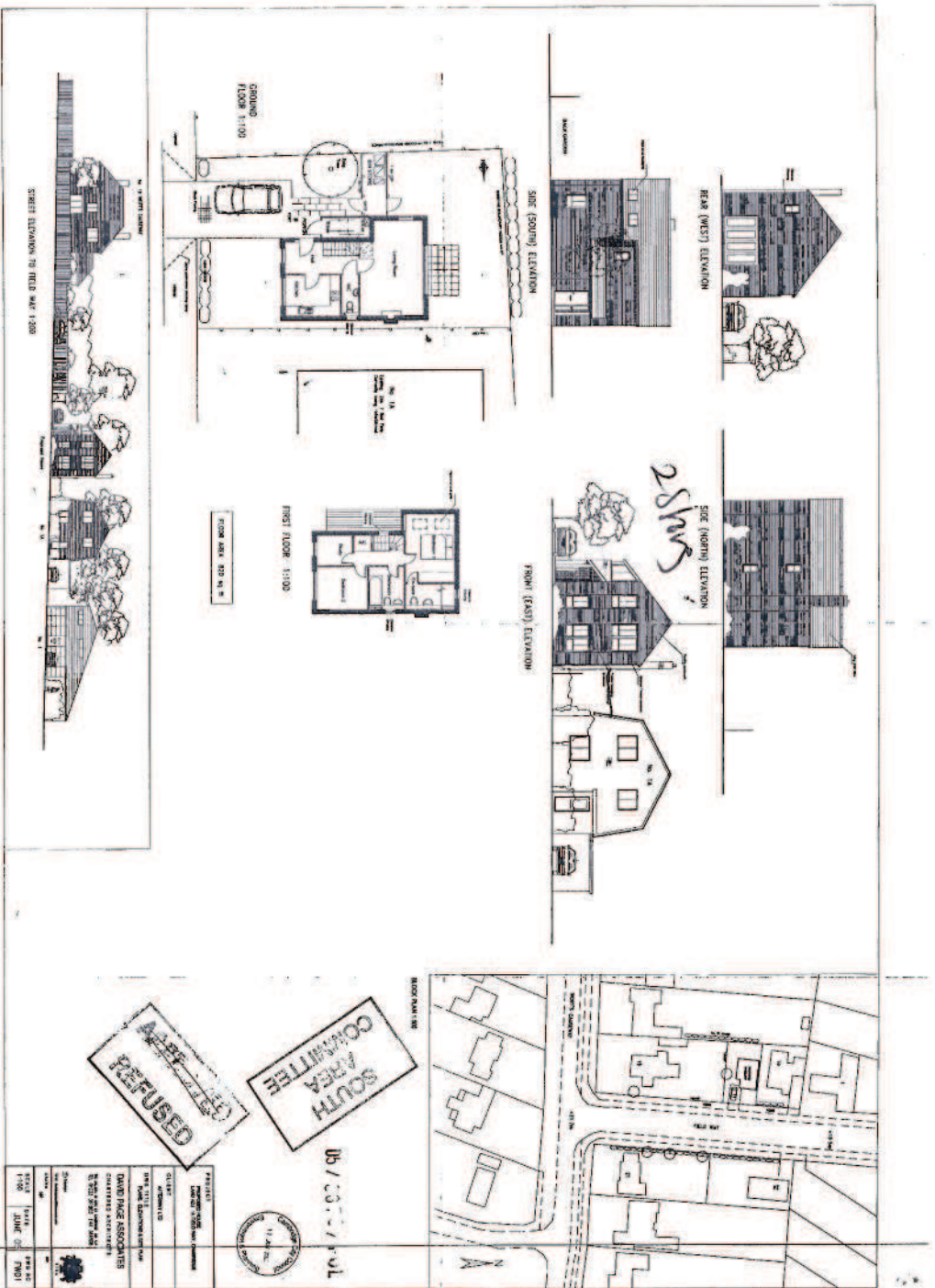
Please note that recent changes to planning legislation mean that the time limit for the submission of planning appeals and listed building and conservation area appeals has been increased from three months to six months after the planning authority has made its decision on an application or failed to determine the application.

These changes came into effect on 14 January 2005 and apply to all planning listed building and conservation area decisions made on and after 14



REFUSED

VEGETATION PLAN
Scale: 1:1250.



STREET ELEVATION TO FIELD NO. 1:200

GROUND FLOOR 1:100

FIRST FLOOR 1:100

FRONT (SOUTH) ELEVATION

SIDE (EAST) ELEVATION

REAR (WEST) ELEVATION

SIDE (WORTH) ELEVATION

REFUSED

SOUTH AREA COMMITTEE

DB / CONSULT

PROJECT	DAVID INCE ASSOCIATES
CLIENT	DAVID INCE ASSOCIATES
DATE	12/20/2011
SCALE	AS SHOWN
DATE	12/20/2011



Application Number	13/0801/CAC	Agenda Item	
Date Received	24th May 2013	Officer	Mr Sav Patel
Target Date	19th July 2013		
Ward	Trumpington		
Site	46 Alpha Terrace Cambridge Cambridgeshire CB2 9HT		
Proposal Applicant	Demolish the existing building on 46 Alpha Terrace. Mr Ian Purkiss 115 Glebe Road Cambridge CB1 7TE		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed demolition of the existing property, which is considered to have a neutral impact on the area, would not detract from the character of the Conservation Area.</p>
RECOMMENDATION	APPROVAL subject to conditions.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site located on the southern side of Alpha Terrace and is approximately 11.3 metres wide and 50.5 metres in depth.

- 1.2 The application site is currently occupied by a two storey detached Edwardian property that is set back from the adjoining highway. The property is built from yellow brick and brown tiled roof with white UPVC window frames and appears to be in good structural condition but in need of significant cosmetic updating/modernisation. The property has white a timber frame car port on the western elevation. There is also a single storey flat roof side extension behind the car port and a single storey lean-to extension on the rear elevation.

- 1.3 The rear garden is overgrown and contains a timber outbuilding close to the rear boundary. The side boundaries are defined by

a 1.8 metre timber panel fence and overgrown shrubs and small fruit trees.

- 1.4 The built form of the area is characterised by a range of Victorian and Edwardian two storey properties in a detached, semi-detached and terraced arrangement on both sides of Alpha Terrace. There is also a mixture of rendered and exposed brick dwellings close by.
- 1.5 To the west of the site is a semi-detached pair (nos.44 and 42) of well-presented Victorian properties, located on the back edge of the footpath. The properties have double height bay windows and deep rear gardens. Beyond these is a terraced row of traditional flat fronted Victorian properties.
- 1.6 To the east of the site is no.48, a 1980s two storey detached property set back from the road with car parking in front. Beyond this is a row of terraced properties which front onto the footpath. Further east and at the end of the road is Fawcett Primary School.
- 1.7 To the north of the site is a row of two storey detached properties which are set back from the highway providing car parking in front and on spacious plots. This built form contrasts with the terraced row of Victorian properties to the west, which front the adjoining footpath and are on modest size plots.
- 1.8 The application site is located within the Trumpington Conservation Area.

2.0 THE PROPOSAL

- 2.1 The proposal is for the complete demolition of the existing detached two storey property and redevelopment of the site for residential development.

Background

- 2.2 The proposal is a resubmission of a previous planning application and Conservation Area Consent application (13/0003/FUL and 13/0004/CAC) which were withdrawn following concerns with the design of the scheme and impact on the adjoining neighbour at no.48.

2.3 The revised scheme, before Members takes into account officers concerns.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Heritage Statement

2.5 The application is brought before South Area Planning Committee because objections have been received from local residents.

3.0 SITE HISTORY

Reference	Description	Outcome
13/0003/FUL	Demolish the existing building on 46 Alpha Terrace and build 2 new 4 bedroom semi-detached houses in its place.	Withdrawn 06-03- 2013
13/0004/CAC	Demolish the existing building on 46 Alpha Terrace and build 2 new 4 bedroom semi-detached houses in its place.	As above

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	4/10 4/11 5/1 8/6, 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cambridge and Milton Surface Water

	Management Plan Cambridge Walking and Cycling Strategy Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Conservation Area Appraisal: Trumpington 2010

6.0 CONSULTATIONS

Cambridgeshire County Council (Highway)

- 6.1 Proposal of two substantial dwellings is likely to generate demand for more than one car parking space. This is likely to put pressure on street parking demands. Therefore, the impact on residential amenity of existing residents should be considered. Otherwise there would be no significant impact on public highway subject to conditions.

Conservation Team

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

Environmental Services

- 6.3 The construction and demolition works has the potential to harm the amenity of local residents therefore conditions are requested to control dust and hours of construction.

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:

56 Alpha Terrace

50 Alpha Terrace
48 Alpha Terrace
44 Alpha Terrace
42 Alpha Terrace
24 Alpha Terrace

7.2 The representations can be summarised as follows:

The proposed development would put pressure on on-street car parking in the area;
The existing house should not be demolished;
The new proposal is not in keeping with the existing character and context of the street;
Overlooking and overshadowing of rear garden;
Plot not big enough to squeeze two houses;
Detrimental impact on existing residents from dust and dangerous traffic;
Potential damage to property from digging foundations;
The plot cannot sustain 2 houses without causing congestion and over-dominating neighbouring houses;
Potential loss of trees.

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

Principle of Development

8.2 The existing property appears to be of Edward architecture. However, the white UPVC windows, unorthodox layout of the property and general unkempt appearance of the site, fails to make a positive contribution to the area. This is reinforced by the Trumpington Conservation Area Appraisal (2010), which states that “no.46 has a neutral impact on the Conservation Area.” The adjoining detached property at no.48 is considered to have a “negative impact on the Conservation Area” according

to the Area Appraisal due to its fenestration detailing, wide street frontage and integral garage.

- 8.3 The existing property is not considered to contribute positively to the character of the Conservation Area. Therefore, the tests that would need to apply for demolition of properties in Conservation Areas, as set out in Policy 4/10 (Listed Buildings) would not apply.

9.0 CONCLUSION

9.1 I am of the view that the demolition of the existing property, which fails to make a positive contribution to the setting of the Conservation Area would not be a significant loss to the area. The enhancement that would follow from the redevelopment of the site for the scheme in planning application ref: 13/0800/FUL would have a greater impact in enhancing the character of the Conservation Area.

9.2 The proposed development, through its design, scale and fenestration detailing, is considered to enhance the setting and appearance of the site and built form and character of the Conservation Area. The demolition of the existing property is therefore justified by the enhanced appearance of the replacement proposed development.

10.0 RECOMMENDATION

1. APPROVE subject to the following conditions and reasons for approval:

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 demolition hereby permitted shall not be commenced until a contract for the redevelopment for the site in accordance with planning permission 13/0800/FULIN or any other scheme approved by the local planning authority, has been let.

Reason: To avoid the creation of cleared sites detrimental to the character and appearance of the Conservation Area. (Cambridge Local Plan 2006 policies 3/4 and 4/11)

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan (2003): P6/1 P9/8 P9/9

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

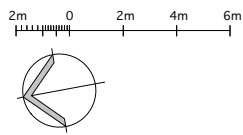
2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

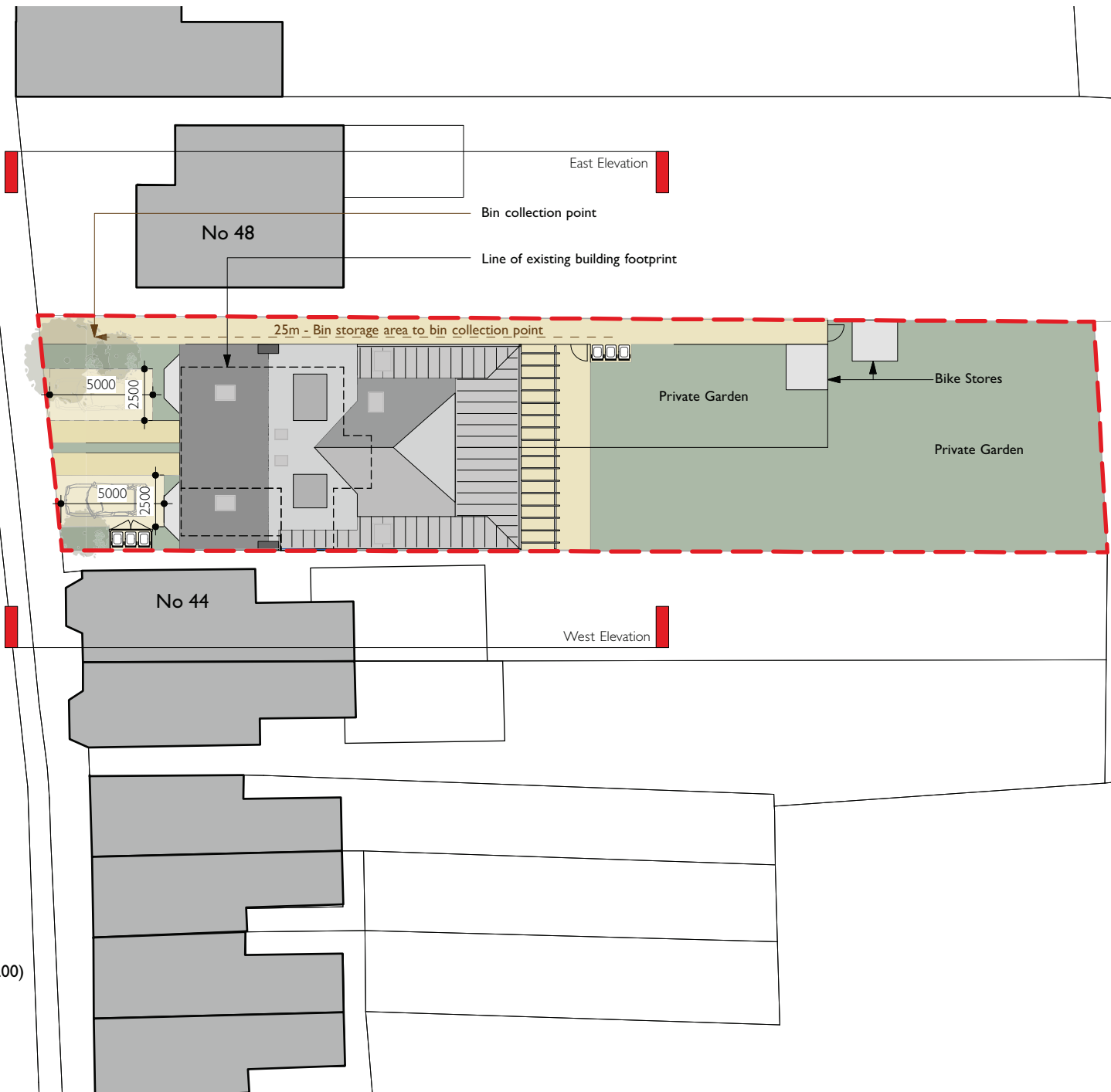
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.



SITE BLOCK PLAN (Scale 1:200)



ALPHA TERRACE



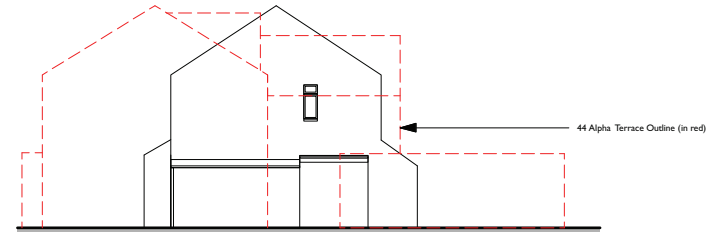
Notes	Date	Rev.
1. This drawing must not be scaled - work only to figured dimensions		
2. Dimensions must be verified on site by the contractor before preparation of shop drawings		
3. The architect must be notified of any discrepancies immediately		
4. This drawing applies only to this job and site		
5. This information on this drawing is copyright protected		

HaysomWardMiller Architects		Site Plans		P01
7 Downing Place Cambridge CB2 3EL		Project	Alpha Terrace	
T : 01223 578545 F : 01223 351955		For	Blues Property Ltd	
email : info@haysomwardmiller.co.uk		Scale	Various	Paper Size A3

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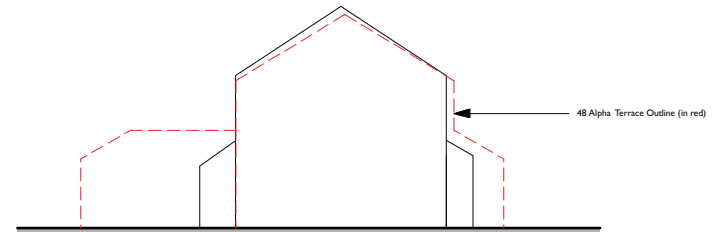
North Elevation



West Elevation



South Elevation



East Elevation

Notes	Date	Rev.
1: This drawing must not be scaled - work only to figured dimensions		
2: Dimensions must be verified on site by the contractor before preparation of shop drawings		
3: The architect must be notified of any discrepancies immediately		
4: This drawing applies only to this job and site		
5: This information on this drawing is copyright protected		

HaysomWardMiller Architects		Existing Elevations		P03
7 Downing Place Cambridge CB2 3EL		Project	Alpha Terrace	
T : 01223 578545 F : 01223 351955		For	Blues Property Ltd	
email : info@haysomwardmiller.co.uk		Scale	1:200	Paper Size A3

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Application Number	13/0800/FUL	Agenda Item	
Date Received	24th May 2013	Officer	Mr Sav Patel
Target Date	19th July 2013		
Ward	Trumpington		
Site	46 Alpha Terrace Cambridge Cambridgeshire CB2 9HT		
Proposal	Demolish the existing building on 46 Alpha Terrace and build two new 3 and 4 bedroom semi-detached houses in its place.		
Applicant	Mr Ian Purkiss 115 Glebe Road Cambridge CB1 7TE		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed development is considered to be of high quality design and would enhance the character and appearance of the Conservation Area and sympathetically assimilate into the street scene.</p> <p>The proposed development has been designed to mitigate any significant adverse impact on the residential amenity of the adjoining neighbours.</p> <p>The proposal would make efficient and effective use of land.</p>
RECOMMENDATION	APPROVAL subject to conditions.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site located on the southern side of Alpha Terrace and is approximately 11.3 metres wide and 50.5 metres in depth.
- 1.2 The application site is currently occupied by a two storey detached Edwardian property that is set back from the adjoining highway. The property appears to be in good

structural condition but in need for cosmetic updating. The property has a timber frame car port on the western elevation. There is also a single storey flat roof side extension behind the car port and a single storey lean-to extension on the rear elevation.

- 1.3 The rear garden is overgrown and contains a timber outbuilding close to the rear boundary. The side boundaries are defined by a 1.8 metre timber panel fence and overgrown shrubs and small fruit trees.
- 1.4 The built form of the area is characterised by a range of Victorian and Edwardian two storey properties in a detached, semi-detached and terraced arrangement on both sides of Alpha Terrace. There is also a mixture of rendered and exposed brick dwellings close by.
- 1.5 To the west of the site is a semi-detached pair (nos.44 and 42) of well-presented Victorian properties, located on the back edge of the footpath. The properties have double height bay windows and deep rear gardens. Beyond these is a terraced row of traditional flat fronted Victorian properties.
- 1.6 To the east of the site is no.48, a 1980s two storey detached property set back from the road with car parking in front. Beyond this is a row of terraced properties which front onto the footpath. Further east and at the end of the road is Fawcett Primary School.
- 1.7 To the north of the site is a row of two storey detached properties which are set back from the highway providing car parking in front and on spacious plots. This built form contrasts with the terraced row of Victorian properties to the west, which front the adjoining footpath and are on modest size plots.
- 1.8 The application site is located within the Trumpington Conservation Area.

2.0 THE PROPOSAL

- 2.1 The proposal is for the demolition of the existing property (a Conservation Area Consent application has been made for this ref: 13/0801/CAC) and development of two (1 x 3bed and 1 x 4bed) semi-detached dwellings including provision for one off

street car parking for each unit and secured bin and cycle storage.

- 2.2 The main bulk of the proposed dwellings would be located no further forward than the existing dwelling but would extend further down the garden. The proposed development would be approximately 10 metres wide and approximately 16.5 metres deep (excluding the front bay windows overhanging pergola off the single storey element on the rear elevation).
- 2.3 The ridge height of the proposed dwellings (8.5 metres) would be slightly higher than the existing semi-detached properties at no.42 and 44 (8.3 metres).
- 2.4 The single storey element off the two storey rear section would extend 1.6 metre further into the rear than any of the adjoining properties. The rear elevation of the proposed development has been specifically articulated to mitigate its dominance on the side boundaries.
- 2.5 The proposal would also contain two modest flat roof dormer windows in the rear roofscape including a total of four rooflights; two in the front roofscape and two in the rear.

Background

- 2.6 The proposal is a resubmission of a previous planning application and Conservation Area Consent application (13/0003/FUL and 13/0004/CAC) which were withdrawn following concerns with the design of the scheme and impact on the adjoining neighbour at no.48.
- 2.7 The revised scheme, before Members takes into account officers concerns.
- 2.8 The application is accompanied by the following supporting information:
 1. Design and Access Statement
 2. Heritage Statement

2.9 Amended plans have been received which show the following revisions:

- Relocated bin store in front of the property;
- Relocation of the cycle store to nearer;

2.10 The application is brought before South Area Planning Committee because objections have been received from local residents.

3.0 SITE HISTORY

Reference	Description	Outcome
13/0003/FUL	Demolish the existing building on 46 Alpha Terrace and build 2 new 4 bedroom semi-detached houses in its place.	Withdrawn 06-03- 2013
13/0004/CAC	Demolish the existing building on 46 Alpha Terrace and build 2 new 4 bedroom semi-detached houses in its place.	As above

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/10 3/11 3/12 4/10 4/11 5/1 8/6, 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u>

	<p>Cambridge and Milton Surface Water Management Plan</p> <p>Cambridge Walking and Cycling Strategy</p> <p>Cycle Parking Guide for New Residential Developments</p>
	<p><u>Area Guidelines:</u></p> <p>Conservation Area Appraisal:</p> <p>Trumpington</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highway)

- 6.1 Proposal of two substantial dwellings is likely to generate demand for more than one car parking space. This is likely to put pressure on street parking demands. Therefore, the impact on residential amenity of existing residents should be considered. Otherwise there would be no significant impact on public highway subject to conditions.

Conservation Team

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

Environmental Services

- 6.3 The construction and demolition works has the potential to harm the amenity of local residents therefore conditions are requested to control dust and hours of construction.

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:

56 Alpha Terrace
50 Alpha Terrace
44 Alpha Terrace
42 Alpha Terrace
24 Alpha Terrace

7.2 The representations can be summarised as follows:

The proposed development would put pressure on on-street car parking in the area;
The existing house should not be demolished;
The new proposal is not in keeping with the existing character and context of the street;
Plot not big enough to squeeze two houses;
Detrimental impact on existing residents from dust and dangerous traffic;
Potential damage to property from digging foundations;
The plot cannot sustain 2 houses without causing congestion and over-dominating neighbouring houses;
Potential loss of trees.

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 Heritage Assets
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations

9. Planning Obligation Strategy

Principle of Development

- 8.2 The application site is located within a residential area and involves the replacement of an existing 3bed dwelling house with two new 2" storey dwelling houses (1 x 3bed and 1 x 4bed). The proposal would result in a net increase of one unit on the site. This is considered to make effective and efficient use of the land.
- 8.3 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

- 8.5 Alpha Terrace is a narrow road consists mostly of two storey Victorian and Edwardian housing built in a series of rows and interspersed with speculative detached dwellings of different ages.
- 8.6 The application site and no.48 are located between two rows of traditional Victorian terrace properties. Both properties are detached, set back from the adjoining highway and on spacious plots. Both properties also benefit from off street parking similar to the detached properties opposite.
- 8.7 Whilst No.46 is of Edwardian origin, the white UPVC windows and general unkempt appearance of the site, fails to make a positive contribution to the area. This is reinforced by the Trumpington Conservation Area Appraisal (2010), which states that "no.46 has a neutral impact on the Conservation Area." The adjoining detached property at no.48 is considered to have a "negative impact on the Conservation Area" according to the Area Appraisal due to its fenestration detailing, wide street frontage and integral garage.
- 8.8 The proposed replacement dwellings have been designed to reflect the prevailing pattern of development of the area and

appear as a contemporary interpretation on the existing Victorian properties to the west. The double height bay windows, chimney detailing and well proportioned and articulated fenestration detailing on the front elevation are considered to give a traditional appearance and sense of place within the street scene. The proposed development would, in my view, be an enhancement on the existing appearance of the site and would assimilate harmoniously with the existing built form.

- 8.9 The depth of the proposed development would extend beyond the existing rear extensions of the neighbouring properties (nos.44 and 42). However, the increased depth would be 1.6 metres at single storey level. I am of the view that given the depth of the garden, this overrun would not be unacceptable in this context.
- 8.10 In terms of the merits of demolishing the existing property, I am of the view that the proposed development would reflect the prevailing character and style of the street. Unlike the existing building, the proposed buildings would reflect the scale, massing and proportions of the existing buildings in the street allowing it to assimilate sympathetically into the context and street scene. The proposal is therefore in accordance with criterion (b) of policy 4/11 which states that development will only be permitted where the design of any new buildings preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 3/10 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The proposed development has been designed and laid out to ensure the residential amenity of adjoining neighbours is satisfactorily protected.
- 8.13 The proposed development would maintain the existing staggered footprint. This enables the provision for two off street car parking spaces to be created in front of the properties and also some provision for landscaping. The car parking provision

would, in my view, not have a significant adverse impact on the amenity of the adjoining residents.

- 8.14 The main rear elevation of the proposed development would be in line with the rear of elevation of no.42 and extend slightly (600mm) beyond the rear elevation of no.48. This would maintain the consistent building line (excluding rear extensions) along the rear of the properties.
- 8.15 The two storey pitched roof rear element would extend off the rear elevation by 4.7 metres with an eaves height of 4.5 metres. The western elevation, facing no.44, has been specifically staggered off the boundary to reduce the impact on the adjoining neighbour. The scale of the two storey rear element and level of separation between no.44 is considered to be mitigate any detrimental impact on the amenity of the adjoining neighbour.
- 8.16 Therefore, I am satisfied the carefully customised side elevation off the boundary and subservient scale of the two storey rear element would significantly reduce any adverse impact on the amenity of the adjoining neighbour.
- 8.17 The proposal includes a small fixed window which would serve a landing area and a frosted glass window which would serve a bathroom in the western elevation. The small fixed window would be located at 1.8m above finished floor level and would therefore restrict views out of it, over the neighbouring property.
- 8.18 The proposed development is not considered to have a detrimental impact on the residential amenity of no.48 due to the level of separation at first floor level (4.1 metres) and ground floor level 2.7 metres.
- 8.19 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 Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.20 The proposed dwellings would maintain a generous amount of garden space for both dwellings and the bin and cycle stores would be located in convenient and accessible locations.

- 8.21 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Refuse Arrangements

- 8.22 The proposal includes waste storage provision for both proposed dwellings which are conveniently located for storage and collection of refuse. The proposed refuse arrangements would comply with the Council's Waste Management Design Guide.
- 8.23 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway safety

- 8.24 County Highways Officers has advised that the proposed development would not have a significant impact on the public highway.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.26 The proposed development would provide one off street car parking spaces for each dwelling. The maximum level of car parking permitted under the City Council's Standards would be four spaces (two per unit). However, these standards set maximum levels therefore there is no minimum number of spaces which need to be provided under policy.
- 8.27 The site is considered to be located within a reasonable walking distance of bus stops, which are located close to the junction of Alpha Terrace with Trumpington Road. To the south of Alpha Terrace, along Trumpington Road, is a District and Local Centre which is within walking and short cycle distance from the site.

The local primary school is also within walking distance of the site.

- 8.28 Whilst I note concerns have been raised about on-street car parking, I am of the view that the scale of the proposed development and net increase in one additional unit, would not significantly alter the existing on-street car parking provision.

Cycle Parking

- 8.29 The proposal includes provision of separate cycle stores within the rear garden area. The proposal of this size would need to provide 7 cycle spaces (1 space per bedroom up to 3 bed and 3 spaces for 4 bedroom dwellings). No specific details have been provided regarding the appearance of the cycle stores or their internal arrangements. Therefore, I have recommended a condition requiring details of the cycle storage arrangements to be submitted for consideration.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.31 I have addressed most of the representations in the main body of the assessment.
- 8.32 The proposed development is likely to require the removal of existing shrubs and small trees. The trees do not appear to be of significant amenity value. Therefore, I do not consider the loss of the existing vegetation along side boundaries of the site significant enough to warrant resisting the proposed development. More significant trees are located close to the rear boundary of the site, and these would not be affected by the proposed development.

Planning Obligations

8.33 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) 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 and relevant Supplementary Planning Documents. 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. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.35 The application proposes the erection of one four-bedroom house and one three-bedroom house. One residential unit would be removed, so the net total of additional residential units is one.

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952	1	952
Total					952

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076	1	1076
Total					1076

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968	1	968
Total					968

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264	1	1264
Total					1264

8.36 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.37 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882	1	1882
Total			1882

8.38 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.39 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats,

this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	2	150
Flat	150		
Total			150

8.40 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

8.41 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

8.42 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

9.1 The proposed development, through its design, scale and fenestration detailing, is considered to enhance the setting and appearance of the site and built form and character of the Conservation Area. The demolition of the existing property is therefore justified by the enhanced appearance of the replacement proposed development.

- 9.2 The proposal would not cause any significant adverse impact on the residential amenity of the adjoining neighbours. There would be no direct overlooking issues.
- 9.3 Whilst concerns have been raised regarding the lack of car parking provision the proposal does include two off street car parking spaces. The intensification of the site by one additional residential unit would not have an adverse impact on the existing on-street car parking provision within Alpha Terrace. The Local Plan seeks to promote a reduction in the level of car parking in order to encourage a model shift, particularly where alternative means of transport are available/accessible. I am of the view that the site is located within walking distance of the nearest bus stops, which have regular links into the City Centre and outer settlements. The District and Local Centre is also located within reasonable walking/cycling distance of the application site.
- 9.4 The proposed development would make effective and efficient use of land by accommodating two residential units onto a site that is currently occupied by one unit.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 15th October 2013 and subject to the following conditions and reasons for approval:

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 development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

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 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

6. Except with the prior written agreement of the local planning authority 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)

7. No unbound material shall be used in the surface finish of the driveways within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety

8. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

9. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway.

10. No development including demolition works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
- iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

Reason: In the interests of highway safety and to protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

11. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday ' Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

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

12. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

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

13. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

14. Prior to occupation of the use hereby permitted, 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. The approved arrangements shall be retained thereafter.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

INFORMATIVE: To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

'Council's Supplementary Planning Document'

'Sustainable Design and Construction 2007':

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

'Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils:

http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

Reasons for Approval

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

Cambridgeshire and Peterborough Structure Plan (2003): P6/1 P9/8 P9/9

Cambridge Local Plan (2006): 3/1 3/4 3/7 3/8 3/11 3/10, 3/12, 4/10 4/11, 5/1, 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.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with 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 15 October 2013, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

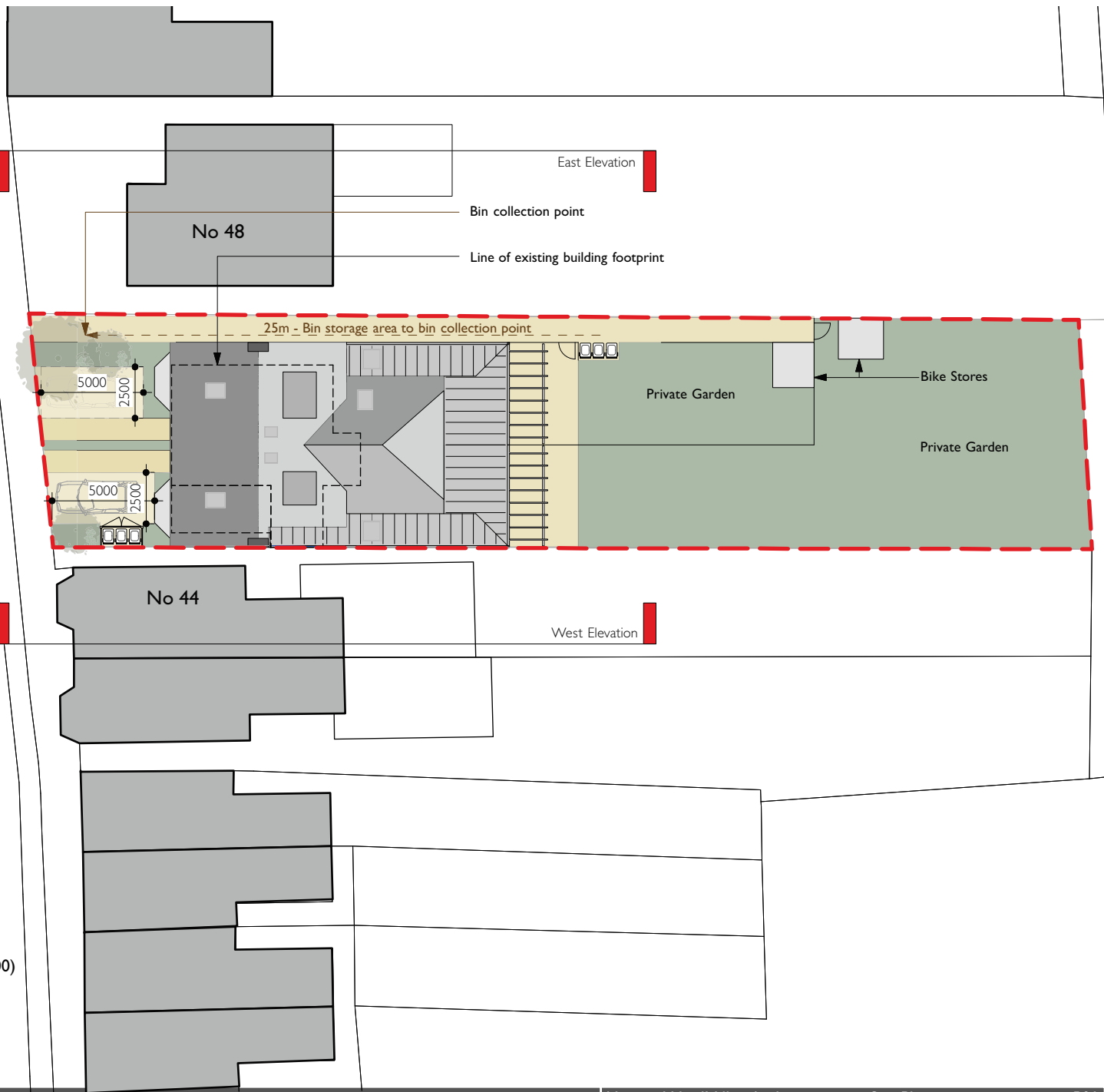
The proposed development does not make appropriate provision for public open space, community development facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

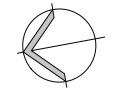
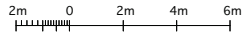
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ALPHA TERRACE



SITE BLOCK PLAN (Scale 1:200)



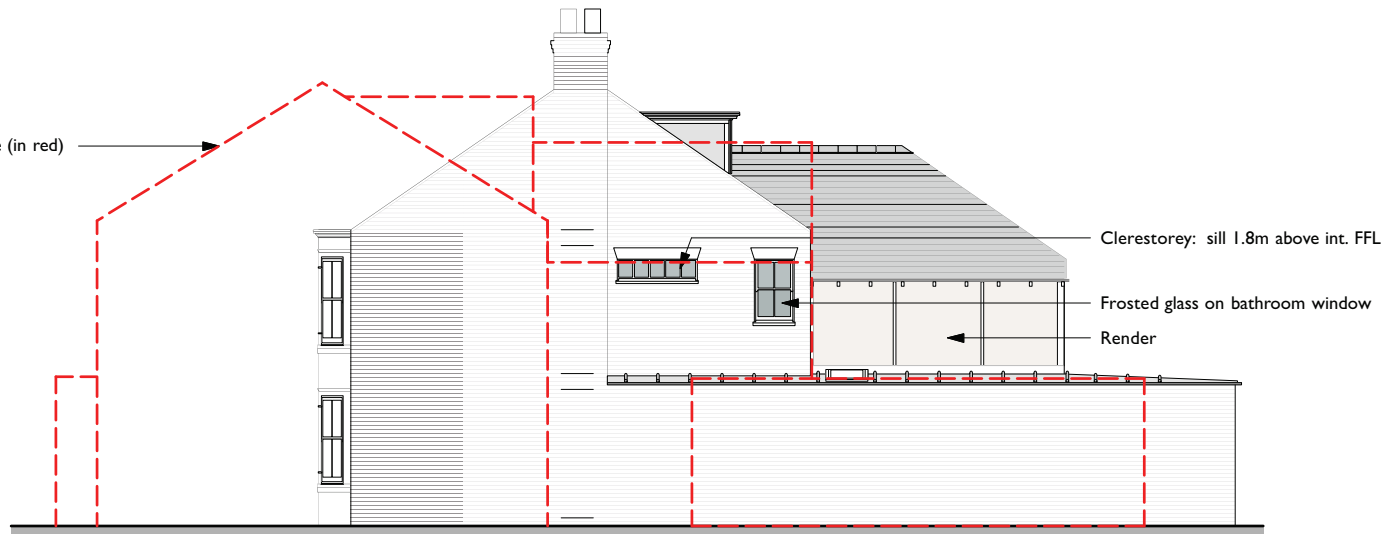
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Notes	Date	Rev.
1. This drawing must not be scaled - work only to figured dimensions		
2. Dimensions must be verified on site by the contractor before preparation of shop drawings		
3. The architect must be notified of any discrepancies immediately		
4. This drawing applies only to this job and site		
5. This information on this drawing is copyright protected		

HaysomWardMiller Architects		Site Plans		P01
7 Downing Place Cambridge CB2 3EL		Project	Alpha Terrace	
T : 01223 578545 F : 01223 351955		For	Blues Property Ltd	
email : info@haysomwardmiller.co.uk		Scale	Various	Paper Size A3

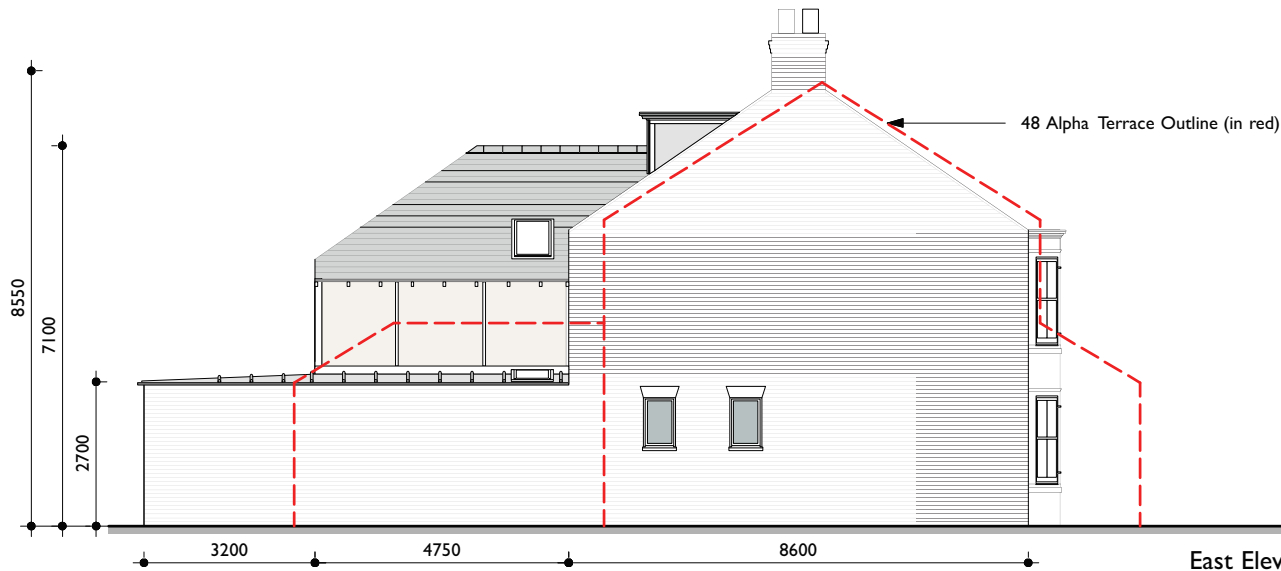
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44 Alpha Terrace Outline (in red)



West Elevation

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East Elevation

Materials

Walls	Brick (Buff Cambridgeshire Stock)
Roof	Natural Slate
Bay Window	Reconstituted Stone
Windows	Painted Timber

Notes	Date	Rev.
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4: This drawing applies only to this job and site		
5: This information on this drawing is copyright protected		

HaysomWardMiller Architects		Proposed E & W Elevations P05	
7 Downing Place Cambridge CB2 3EL	Project	Alpha Terrace	
T : 01223 578545 F : 01223 351955	For	Blues Property Ltd	
email : info@haysomwardmiller.co.uk	Scale	1:100	Paper Size A3

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44 Alpha Terrace 46 Alpha Terrace 48 Alpha Terrace

South Elevation

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48 Alpha Terrace 46 Alpha Terrace 44 Alpha Terrace

North Elevation

Materials

Walls	Brick (Buff Cambridgeshire Stock)
Roof	Natural Slate
Bay Window	Reconstituted Stone
Windows	Painted Timber

Notes	Date	Rev.
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4: This drawing applies only to this job and site		
5: This information on this drawing is copyright protected		

HaysomWardMiller Architects		Proposed N & S Elevations P04	
7 Downing Place Cambridge CB2 3EL	Project	Alpha Terrace	
T : 01223 578545 F : 01223 351955	For	Blues Property Ltd	
email : info@haysomwardmiller.co.uk	Scale	1:100	Paper Size A3

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Application Number	13/0581/S73	Agenda Item	
Date Received	26th April 2013	Officer	Mr John Evans
Target Date	21st June 2013		
Ward	Cherry Hinton		
Site	12 Rosemary Lane Cambridge CB1 3LQ		
Proposal	To vary condition 2 of planning permission C/98/0601/FP (construction of two single storey extensions to offices and conversion of existing vacant unit into laboratories with associated (6 No.) fume extract flues) to allow B1a use.		
Applicant	Rogan Property c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. Office uses are supported by Local Plan Policy 7/1. 2. The building will retain the option of being used for B1b (research and development) and B1c (light industrial) uses in accordance with policy 7/3. 3. Subject to an additional traffic report, office use of the building is unlikely to adversely impact upon highway safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site relates to an industrial building in class B1c (light industrial) use, situated on the southern side of Rosemary Lane.

- 1.2 The building is single storey and its footprint occupies approximately half of the plot. The northern area of the site is used for car parking.
- 1.3 The boundary of the site is defined with a low wall, railings and hedging.
- 1.4 The site falls within the Cambridge East Area of Major Change. The site is not a protected employment area.

2.0 THE PROPOSAL

- 2.1 Permission is sought to vary condition 2 of C/98/0601/FP to allow use class B1a office use. The building is currently restricted to be used for B1b (research and development) and B1c (light industrial).
- 2.2 There are no physical changes proposed to the building.
- 2.3 The application is accompanied by the following supporting information:

1. Supporting Statement

Additional information

The following additional information was received:

- Transport statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/98/0601/FP	Construction of two single storey extensions to offices and conversion of existing vacant unit into laboratories with associated (6 No.) fume extract flues.	Approved

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 4/13 7/1 7/2 7/3 8/4 9/1 9/4

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

First consultation

- 6.1 The proposal has the potential to significantly alter traffic patterns associated with the site.

The site has an access with limited visibility.

The proposal provides no information upon which to assess the full impact upon the highway network and so unless and until a Transport Statement is provided upon which this impact can be assessed the Highway Authority recommends that the proposal is REFUSED planning permission.

Second consultation

- 6.2 The supplementary information acknowledges a very significant increase in the use of the junction, which is of a sub-standard layout and would be unacceptable. Given the information that we currently have refusal is recommended.

Head of Environmental Services

- 6.3 No objections subject to the construction noise and contaminated land related conditions.
- 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:

4 Braybrooke Place
5 Braybrooke Place
10 Braybrooke Place
12 Braybrooke Place

7.2 The representations can be summarised as follows:

- The change of use would exacerbate traffic problems in Rosemary Lane.
- There is no cycle to work plan.
- Parking will overflow onto Braybrooke Place.
- Calming measures needed.
- The change of use will result in more staff needing car parking.
- Site should be redeveloped for low density housing.

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. Highway safety
5. Car and cycle parking
6. Third party representations

Principle of Development

8.2 The key issue is whether allowing B1a office use would undermine the Council's employment strategy for the City.

8.3 The original planning permission restricts the use of the premises through the imposition of planning condition 2:

8.4 *The premises shall be used of Class B1b research and development and B1c light industrial uses 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, or any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification).*

Reason: For the avoidance of doubt, and because use of the building for any other purpose would require a re-examination of its impact.

- 8.5 In principle, employment generating uses on non-allocated sites are supported by Local Plan policy 7/1. Office uses falling within use class B1a are also supported by Local Plan policy 7/2 where they provide an essential service for Cambridge.
- 8.6 Local Plan policy 7/3 aims to protect B1c (light industrial), B2 (general industrial) and B8 storage uses. Changes of use are only permitted if a) there is a sufficient supply of such floorspace in the City and/or vacancy rates are high; b) the proposed development will generate the same number or more unskilled or semi skilled jobs than can be expected from the existing use; c) the continuation of the industrial use will be harmful to the amenity of the area; d) the loss of a small proportion of floorspace would facilitate the redevelopment or continuation of industrial and storage use on a greater part of the site; or e) redevelopment for mixed use or residential development would be more appropriate. This notwithstanding, the application only seeks to remove condition 2 and does not seek change of use of the premises. As such the building could still be used for B1b research and development, or light industrial purposes within use class B1c.
- 8.7 The applicant has demonstrated that the building remained vacant for a 5 year period from 2003 until 2008. Cancer Research Technology occupied the premises from 2008 until March 2013. The applicants agents have actively marketed the premises for the past two years without success. Given the difficulty in leasing the premises I consider the tests of policy 7/3 have been adequately met. I also recognise the location of the building is not well positioned for research and development uses, which tend to be drawn to the science park campus sites.
- 8.8 The Framework advises in paragraph 23 that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. This contributes to my overall view that removing the restriction of B1a office uses is not unreasonable.

Changes to the permitted development regime

- 8.9 Recent changes to the General Permitted Development Order (1995) allow offices to change to residential without the need for planning permission. Given that the premises was not used for office purposes prior to 30 May 2013, it would not be eligible. This notwithstanding, given possible future changes to the criteria, I consider the imposition of planning condition reasonable. The building would not be suitable for residential purposes given adjacent industrial units.
- 8.10 In summary, given the building could still be occupied by uses across the B use class, and given previous difficulties in letting the building, the principle of development is acceptable.

Context of site, design and external spaces

- 8.11 There are no physical changes to the building. Permission is sought for office use B1a only.
- 8.12 Any future signage, or extensions and alterations would be assessed on their own merits through the consideration of a planning application where necessary.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 Office use within B1a has the potential to create an increase in comings and goings which might impact on nearby residential properties. The site provides over and above the required level of car parking, so there is unlikely to be an increase in overspill car parking on Braybrook Place opposite. Residential amenity is unlikely to be significantly affected by allowing the potential for office use of the building.
- 8.14 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 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Highway Safety

- 8.15 The County Highways Authority have concerns regarding the increased use of the junction and the current adequacy of its layout.
- 8.16 The applicant is undertaking further speed surveys to determine the extent to which the existing brick wall around the entrance needs to be realigned. There is a reasonable prospect this further study will enable the Highways Authority to support the scheme. I will update further on the pre committee amendment sheet.
- 8.17 While I note concerns locally regarding the safety of the access through increased use, improved site lines and submission of a travel plan will ensure that there should not be a significant increased risk to highway safety. I will update further on the amendment sheet following the additional transport study to be submitted shortly.

Car and Cycle Parking

- 8.18 The site provides 41 car parking spaces which is above the 27 recommended by the adopted car parking standards. In light of concerns regarding overspill car parking, I consider this provision acceptable.
- 8.19 The existing site caters for 21 cycle parking spaces. The adopted standards recommend a minimum of 36. There is ample space on the site for further cycle parking, which can be ensured through the imposition of a suitable planning condition. (Condition 2). 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 have been addressed in the above report and are summarised below:

Issue	Report section
The change of use would exacerbate traffic problems in Rosemary Lane.	Paragraphs 8.16, 8.17.
There is no cycle to work plan.	This will be ensured through the imposition of planning condition 3.
Calming measures needed.	Traffic calming measures along Rosemary Lane should be progressed through the County Council.
The change of use will result in more staff needing car parking.	The site has an overprovision of car parking. See paragraphs 8.17 and 8.18.
Site should be redeveloped for low density housing.	This is not within the control of the Local Planning Authority. There is also a need for employment sites across the city during the plan period.

9.0 CONCLUSION

9.1 The proposed variation of condition 2 is unlikely to adversely affect highway safety, subject to clarification from an additional traffic study. Adequate car parking is provided and the submission of a travel plan should help prevent overspill car parking on surrounding streets. APPROVAL is recommended.

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. 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)

3. Prior to the commencement of the use hereby permitted a travel plan shall be submitted to and agreed by the Local Planning Authority.

Reason: In the interests of reducing car based trips to the site, Cambridge Local Plan policy 8/4.

4. The premises shall be used for B1a, B1b and B1c uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent in any statutory instrument revoking and re-enacting that Order with or without modification.

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

Reasons for Approval

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

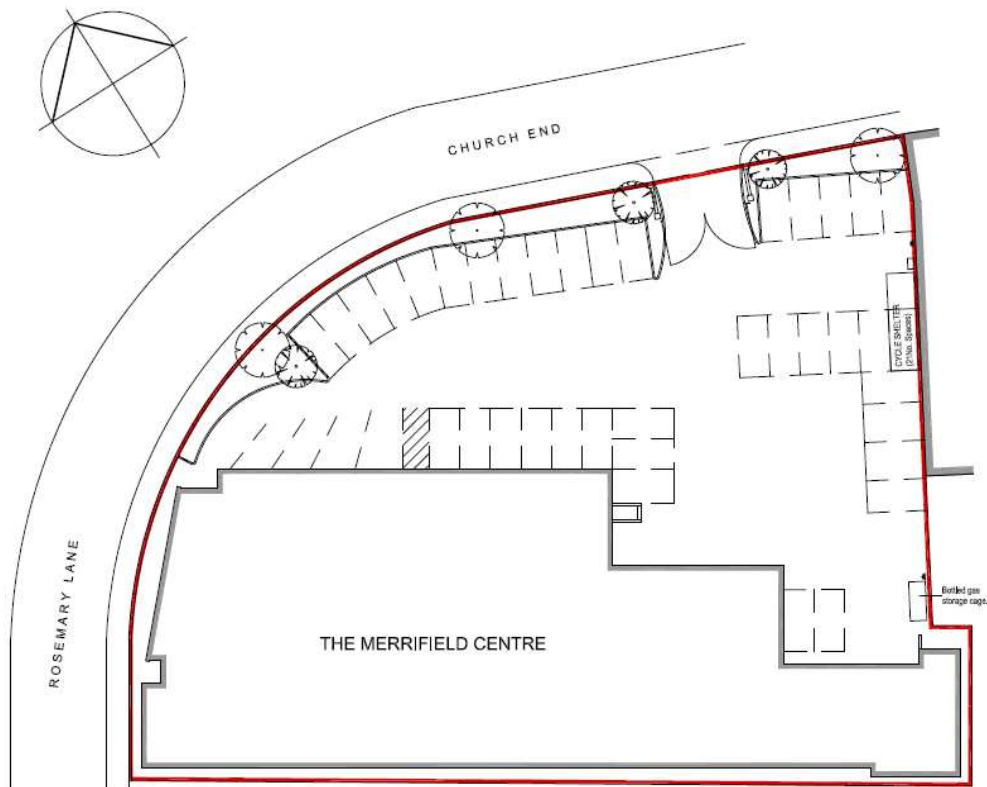
Cambridge Local Plan (2006): 3/4, 3/7, 4/13, 7/1, 7/2, 7/3, 8/4, 9/1, 9/4

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.

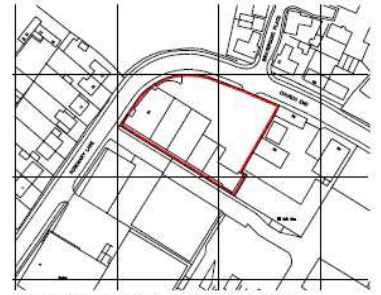
3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

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SITE PLAN, (1:200)



LOCATION PLAN, (1:1250)

Revisions JANUARY'S CONSULTANT SURVEYORS York House, 7 Oakes Court, 5402 Newmarket Road, Cambridge, CB3 9DT, Tel: 01223 308800 Fax: 01223 308400 e-mail: enquiries@january.co.uk	
Job No: THE MERRIFIELD CENTRE, ROSEMARY LANE, CAMBRIDGE, CB1 3LQ.	
Drawing No: SITE AND LOCATION PLANS.	
Date: 18.04.13	Scale: 1:200 @ A2
Drawn by: SWB	Checked by: JMB
Drawing No:	Rev:

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Application Number	13/0059/FUL	Agenda Item	
Date Received	18th January 2013	Officer	Ms Lorna Gilbert
Target Date	15th March 2013		
Ward	Queen Ediths		
Site	Parking Area Rear Of 66 - 68 Hartington Grove Cambridge Cambridgeshire		
Proposal	Construction of two storey residential accommodation and single storey cycle store, following demolition of existing garages		
Applicant	Mrs Juliet Barker 70a Hartington Grove Cambridge CB1 7UB		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>The combination of the proposed building's large footprint and its height produces a building which would appear bulky and visually dominant and excessive and would harm the neighbouring amenities of No.66 Hartington Grove and No.57 Rock Road.</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is accessible from a private drive which runs between Hartington Grove to Blinco Grove. The site contains a garage and is used as car parking for the neighbouring Violin Workshop.

- 1.2 The site is bordered by even numbered properties No.64 to 68 Hartington Grove to the north. To the west lies odd numbered properties No.53 to 61 Rock Road. The rear garden of No.61 Rock Road lies to the south of the site. To the east is 70a Hartington Grove which is used as a warehouse and the Violin Workshop.

- 1.3 The site is outside the controlled parking zone.
- 1.4 There are five tree preservation orders on the site protecting:
- T19 – Birch tree to the north east of the site by the site entrance.
 - T20 – Birch tree to the east of the site.
 - T21 – Maple tree to the south east of the site.
 - T22 – Maple tree to the south of the site.
 - T23 – Birch tree to the south of the site.

2.0 THE PROPOSAL

- 2.1 The proposal has been through pre-application discussion and involves the construction of a two storey building to be used as residential accommodation and a single storey cycle store, following demolition of existing garages.
- 2.2 The current proposal is to construct a building extending up to 6.7m high and 3.8m high to the eaves. It measures 7.5m in width by 12.6m in length. It would provide five bedrooms for students to use who attend training and courses at the Violin Workshop and as accommodation for students at Cambridge University or Anglia Ruskin when not in use by Violin Workshop students.
- 2.3 The cycle store measures 2.5m in width, 5m in length and 2.7m in height with a flat roof.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Tree Survey
 3. Arboricultural Implications Assessment
- 2.5 The plans have been revised to hip the roof and amend the layout of the external curtilage. Amended plans were received on 2nd July 2013 that show the addition of a 1.8m high timber fence to provide a private external area; the provision of an external door to give access from the sitting room to the external area; the provision of low level lighting bollards to provide a lit access from Hartington Grove; and an extension of the gravel drive to the Hartington Grove entrance.

3.0 SITE HISTORY

Reference	Description	Outcome
C/84/0383	Outline application for the erection of chalet bungalow.	Approved with conditions 23.5.1984
C/84/1030	Erection of bungalow (submission of reserved matters).	Approved 9.1.1985

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/3 3/4 3/6 3/7 3/11 3/12 4/4 4/13 4/15 7/7 8/2 8/4 8/6 8/9 8/10 8/11 8/17 8/18 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)

	<p><u>Citywide:</u></p> <p>Arboricultural Strategy</p> <p>Biodiversity Checklist</p> <p>Cambridge Landscape and Character Assessment</p> <p>Cambridge City Nature Conservation Strategy</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide</p> <p>Green Infrastructure Strategy for the Cambridgeshire Sub-Region</p> <p>Cambridge Walking and Cycling Strategy</p> <p>Cambridgeshire Design Guide For Streets and Public Realm</p> <p>Cycle Parking Guide for New Residential Developments</p> <p>Air Quality in Cambridge – Developers Guide</p>
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6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Provided that the residents of the new accommodation proposed are subject to an accepted regime of proctorial control the impact of the accommodation per se should be acceptable

in highway terms, however displaced student parking from non-residential courses may impact upon residential amenity.

Cambridge City Council (Environmental Services)

- 6.2 Pollution from demolition/construction has the potential to harm local amenity if not controlled. I therefore recommend the standard construction/delivery hours conditions and dust informative.
- 6.3 Any plant associated with the proposed ground source heat pump will require assessment to ensure it does not harm the local amenity. I recommend details and noise specifications of the plant are provided. I recommend the standard C62 plant noise condition and informative.
- 6.4 Waste provision is satisfactory.
- 6.5 A contaminated land condition as well as the contaminated land informative regarding the 'Developers Guide to Contaminated Land in Cambridge' are required.

Cambridge City Council (Arboricultural comments)

- 6.6 A tree protection condition is recommended.
- 6.7 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:
- 3 Briar Walk, Oadby, Leicester (in relation to impact on No.57 and 59 Rock Road)
 - 66 and 68 Hartington Grove
 - 17 Mariners Way

 - A letter was received from No.59 Rock Road. They do not wish to comment. They requested to be updated about the application as they do not have access to a computer.

7.2 The representations can be summarised as follows:

- Noise and disturbance from the residents and traffic.
- Overlooks the back gardens and properties on Rock Road.
- The proposed development is significantly larger than any other property in the surrounding area. The proposed design is overbearing.
- Loss of light to habitable rooms and garden at 66 Hartington Grove.
- Question whether a fire engine would be able to access the site.
- Result in a loss of parking spaces for the Violin Workshop (up to 20 cars a day). Vehicles will park on local roads where parking for residents is already difficult on a daily basis.
- What would the guarantee be that there would not be more than 5 persons living there?
- Want more information about the bins.
- The designated cycle route passes in the private drive along the lot, and not on Rock Road. It is used by cyclists and pedestrians to access Morley school, and other schools.
- How can the proposed development include in its boundaries private drive that is not owned by the applicant? Who is responsible for maintaining the drive?
- How is the proposed dwelling going to be connected to water, sewage, gas and electricity? What impact will it have on nearby properties?
- It would impact on trees and shrubs planted along the fence of a nearby property.
- The slope of the site would be altered. Concerned about impact of water on neighbouring properties.
- Where would the borehole for the ground source heat pump be? Would it have an impact on properties?

- The proposed dwelling is not in keeping with the size of the surrounding houses. The scale of the proposed development does not reflect the scale of the surrounding houses and is overbearing.
- The proposed dwelling would block out light and shade neighbouring.
- One letter was received in support of the application. It explains that the business contributes to the economy and the proximity of the site to the Workshop means there is direct access to people if there were any problems to raise about the way the premises were being used.

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. Renewable energy and sustainability
4. Disabled access
5. Residential amenity
6. Trees
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Third party representations

Principle of Development

8.2 Policy 7/7 of the Local Plan explains that planning permission will be granted for windfall and student hostel sites subject to:

- a) amenity considerations;
- b) their proximity to the institutions they serve;
- c) supervision, if necessary, is provided as appropriate to their size, location and the nature of the occupants; and

- d) they do not result in a loss of family residential accommodation.
- 8.3 The proposal is primarily to be used as student accommodation for the Violin Workshop during the summer months, however the Design and Access Statement explains at times when it is empty the building would be made available as accommodation for students at Cambridge University or Anglia Ruskin University.
- 8.4 The site is close to both Hills Road and Cherry Hinton Road, both of which would provide easy access to the Universities.
- 8.5 In my opinion, the principle of the development of a building to house students who use the Violin Workshop and students of the Universities is considered acceptable.

Context of site, design and external spaces

- 8.6 The proposal is to construct a two storey detached building with pitched roof to provide student accommodation. The building extends up to 6.7m high and 3.8m high to the eaves. It would be around 0.5m lower than the surrounding houses. The proposed building would be set in 1m from the northern and western boundaries.
- 8.7 A separate cycle store is located in the south-eastern corner and be located where the existing garages are currently located. The garages will be removed as part of the proposal. It extends to 2.7m high with a flat roof. This is considered acceptable in terms of its scale and appearance.
- 8.8 The site currently has a low intensity use and is used for car parking with trees on the site. The proposed building has a large footprint and extends to two storeys high.
- 8.9 The proposed two storey building would be constructed from brick with concrete roof tiles and timber windows and wooden doors. If the scheme were to be granted planning permission, I recommend the inclusion of a condition requiring material samples.
- 8.10 Amended drawing number 1225/41A was received to show additional landscaping. There is limited private amenity space.

The amount provided is likely to be acceptable for the short term use of the building by students.

- 8.11 In my opinion the footprint and height of the building are not necessarily out of keeping with the prevailing character of the area but due to its positioning, the massing and scale present issues regarding residential amenity which are discussed below.

Renewable energy and sustainability

- 8.12 Local Plan policy 8/17 explains that applications for renewable energy schemes or technologies will be permitted if applicants can demonstrate that any adverse impacts on the environment or amenity have been minimised as far as possible; and where any localised adverse environmental or amenity effects remain, that these are outweighed by the wider environmental, economic or social benefits of generating energy from renewable sources.
- 8.13 The applicant proposes the use of a ground source heat pump. It would have a vertical borehole due to the area of site available and the TPO tree roots on site. I support the inclusion of renewable energy as part of the application. As there is limited information about this source of renewable energy, I recommend that if the application were to be approved, greater detail is provided through a condition.
- 8.14 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.15 The Design and Access Statement contains limited information in relation to disabled access. It refers to the ground floor front external door providing ramped access in accordance with Part M of the Building Regulations to allow disabled access to the ground floor. One car parking space has been designated as a disabled space.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.17 The proposed building is considered excessive in terms of its size and massing and would visually dominate surrounding gardens to the north and west of the proposed building. The building extends almost the entire rear garden width of No.66 Hartington Grove and No.57 Rock Road. Its proposed height to the eaves is 3.8m high would produce a large extent of brick work. The ridge height is almost equivalent to a two storey house. It is considered the proposal would be overbearing and dominate these nearby gardens and properties.
- 8.18 The position of the building would not lead to an unreasonable loss of light to neighbouring properties. The inclusion of rooflights on the roof and bay window on the southern elevation I consider would not lead to an unreasonable loss of privacy to neighbours due to their position.
- 8.19 The use of the building by students is unlikely to lead to a significant increase in noise disturbance to nearby properties.
- 8.20 In my opinion the proposal fails to adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it fails to be compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Amenity for future occupiers of the site

- 8.21 Four of the first floor bedrooms contain rooflights only as their source of natural light. This is considered acceptable because most students are staying for a short period. A small private amenity area is also provided.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Trees

- 8.23 Policy 4/4 of the Local Plan explains that development will not be permitted which would involve the felling, significant surgery or potential root damage to trees of amenity or other value

unless there are demonstrable public benefits accruing from the proposal which outweigh the current and future amenity value of the trees. When felling is permitted, appropriate replacement planting will be sought wherever possible.

- 8.24 The site contains five Tree Preservation Order (TPO) trees. Three TPO trees would remain and two removed. The Council's Arboriculturalist considers the loss of these trees to be acceptable providing the inclusion of a specific condition. I therefore consider the loss of these trees to be acceptable.
- 8.25 I consider the proposal is compliant with policy 4/4 of the Local Plan (2006)

Refuse Arrangements

- 8.26 The proposal would provide 240 litre bins. The staff at the Violin Workshop would wheel the bins to Hartington Grove footpath and return afterwards on bin days. The provision is considered acceptable by Environmental Services.
- 8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.28 The applicant has confirmed that the existing car park is owned and used exclusively by the Violin Workshop. They do not rent out spaces.
- 8.29 Highways have not objected to the proposal. Proctorial control would exist for the University Students.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.31 There are eight existing car parking spaces. The proposal provides 5 car parking spaces but tandem parking could be provided, so that up to 11 car spaces could be available. The site is outside the Controlled Parking Zone. The Design and Access Statement refers to one car parking space for disabled

use. The car parking spaces will be used by the Violin Workshop.

- 8.32 Covered and lockable cycle storage at a ratio of 1 space per bedroom has been provided. This is considered acceptable.
- 8.33 I consider the parking provision to be acceptable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.34 I consider it inappropriate to condition the application to limit the number of occupants. Due to the nature of the courses run it is likely only one person would occupy each bedroom at one time.
- 8.35 The existing vehicular access to the Violin Workshop would provide access to the proposed building. The access would still be usable for emergency vehicles and cyclists.
- 8.36 Land outside of the applicant's ownership can be included within a planning application.
- 8.37 The connection of the site to services is not considered a material planning consideration.
- 8.38 If the planning application were to be approved details of hardstanding, renewables and drainage can be dealt with by condition.

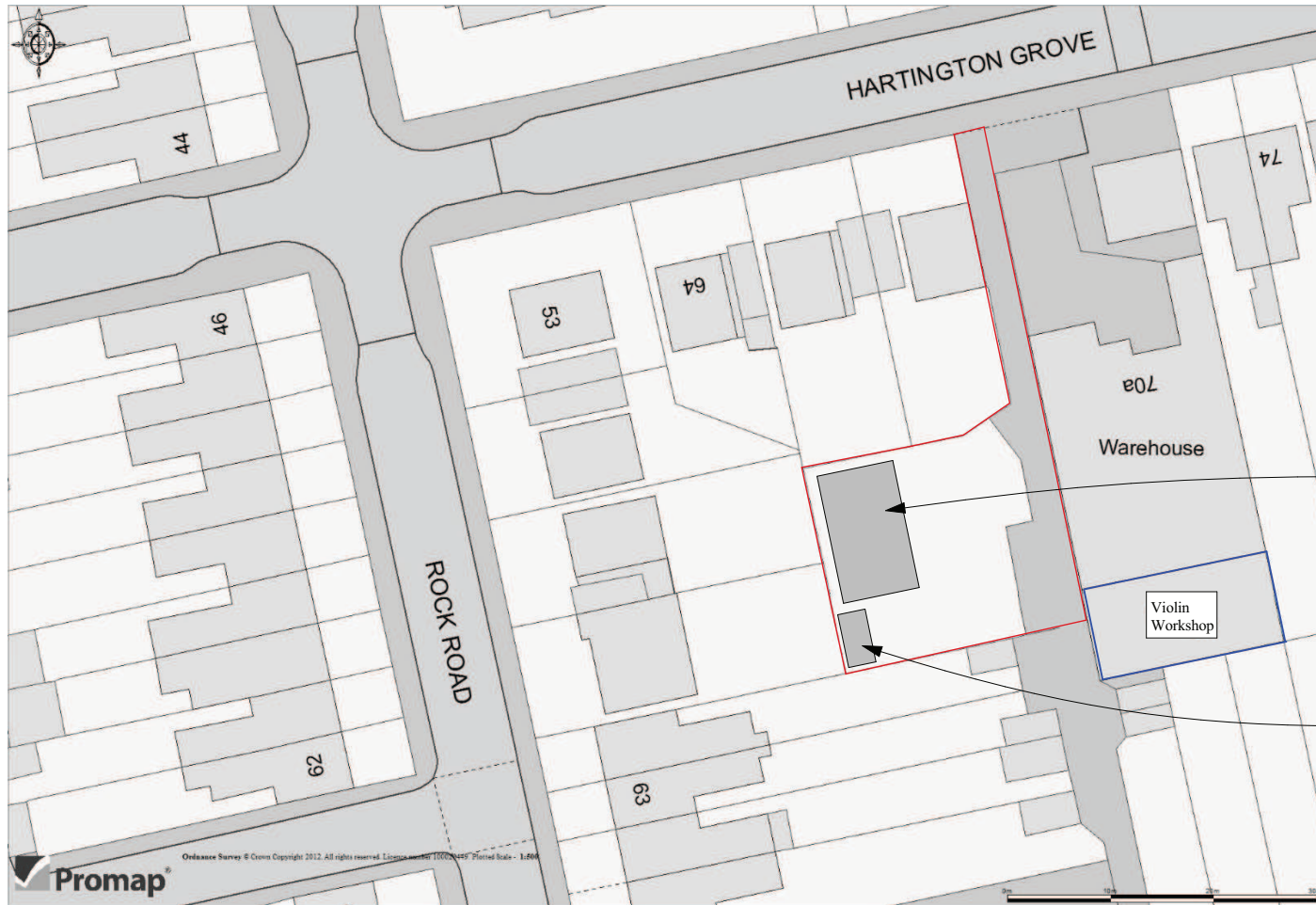
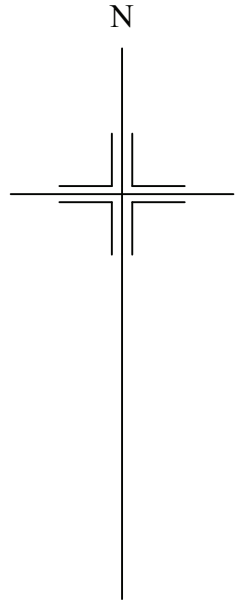
9.0 CONCLUSION

The combination of the proposed building's large footprint and its height produces a building which would appear bulky and visually dominant and excessive and would harm the neighbouring amenities of No.66 Hartington Grove and No.57 Rock Road.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The combination of the proposed building's large footprint and its height produces a bulky and visually dominant building. It is considered that the proposal would dominate the amenity of adjacent properties to the north and west of the proposed building, namely occupants of No.66 Hartington Grove and No.57 Rock Road. It would fail to comply with policies 3/4, 3/7 and 3/12 of the Local Plan (2006).



Proposed new student accommodation

Proposed new cycle store



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20, Baldock Way, Cambridge, CB1 7UX
Tel (01223) 244430 Fax (01223) 412647

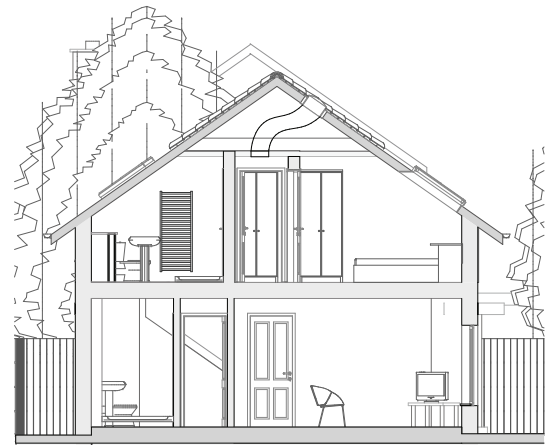
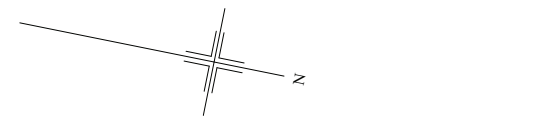
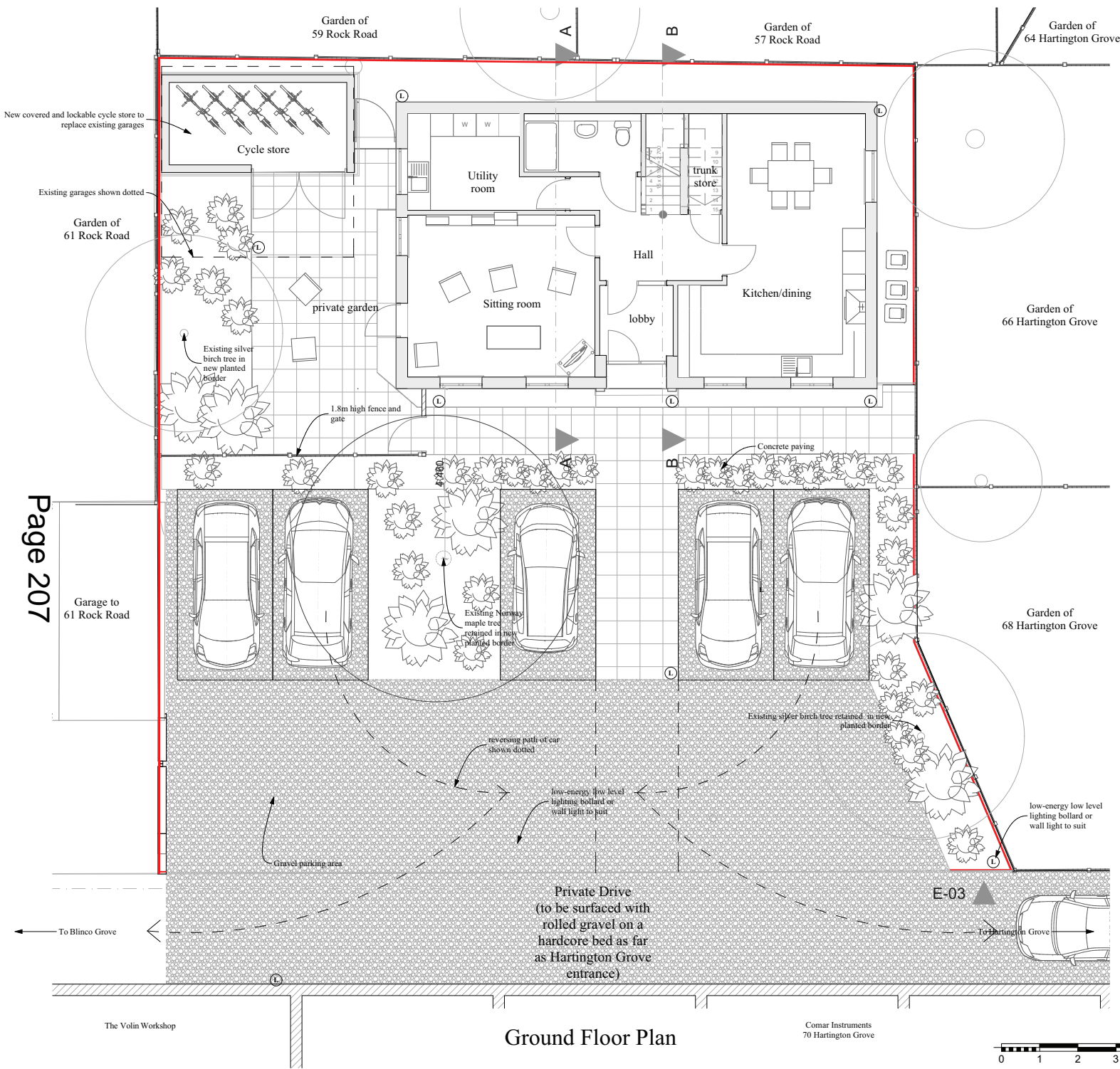
Scheme Design
Site plan as proposed

Proposed student accommodation
for the Violin Workshop
at 70A, Hartington Grove, Cambridge CB1 7UB

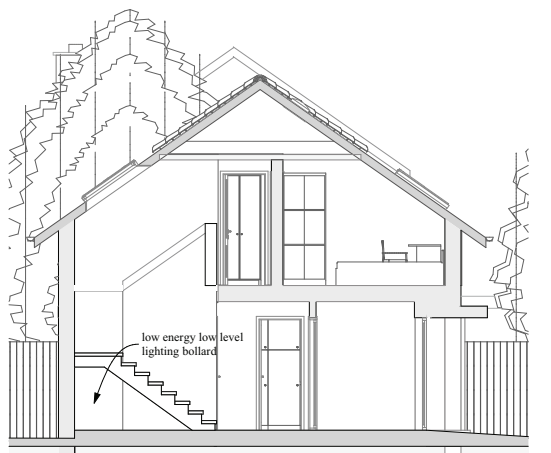
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Section A-A



Section B-B

A. Gravel drive extended as far as Hartington Grove entrance 30.6.13
 8 No. low level external lights shown
 Private sitting area with additional fence and gate added with access from sitting room external door

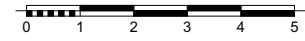
Revisions	
1	Proposed student accommodation at 70b, Hartington Grove, Cambridge for the Violin Workshop

Gerrard Crouch MA Dip Arch RIBA Chartered Architect 20, Baldock Way, Cambridge, CB1 7UX Tel (01223) 244530 Fax (01223) 412647		Scheme Design Ground Floor Plan & Sections	
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Page 207

Ground Floor Plan

Comar Instruments
 70 Hartington Grove



The Violin Workshop

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Application Number	13/0286/FUL	Agenda Item	
Date Received	13th March 2013	Officer	Mr Amit Patel
Target Date	8th May 2013		
Ward	Cherry Hinton		
Site	14 Fishers Lane Cambridge Cambridgeshire CB1 9HR		
Proposal	Demolition of existing property and construction of 3 x3 bedroom dwellings with individual parking spaces		
Applicant	Richard Jones 11 Emery Street Cambridge CB1 2AX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The design fits within the context of the wider area.</p> <p>Impact on residential amenity is acceptable</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 14 Fishers Lane is a detached property situated on the southern side of the public highway close to the junction with High Street Cherry Hinton. To the north of the site is a Church, to the east are residential properties, south is rear gardens of residential properties and a hall and to the west are residential properties.
- 1.2 The site is not in a Conservation area or within a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application seeks approval for the demolition of the existing property and erection of 3 x three bed terrace houses. The proposal pushes the existing building line back to allow for a larger front garden to accommodate car parking. Accommodation would be provided over 3 floors.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Plans

3.0 SITE HISTORY

No relevant site history.

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011	CS16
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/8 3/10 3/11 3/12 4/13 5/1 5/14 8/1 8/2 8/3 8/5 8/6 8/7 8/10 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Planning Obligation Strategy

Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Open Space and Recreation Strategy Cambridgeshire Design Guide For Streets and Public Realm Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal should not have any significant impact upon the public highway subject to appropriate conditions and informatives.

Head of Environmental Services

- 6.2 The proposal is acceptable subject to conditions relating to working hours, construction deliveries and collection, construction noise, vibration and piling and dust mitigation and informatives relating to dust and contaminated land.
- 6.3 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:

- 12 Fishers Lane
- 16 Fishers Lane

7.2 The representations can be summarised as follows:

- Dust is a concern.
- Reduction in light to the rear elevation and garden of number 16;
- Increased noise due to the intensification of the use from one property to three;
- How is the proposed rear garden area is to be used as the plans only show half of the garden to be used.

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 provision of higher density housing in sustainable locations is generally supported by central government advice contained in the NPPF (2012). Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining

uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

- 8.3 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f), nor are there any listed buildings in close proximity to the site in accordance with 3/10 (e). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.
- 8.4 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion; the principle of development is acceptable and in accordance with policies 5/1 and 3/10 Cambridge Local Plan 2006 and Cambridge City Council Guidance on Development which Affects Private Gardens (June 2011).

Context of site, design and external spaces

- 8.5 The immediate area is residential in character. The proposed development will have rear and front gardens, similar to other properties in the area. The proposed dwellings are similar in width and height to the existing row of terrace properties to the west and the fenestration will be similar in design. I consider that the proposed dwellings will fit well into the general character of the area.

- 8.6 The proposed dwellings will be sited further back into the site than the existing dwelling. I consider this acceptable as there is no strong building line. There are other properties that sit back into the site specifically numbers 10 and 12 and the proposed terrace will mirror this position.
- 8.7 The proposal is highly visible in the street and therefore the use of materials is key. I consider that this can be controlled by condition (condition number 2).
- 8.8 Subject to conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact from construction

- 8.9 The Environmental Health team recommends conditions relating to working hours (condition 10), construction deliveries and collection (condition 11), dust (condition 13), noise and vibration and piling (condition 12) I recognize the third party concern but I accept this advice and recommend conditions.

Impact on number 16

- 8.10 Concerns have been raised regarding the loss of light to number 16. I accept that the new dwellings are sited further into the site than the present building and with number 16 located east of the proposed houses. Number 16 is sited forward of the proposed dwellings. There will be some loss of light to the gable end, single storey extension and garden area to number 16. But this will occur in the later part of the afternoon and early evening as the sun is setting. The applicants have submitted further information regarding the impact on the loss of light. The plans show that the impact on numbers 12 and 16 will not be significantly different to the existing situation and I am satisfied that the proposal is not likely to be so significant to warrant a refusal on these grounds.
- 8.11 There are no windows in the gable end of number 16 but there are high level windows in the single storey element. However, these are secondary windows and I consider that due to the fact the property will still get light throughout the majority of the day, the impact on loss of light to number 16, in my opinion, would

not be as severe as to warrant a refusal. There are no windows being proposed in the elevation that faces this neighbour. Due to the nature of the plots being slightly angled, in terms of outlook the proposal will be visible from the garden area of number 16 but number 16 benefits from a long garden and will still have relatively unrestricted views to the south and west and therefore on balance I consider that there will not be a significant overbearing impact to the detriment of the occupiers.

- 8.12 Comments have also been received that the intensification of the use will increase the noise and disturbance to number 16. There is a proposed path way which will run along the common boundary with number 16 and is for access to the rear of the new dwellings. The movements and use of the pathway will not be so intense in my opinion that it will increase the noise to an unacceptable level.

Impact on number 12

- 8.13 There have been concerns raised in relation to the impact of dust through demolition. I have dealt with this in paragraph 8.9 above.
- 8.14 The proposed dwellings will be sited to the east of number 12. Number 12 benefits from a single storey extension with windows facing the application site. The existing building has a two storey form which already causes some early morning loss of light to number 12. The proposed building is set back into the plot and there will be some additional loss of light in the early hours of the morning as the sun is rising but I do not consider that the extent of the loss of light is significant as to warrant a refusal as these windows will still receive light throughout the majority of the day. There are windows in the single storey extension to number 12 but these appear to be secondary windows and as there are no proposed windows facing number 12, I consider that there will be no significant impact in terms of loss of privacy.
- 8.15 There is already a two storey wing close to this neighbor. By pushing the footprint further back into the site the development will increase the sense of enclosure above the existing situation. However, I consider that by rotating the building slightly to be parallel with number 12 and set of the boundary by 1m and having a gap of nearly 4m building to building and the

eaves of the two storey being 5.1m I do not consider on balance that the proposal will have an detrimental impact in terms of sense of enclosure.

- 8.16 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 Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10 and 3/12.

Amenity for future occupiers of the site

- 8.17 The proposal will provide adequate private amenity space for each of the dwellings and be located close to amenities in the area and therefore I consider that the proposal will provide a high quality living environment for the future occupiers.
- 8.18 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.19 The plans do not show any details of the waste but there is plenty of room on site to provide the necessary waste storage. I have conditioned this aspect. (see condition 14).
- 8.20 The proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety Car and Cycle Parking

- 8.21 There have been third party comments regarding the loss of on street parking. The local highway authority have not commented on this specific issue. The proposal seeks to provide 3 off street car parking spaces. This is acceptable and due to the sustainable location of the site, which is within easy reach of local amenities, and cycling and walking routes and public transport the provision of one car parking space is acceptable and is in accordance with the Local Plan.

8.22 There are no details of the cycle parking shown on the plans. However, I consider that there is room on site to accommodate this and recommend a condition (number3).

8.23 Subject to conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Third Party Representations

8.24 The third party comments relating to the loss of light, car parking, noise and dust have been addressed in the main body of the report above. The issue relating to the rear part of the garden area is shown as part of the site in the applicant's ownership. The applicants agents have confirmed that the rear part of the garden has been set aside for future development.

Planning Obligations

8.25 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) 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 and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.26 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. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.27 The application proposes the erection of 3 three-bedroom houses. One 3 bed residential unit would be removed, so the net total of additional residential units is 2. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714	2	1428
4-bed	4	238	952		
Total					1428

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807	2	1614
4-bed	4	269	1076		
Total					1614

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726	2	1452
4-bed	4	242	968		
Total					1452

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948	2	1896
4-bed	4	316	1264		
Total					1896

8.28 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.29 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882	2	3764
4-bed	1882		
Total			3764

8.30 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.31 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	2	150
Flat	150		
Total			150

8.32 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.33 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term, £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

- 8.34 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

The proposal is for the demolition of one house and replacement with 3 three bedroom dwellings. The impact of the proposal on the neighbouring occupiers is acceptable. I recommend APPROVAL.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

- 1. APPROVE subject to the satisfactory completion of the s106 agreement by 30th July 2013 and subject to the following conditions and reasons for approval:**

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. (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 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. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. No unbound material shall be used in the surface finish of the driveways.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety. (Cambridge Local Plan (2006) policy 8/2).

6. No gates or fences to be erected across the approved driveways.

Reason: In the interests of highway safety. (Cambridge Local Plan (2006) policy 8/2).

7. The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The development shall then be implemented in accordance with the approved details.

Reason: To prevent surface water discharging to the highway. (Cambridge Local Plan (2006) policy 8/2).

8. 2.0 x 2.0 metres visibility splays shall be provided prior to occupation of the properties. The splays are to be included within the curtilage of the new dwelling. One visibility splay is required on each side of each access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety. (Cambridge Local Plan (2006) policy 8/2).

9. Except with the prior written agreement of the local planning authority 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)

10. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

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

11. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228-1:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

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

12. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period, including wheel washing, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

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

13. Prior to the commencement of the use hereby permitted, the on-site storage facilities for waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements 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 (in accordance with policies 4/13 of the Cambridge Local Plan (2006))

14. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

INFORMATIVE: To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

Councils Supplementary Planning Document Sustainable Design and Construction 2007:
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils:
http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

INFORMATIVE: This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

INFORMATIVE: Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

Reasons for Approval

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

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/6, 3/7, 3/8, 3/10, 3/11, 3/12, 4/13, 5/1, 5/14, 8/1, 8/2, 8/3, 8/5, 8/6, 8/7, 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.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with 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 30th July 2013, or if Committee determine that the application be refused against officer recommendation of approval, 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, community development facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010 Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development



NEALE ASSOCIATES
Chartered Architects

CLIENT.
PROJECT.
DRAWING

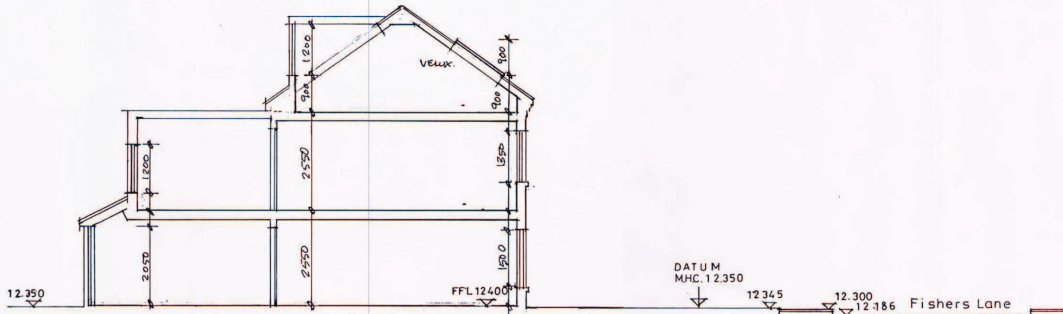
RICHARD JONES.
14 FISHERS LN C/ HINTON
LOCATION PLAN.

DATE.
SCALE.
DWG. No.

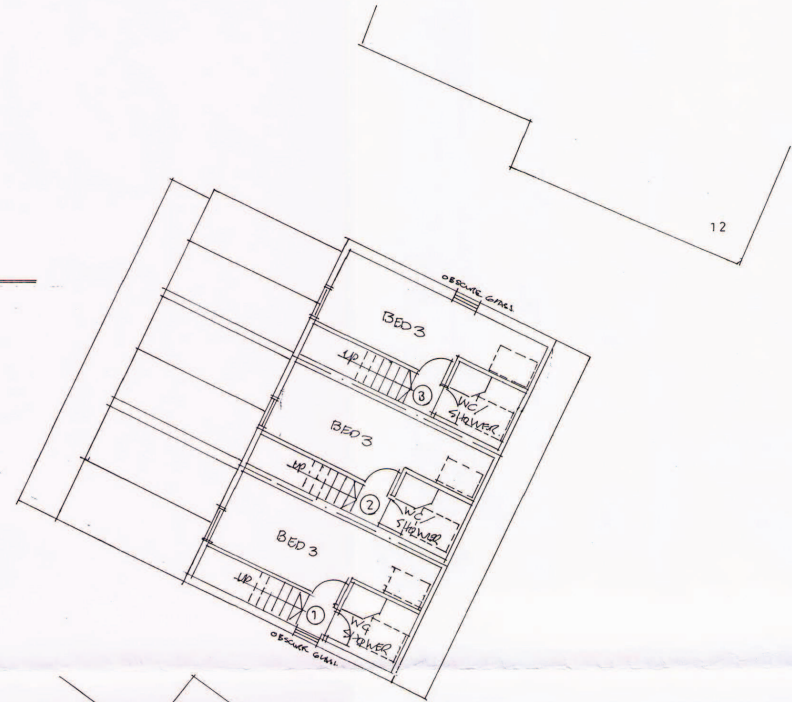
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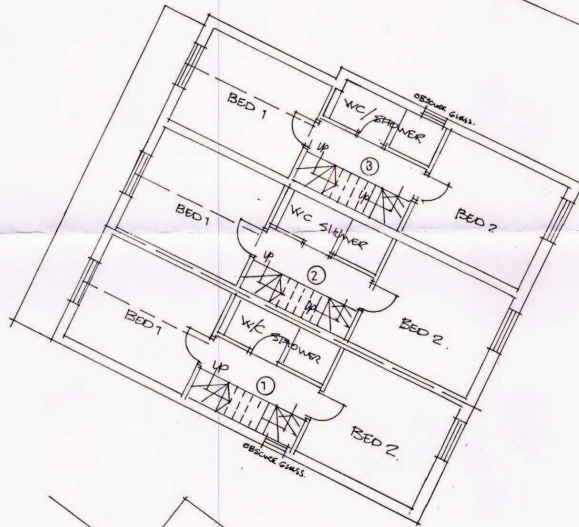
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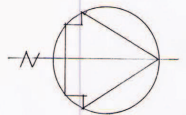


A T T I C



F I R S T

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Client RICHARD JONES

Date March 2013

Project 14 FISHERS LANE

Scale 1 : 100

Drawing UPPER FLOOR PLAN / SECTION

Dwg. No. 13/1336-003

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Client	RICHARD JONES	Date	February 2013
Project	14 FISHERS LANE CHERRY HINTON	Scale	1 : 100
Drawing	ELEVATIONS	Dwg. No.	13/1336 : 002

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Application Number	13/0681/FUL	Agenda Item	
Date Received	16th May 2013	Officer	Mr Amit Patel
Target Date	11th July 2013		
Ward	Queen Ediths		
Site	4 Topcliffe Way Cambridge Cambridgeshire CB1 8SH		
Proposal Applicant	Part two storey part single storey front extensions Mr And Mrs M. Munnelly 4 Topcliffe Way Cambridge Cambridgeshire CB1 8SH		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>Dominating the property of number 6 creating an undue sense of enclosure to the front</p> <p>Impact on the street would not be in keeping with the character of the immediate area</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 4 Topcliffe Way is a detached two-storey dwelling, which is linked to No.2 to the North West by two single storey garages. It is situated on the south side of Topcliffe Way, close to the junction with Nightingale Avenue. The area is entirely residential in character. The house is finished in light brown brickwork, with brown cladding to the first floor and under a tiled roof.
- 1.2 The site is not allocated within the Cambridge Local Plan (2006). The site is not within a conservation area. The house is not listed. There are no protected trees on the application site. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application seeks a full width two storey front extension with a projecting bay in the north east corner close to number 6. The two storey element projects 4.5m towards the road.
- 2.2 The proposed development will be finished in materials to match the existing.
- 2.3 The application is accompanied by the following supporting information:
1. Planning Statement
 2. Plans
- 2.4 The application is brought before Committee at the request of Councillor Birtles for examining policy 3/4 and 3/14 as they are subjective.

3.0 SITE HISTORY

Reference	Description	Outcome
11/1535/FUL	Extensions to existing house.	WDN

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/14

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comment to make on this application.

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 Birtles has commented on this application. Her comments are that this application needs to test policy 3/4 and 3/14.

7.2 The owner/occupier of the following addresses has made a representation:

- 6 Topcliffe Way (2 representations)

7.3 The representations can be summarised as follows:

- The proposal severely overwhelms, overbears and dominates no.6 having regard to its size extent and proximity. The existing siting of 4 Topcliffe Way is already considerably ahead of 6 Topcliffe Way
- The proposal imposes and impacts on the living accommodation side of 6 Topcliffe Way
- The proposal affects severely the existing visual relationship externally between No 4 and No 6 Topcliffe Way
- The proposal would severely affect the light to the neighbouring property No 6 Topcliffe Way
- The proposal is out of keeping with the character and amenities of the location
- The proposal would lead to a large encroachment over the building line of neighbouring property causing in addition loss of visual amenity along Topcliffe Way both to and from the recreation ground
- None of the submitted photographs are comparable.

7.4 The applicants have submitted further information regarding a property at Maners Way but this is already shown on the plan which looks at other front extensions.

7.5 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. Residential amenity
3. Third party representations

Context of site, design and external spaces

- 8.2 The properties in Topcliffe Way have been minimally altered on the front elevations, save for a few porch extensions. As such, this proposed two storey front extension would be a significant alteration to the appearance of the property and to the surrounding context.
- 8.3 The proposed development would result in a projection of 4.5m, where the projecting bay would be located. On the North West corner, the depth increases by 3 m. In my view this would result in a significant incursion into the street scene of Topcliffe Way and would result in the property sitting forward of the adjoining neighbours. No.2 and No.4 already sit forward on the southern side of the street. To push this building line further forward into the street would result in an uncomfortable relationship with the street and would not respond positively to the features of the local character. In addition the proposed flank wall will be 8.5m beyond the building line of number 6 and by having this large expanse close to the junction with Nightingale Avenue at the end of a curve in the road will add to the visual impact.
- 8.4 In my opinion the proposal would appear unduly prominent within the street and is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 The adjoining neighbour No.2 is separated from the application property by two interlinking single storey garages. As such, this provides a separation distance of approximately 6 m, which mitigates any potential overbearing impact. Furthermore, given the orientation of No.2 to the west of No.4, I do not consider that there will be any significant loss of light to the front elevation of the neighbouring property.
- 8.6 No.6, to the east is set behind the application site on a different building line, which is already 4m back of the existing building line with number 4. There is some landscaping, situated within the front garden of number 6 but this would only partially screen what would otherwise be a dominant 2 storey projection.

- 8.7 The two-storey bay is located in close proximity to the boundary with No.6 approximately 1.8m from the common boundary with number 4. Number 4 sits forward of number 6 by 4m currently and with the proposed extension being a further 4.5m deep the total depth would be 8.5m close to the common boundary. My main concern is the sheer mass and scale of a blank wall close to the common boundary which will give rise to a sense of enclosure to number 6 to the detriment of their amenity to the front area immediately adjacent to the proposed two storey bay. I do not consider there would be any loss of light issues.
- 8.8 In my opinion the proposal does not adequately respect the residential amenity of its neighbours and the constraints of the site and I consider that it is contrary with Cambridge Local Plan (2006) policies 3/4 and 3/14

Third Party Representations

- 8.9 The comments received have been addressed in the main body of the report above.

9.0 CONCLUSION

The proposed front extension will have a detrimental impact upon the street scene and neighbouring occupier number 6 and therefore I recommend REFUSAL.

10.0 RECOMMENDATION

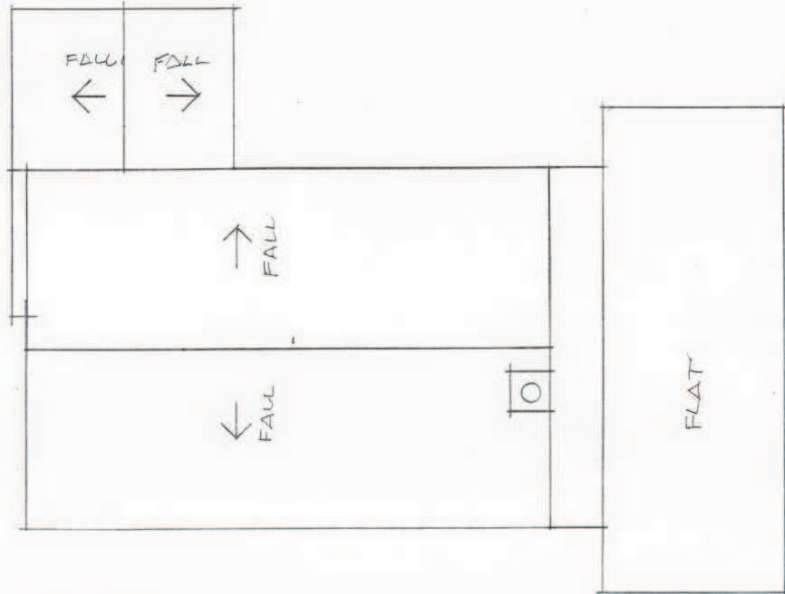
FOR RECOMMENDATIONS OF REFUSAL

- 1. REFUSE for the following reason/s:**

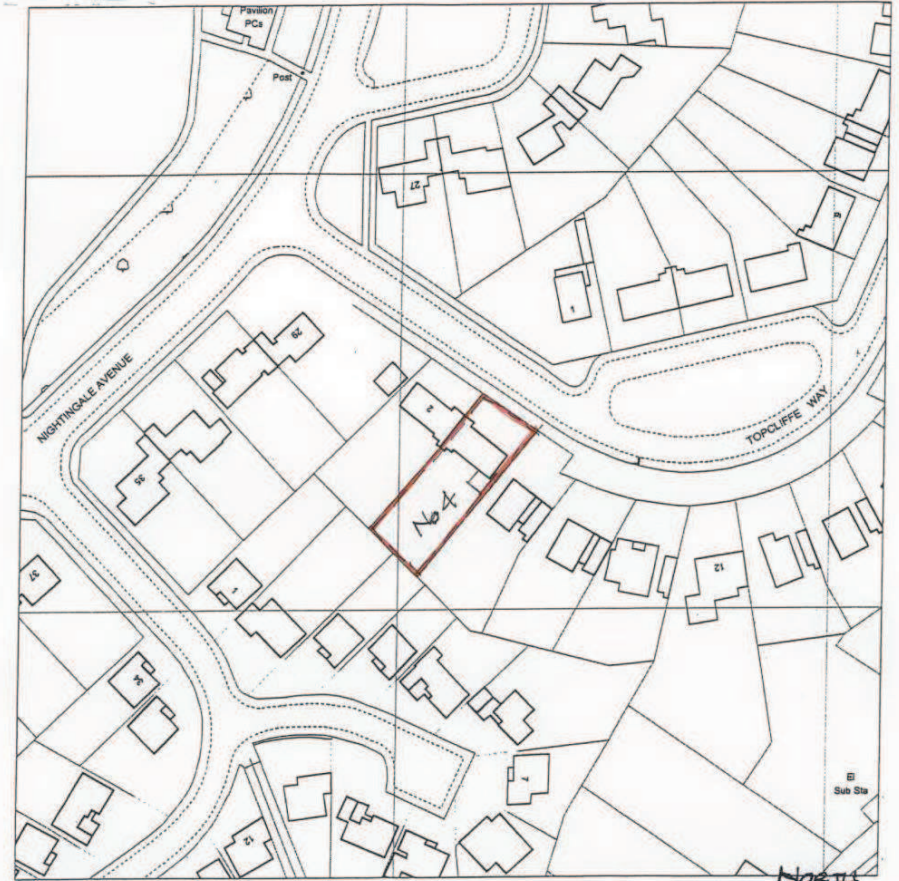
1. The proposal would result in a projection of 4.5 m in the north east corner of the property, resulting in a significant incursion into the street scene of Topcliffe Way and a resultant footprint at odds with the adjoining neighbour, No.2. The depth of the extension to the frontage, beyond the existing building line towards the street, would therefore result in an uncomfortable visual incursion into the streetscene and a visually prominent development out of character with its surroundings. For this reason, the proposal fails to respond positively to the architectural style of the existing property. The proposal does not comply with Cambridge Local Plan (2006) policies 3/4 and 3/14.

2. Due to the size and scale of the proposed front extension close to the common boundary with number 6 the proposal will have a dominating and enclosing impact upon the front garden of number 6 Topcliffe Way to the detriment of the occupiers and therefore contrary to policy 3/14 and guidance in the National Planning Policy Framework (2012).

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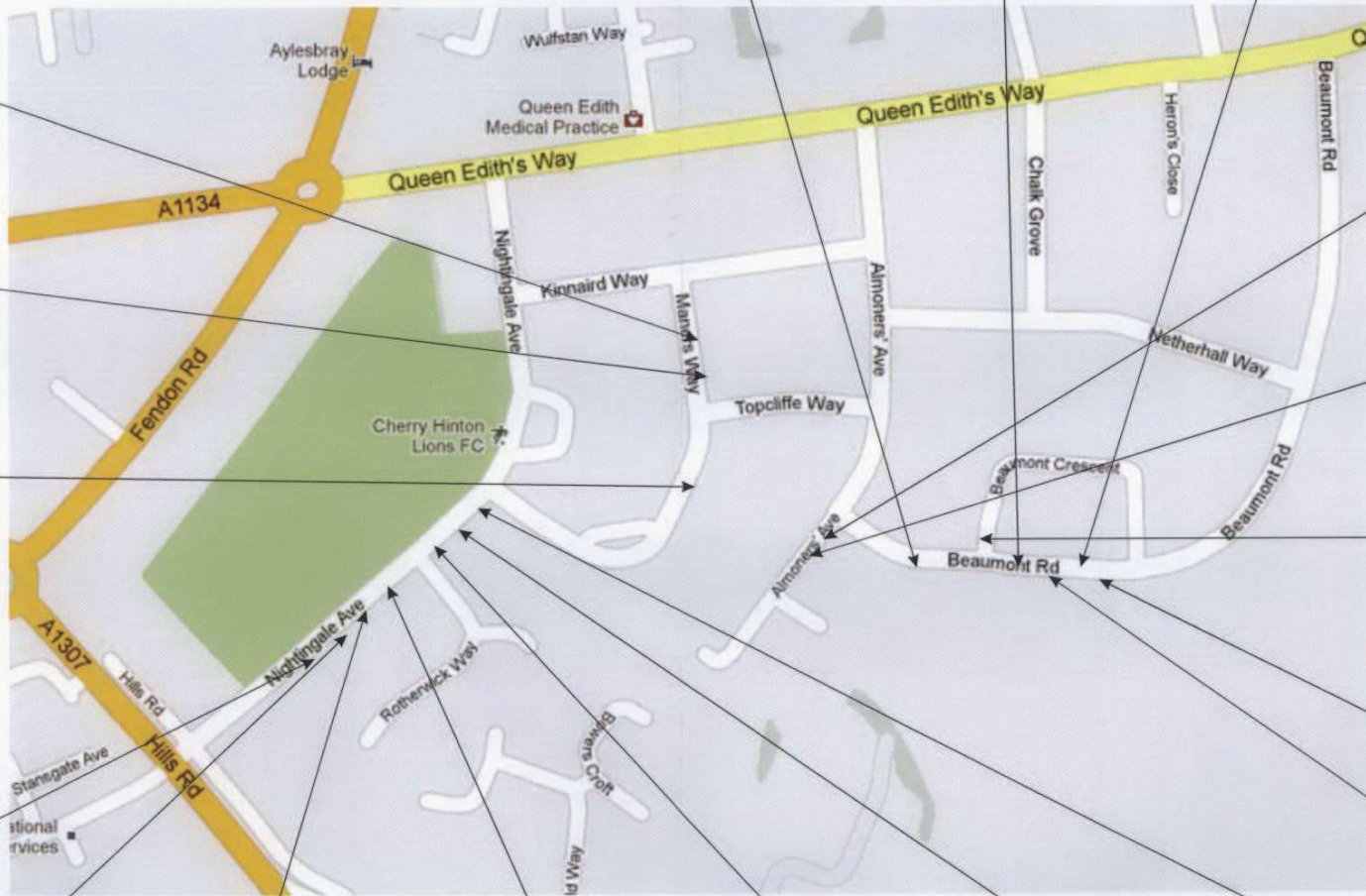
roof plan



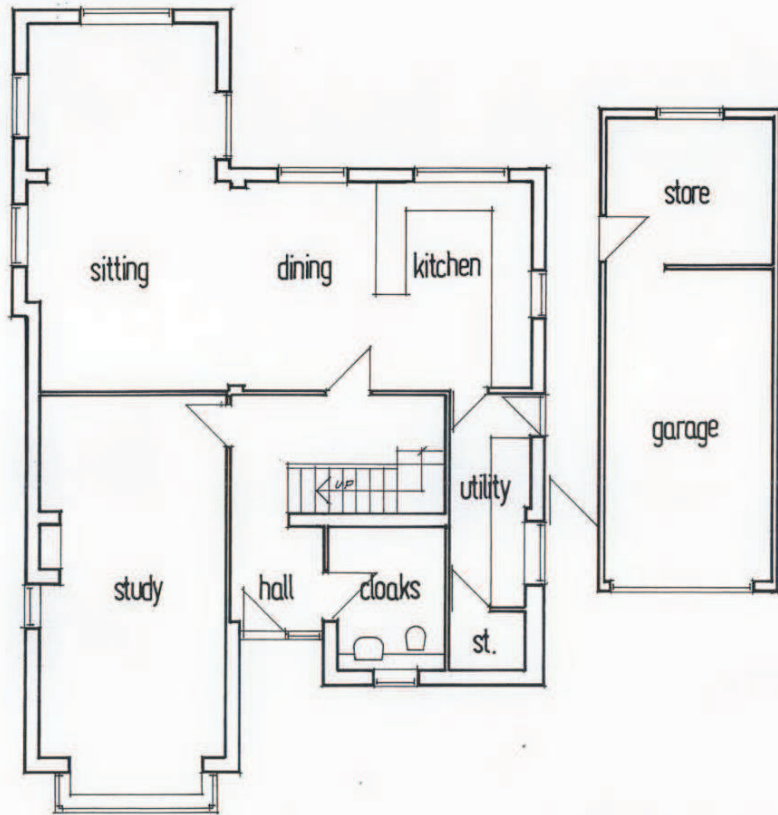
LOCATION PLAN : 1:1250.

<p>George Davidson Architects, 251 Mill Road, Cambridge. CB1 3BE. Tel. 01223 576874.</p>	<p>4, TOPCLIFFE WAY, CAMBRIDGE. existing. Scale 1:100 at A3 Date MAY 2008 Dwg.No E.100.2</p>
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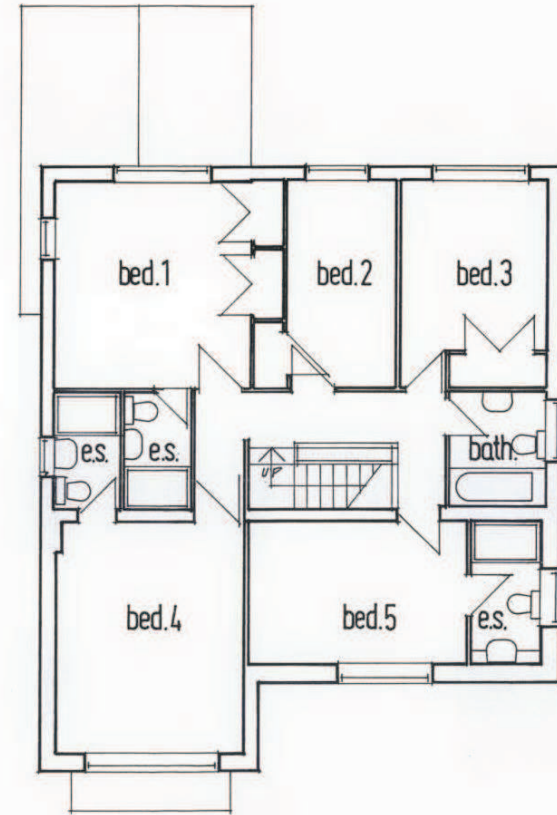
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ground floor plan

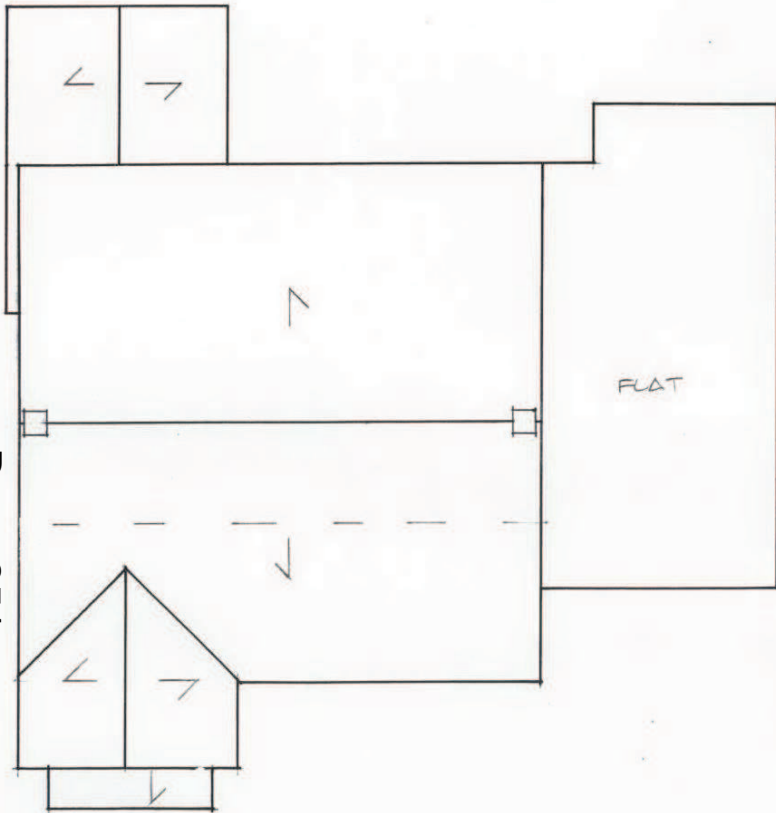


first floor plan

George Davidson Architects,
251 Mill Road,
Cambridge. CB1 3BE.
Tel. 01223 576874.

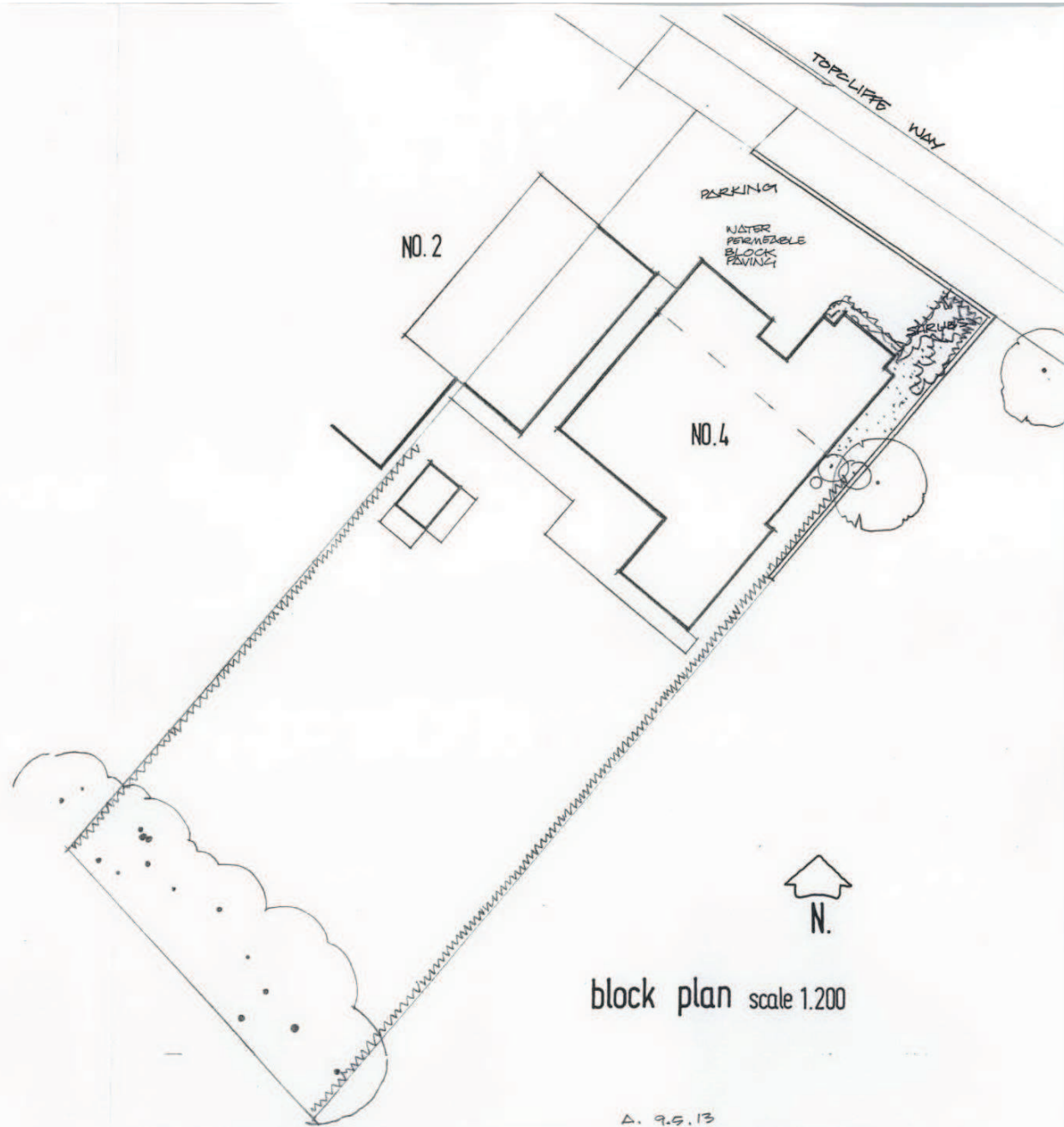
4 TOPCLIFFE WAY, CAMBRIDGE.
proposal
Scale 1:100 at A3 | Date FEB. 2013.
Dwg.No D.100.1

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roof plan scale 1.100

ROOF FALLS



block plan scale 1.200

A. 9.5.13

George Davidson Architects,
 251 Mill Road,
 Cambridge. CB1 3BE.
 Tel. 01223 576874.

4 TOPCLIFFE WAY, CAMBRIDGE.
 proposal
 Scale 1.100 at A3 | Date FEB. 2013.
 Dwg.No D.100. 2_A

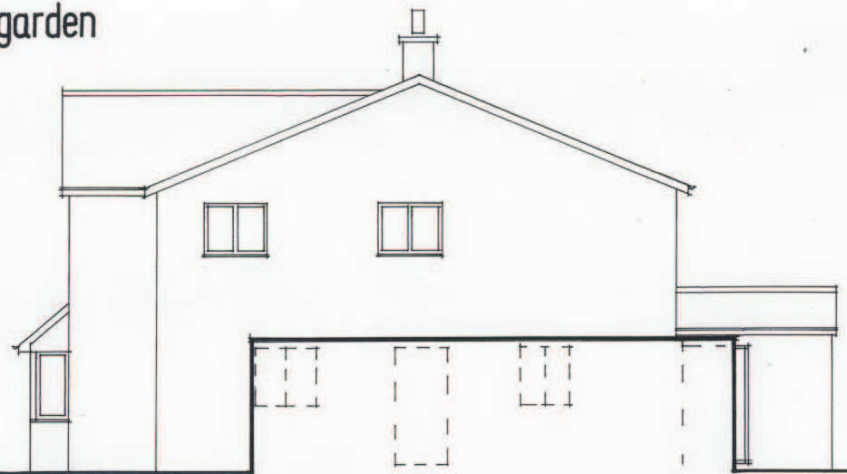
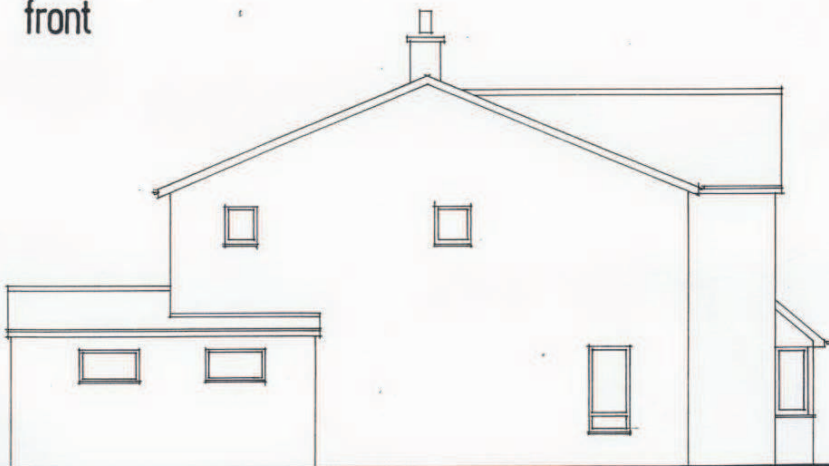
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front

garden

Page 253



side

side

elevations

George Davidson Architects,
251 Mill Road,
Cambridge. CB1 3BE.
Tel. 01223 576874.

4 TOPCLIFFE WAY, CAMBRIDGE.
proposal
Scale 1:100 at A3 | Date FEB. 2013.
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Application Number	13/0346/FUL	Agenda Item	
Date Received	12th March 2013	Officer	Mr Amit Patel
Target Date	7th May 2013		
Ward	Queen Ediths		
Site	3 Chalk Grove Cambridge Cambridgeshire CB1 8NT		
Proposal Applicant	Two storey side extension Mr And Mrs. F. Atkinson 3 Chalk Grove Cambridge Cambridgeshire CB1 8NT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The character and appearance of the extension would be satisfactory</p> <p>The proposal will not have a significant impact on neighbours</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site comprises a semi-detached two-storey dwelling situated to the eastern side of Chalk Grove, close to its junction with Queen Edith's Way. The property is finished in red brick and tiles. The subject dwelling has an existing single storey side garage and a modest single storey rear extension. The area is predominantly residential in character containing a mixture of semi-detached and detached dwellings.

1.2 The site does not lie within a Conservation Area.

2.0 THE PROPOSAL

2.1 The proposal is for a two storey side extension, which is the full depth of the existing house with the same level for the eaves and ridge. The roof is hipped.

2.2 The application is accompanied by the following supporting information:

1. Plans

3.0 SITE HISTORY

No previous site history.

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Local Plan 2006		3/1 3/4 3/7 3/14 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction

Material Considerations	<p><u>Central Government:</u></p> <p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
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6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Application states no change in car parking but no details are given. The applicants must show dimensions for car parking 2.5m by 5m. *Response to Highway comments, the block plan shows a car parking space measuring 5m by 2.5m.*
- 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 Councillor Birtles has commented on this application stating that there are concerns about the first floor extension and the impact on natural light to the neighbouring property as well as drainage and if likely to be approved then be called in.

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

- 5 Chalk Grove

- 7.2 The representations can be summarised as follows:

- The proposed extension will reduce the amount of natural light into the property because it extends 100cm beyond the front elevation and 80cm beyond the rear elevation;
- The blockage to sewer system will have a detrimental impact on the neighbouring properties.

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 representation 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. Residential amenity
3. Third party representations

Context of site, design and external spaces

8.2 The proposed two storey side extension will be visible in the street, but I do not consider that it will impact adversely upon its character and appearance. There are other extensions of similar size and scale in the street. Subject to the use of appropriate materials, in my view it will integrate satisfactorily with the main dwelling.

8.3 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

Residential Amenity

8.4 The potential impact of the two-storey side extension on No. 5 has been raised as a concern. The proposed side extension will sit north of No. 5 but this property has no flank windows. Number 5 benefits from two storey side extension which is similar in size and scale to the one being proposed and a single storey extension to the rear. Comments have been received that number 5 will lose light due to the size and position of the extension. I do not consider that there will be a significant loss of any light to number 5 because number 5 is situated south of number 3 and in my opinion I do not consider that this would be a reasonable reason to refuse this application.

8.5 I do note that the extension will project about 100cm forward of the front building line of number 5 but taking the 45 degree angle from the centre position of the front window of number 5 the proposed side extension will not encroach on outlook

significantly. The rear part of the proposal sits forward of the rear elevation of number 5 by about 80cm and again will not encroach the 45 degree angle and being north will therefore not have any significant impact on number 5 to the rear through loss of light.

- 8.6 With regards to overlooking and privacy, there are already windows and interlooking from other properties along the street and the addition of the windows at first floor will not make the situation any worse than the existing. In my view taking into account the other similar side extensions and the assessment of the impact on neighbours I do not consider this would be a reasonable reason for refusal.
- 8.7 No other neighbouring properties are affected by the development, which is thus considered to be acceptable from the neighbourliness perspective.
- 8.8 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 Cambridge Local Plan (2006) policies 3/4 and 3/14.

Third Party Representations

- 8.9 The issue regarding the loss of light has been addressed in the main report under the heading of "Residential Amenity". The comments about the sewer are not a planning consideration because the works would fall within the remit of Building Control and the statutory authority relevant to the area.

9.0 CONCLUSION

- 9.1 I do not consider that the extension will have a detrimental impact on residential amenity and recommend APPROVAL.

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 extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

Reasons for Approval

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/14 and 8/10

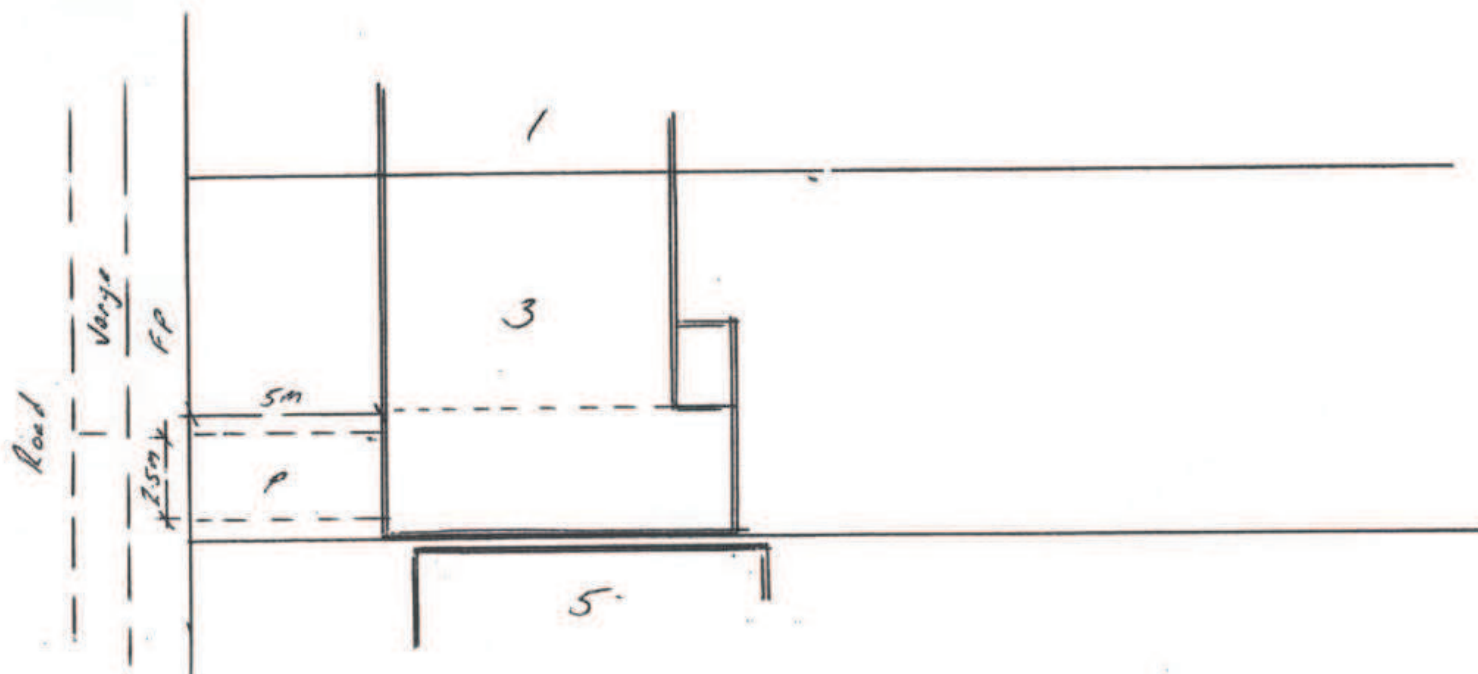
2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.



Location Plan
1:1250

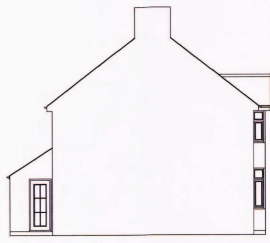


Site/Block Plan
1:200

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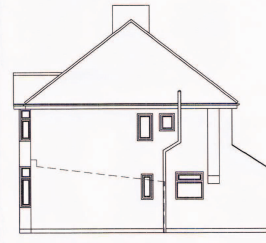
Existing Front Elevation



Existing Side Elevation



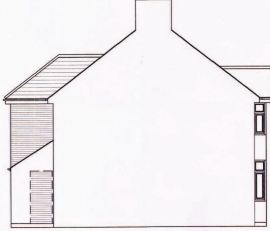
Existing Rear Elevation



Existing Side Elevation



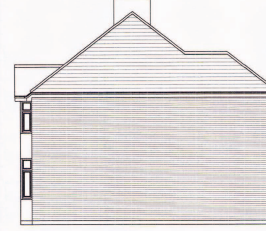
Proposed Front Elevation



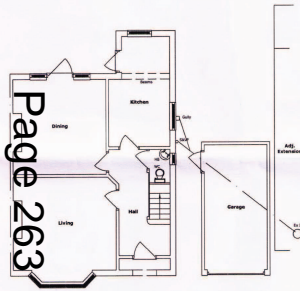
Proposed Side Elevation



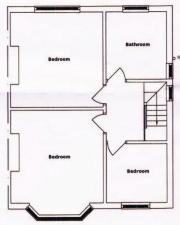
Proposed Rear Elevation



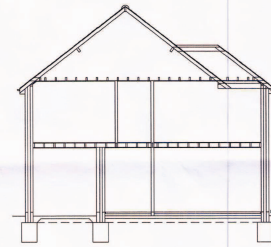
Proposed Side Elevation



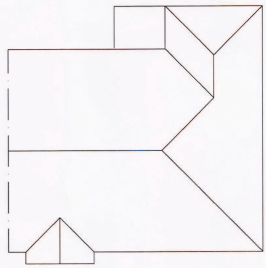
Existing Ground Floor



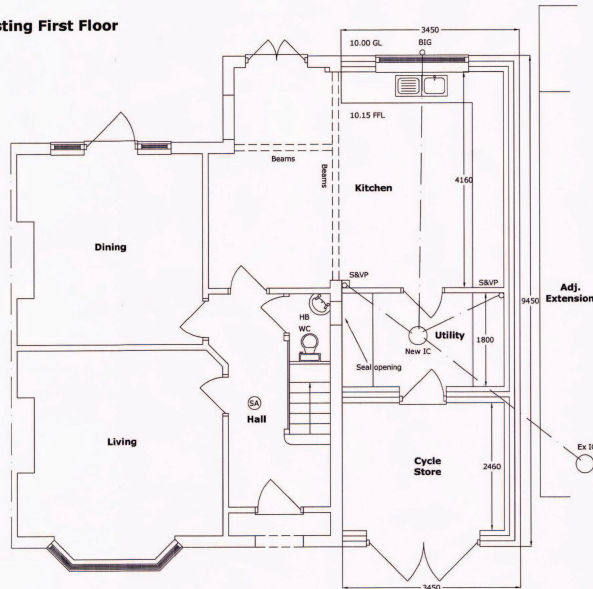
Existing First Floor



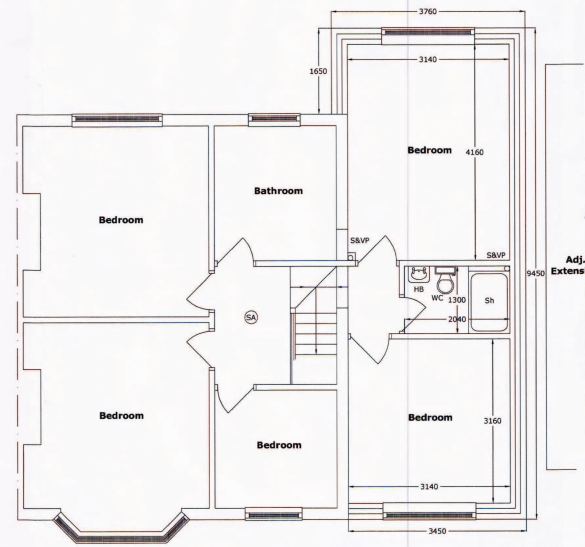
Section



Roof Plan



Proposed Ground Floor



Proposed First Floor

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Michael Bullivant Associates
 2A Golding Road
 Cambridge CB1 3RP
 01223 242491

*Proposed Extension at
 3 Chalk Grove, Cambridge
 For Mr & Mrs Atkinson*

Scale	1 : 50 & 100	Drg. No.	6037
Date	Feb 2013	Revised	27/02/13

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Application Number	13/0466/FUL	Agenda Item	
Date Received	2nd April 2013	Officer	Mr Toby Williams
Target Date	28th May 2013		
Ward	Queen Ediths		
Site	33 Queen Ediths Way Cambridge Cambridgeshire CB1 8PJ		
Proposal	Residential development (7 two bedroom flats), access, car parking, cycle store, refuse store and landscaping following demolition of an existing house and garage.		
Applicant	Mr And Mrs M Munnelly 33 Queen Ediths Way Cambridge Cambridgeshire CB1 8PJ		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>The proposed development is considered to be of poor quality design in prominent corner plot location.</p> <p>The proposed development would appear dominant and intrusive from the front garden area of no.35 and would be reliant on offsite landscaping to mitigate its impact on Queen Ediths Way.</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site sits within a predominantly residential area comprising mainly two storey dwellings of mixed architectural styles and laid out in a linear form along the tree lined Mowbray Road and Queen Ediths Way. Although the site's address is Queen Ediths Way, the site is accessed via Mowbray Road. There is no access into the site from Queen Ediths Way. The properties off Mowbray Road are set back from the adjoining highway.

There is a wide footpath and grass verge along the frontage of Mowbray Road.

- 1.2 Opposite the site (west) are blocks of flats. This includes a recent development of a three storey building known as Mulgrave Court comprising ten residential flats. The western boundary of the site is screened by a mixture of predominantly native planting on the verge and ownership ivy covered fruit trees. There is also a row of unmanaged Limes. Northward along the western boundary the trees have been pollarded to create a hedge row effect. The only vehicular access point is located close to the northern boundary with 1 Mowbray Road. The off street parking has been laid to gravel. There is a gated pedestrian access in the centre of the western boundary.
- 1.3 To the east is no.35 Queen Ediths Way, a large detached dwelling which sits centrally within the plot. The side boundary with no.35 is defined by trees and a 1.8 metre high timber fence at the north end of the boundary and a 1.8 metre high brick wall at the southern end. Most of the trees are located within the grounds of no.35. None of the trees are protected.
- 1.4 To the north is no.1 Mowbray Road which is a 1930s two storey semi-detached property set well back from the highway with a drive way in front. The northern boundary is defined by a 1.8 metre timber fence.
- 1.5 To the south is the Queen Ediths Way roundabout, which connects to two other roads; Mowbray Road and Fendon Road. Taramara House, which is a recently constructed three storey block of residential flats comprising eleven flats, is also located on the opposite side of the roundabout. The southern boundary of the site is defined by a dense band of trees (mainly conifer), which are set behind a one metre high fence on the Mowbray Road side. On the Queen Ediths Way side there is a grass verge and shrubs which screen the fence. The boundary vegetation screens views into the amenity area of the site.
- 1.6 The site comprises a two and a S storey five bed detached dwelling which is set back from the front boundary of the site. The car parking area is located to the north of the site and amenity space to the south. The site also contains a detached garage and a wooden shed on the north side of the dwelling.

1.7 The site is not located within an area of development constraint.

2.0 THE PROPOSAL

2.1 The proposal is for the demolition of the existing dwelling and the development of a three storey building comprising seven two-bed residential flats. The proposal also includes seven car parking spaces, a lockable cycle store for 14no. cycles, and a lockable refuse storage area located to the north of the building and amenity space to the south. A new cycle and pedestrian access would also be created in the front boundary.

2.2 The proposed building contains several pitched roof elements and reduces down in scale from full three storey in the northern elevation down to two storey in the southern elevation.

2.3 The building would contain two flats on the ground floor, three on the first floor and two on the second floor. The two ground floor flats would have direct access to the garden area. Flats no.3 and no.6 would benefit from balconies whereas flats no.4 and no.5 would not. Although they would have access to use the garden area to the south.

2.4 The proposal also includes solar PV panels on the southern elevation. However, renewable energy provision is not a policy requirement for this scale of development as the threshold in Policy 8/16 is 10 dwellings (or 1,000m²).

2.5 The highest part of the proposed building would be 9.6 metres. The building would be 22.9 metres width and 11.1 metres deep.

2.6 The proposal also includes a landscaping scheme for the site.

2.7 The application is accompanied by the following supporting information:

1. Design and Access Statement;
2. Highway Statement;
3. Tree Report, Arboricultural Impact Assessment and Landscape Strategy.

2.8 The application is brought before Committee at the request of Councillor Dryden for the following reason:

The applicant received positive comments on the proposal at the pre-application stage which then turned to negative comments following submission of the application.

3.0 SITE HISTORY

Reference	Description	Outcome
09/0821/FUL	Residential development (8 two bedroom flats), access, car parking, cycle store, refuse store and landscaping (following demolition of existing house and garage).	REFUSED 06.01.2010 DISMISSED AT APPEAL
12/1223/FUL	Residential development (7 two bedroom flats), access, car parking, cycle store, refuse store, landscaping following demolition of existing house and garage.	WITHDRAWN

- 3.1 The decision notice for the previously refused application 09/0821/FUL is attached to this report as Appendix 2.
- 3.2 The decision of the Planning Inspector in the appeal on the previous application 09/821/FUL is attached to this report as Appendix 3 together with the plans.
- 3.3 The previous scheme (12/1223/FUL) for the site was withdrawn, as the scheme was too similar to the proposal that was refused (09/0821/FUL) and dismissed at appeal by an Inspector.
- 3.4 In the appeal decision, the Inspector thought that although the design of the scheme was satisfactory, it did not seek to make a particularly bold statement and related unsuccessfully to Queen Ediths Way once the existing trees were removed. Any replacement planting would take some time to be established and be required to mitigate the flank elevation from dominating the Queen Ediths Way frontage. The Inspector concluded that this poor relationship means the proposal would be unduly dominant and intrusive to the existing character of Queen Ediths Way.

3.5 The Inspector also did not consider the narrow main entrance at the back of the building against the eastern boundary to be acceptable.

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 5/1 8/1 8/2 8/4 8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 No objections to the principle of the development subject to conditions and contributions towards SCATP.

Cambridgeshire County Council (Archaeology)

6.2 Programme of archaeological investigation recommended

Head of Environmental Services

6.3 Conditions recommended to control construction hours; collection/delivery hours; construction noise, vibration and

piling; dust mitigation; noise insulation scheme; plant noise insulation; and waste.

Landscape Team

- 6.4 No objection subject to conditions relating to infill landscaping, boundary treatment; soft and hard landscaping details and landscape maintenance plan.

Head of Streets and Open Spaces (Landscape Team)

- 6.5 Comments shall be report on the amendment sheet or on the day of the Committee.

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 owner/occupier of the following address has made representations:

37a Queen Ediths Way

- 7.2 The representations can be summarised as follows:

1. The proposed building ignores the well established building along Queen Ediths Way;
2. Mediocre and inappropriate design for a prominent site.

- 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 application site is located within a residential area and within close proximity to other similar residential flat buildings. The site is also within walking distance of bus stops located on Mowbray Road a District and Local Centre.
- 8.3 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1.

Context of site, design and external spaces

- 8.5 The Design and Access Statement submitted with the application explains the context of the site, including the wider built environment. It acknowledges the changes in development that have happened in the area in recent years, paying particular attention to two modern apartment blocks near to the site, Mulgrave Court (Mowbray Road) and Tamara House (Queen Edith's Way).
- 8.6 The properties along this part of Mowbray Road and Queen Ediths Way are a mix of traditional and modern styles of architecture, and set back from the adjoining highway and located on spacious plots with generous rear gardens.
- 8.7 The existing property is a fairly large two-storey dwelling with a two-storey extension to the rear and faces onto Mowbray Road, although originally its principal frontage probably faced Queen Edith's Way. The original house was built in the 1930s. The existing property reflects the predominant character of the area of large properties, set back from Queen Edith's Way, within spacious surroundings. No.33 does not have as large an

amenity space around it as some of the other large properties in Queen Edith's Way, but its architecture and soft landscaping are characteristic of this part of Queen Edith's Way, and help to assimilate the property into the surrounding built environment.

- 8.8 The proposed development attempts to replace the traditional 1930s architecture with a contemporary apartment block, comprising seven (x 2-bed) flats. The replacement building would occupy a much larger footprint than the existing house, and would come significantly closer to the Queen Edith's Way frontage.
- 8.9 The proposed building measures approximately 9m in height, which is comparable to the other similar residential properties such as Mulgrave Court and Tamara Court.
- 8.10 The Inspector was of the view that the refused scheme was not successful in the way it related to Queen Ediths Way due to the close proximity of the flank elevation to the road. The Inspector concluded that the proposal would appear unduly dominant to the existing character of Queen Ediths Way and intrusive on the residential amenity of no.35 (see Appendix 2 for the Inspector's letter).
- 8.11 The proposed development has not overcome the concerns raised by the Inspector. Whilst the boundary treatment which fronts no.35 would screen the building from Queen Ediths Way, this is not within the applicant's control and could be removed or destroyed at any time. Therefore, it would be inappropriate to rely on this external boundary treatment to justify or mitigate the appearance and design of the proposed development.
- 8.12 Having visited the site and stood in the front garden area of no.35, I am of the view that the applicant has not been successful in addressing this relationship. Whilst the front garden area is bound by trees, the proposed building would create a permanent and solid enclosure of the space from along the western boundary of no.35.
- 8.13 The overall design of the proposed building is poor for this prominent corner plot and fails to harmoniously relate or assimilate into the built form of the area. There are examples of other three storey blocks of flats in the area. Tamara House, which is located south-east from the site, is a successful

example of incorporating a three storey building in a prominent corner plot location. Tamara House is of high quality design and each elevation has been carefully articulated to ensure it relates sympathetically with the surrounding area. In view of this, the design of the proposed building is not considered to be acceptable for this prominent location and falls well short in terms of its design aspirations.

- 8.14 In terms of detailing, the relationship between the shallow angled roofs and projecting dormer windows give the building a bulky appearance, which exacerbates its dominance and overbearing impact on Queen Ediths Way and from no.35.
- 8.15 The eastern elevation would project approximately 10.5 metres further towards the southern boundary of the site compared to the existing property. The combination of the poor articulation and elongated depth of the eastern elevation would appear severe and create an adverse sense of enclosure on no.35 and could potentially be unduly prominent when viewed from Queen Ediths Way.
- 8.16 The proposed building would be located approximately 1.3 metres off the side boundary with no.35. This close proximity would further exacerbate the harmful impact of the proposal. On this basis, therefore, the proposed development is considered to be unacceptable, as it would appear overbearing and create an adverse sense of enclosure, which would have a detrimental impact of the residential amenity of the occupier of no.35.
- 8.17 In my opinion the proposal would fail to comply with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.18 Whilst no objections have been received from the owner/occupier of no.35, officers are concerned by the close proximity, scale and desolate appearance of the eastern elevation on their front garden area. The eastern elevation would appear unduly dominant from the front garden area and create an intrusive outlook from no.35.

- 8.19 In my opinion the proposal fails to respect the residential amenity of its neighbours and the constraints of the site, I consider that it therefore fails to comply with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Amenity for future occupiers of the site

- 8.20 The proposed development is considered to provide adequate levels of amenity provision for any future occupiers. There are no reasons in which the amenity of future occupiers would be adversely affected such that it would warrant a separate reason to refuse this application.
- 8.21 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 (or 3/14).

Refuse Arrangements

- 8.22 The proposal includes an external refuse storage area close the proposed cycle store in the northern part of the site. Whilst no specific details have been provided in terms of refuse capacity, I am satisfied that this can be successfully accommodated to serve all seven flats. The refuse store would also be within 10 metres of the collection point. A landscape buffer would separate the refuse store from the nearest ground floor flat. This landscape threshold area would mitigate any harm of the amenity of any future occupier.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.24 The Highway Authority did not raise any serious objections relating to highway safety and as such I do not consider that the proposal would have a detrimental impact on the safety of pedestrians of other drivers on the highway.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.26 The proposal includes the provision for one space per flat. The car parking area would be laid out and located off the existing access point into the site. The proposed level of car parking is compliant with the Council's Car Parking Standards.

Cycle Parking

- 8.27 The proposal includes the provision of two cycle space per flat. The cycle store would be located along the eastern boundary of the site
- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.29 Concerns have been raised regarding the proximity of the building to Queen Ediths Way and poor design for this prominent location. Officers agree with these concerns.

Planning Obligations

- 8.30 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) 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 and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.31 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. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.32 The application proposes the erection of seven two-bedroom flats. One five-bed residential unit would be removed, so the net total of additional residential units is 6. The totals required for the new building is calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476	6	2856
3-bed	3	238	714		
4-bed	4	238	952		
Total					2856

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538	6	3228
3-bed	3	269	807		
4-bed	4	269	1076		
Total					3228

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484	6	2904
3-bed	3	242	726		
4-bed	4	242	968		
Total					2904

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632	6	3792
3-bed	3	316	948		
4-bed	4	316	1264		
Total					3792

8.33 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

- 8.34 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	6	7536
3-bed	1882		
4-bed	1882		
Total			7536

- 8.35 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.36 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	6	900
Total			900

8.37 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Education

8.38 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.39 In this case, six additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning.

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+- beds	2		160	6	960
Total					960

8.40 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Transport

- 8.41 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 Southern Corridor Area Transport Plan where the contribution sought per trip is J369.
- 8.42 Using the County Council standard figures for the number of trips likely to generated by residential units, contributions have been calculated as follows.

Southern Corridor Area Transport Plan				
Existing daily trips (all modes)	Predicted future daily trips (all modes)	Total net additional trips	Contribution per trip	Total £
		51	369	18819

- 8.43 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.44 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

- 8.45 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The proposed development of seven two bedroom flats would by virtue of its dominance and close proximity to the eastern boundary with no.35 would appear overbearing and create an adverse sense of enclosure on the residential amenity of the occupiers of no.35. The design of the eastern elevation of the proposed building is not considered to be acceptable as it is of poor design and could appear unduly prominent from Queen Ediths Way, being overly reliant on offsite landscaping to hide its impact.

10.0 RECOMMENDATION

1. REFUSE for the following reasons:

1.The proposed development would by virtue of its poor quality design and close proximity to the eastern and southern boundaries of the site result in a form of development that is bland and without contextual merit on this prominent corner plot location. The eastern elevation is poorly articulated and in combination with its scale and contrived roof form would have a detrimental impact on the residential amenity of the adjoining occupier. The proposed building is also reliant on existing offsite landscaping to mitigate its design and dominance from Queen Ediths Way. As a result, the proposed development would be contrary to policies 3/4 and 3/12, which require development to respond positively to the local character of the area and have a positive impact on the setting of the site in terms of scale, form and detailing.

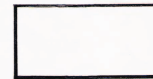
2.The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010 the Open Space Standards Guidance for Interpretation and Implementation 2010, the Southern Corridor Area Transport Plan 2002, Cambridgeshire and Peterborough

Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development.

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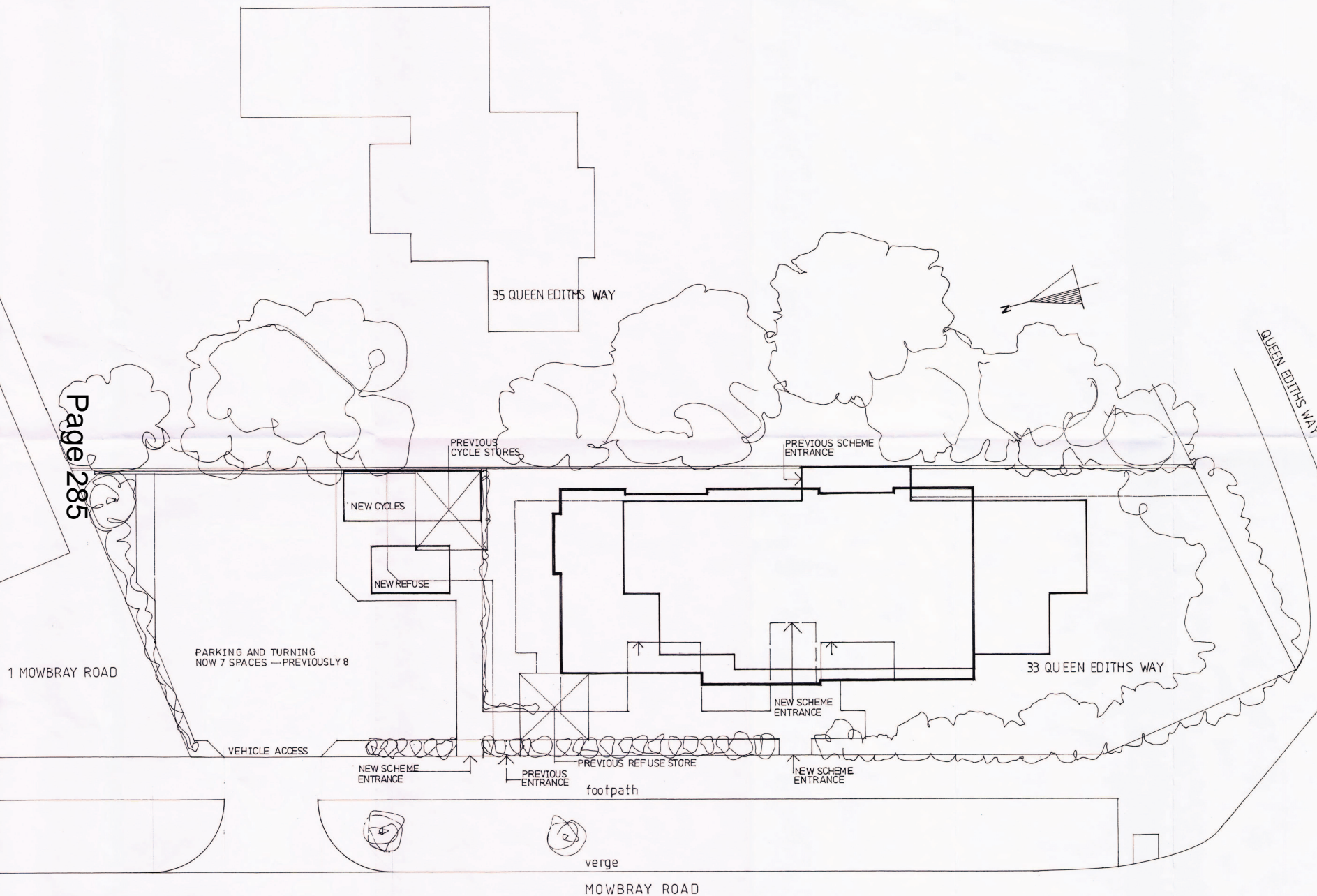
PREVIOUS SCHEME FOOTPRINT
REF: 09/0821/FUL



NEW SCHEME FOOTPRINT
REF: 12/1223/FUL



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33 QUEEN EDITHS WAY
CAMBRIDGE

PREVIOUS/NEW SITE PLAN

Client
MR and MRS M MUNNÉLLY

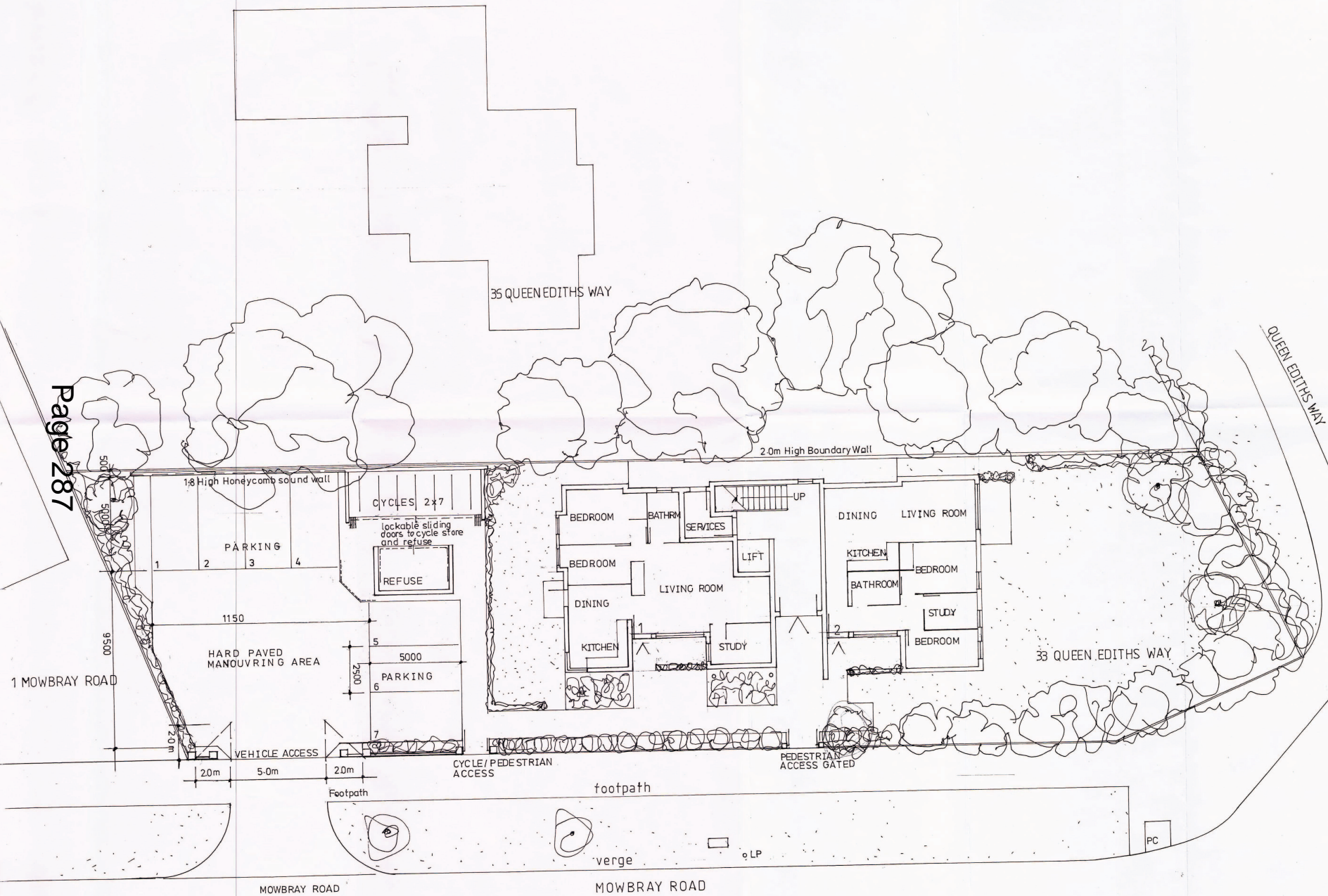
Morris and Partners,
Architects
51 Newnham Road, Cambridge, CB3 9EY
Tel: 01223 351696 Fax: 01223 351698

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33 QUEEN EDITHS WAY
CAMBRIDGE

GROUND FLOOR PLAN

Client
MR and MRS M MUNNELLY

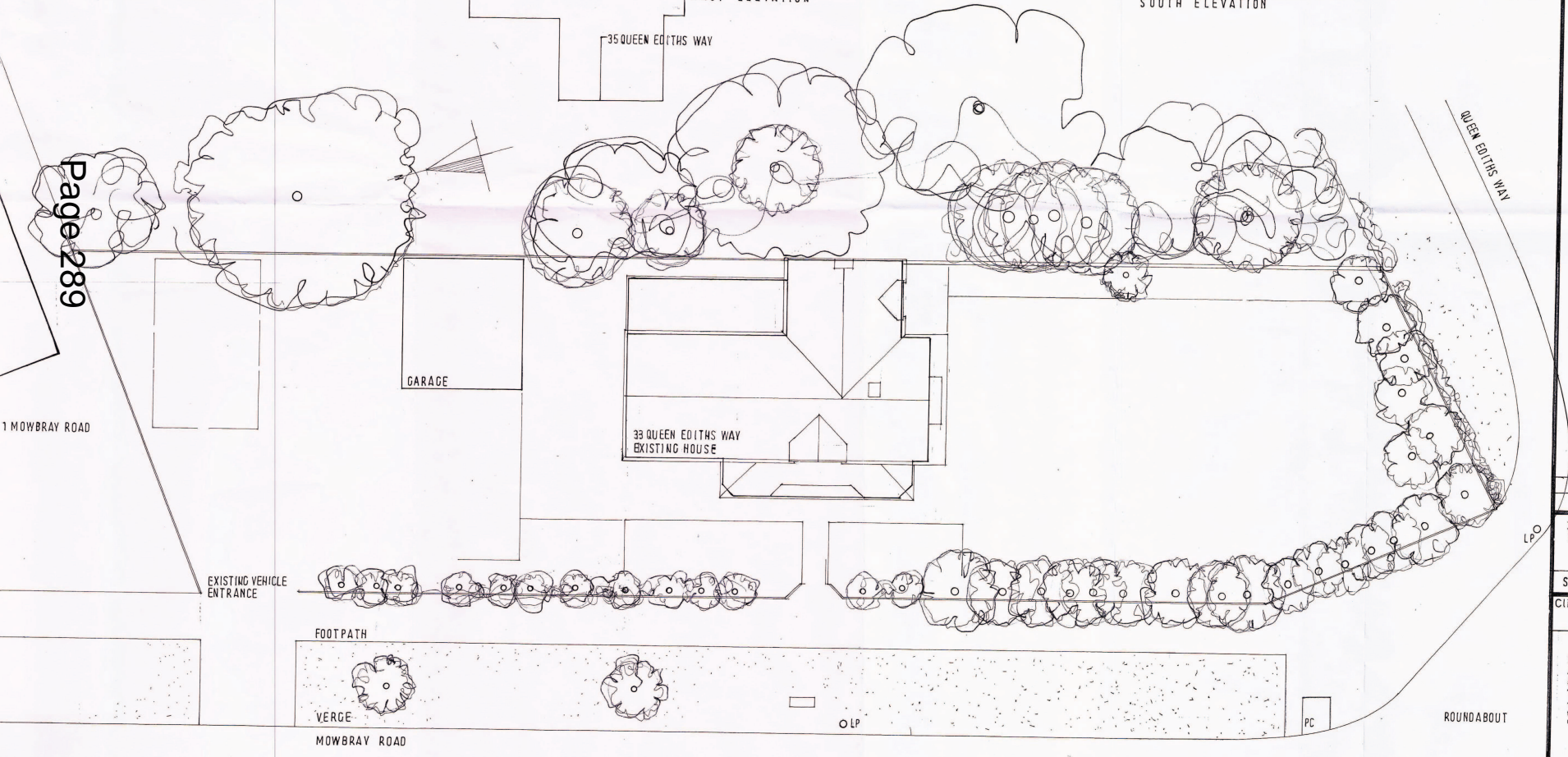
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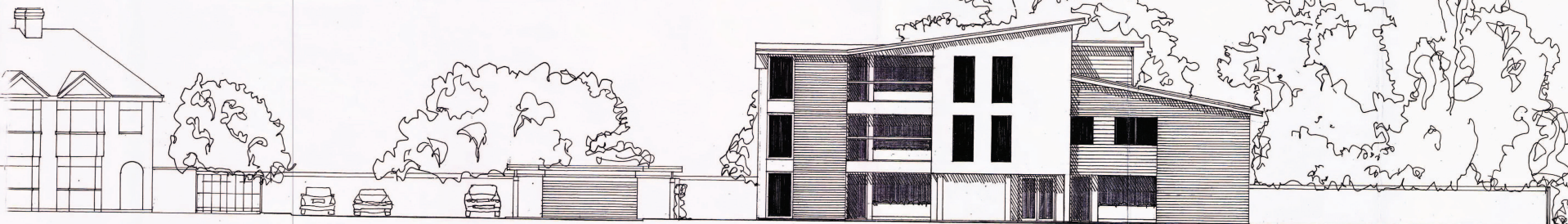
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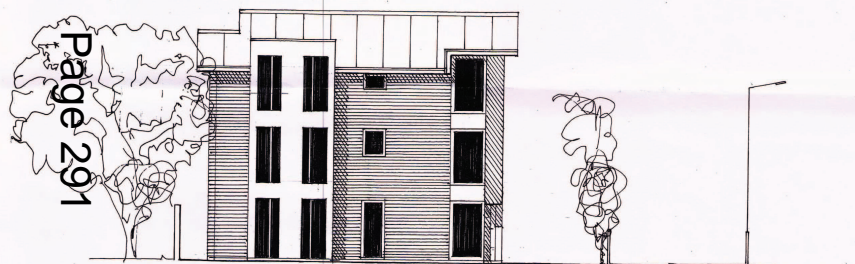
Page 289

33 QUEEN EDITHS WAY CAMBRIDGE	
SITE SURVEY EXISTING HOUSE ELEVATIONS	
Client MR AND MRS. M. MUNNELLY	
Morris and Partners, Architects 51 Newnham Road, Cambridge, CB3 9EY Tel: 01223 351696 Fax: 01223 351698 <small>This drawing and any design shown upon it is the copyright of the architect and may not be altered, photographed, copied or reproduced without their written consent</small>	
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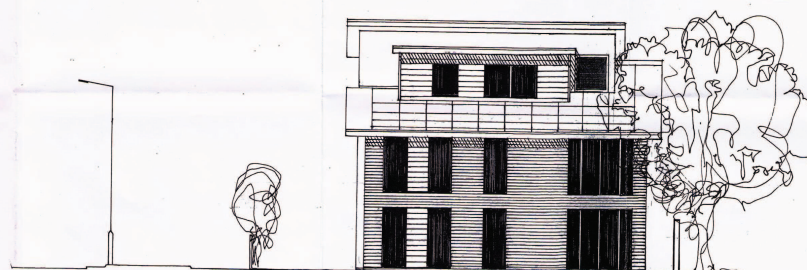
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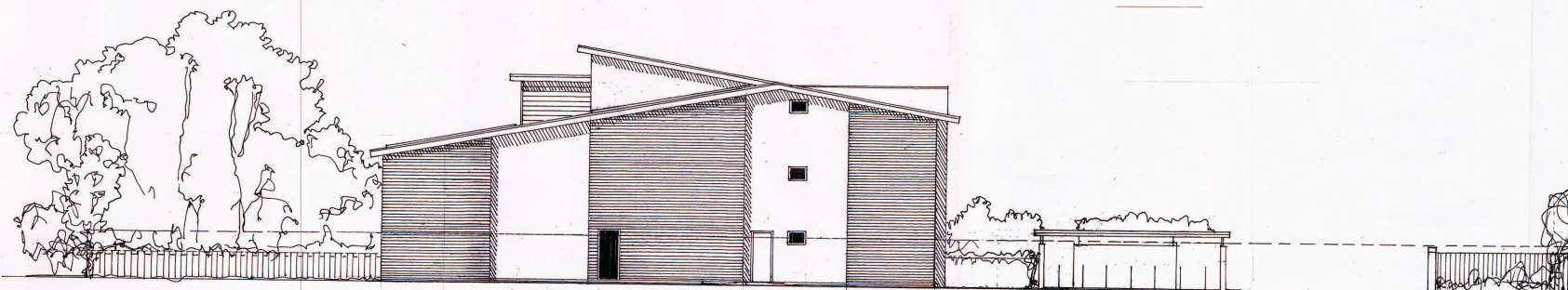
MOWBRAY ROAD WEST ELEVATION



NORTH ELEVATION



QUEEN EDITHS WAY SOUTH ELEVATION



EAST ELEVATION

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A 25.3.2013 *Solar Photovoltaic Panels to South Elevation Roof.*

33 QUEEN EDITHS WAY
CAMBRIDGE

ELEVATIONS

Client
MR and MRS M. MUNNELLY

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Quality Assurance Unit
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Bristol, BS1 6PN

Direct Line: 0117 372 8252
Customer Services: 0117 372 6372

Joely Day
Cambridge City Council
PO Box 700
Cambridge
CB1 0JH

Your Ref: 09/0821/FUL
Our Ref: APP/Q0505/A/10/2126207/NWF
Date: 19 November 2010

Dear Ms Day

Town and Country Planning Act 1990
Appeal by Mr M Munnelly
Site at 33 Queen Ediths Way, Cambridge, CB1 8PJ

I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Robert Cook

Robert Cook

COVERDL1

You can use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button



Appeal Decision

Site visit made on 20 October 2010

by Terrence Kemmann-Lane JP DipTP FRTPI MCMi

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 November 2010

Appeal Ref: APP/Q0505/A/10/2126207

33 Queen Edith's Way, Cambridge, CB1 8PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Munnely against the decision of Cambridge City Council.
 - The application Ref 09/0821/FUL, dated 1 September 2009, was refused by notice dated 6 January 2010.
 - The development proposed is residential development (8 two bedroom flats), access, car parking, cycle store, landscaping following demolition of existing house and garage.
-

Decision

1. I dismiss the appeal.

Main Issues

2. There are two issues in this case: i) whether the proposal would be unduly dominant and intrusive, particularly in respect of the existing character of Queen Edith's Way; and ii) whether the design of the proposed development is successful in terms of the way that the building would connect to the locality outside the site and the way that it provides for the amenity of future occupiers of the proposed apartments, and its impact of the amenities of the neighbouring occupier at 35 Queen Edith's Way.
3. The third refusal reason appears to have been overcome with the submission of a section 106 agreement, although in view of my decision it has not been necessary for me to examine it in detail to ensure compliance with regulation 122 of the Community Infrastructure Levy Regulations 2010.

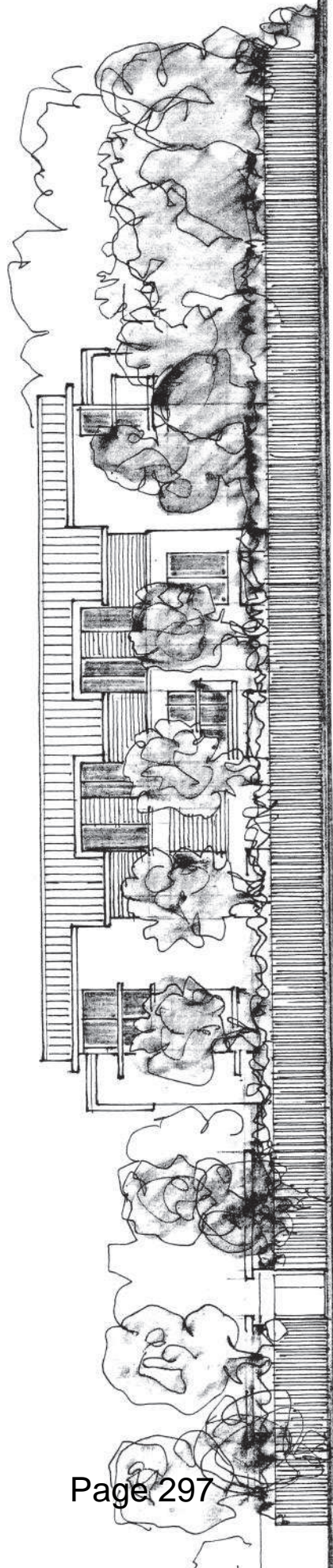
Reasons

4. The site is located in the south-eastern part of the City within a residential area having a wide mix of styles. Although the existing dwelling is numbered within Queen Edith's Way, effectively it fronts Mowbray Road, as does the appeal proposal. The character of the two roads is rather different, the houses along Queen Edith's Way generally being large and detached in generous gardens, whilst those in Mowbray Road are generally semi-detached or terraced and smaller in scale. In the vicinity of the Queen Edith's Way/Mowbray Road junction there are a number of flatted developments, mostly of recent construction. To my mind the existing house on the appeal site provides a satisfactory transition between Queen Edith's Way and Mowbray Road.

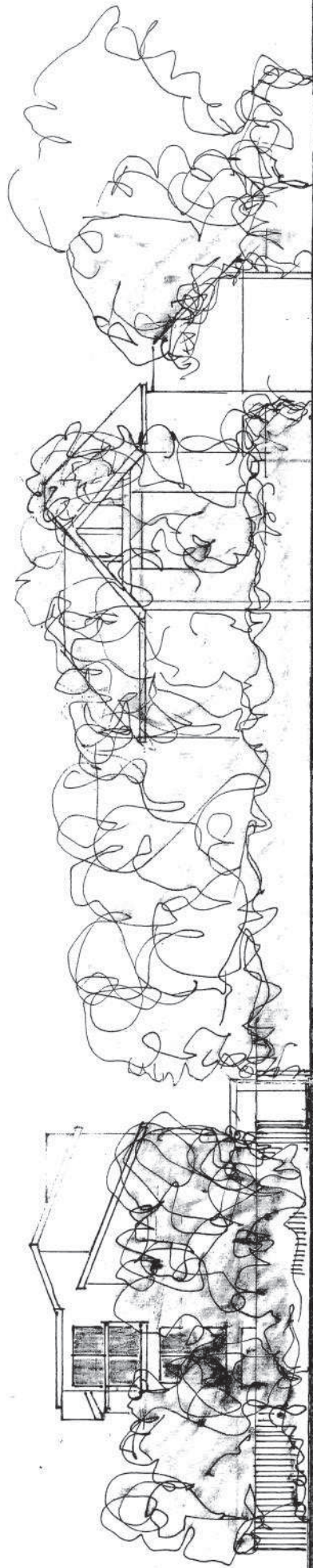
5. I consider that the modern design is satisfactory in its relationship with development on Mowbray Road, and reasonably takes references from recent nearby flatted developments, albeit that, it seems to me it does not seek to make a particularly bold statement. However, it is not successful in the way in which it relates to Queen Edith's Way: the existing planting, admittedly not consisting of good specimens, is removed and the replacements would take quite some time to establish. These new trees would be needed so that the flank elevation of the flats, coming relatively close to the Queen Edith's Way frontage, would not dominate in this view. I conclude that this poor relationship means that the proposal would be unduly dominant and intrusive to the existing character of Queen Edith's Way
6. This is compounded by the poor relationship to the public realm of the narrow entrance to the flats at the back of the building, set hard up against the eastern boundary. I am further concerned by the relationship of the communal open space at the front of the building. The flats have their outlook towards Mowbray Road, across this green area, and therefore any use of it by the occupiers, other than for visual amenity, would be invasive of the privacy of the occupants of the ground floor apartments.
7. I consider that the proposed building would have little effect on the amenity of the house and rear garden of the neighbours at 35 Queen Edith's Way, although for the reason that I have dealt with in relation to its intrusive relationship with Queen Edith's Way, I consider that it would enclose the front garden area of that property to a degree which would be harmful to the reasonable enjoyment of the occupiers.
8. Having taken account of all matters raised, my conclusion is that, for the reasons given above, the proposal fails to comply with East of England Plan policy ENV7 and Cambridge Local Plan policies 3/4, 3/7 and 3/12 cited by the local planning authority.

Terrence J Kemmann-lane

Inspector



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QUEEN EDITHS WAY

pedestrian
entrance

entrance
to 35QEW

37 QEW



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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: South Area Committee DATE: 15/07/13

WARD: Queen Ediths

PLANNING ENFORCEMENT CONTROL ENFORCEMENT NOTICE REPORT

28 Almoners Avenue, Cambridge Unauthorised Development

1 INTRODUCTION

1.1 On 9 May 2013 South Area Committee considered a report detailing development that had taken place at 28 Almoners Avenue which was not in accordance with the approved plans (application reference 11/0781/FUL). A copy of the report is attached at Appendix B.

1.2 The Committee resolved as follows:

1. To reject the officer recommendation that the Head of Planning Services be authorised to close the investigation into unauthorised operational development at 28 Almoners Avenue on the grounds that is not expedient to pursue the matter further.
2. That a report authorising enforcement action be brought back to the next South Area Committee for consideration.

Correction to Previous Report

1.3 It should be noted that there was an error in the report that was presented to South Area Committee on 9 May 2013. The agent representing the occupiers of 28 Almoners Avenue have picked this up and made a formal complaint to the Head of Planning Services.

1.4 Paragraph 2.3 of the 9 May report reads as follows:

Whilst the balcony screens have the effect of screening the balcony and removing the possibility of direct overlooking, their position

nearer the edge of the balcony increases the potential for looking around the screen and this has a significantly detrimental effect on neighbour amenity.

- 1.5 The underlined section of this paragraph is incorrect and inconsistent with the rest of the report and the recommendation. The revised position of the screens does allow for wider views from the balcony but this will not have a significant impact on residential amenity. The photographs provided by the agent demonstrate that the wider view is obscured by single storey structures close to the boundary on each side.

2 BACKGROUND

- 2.1 Planning reference 11/0781/FUL granted approval for: 'Part two storey, part single storey rear extension, erection of carport and erection of front porch.' On 19th December 2012 officers received an allegation that the position of the balcony screening erected as part of planning application 11/0781/FUL was not as shown on the approved plans.
- 2.2 Officers confirmed that the position of the balcony screening was not as approved and that the increase in distance between the two balcony screens (in width) affords a greater potential for overlooking. Photographs of the development can be found in Appendix B.
- 2.3 The previous report to this Committee contained informal officer advice that, whilst mindful of the comments made by the neighbours on either side of the site, if a retrospective application was to be made for the new position of the balcony screens, it would be likely to be supported. This is because, in the view of officers, the relocation of the balcony screens does not result in significant overlooking and the screens do not visually dominate the neighbours outlook to such a degree that a refusal of planning permission could be justified at appeal.
- 2.4 The South Area Committee requested that a report be brought back to them to authorise enforcement action to address the breach of planning control at 28 Almoners Avenue.
- 2.5 Officer opinion is that the service of an Enforcement Notice is the most appropriate action to address the breach of planning control.

- 2.6 All parties connected to this investigation were advised this report is being put before members for consideration and were made aware that they could make representations to this Committee.

3 PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

- 3.1 The National Planning Policy Framework states:

‘Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

- 3.2 The operational development at 28 Almoners Avenue is not as approved by planning reference 11/0781/FUL and therefore it requires planning permission. The unauthorised development took place less than four years ago and therefore is not immune from enforcement action.
- 3.3 Enforcement is a discretionary power and the Committee should take into account the planning history and the other relevant facts set out in this report. In order to issue an Enforcement Notice there must be sound planning reasons to justify taking such action. The informal opinion from planning officers is that the impact of the development on the amenities of neighbours is not significantly greater than the approved development and a retrospective application would have been likely to be approved under delegated powers.
- 3.4 At the meeting in April, the Committee indicated that it does not support the view of officers and considers that it may be expedient to pursue enforcement action to secure compliance with the approved plans. If enforcement action is pursued it will be necessary for the Committee to determine that the development that has been carried out is contrary to Development Plan policies. In this case the relevant policy is policy 3/14 of the Cambridge Local Plan 2006. This policy relates to extensions to building and states that ‘The extension of existing buildings will be permitted if theyb) do not

unreasonably overlook, overshadow or visually dominate neighbouring properties....'. In the light of discussions at the April meeting, officers consider that the Committee may wish to refer to both overlooking and visual domination as the reasons why enforcement action is necessary. These reasons have been included in the statement of reasons set out below for approval by the Committee.

- 3.5 If members do not authorise the service of an Enforcement Notice, the unauthorised operational development in question would become immune from enforcement action after a period of four years.

4 RECOMMENDATIONS

- 4.1 It is recommended that the Head of Legal Services be authorised to issue an enforcement notice under the provisions of S172 of the Town and Country Planning Act 1990 (as amended), for unauthorised operational development at 28 Almoners Avenue, Cambridge. Currently, it is expected that the enforcement notice would contain the wording set out in paragraphs 5.2 to 5.4 of this report (with such amendments as may later be requested by the Head of Legal Services).

4.2 Steps to Comply:

Relocation of the side screens on the balcony to a position that aligns with the window frame of the window serving the balcony in accordance with the details shown on approved drawing no. Artek/McPhee-Lindsey/001C.

4.3 Period for Compliance:

6 months from the date the notice comes into effect.

4.4 Statement of Reasons:

It appears to the Council that the breach of planning control has occurred within the last four years. The applicant has undertaken development without the benefit of planning permission.

The current location of the side screens to the balcony facilitate an unreasonable degree of overlooking of the gardens to 26 and 30 Almoners Avenue and due to their location close to the site boundary visually dominate the outlook from the gardens serving 26 and 30

Almoners Avenue. In so doing the development is contrary to policy 3/14 of the Cambridge Local Plan 2006.

Mindful of the NPPF, Development Plan policy and other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control.

Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that enforcement notices in this case would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies, which seek to restrict such forms or new residential development. The time for compliance will be set as to allow a reasonable period for compliance.

BACKGROUND PAPERS: Report to South Area Committee 09/05/13.

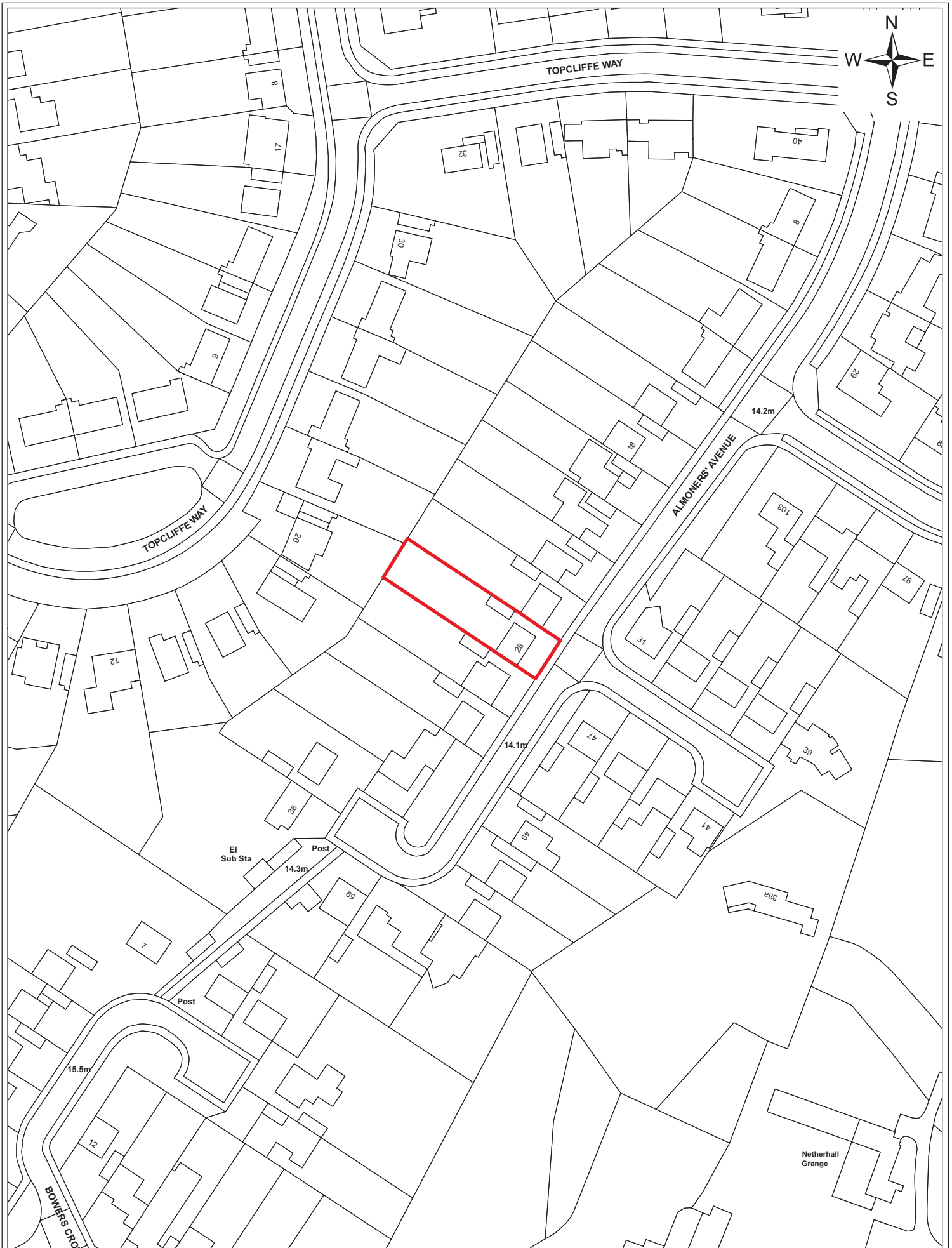
APPENDICES

Appendix A Site Plan

Appendix B Report to South Area Committee 09/05/13 and photographs of unauthorised development

The contact officer for queries on the report is Debs Jeakins on ext 7163.

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28 Almoners Avenue,
Cambridge



Date:	17 April 2013
Produced by:	GIS Team
Section/Department:	Information Systems, Environment Dept
Scale:	1:1,250 @ A4

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REPORT OF: Head of Planning Services

TO: South Area Committee DATE: 09/05/13

WARD: Queen Ediths

**PLANNING ENFORCEMENT CONTROL
ENFORCEMENT NOTICE REPORT**

**28 Almoners Avenue, Cambridge
Unauthorised Development**

1 INTRODUCTION

- 1.1 This report asks members to authorise the closure of an Enforcement Investigation into works, which are not in accordance with the approved plans for 11/0781/FUL on the grounds that it is not expedient to pursue the breach of planning control further.

Site: 28 Almoners Avenue, Cambridge.
See Appendix A for site plan.

Breach: Unauthorised Operational Development.

2 BACKGROUND

- 2.1 On 2nd November 2011 planning application reference 11/0781/FUL was approved for: 'Part two storey, part single storey rear extension, erection of carport and erection of front porch.'
- 2.2 On 19th December 2012 officers received an allegation that the position of the balcony screening was not as shown on the approved plans for planning reference 11/0781/FUL.
- 2.3 A site visit was undertaken to assess the works undertaken on site, officers confirmed that the position of the balcony screening was closer to the edge of the balcony than shown on the approved plans. The increase in distance between the two screens (in width) affords a

greater potential for overlooking. Whilst the balcony screens have the effect of screening the balcony and removing the possibility of direct overlooking, their position nearer the edge of the balcony increases the potential for looking around the screen and this has a significantly detrimental effect on neighbour amenity. Photographs of the development can be found in Appendix B, some of the photographs included have been provided by the agent acting on behalf of the owners of the property.

2.4 The Planning Case Officer has advised that the difference in the position of the balcony is material enough to require a new full planning application and cannot be dealt with as a Non Material Amendment because it would involve consultation with the neighbour. In reaching this view she was mindful of the comments made by the neighbours on either side of the site. The occupiers of 26 Almoners Avenue were of the view that following receipt of revised plans the change 'makes little difference to the overall and overpowering effect of the extension'. The occupiers of 30 Almoners Avenue also commented as follows:

'Worse however – and this is the really astonishing bit – it seems that these glass screens are placed at either end of a large balcony. It will be apparent from our previous letters that we consider that a two storey extension, with a much larger area of glazing than in the existing building, would have a considerable detrimental impact on our use of our garden because of the greatly reduced level of privacy.'

2.5 The agent acting on behalf of the owner of the property considers that an application for a Non Material Amendment would be the appropriate way forward. Informal officer opinion is that if a retrospective application was to be made, it would be likely to be supported by officers.

2.6 The current Scheme of Delegation does not permit officers to close investigations where there is an outstanding breach of planning control. A decision therefore needs to be taken as to whether formal action should be taken forward or if the particular details of this case are such that it should not be pursued.

2.7 All parties connected to this investigation were advised this report is being put before members for consideration and were made aware that they could make representations to the Committee.

3 POLICY AND OTHER MATERIAL CONSIDERATIONS:

3.1 National Planning Policy Framework states:

‘Para 207. Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

3.2 Enforcement is a discretionary power. Paragraph 6.2 of the Planning Investigation Service’s Enforcement Policy states ‘The impact of some developments are more harmful than others and therefore action will be in the public interest and commensurate with the breach of planning control’ and paragraph 6.3 states that an appropriate course of action where the breach is minor with no significant effects may be that no further action is required.

3.3 The informal opinion from planning officers is that the impact of the development on the amenities of neighbours is not significantly greater than in comparison with the approved development and would be acceptable should an application have been made to regularise the situation. A retrospective application would have been likely to be approved under delegated powers. Therefore officers do not consider that it would be expedient to pursue formal action in this instance. Clearly the neighbours raised significant objections to the application but in itself this is not sufficient justification for either the refusal of planning permission or the initiation of enforcement action.

3.4 If members authorise the closing of this investigation, the unauthorised operational development in question would become immune from enforcement action after a period of four years.

4 RECOMMENDATIONS

4.1 It is recommended that the Head of Planning Services be authorised to close the investigation into unauthorised operational development at 28 Almoners Avenue on the grounds that it is not expedient to pursue the matter further.

5 IMPLICATIONS

- (a) **Financial Implications** - None
- (b) **Staffing Implications** - None
- (c) **Equal Opportunities Implications** - None
- (d) **Environmental Implications** - None
- (e) **Community Safety** - None
- (f) **Human Rights** - Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination).

BACKGROUND PAPERS: <http://www.cambridge.gov.uk/public/pdfs/PIS-enforcement-policy.pdf>

APPENDICES

- Appendix A Site plan
- Appendix B Photographs of unauthorised development

The contact officer for queries on the report is Debs Jeakins on ext 7163.



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Photos from My with
Stephan Baum 12/09/13



