



## SOUTH AREA COMMITTEE



### AGENDA

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

**County Councillors:** Ashwood, Crawford and Taylor

*Dispatched: Friday, 6 September 2013*

**Date:** Monday, 16 September 2013

**Time:** 7.30 pm

**Venue:** Alison Shrubsole Room - Homerton College Hills Road Cambridge  
CB2 8PH

**Contact:** James Goddard

**Direct Dial:** 01223 457013

**1 APOLOGIES FOR ABSENCE**

**2 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**.

**3 MINUTES** (*Pages 7 - 28*)

To confirm the minutes of the meeting held on 15 July 2013. (*Pages 7 - 28*)

**4 MATTERS AND ACTIONS ARISING FROM THE MINUTES**

**5 DECISIONS TAKEN REGARDING S106 PROJECTS**

To note decisions taken by the Chair, Vice Chair and Spokesperson since the last meeting of the South Area Committee.

**5a** Nightingale Recreation Ground Fitness and Trim Trail (*Pages 29 - 44*)

**6 OPEN FORUM**

Refer to the 'Information for the Public' section for rules on speaking.

**7 DEVELOPER CONTRIBUTIONS DEVOLVED DECISION-  
MAKING: 2ND ROUND SHORT-LISTING FOR SOUTH  
AREA**

Report to follow.

**8 PLANNING APPLICATIONS**

**Appendix 1 for Full Details of Central Government Planning Guidance**

8a 13/0637/FUL - 8 Richard Foster Road (*Pages 55 - 82*)

8b 13/0722/FUL - Trumpington Park and Ride Site (*Pages 83 - 98*)

8c 13/0634/FUL - 9 Mowbray Road Senior Planning Officer (*Pages 99 - 122*)

# 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.

For further information on speaking at committee please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

Further information is also available online at

<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

The Chair will adopt the principles of the public

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

Cambridge City Council would value your assistance in improving the public speaking process of committee meetings. If you have any feedback please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

## **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**

The Council is committed to being open and transparent in the way it conducts its decision-



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.

Full details of the City Council's protocol on audio/visual recording and photography at meetings can be accessed via:

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

**Fire Alarm** In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

**Facilities for disabled people** Level access is available at all Area Committee Venues.

A loop system is available on request.

Meeting papers are available in large print and other formats on request prior to the meeting.

For further assistance please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

**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](mailto:democratic.services@cambridge.gov.uk).

**General Information** Information regarding committees, councilors and the democratic process is available at <http://democracy.cambridge.gov.uk/>



**SOUTH AREA COMMITTEE**15 July 2013  
6.30 - 10.45 pm**Present**

**Area Committee Members:** Councillors Ashton (Chair), Meftah (Vice-Chair), Blackhurst, Birtles, Dryden, McPherson, Pippas, Stuart and Swanson

**Area Committee Members:** County Councillors Ashwood and Taylor

Councillors Taylor left after the vote on item 13/38/SACd

**Officers:**

City Development Manager: Sarah Dyer

Principal Planning Officer: Toby Williams

Urban Growth Project Manager: Tim Wetherfield

Project Delivery & Environment Manager: Andrew Preston

Committee Manager: James Goddard

**Other Officers in Attendance:**

Police Sergeant: James Stevenson

**FOR THE INFORMATION OF THE COUNCIL****13/29/SAC Election of Chair and Vice Chair**

The Committee Manager took the Chair whilst the South Area Committee elected a Chair.

Councillor Blackhurst proposed, and Councillor Swanson seconded, the nomination of Councillor Stuart as Chair.

Councillor Dryden proposed, and Councillor McPherson seconded, the nomination of Councillor Ashton as Chair.

**Resolved (by 5 votes to 4)** that Councillor Ashton be Chair for the ensuing year.

Councillor Ashton assumed the Chair from the Committee Manager at this point.

Councillor Blackhurst proposed, and Councillor Pippas seconded, the nomination of Councillor Stuart as Vice Chair.

Councillor Ashton proposed, and Councillor Dryden seconded, the nomination of Councillor Meftah as Vice Chair

**Resolved (by 5 votes to 4)** that Councillor Meftah be Vice Chair for the ensuing year.

### **13/30/SAC Apologies for Absence**

Apologies were received from Councillor Crawford.

### **13/31/SAC Minutes**

The minutes of the 9 May 2013 meeting were approved and signed as a correct record.

### **13/32/SAC Matters and Actions Arising from the Minutes**

There were no matters arising.

### **13/33/SAC Declarations of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Birtles	13/38/SACf	Personal: Lives in the same road as the application; and knows the Objector.  Withdrew from discussion and did not vote.
Councillor Pippas	13/38/SACj	Personal: Owns a property next to the Objector.  Withdrew from discussion and did not vote.

### **13/34/SAC Open Forum**

1. **A member of the public queried progress on a scooter park that had been requested for the Accordia development. Residents had been consulted on this proposal and now requested an update on progress.**
2. **Mr Weir also queried progress on the Accordia scooter park. He had been recently informed that the scooter park had not yet been approved by the council. Mr Weir asked SAC to champion the proposal in the next round of projects seeking developer contributions funding.**

The Urban Growth Project Manager provided an update that, since his report to SAC in May 2013, the Environment Scrutiny Committee in June had considered the process for the second priority-setting round of devolved decision making to area committees. Project ideas such as the Accordia scooter park proposal could be considered for s106 funding in the second round.

Councillor Stuart regretted how the Accordia scooter park had been handled. She had expected funding for it to be ring-fenced from developer contributions for projects around Accordia, but it was proposed slightly later than others and the developer contributions had by then been subsumed into the funds devolved to the South Area Committee.

The Urban Growth Manager clarified that the funding being referred to (the Newtown Community Development Capital Grant Programme) was specifically for the funding of community facilities, such as community centres and buildings. Proposals from Accordia, such as the scooter park, had not been eligible for this funding, but were eligible for the contribution types that had been devolved to SAC. These proposals could be considered as part of the second priority-setting round.

Councillor Ashton said that concerns from Cherry Hinton councillors and others about the developer contributions devolved decision-making process had been passed to officers by SAC. Officers had been asked to provide clearer details of the projects that had been prioritised in the first round and the funding available in the next priority-setting round.

Mr Weir mentioned that a petition from local residents and young people, in support of the Accordia scooter park proposal, had been compiled. He

hoped to be able to pass this to the Urban Growth Project Manager in due course.

3. **Mr Carpen referred to the 2030 Vision and Shape Your Place documents. He asked how the City Council would put Shape Your Place and social media at the heart of its community development strategy.**

Councillor Ashton said that all City Councillors had received the County Council Shape Your Place document. This would be discussed by Council in future.

### **13/35/SAC Policing and Safer Neighbourhoods**

The Committee received a report from Sergeant Stevenson regarding the policing and safer neighbourhoods trends.

The report outlined actions taken since the Committee on 9 May. The current emerging issues/neighbourhood trends for each ward were also highlighted (see report for full details). Previous priorities and engagement activity noted in the report were:

- 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.

The Committee discussed the following policing issues:

- i. Vehicle parking issues in Almoners Avenue and Mill End Road.
- ii. Cycle theft and abandoned cycles in Queen Edith's Ward.

**Action Point: Councillor Taylor to query cycle theft and abandoned cycle figures with city council officers.**

- iii. People from within and outside of the city visiting the open area known as 'the Lakes'. This is the area behind Spinney School. Residents in the surrounding area raised concerns regarding anti-social behaviour (ASB), pollution, traffic flow, vehicles obstructing the road, noise disturbance and safety of people visiting 'the Lakes' (generally without the land owners permission as the area was neglected).
- iv. ASB linked to scooter riders speeding in the Queen Edith's Way area.

The Committee **unanimously agreed** to discharge vehicle parking issues in Almoners Avenue and Mill End Road as a priority.

The following priorities were **unanimously agreed**:

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

### **13/36/SAC Environmental Improvement Programme**

The Committee received a report from the Project Delivery & Environment Manager regarding the Environmental Improvement Programme (EIP). The report outlined progress of existing schemes and new suggested schemes for 2013/14.

#### Existing Schemes: Progress

The Project Delivery & Environment Manager referred to progress on approved schemes as set out in his report.

#### New Schemes That Require Decisions

Members considered a number of 2013/14 schemes put forward for approval.

In response to Members' questions the Project Delivery & Environment Manager answered:

- i. Pedestrian crossings were the responsibility of the County Council. SAC could allocate funding to implement these, but may prefer to allocate funding to other priorities.

SAC discussed the merits of requesting pedestrian crossings on Fendon Road and Fishers Lane.

The Project Delivery & Environment Manager said that delivery time for pedestrian crossing projects was likely to be one year, depending on county council actions. These would be a survey to evidence there was a need for a crossing, undertaking a consultation exercise then seeking Cabinet approval. The Cabinet could turn down the crossing schemes even if SAC felt they were a priority and had allocated funding to undertake consultation etc.

**Action Point: Councillor Ashton (as Committee Chair) to write to County Council requesting funding for a controlled crossing on Fendon Road.**

- ii. Funding from the War Memorial Trust was required to make Cherry Hinton and Trumpington War Memorial projects viable. So far, the Trust had declined funding for work on the Cherry Hinton War Memorial.
- iii. The Project Delivery & Environment Manager was awaiting details from the County Council regarding Langdale Close and Aberdeen Avenue Area (including Kingfisher Way) Traffic Regulation Orders (TROs).

Councillor Ashwood said a meeting was held 15 July 2013 to review issues around the TROs and requested £2,000 funding.

Following discussion, Members **resolved (unanimously)**:

- i. To allocate £63,000 of funding to the following list of proposed projects in Appendix A of the Officer's report.
  - Baldock Way – Verge Reinforcement
  - Bateman Street – New Tress and Improved Tree Pits
  - Babraham Road - Verge Reinforcement
  - Godwin Way - Amendments to Carriageway Layout
- ii. To approve the above projects for implementation, subject to positive consultation and final approval by local Ward Councillors.
- iii. To note the progress of existing schemes listed in Appendix C of the Officer's report.
- iv. To approve the delivery of the new minor traffic regulation orders listed in Appendix E of the Officer's report, at an estimated cost of £2000, funded by the remainder of the South Area Committee 2011/12 joint minor highway works budget.

### **13/37/SAC Re-Ordering Agenda**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

### **13/38/SAC Planning Applications**

#### **13/38/SACa 13/0310/FUL - Land between 2 & 3 Shaftesbury Road**

The Committee received an application for full planning permission.



The application sought approval for erection of a three storey, detached dwelling with basement.

The Committee received a representation in objection to the application from Mrs Sennitt representing the BAARA Residents Association.

The representation covered the following issues:

- i. Accepted the principle of developing the site, but this application was not appropriate.
- ii. Expressed specific concerns regarding:
  - Over development of the site.
  - The design was out of keeping with the character of the neighbourhood and Conservation Area.
  - Height of the application, this would be taller than existing buildings in the street.
  - Overlooking.
  - Loss of parking area for existing residents and insufficient provision for parking in the application.

Objectors stated they had not been given correct information regarding the procedure for public speaking. The Committee adjourned for five minutes whilst the Chair ensured and confirmed everybody had received the correct information.

Objectors then asked if Councillors had any declarations of interest to make regarding this application. The Chair said Councillors had been asked if they wished to make any declarations of interest at the start of the meeting, but none had been declared (Members could of course do so as the meeting progressed). In response to the Objector's question, Councillor Stuart stated that she had no interest to declare.

Mr Race (Applicant) and Mr Poulson (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

**Resolved (by 6 votes to 2 with 1 abstention)** to accept the officer recommendation to approve planning permission as per the agenda.

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](http://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.

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.

### **13/38/SACb 13/0518/FUL - 19 Worts Causeway**

The Committee received an application for full planning permission.

The application sought approval for 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.

Mr Carroll (Applicant) addressed the Committee in support of the application.

Councillor Taylor (Queen Edith's Ward County Councillor) addressed the Committee in support of the application.

The Committee:

**Resolved (by 6 votes to 3)** to reject the officer recommendation to refuse the application.

**Resolved (unanimously)** to approve the application contrary to the officer recommendations in accordance with conditions delegated to officers.

### **13/38/SACc 13/0801/CAC - 46 Alpha Terrace**

The Committee received an application for application Conservation Area Consent.

The application sought approval for demolition of the existing detached two storey property and redevelopment of the site for residential development.

The Committee received a representation in objection to the application from Mr Bull.

The representation raised the following concerns:

- i. Loss of housing stock.
- ii. Intensification of site.
- iii. Impact on neighbour's amenities.
- iv. Anticipated disturbance from proposed construction work.

Mr Haysom (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda.

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](http://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.

### **13/38/SACd 13/0800/FUL - 46 Alpha Terrace**

The Committee received an application for full planning permission.

The application sought approval for Demolish the existing building on 46 Alpha Terrace and build two new 3 and 4 bedroom semi-detached houses in its place.

The Committee received a representation in objection to the application from Mr Bull.

The representation covered the following issues:

- i. Expressed specific concerns regarding the application relating to:
  - Planning Policy 3/10 character of the area.
  - Inadequate car parking space provision, which would exacerbate existing issues.
  - Design/appearance.
- ii. Suggested that conditions to control times when construction and demolition work could be undertaken would be ineffective if the application were approved.

Mr Haysom (Applicant's Agent) addressed the Committee in support of the application.

#### The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda, plus the additional conditions as set out on the amendment sheet and below:

- 15: Large scale drawings of the construction of chimneys, plinths, cambered window heads, kneelers, quoins, decorative eaves & verge courses and other brickwork/stonework details to be submitted to the LPA and approved in writing. Development must take place only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area.  
(Cambridge Local Plan 2006, policy 4/11)

- 16: Full details of all lintels and sills to new/altered openings [for doors or windows, etc.] to be submitted to and approved in writing by the LPA. Development must take place only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area.  
(Cambridge Local Plan 2006, policy 4/11)

- 17: No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area.  
(Cambridge Local Plan 2006, policy 4/11)

- 18: No boiler flues, soil pipes, waste pipes or air extract trunking, etc. shall be installed until the means of providing egress for all such items from the new or altered bathrooms, kitchens and plant rooms has been submitted to and approved in writing by the local planning authority. Flues, pipes and trunking, etc. shall be installed thereafter only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area.  
(Cambridge Local Plan 2006, policy 4/11).

- 19: All new joinery [window frames, etc.] shall be recessed at least 50 / 75mm back from the face of the wall / façade. The means of finishing of the 'reveal' shall be submitted to and approved in writing by the local planning authority prior to installation of new joinery. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area.  
(Cambridge Local Plan 2006, policy 4/11)

- 20: No new external joinery shall be installed until drawings at a scale of 1:20 of all such joinery (doors and surrounds, windows and frames and

balustrades, etc.) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 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](http://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.

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.

### **13/38/SACe 13/0581/S73 12 Rosemary Lane**

The Committee received an application to vary planning permission.

The application sought approval 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.

#### The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda.

#### 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](http://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.

### **13/38/SACf 13/0059/FUL - Parking Area Rear Of 66-68 Hartington Grove**

Councillor Birtles withdrew from discussion and did not vote.

The Committee received an application for full planning permission.

The application sought approval for Construction of two storey residential accommodation and single storey cycle store, following demolition of existing garages.

The Committee received a representation in objection to the application from Mrs Fabre.

The representation covered the following issues:

- i. Mrs Fabre was speaking on behalf of various neighbours.
- ii. Anticipated that student accommodation needs would be greater than what was provided for in the application.
- iii. Suggested implementing more measures to prevent anti-social behaviour.
- iv. Raised the following specific concerns:
  - Overbearing design.
  - Over development of site.
  - Proximity to neighbours.
  - Loss of light and over shadowing.

- The life style of student residents would not match the neighbourhood. Noise disturbance was anticipated.
  - Loss of parking space would exacerbate existing issues.
- v. Requested a shadow survey be undertaken.

Mrs Barker (Applicant) addressed the Committee in support of the application.

The Committee:

**Resolved (by 7 votes to 0)** to accept the officer recommendation to refuse planning permission as per the agenda.

Reasons for Refusal

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).

**13/38/SACg 13/0286/FUL - 14 Fishers Lane**

The Committee received an application for full planning permission.

The application sought approval for demolition of existing property and construction of 3 x3 bedroom dwellings with individual parking spaces

Councillor McPherson noted considerate construction condition was included in the Officer's report (condition 10), but asked for the minutes to record that the contractor would be expected to comply with this.

The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda.

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](http://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.

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.

### **13/38/SACH 13/0681/FUL - 4 Topcliffe Way**

The Committee received an application for full planning permission.

The application sought approval for a full width two storey front extension with a projecting bay in the north east corner close to number 6.

Mr Davidson (Applicant's Agent) addressed the Committee in support of the application.

The Committee received a representation in objection to the application from Mrs Brearley.

The representation raised the following concerns:

- i. Significant impact on street scene.
- ii. Design out of character to the area. Suggested this contravened policy 3/14 of the Local Plan and National Planning Policy Framework.
- iii. Mass and scale of development.
- iv. Visually dominant and overbearing.

The Committee:

**Resolved (by 5 votes to 4)** to reject the officer recommendation to refuse the application.

**Resolved (by 5 votes to 4)** to approve the application contrary to the officer recommendations in accordance with conditions delegated to officers.

### **13/38/SACi 13/0346/FUL - 3 Chalk Grove**

The Committee received an application for full planning permission.

The application sought approval for a two storey side extension.

Mrs Atkinson (Applicant) addressed the Committee in support of the application.

The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda.

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](http://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.

**13/38/SACj 13/0466/FUL - 33 Queen Ediths Way**

Councillor Pippas withdrew from discussion and did not vote.

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing dwelling and the development of a three storey building comprising seven two-bed residential flats.

Mr Mitham (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

**Resolved (by 5 votes to 3 with 1 abstention)** to accept the officer recommendation to refuse planning permission as per the agenda.

Reasons for Refusal

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.

### **13/39/SAC Enforcement Items**

#### **13/39/SACa Planning Enforcement Report - 28 Almoners Avenue Enforcement Report 2013**

The Committee received a report requesting authorisation to take formal enforcement action.

Site: 28 Almoners Avenue, Cambridge  
Breach: Unauthorised Development

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).

The Committee resolved as follows:

- i. 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.
- ii. That a report authorising enforcement action be brought back to the next South Area Committee for consideration.

The 15 July South Area Committee report 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 the Officer's report (with such amendments as may later be requested by the Head of Legal Services).

Mr Brown (Applicant's Agent) addressed the Committee in objection to enforcement action.

The representation covered the following issues:

- i. Took issue with council procedures and details in the Officer's report.

- ii. Gave a history of the application and stated work occurred in-line with the design submitted to the Council.

The Committee:

Resolved (**by 6 votes to 1 with 2 abstentions**) to accept the officer recommendation that that the Head of Legal Services be authorised to issue an enforcement notice.

The meeting ended at 10.45 pm

**CHAIR**



## CAMBRIDGE CITY COUNCIL Record of Executive Decision

### Nightingale Recreation Ground Fitness and Trim Trail

<b>Decision of:</b>	South Area Committee: Chair, Vice Chair and Spokes		
<b>Reference:</b>	13/S106/01		
<b>Date of decision:</b>	14.08.13	<b>Recorded on:</b>	14.08.13
<b>Decision Type:</b>	Non Key		
<b>Matter for Decision:</b>	Purchase and installation of new trim trail and outdoor gym equipment to be installed around the peripheral path at Nightingale Recreation Ground		
<b>Why the decision had to be made (and any alternative options):</b>	The project meets with the Council's main aims: Cambridge – where people matter. A city which celebrates its diversity, unites in its priority for the disadvantaged and strives for shared community wellbeing.		
<b>Decision(s):</b>	<b>Financial recommendations</b> <ul style="list-style-type: none"><li>• Approved the commencement of this scheme, which is already included in the Council's Capital &amp; Revenue Project Plan (PR030b - 38217).</li><li>• The total cost of the project is £30,000 funded from Formal and Informal S106 Developer contributions.</li></ul> <b>Procurement recommendations</b> <p>Approved the carrying out and completion of the procurement of Nightingale Recreation Ground Fitness and Trim Trail equipment from HAGS SMP.</p>		
<b>Reasons for the decision:</b>	As set out in the Officers Report		
<b>Scrutiny consideration:</b>	Chair, Vice Chair and Spokes of South Area Committee were consulted		
<b>Conflicts of interest:</b>	No conflicts of interest were declared		
<b>Comments:</b>	None		

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## Cambridge City Council

**To:** Chair of South Area Committee  
**Report by:** Ian Ross  
**Scrutiny committee:** SOUTH AREA COMMITTEE  
**Wards affected:** Cherry Hinton, Queen Ediths, Trumpington

### **Project Appraisal and Scrutiny Committee Recommendation**

#### **Project Name:**

**To:** Area Chair, Vice Chair and Opposition Spokes for South Area Committee  
**Report by:** Ian Ross  
**Scrutiny committee:** SOUTH AREA – **EMAIL APPROVAL**  
**Wards affected:** All

### **Project Appraisal and Scrutiny Committee Recommendation**

**Project Name: Nightingale Recreation Ground Fitness and Trim Trail**

#### **Recommendation/s**

##### **Financial recommendations –**

- The Area Chair is asked to approve the commencement of this scheme, which is already included in the Council's Capital & Revenue Project Plan (PR032b - 38217).
- The total cost of the project is £30,000 funded from Formal and Informal S106 Developer contributions.

## Procurement recommendations:

- The Area Chair is asked to approve the carrying out and completion of the procurement of **Nightingale Recreation Ground Fitness and Trim Trail equipment from HAGS SMP**

**Project Name:** Nightingale Recreation Ground Fitness and Trim Trail

## 1 Summary

### 1.1 The project

Purchase and installation of new trim trail and outdoor gym equipment to be installed around the peripheral path at Nightingale Recreation Ground

#### Target Dates:

Start of procurement	May 2013
Award of Contract	August 2013
Start of project delivery	August 2013
Completion of project	October 2013
Date that project output is expected to become operational (if not same as above)	

### 1.2 Anticipated Cost

Total Project Cost	£ <b>30,000.00</b>
--------------------	--------------------

Cost Funded from:

Funding:	Amount:	Details:
Reserves	£0.00	<i>Not applicable</i>
Repairs & Renewals	£0.00	<i>Not applicable</i>
Developer Contributions	£30,000	See Appendix B
Climate Change Fund	£0.00	<i>Not applicable</i>
Other	£0.00	<i>Not applicable</i>

### 1.3 Procurement process

Following the prioritisation of the project the Recreation team carried out a procurement exercise with outdoor trim trail and fitness equipment providers.

Four companies were invited to tender and all four invited submitted plans and drawings of their proposals with detailed costs for supply and installation all within the £30,000 budget allocated to the project.

The submissions were evaluated by an internal officer team on the proposed equipment's functionality, range of activities, robustness, and the designs were also put online for the public to feedback on their favourite proposal.

The conclusion of this procurement is to recommend that HAGS SMP be awarded the project and will deliver a mix of outdoor gym and trim trail items around Nightingale Recreation Ground.

## 2 Project Appraisal & Procurement Report

### 2.1 Background

On the 4<sup>th</sup> of October 2012 a workshop was held for ideas and projects to be submitted from the local communities on how to spend the South Areas devolved Section 106 funds. The evening saw a variety of projects proposed and in November, South Area Committee identified projects in wards for the first round priority-

setting and focussed on project ideas that were eligible for developer contributions and could be delivered by March 2014. One of these prioritised projects was to install fitness and trim trail equipment into Nightingale Recreation Ground and a budget of £30,000 was allocated for its delivery.

The Recreation Team from the Arts and Recreation section have installed similar outdoor fitness and trim trail projects in four other Parks and Open Spaces across the City and have two mobile units that are moved around the city into Park locations.

## **2.2 Aims & objectives**

The project meets with the Councils main aims

### **Cambridge – where people matter**

A city which celebrates its diversity, unites in its priority for the disadvantaged and strives for shared community wellbeing.

Through provision of outdoor gym and fitness trim trail equipment which will be free to use and promotes healthy lifestyles and community wellbeing

The equipment proposed is detailed in the pdf attached to this report and in summary has outdoor fitness items such as a ski stepper, pull down challenger, sit up benches, leg stretch, health walker, and parallel rails. These items replicate indoor gym equipment and are made from steel and will be coloured green and light grey to blend in with the surroundings.

The proposal also details Trim trail items and include balance beams, over and under bars, hurdles and chin up bars, and are all of a wooden design to be in-keeping with the natural environment of the park and not to be too intrusive.

## **2.3 Consultation undertaken**

A variety of consultation methods have been carried out to gain feedback on the proposals. These included;

- ▶ Display boards at the last South Area Committee
- ▶ Display boards of the designs and proposals on the Pavilion on Nightingale Recreation Ground
- ▶ Online survey promoted through the Councils home page and Consultation web pages

- ▶ Onsite question and feedback sessions
- ▶ Links to the consultation website sent through Ward Councillors to local groups and community organisations.

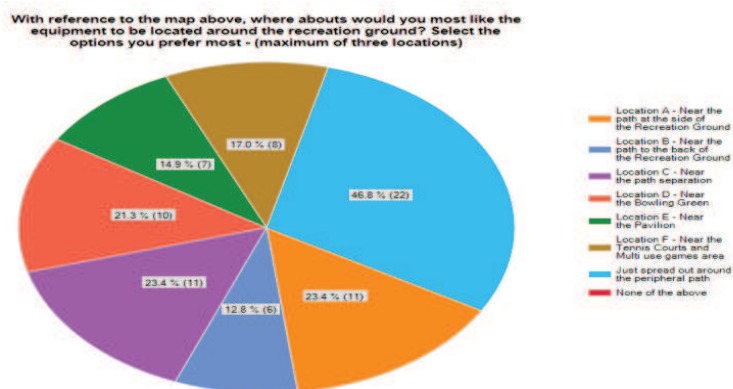
An online survey was created to seek feedback on the proposals from the four companies and sought responses for Nightingale and Ditton Fields in Abbey Ward where a similar project is also being undertaken.

The online survey had over 135 respondents with 126 (93%) agreeing the projects were a good idea. Of these 126 replies, 83 people specifically commented on the Nightingale proposals.

45 respondents voted on the designs of which the Hags designs received 49% of the votes with the next company receiving 27% votes.

When asked how the pieces should be distributed 40% of people agreed they should be in hubs of several pieces of equipment located together, and 34% requesting that a mix of hubs and individual pieces be located around the peripheral path.

The response to where the items should be located within the Recreation ground (of which they were allowed to choose three of the 8 locations offered) was that 47% said to spread around the peripheral path with 23% requesting pieces by the split in the peripheral path near the bowling green and 23% requesting pieces at the top of the grounds towards Addenbrookes, with 21% requesting pieces being located near the bowls green.



## **2.4 Key risks associated with the project**

If the project is not approved then the devolved S106 developer contributions will return to the South Area for reallocation and the project removed off the Capital plan and the prioritised Area Committee programme.

There are some objections noted in the consultation process with comments from 9 of the 135 respondents citing objections to the scheme predominantly focussed on;

Don't develop the city's green spaces.”

“What exactly will this equipment entail? Nightingale Park is in danger of becoming overcrowded, it is used by a wide age range of people .There are very many elderly and disabled people using the park, will this compromise them?”

“There seems to be constant pressure to upgrade the Nightingale Avenue recreation ground to a sports ground. Those of us who live close to it have always appreciated the fact that it is more of a park and is used for a variety of uses, including picnicking, strolling, dog-walking etc. I feel a trim trail is yet another step towards the conversion to sports ground, with the accompanying noise, crowds and increasing exclusion to those people who just want to relax there”

Although the remaining majority of comments supported the project with comments such as;

“Fantastic ideas, I run in the park several times a week and would use whatever you installed regularly.”

“Thanks so much for planning this, it will be very much appreciated !!”

To minimize any disruption within the Recreation Ground the final locations of the equipment will be placed in consultation with Ward Councillors, local residents, and representatives of Streets and Open Spaces Asset team to ensure they are reflective of concerns and blend in with the open spaces.

## **3.0 Financial implications**

This Project Appraisal has been prepared on the current price base of 2013/14 prices.



The project will be funded from the South Areas devolved Developer Contributions and specifically come from Formal and Informal Open space monies. Formal money will fund the Fitness Equipment and the Informal money will fund the Trim Trail elements and any associated ground works.

### 3.1 Net revenue implications (costs or savings)

Revenue	£	Comments
Maintenance	0.00	From existing Revenue budgets
R&R Contribution	0.00	From existing Revenue Budgets
Developer Contributions	£30,000	See Appendix B
Energy savings	( 0.00 )	None
Income / Savings	( 0.00 )	None
<b>Net Revenue effect</b>	0	Cost/(Saving)

### 3.2 VAT implications

There are no VAT Implications as a result of this projects installation.

### 3.3 Energy and Fuel Savings

(a) Is this project listed in the Carbon Management Plan?	No
---	----

### 3.4 Climate Change Impact

Positive Impact	No effect	Negative Impact
	Nil	

### 3.5 Other implications

An EQUIA has been carried out for the project and the results indicate that there are some limitations for people restricted to wheelchairs to fully engage with all the pieces of equipment

proposed, but there are pieces that could be used such as the “Push Hands, Power Push, and Pull Down Challenger.

### 3.6 Staff required to deliver the project

Service	Skills	Total Hours
<i>Recreation Team</i>	<i>Building construction</i>	24
<i>Technical officer</i>	<i>Project Management</i>	
	<i>Health &amp; Safety</i>	

### 3.7 Dependency on other work or projects

This Project delivery is not dependent on any other projects or procurements.

### 3.8 Background Papers

*None*

### 3.9 Inspection of papers

Author’s Name	Ian Ross
Author’s phone No.	01223 - 458638
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Date prepared:	26/07/13

**Capital Project Appraisal - Capital costs & funding - Profiling**

**Appendix A**

	2013/14	2014/15	2015/16	2016/17	2017/18	Comments
	£	£	£	£	£	
<b>Capital Costs</b>						
Building contractor / works						
Purchase of vehicles, plant & equipment	30,000					S106 Funded - South Area
Professional / Consultants fees						
Other capital expenditure:						
<b>Total Capital cost</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Capital Income / Funding</b>						
Government Grant						
Developer Contributions	30,000					(See Appendix B)
R&R funding						
Earmarked Funds						
Existing capital programme funding						
Revenue contributions						
<b>Total Income</b>	<b>30,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Net Capital Bid</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	



## Appendix B

Developer Contribution Cost Centre	Planning Reference	Contribution Type (Formal Open Space, Informal Open Space etc)	Address	Amount (£)
<i>To be allocated</i>	<i>Awaiting input from S106 Planning Officer</i>	<b>Informal Open Space</b>		<b>16,000</b>
<i>To be allocated</i>	<i>Awaiting input from S106 Planning Officer</i>	<b>Formal Open Space</b>		<b>14,000</b>
<b>Total</b>				<b>30,000</b>

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# NIGHTINGALE PARK FITNESS EQUIPMENT

\*all equipment supplied in Green



CARDIOVASCULAR  
STRENGTH  
FLEXIBILITY  
SOCIAL

SKI STEPPER	✓	✓	✓	✓
MINI SKI	✓	✓	✓	✓
HEALTH WALKER	✓	✓	✓	✓
PARALLEL RAILS	✓	✓	✓	✓
LEG STRETCH	✓	✓	✓	✓
PULL DOWN CHALLENGER	✓	✓	✓	✓
SIT UP	✓	✓	✓	✓
HANDLE BOAT	✓	✓	✓	✓
POWER PUSH	✓	✓	✓	✓
PUSH HANDS	✓	✓	✓	✓
MONKEY BARS	✓	✓	✓	✓
A FRAME	✓	✓	✓	✓
CLIMB NET	✓	✓	✓	✓
PARALLEL BARS	✓	✓	✓	✓
WALK AND STRETCH POSTS	✓	✓	✓	✓
BALANCE JUNCTION	✓	✓	✓	✓
OVER AN UNDER	✓	✓	✓	✓
LOG SNAKE	✓	✓	✓	✓
LOG STACK	✓	✓	✓	✓
LOG HURDLES	✓	✓	✓	✓
V-BALANCE BEAM	✓	✓	✓	✓
SLOPED BLANCE WALK	✓	✓	✓	✓

### SKI STEPPER

This Ski Stepper offers a low impact workout which helps to develop stronger calf and thigh muscles as well as improve cardiovascular fitness, balance and co-ordination.



### MINI SKI

This Mini Ski provides an opportunity for a low impact workout, which can be shared with a friend. It helps to tone up body areas around the waist, hips and thighs as well as improving cardiovascular fitness, balance and co-ordination.



### HEALTH WALKER

This Health Walker primarily provides essential cardiovascular exercise and promotes deeper, stronger breathing. As well as improving stamina, balance and overall body co-ordination, it helps to develop calf and thigh muscles.



### PARALLEL RAILS

This is great for toning, strength and flexibility it works the: arms, chest, shoulder, back and grip. The main benefits are that it: tones arms, shoulders, wrists & grip & improves & maintains flexibility of joints. Recommendations: All exercise needs to be undertaken with care. Repeat as many times as possible



### LEG STRETCH

The Leg Stretch increases toning, flexibility whilst also working the legs. Main benefits include warming up muscles prior to exercise to prevent injury and improve balance & co-ordination & maintain joint flexibility.



### PULL DOWN CHALLENGER

This Pull down Challenger provides a workout opportunity to build strength and stamina as well as developing muscles in the upper body, back, shoulders and biceps. Particularly important for older users, it improves the flexibility and agility of joints.



### SIT UP

The Sit-up improves tone, strength and flexibility, simultaneously working the abdominal muscles, shoulders and biceps. Benefits include: improving muscle tone & maintaining joint flexibility. Development of upper body muscles and strengthens abdominal muscles which helps support and protect internal organs and aids breathing.

### HANDLE BOAT

This Handle Boat equipment actually works most of the major muscles in the body including the legs, arms, torso and stomach using up more calories than most other exercise machines. It is excellent cardio-vascular exercise as well.



### POWER PUSH

This Power Push is part of a classic work out regime in the gym. Here in the outdoors you can tone upper body muscles such as the chest, shoulders and triceps using own body weight as counterpoint. It also helps strengthen core muscles and general flexibility.



### PUSH HANDS

This ingenious Push Hands exerciser is not only fun, especially with two people in counter-play operation, but it is very effective in developing upper body flexibility and co-ordination from the waistline to the tops of the shoulders.



### Monkey Bars

Improves joints & co-ordination upper body, shoulders & biceps



### A-FRAME

Development of abdomen and core stability lower body, abdomen & Back



### CLIMB NET

Improves joints & co-ordination upper body, shoulders & biceps



### PARALLEL BARS

Improves strength and toning working the arms, chest and back.



### WALK AND STRETCH POSTS

Improves strength & flexibility of the body, shoulders, triceps, back & arms



### BALANCE JUNCTION

Stretch & Balance, great to use before & after your workout. hips, calves & arms



### OVER & UNDER

Works the calves and hips



### LOG SNAKE

Improves balance & co-ordination legs and calves



### LOG STACK

Improves joints & co-ordination and works core muscles



### LOG HURDLES

Improves joints & co-ordination knees and back



### V BALANCE BEAM

Improves joints & co-ordination its great for testing your balance



### SLOPING BALANCE WALK

Improves joints & co-ordination and balance

## Work all the muscle groups



## FINAL WORDING AND LAYOUT TO BE AGREED WITH CLIENT



## EQUIPMENT LOCATION TO BE AGREED AT TIME OF INSTALLATION

\*INSTALLED INTO GRASSMATS



QR SMART CODE

SCAN DIRECT TO OUR WEBSITE



# GET ACTIVE. GET FIT

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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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<b>Application Number</b>	13/0637/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd June 2013	<b>Officer</b>	Ms Nanayaa Ampoma
<b>Target Date</b>	29th July 2013		
<b>Ward</b>	Trumpington		
<b>Site</b>	8 Richard Foster Road Cambridge Cambridgeshire CB2 8DW		
<b>Proposal</b>	Provide roof and roof lights over first floor terrace, convert car port to playroom and provide storage in entrance lobby (retrospective)		
<b>Applicant</b>	Mr Benjamin Rudge 8 Richard Foster Road Cambridge Cambridgeshire CB2 8DW		

<b>SUMMARY</b>	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>-The development would have a detrimental impact on the special architectural quality of the terrace and the character and appearance of Brooklands Conservation Area.</p>
<b>RECOMMENDATION</b>	REFUSAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site relates to No.8 Richard Foster Road, which is part of the award winning RIBA Stirling Prize Accordia development. The property is a terraced dwelling which fronts onto a public area of open grass to the west, which was the former garden and parkland to Brooklands House, a Grade II Listed Building. For this property type, vehicular access is from Richard Foster Road, an intimate mews.
- 1.2 The surrounding area is residential in nature. The site has recently been encompassed as part of an enlargement to Brooklands Avenue Conservation Area (June 2013). It is

currently outside the controlled parking zone.

## 2.0 THE PROPOSAL

2.1 The application seeks partial retrospective planning permission for the creation of a roof over the existing first floor terrace and permission for roof lights (not installed) and the conversion of the car port to a playroom with storage.

2.2 The application is accompanied by the following supporting information:

1. Plans
2. Planning statement

## 3.0 SITE HISTORY

Reference	Description	Outcome
C/03/0332 - Reserved matters	Approval of siting design and external appearance, and landscaping relating to the redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning	Withdrawn
C/02/0999 - Reserve matters	Approval of siting design and external appearance, and landscaping relating to the redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning	Approved, Conditions
C/01/1085 - Reserved matters	Approval of siting, design and external appearance and landscaping relating to the redevelopment of 1.92 hectares of land for office development pursuant to condition 03 of	Approved, Conditions

	outline planning p	
C/00/1175 - Outline	Outline Application for 9.45ha of Residential Development (Class C3) comprising not more than 382 dwellings; together with 1.92ha office development (Class B1) comprising a total maximum floors	Approved, Conditions

3.1 The Accordia development was given outline permission under application 00/1175/OUT. The permission was given with several conditions, which remove and limit Permitted Development rights. Specifically relevant to this proposal are conditions 9 and 28. These read:

*“Condition 9: No dwelling shall be occupied until space has been laid out within the site, in accordance with the approved plans, for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning spaces provided shall thereafter be retained and shall not be used for any purpose other than the parking or turning of vehicles, unless and until adequate, alternative parking and turning space is provided to the satisfaction of the Local Planning Authority which is also to be given in writing.*

*Condition 28: 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 extension, or additions or garages shall be erected other than those expressly authorised by this permission.”*

3.2 In effect the conditions mean that permission is required for a car port conversion as well as a roof top enclosure.

3.3 Following Environment Scrutiny Committee resolution of the 11th

June 2013, the Accordia site became part of the Brooklands Avenue Conservation Area. The old appraisals are now superseded and the Accordia estate is now included within the Conservation Area. The appraisal document outlines the special qualities of the development and I have included an excerpt from Appendix 3 which states:

### **‘Justification**

13.4.1 When awarding the development the Stirling Prize in 2008, the RIBA said:

*“This is high density housing at its very best. Beautifully thought-through houses are linked by a series of public, semi-public and private but visible spaces, making the whole development a joy to walk through. Houses and flats have good sized, well proportioned rooms with views out ranging from the urban views to rural pasture. This development proves that good modern housing sells, that a committed local authority can have a very positive influence on the design, that a masterplan with a range of architects can be successful and that the very best architecture does not have to rely on gimmicks. This is a project that will be much referred to and used as a future case study.”*

13.4.2 The Accordia development has been acknowledged as one of the most important housing developments of the last few years. It follows in the footsteps of some of the SPAN housing in the 1960s and 1970s, which provided high quality, high density houses set in beautifully detailed landscapes. Cambridge City Council already has one modern housing development, a SPAN estate in Hill’s Road, as a designated Conservation Area, and there are further examples around the country including another SPAN estate in Ham, Surrey.

13.4.3 The particular features which make the Accordia development of sufficient merit to justify Conservation Area designation are:

Historic interest:

- The siting of the development within the former garden and parkland to Brooklands House, a Grade II Listed Building
- The survival of mature trees which relate to the 19th century garden and parkland
- The close spatial relationship between Brooklands House and the Accordia development
- The enclosure of the Accordia development on three sides by the Brooklands Avenue Conservation Area
- The inclusion of the Brooklands Cold War bunker, a Grade II Listed Building

Architectural interest:

- The high quality of the architecture, confirmed by several design awards
- The innovative use of building forms, and the high quality of the materials and details
- The spatial qualities of the new development

In addition, the Accordia development has particular social significance because:

- The significance of the Accordia development in terms of its social mix, its innovative building forms, and the provision of a high quality environment for its residents

The only negative feature of the area is considered to be the very recent date of construction, but it is considered that overall this is out-weighed by the many positive features of the development as detailed above.'

3.4 Richard Foster Road is typical of the architectural qualities as assessed in the appraisal, the elevation facing the former garden of Brooklands House having particular significance as it is all the more prominent.

3.5 The scheme has also won the following awards:

- RIBA Stirling Prize 2008 (the first residential scheme to do so)
- RIBA National Award 2008
- Civic Trust Award 2007
- Housing Design Awards 2006: Overall winner
- Building for Life awards: Gold Standard 2006

3.6 The site is also currently being considered for an Article 4 direction, which would further strengthen the ability of the Council to maintain the architectural cohesiveness of the buildings.

3.7 I consider the recent inclusion of the development site with the Brooklands Avenue Conservation Area together with the various awards and appraisals of its special qualities to lend significant weight to preserving its architectural quality and character.

#### 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
Cambridge Local Plan 2006	3/4 3/7 3/14 4/11 8/2



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

Supplementary Planning Documents	Brooklands Avenue Conservation Area Appraisal 2013
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## 6.0 CONSULTATIONS

### 6.1 Cambridgeshire County Council (Highways)

- No Objection but highlights the following points: The proposal removes all off-street car parking for the dwelling unit and the roads on Accordia are about to be adopted. Following adoption it is likely that a consultation will take place regarding the implementation of parking restrictions within the development, and this may mean that the on-street parking that this development relies upon may be reduced, or removed. Therefore the allocated garages will be the only form of parking.

### 6.2 Conservation Team

- Objection: the works harm the appearance of the building and adversely affect the character and appearance of the Conservation Area

6.3 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 application is brought before Committee at the request of Councillor Stuart for the following reason:

- the application raises issues of responding to context, impact on the Conservation Area and parking which need to be debated by South Area Committee.

7.2 Given the significance of the proposal, the potential to set a precedent and potential for possible enforcement action, Officers also consider it desirable that in the circumstances South Area Committee consider the proposal.

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

- 6 Richard Foster Road
- 7 Richard Foster Road
- 9 Richard Foster Road
- 9 The Steel Building, Kingfisher Way
- 2 Kingfisher Way
- 3 Henslow Mews
- 12 Henslow Mews
- Studio 4 Limehouse Cut 46 Morris Road
- Exemplar Living
- 7 Aberdeen Avenue
- 11 Aberdeen Avenue
- 14 Aberdeen Avenue
- 22 Aberdeen Avenue
- 24 Aberdeen Avenue
- 26 Aberdeen Avenue

7.4 The representations received can be summarised as follows:

- Removes much of the outstanding quality of the building
- In filling the space contradicts the aim of the architect
- Infilling the garage closes the openness of the garages
- It removes car parking
- The owners of the property were aware of the restrictions on the development when they bought it
- There have been no building controls assessment: works may be unsafe
- Development won the RIBA Stirling award and should be protected
- Set negative precedence
- Does not preserve the Conservation Area
- Creates further pressure on parking in an already congested area
- Blocks light
- Against Cambridge City policy
- Development is inappropriate
- Materials used are low quality

- The development is against the covenant
- The beauty of the Accordia development hinges on its uniformity

7.5 The above representations are a summary of the comments 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. Context, design and impact on the character and appearance of the Conservation Area
2. Residential amenity
3. Car parking
4. Third party representations

### **Context, design and impact on the character and appearance of the Conservation Area**

8.2 The key issue is whether the proposed development would have a detrimental impact on the special architectural qualities of the terrace and in so doing would also harm the character and appearance of the Conservation Area.

8.3 Policy 4/11 of the Cambridge Local Plan (2006), which governs developments in a Conservation Area states:

‘Developments within, or which affect the setting of or impact on views into and out of Conservation Areas, will only be permitted if:

- a. they retain buildings, spaces, gardens, trees, hedges, boundaries and other site features which contribute positively to the character or appearance of the area;
- b. the design of any new building or the alteration of an existing one preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it; and

c. a new or intensified use will not lead to traffic generation or other impacts which would adversely affect the Area's character.

Outline applications will not be accepted in Conservation Areas.'

8.4 In his assessment of the retrospective application, the Conservation Officer states:

*“The Richard Foster Road row of houses is a readily visible terrace with distinctive and definitive features including the multi-level open terraces. It backs onto open space and the grounds of Brooklands – a Listed Building. Both front and rear elevations are effectively perforated by the upper floor open terraces (that allow sky to be glimpsed through the building and are a feature shared by other building types on the estate such as Aberdeen Sq/Ave and Gilmour Rd) and by garaging spaces behind metal gates on the frontage.*

**Proposals:** *The conservation area appraisal notes the high quality design of the Accordia estate acknowledged by the 2008 Stirling prize. Roofing over the first floor terrace negates this important design feature and affects the visible uniformity of both the front and back of the terrace. The gap is closed and the rhythm of light and shade disrupted.*

*Conversion of the car port to playroom and creation of storage in entrance lobby: The issues are the blocking of what was intended to be a visual through space and the displacement of car parking. The former again, impacts on a design feature and is adverse in terms of the whole terrace though is not as readily visible as in the upper terrace works.”*

8.5 I am inclined to agree with this assessment. The roof extension clearly disrupts the uniformity and rhythm of the terrace. Looking from the public open space, the darkness of the enclosed terrace is readily apparent and the distinctive 'punctured' roof-scape, is lost. In my view, this is a positive design feature that should be preserved. I note that the plans include two sizeable rooflights within the structure, but my view is that any lightening of this void that would be created by the roof-lights would do little to alleviate the harm of the enclosure of the space. I acknowledge the reasons for the enclosure set out by the applicants (water leakage, lack of use, poor sunlight)

but I do not consider these overriding reasons to accept the proposal.

- 8.6 The partial enclosure of the carport, whilst not as apparent as the roofing, is in my view also an unacceptable deviation from the original building concept. This sought to bring a sense of semi-public/private space to the mews, which is tightly knit, the car-port voids providing a point of interaction for residents, revealing the interesting double aspect plan form of the unit type. This is eroded by the new walling, glazing and timber store and in my view significantly alters the visual experience and sense of place that is a key feature of the design of the terrace.
- 8.7 For these reasons, the development is unacceptable as it is harmful to the character and context of the terrace set within the Brooklands Avenue Conservation Area. Therefore, it is contrary to policies 3/4, 3/7, 3/14 and 4/11 of the Cambridge Local Plan (2006).

### **Residential Amenity**

- 8.8 The amenity impacts of the proposal are contained and I have no concerns regarding impact on neighbouring properties in terms of enclosure, overlooking, overshadowing or privacy.
- 8.9 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

### **Car Parking**

- 8.10 The Highways Officer has commented that the development has led to the loss of a carport. This does not appear to be an issue for the existing occupants although it may become so if they continue to own a car at the same point in time that a controlled parking zone is introduced to Accordia following the adoption of the roads.
- 8.11 Whilst it may be architecturally desirable to keep the void for the car port intact, in my view this need not necessarily be for the

parking of a vehicle. My experience of Accordia is that residents use such car ports for a variety of purposes, including for ancillary storage of household items and spill out amenity space.

8.12 Given that the adopted car parking standards do not require a minimum no. of car parking spaces to be provided for new residential uses and the close proximity of the site to the train station and other public transport services, there does not appear to be a policy reason to resist an alternative use of the space.

8.13 I acknowledge that there may be some residual impact on visitor provision if the current owners continue to park in visitor spaces but the indications are that controls are to be put in place which would regularise parking management across the site.

8.14 My view is that the occupation of a unit such as this with no on-plot car parking provision may be an entirely reasonable lifestyle choice for an occupant and the use of such spaces should not be unreasonably constrained by fear of over-spill onto allocated visitor spaces.

### **Third Party Representations**

8.15 Most of the third party comments received have been discussed above. However, I have also received comments regarding the materials used for the development, the breach in covenant and that the works do not adhere to building control regulations. The latter concerns are not material planning considerations. In my view, there is not necessarily an issue with the materials used; it is the physical intervention of form within key voids which dictate the recommendation for refusal.

## **9.0 CONCLUSION**

9.1 The application should be refused as the proposed development has a clear and harmful impact on the special character and qualities of the terrace and Brooklands Avenue Conservation

Area. Both works are out of place against the uniformity of the terrace and its openness and this devalues the integrity of the building and the terrace.

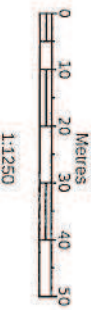
## **10.0 RECOMMENDATION**

### **REFUSE for the following reasons:**

1. The proposed conversion of the garage and the roof extension by virtue of the enclosure of the voids, detracts from the lightness and semi-open nature of the building and the rhythm and appearance of the terrace, appearing starkly out of place against the prevailing architectural uniformity. The impacts are from public vantage points and are clearly harmful to the special character and qualities of the terrace and Brooklands Avenue Conservation Area. As such, the proposal is contrary to policies 3/4, 3/7, 3/14 and 4/11 of the Cambridge Local Plan (2006).

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8 RICHARD FOSTER ROAD  
CAMBRIDGE  
CB2 8DW

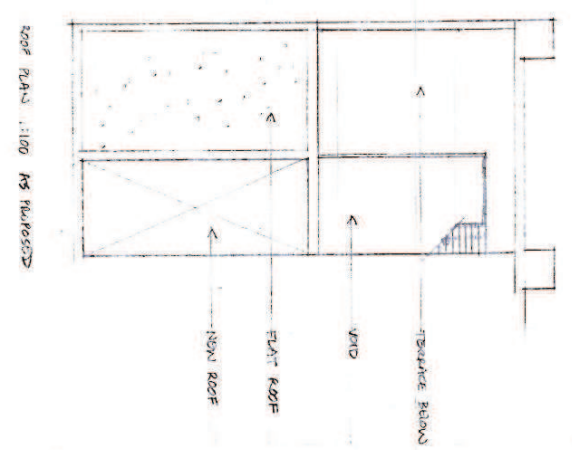
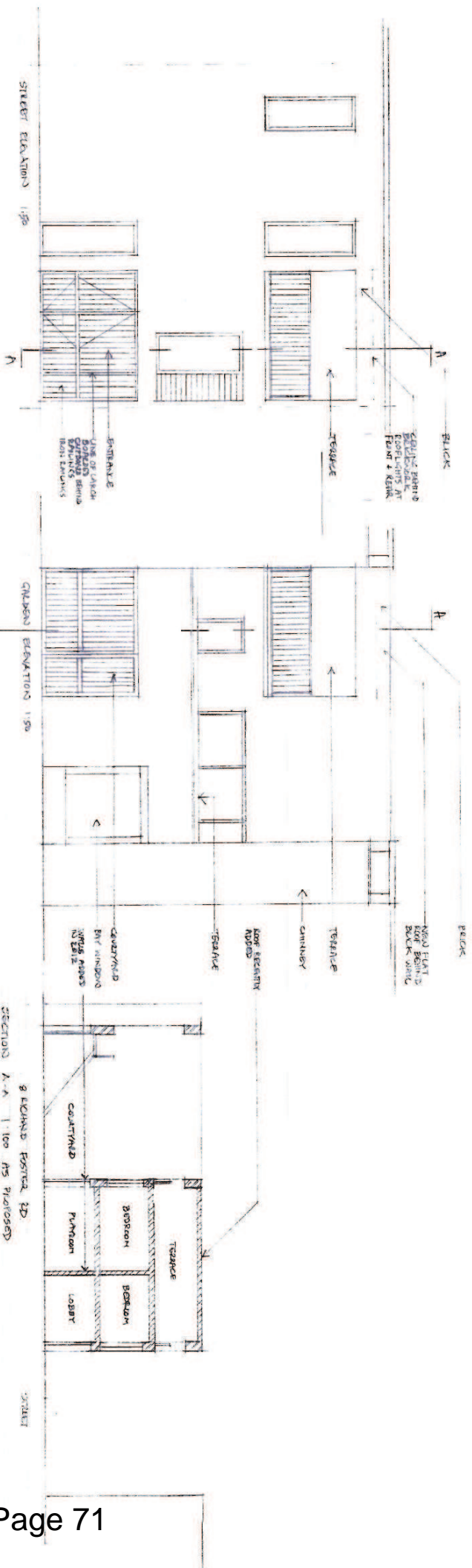
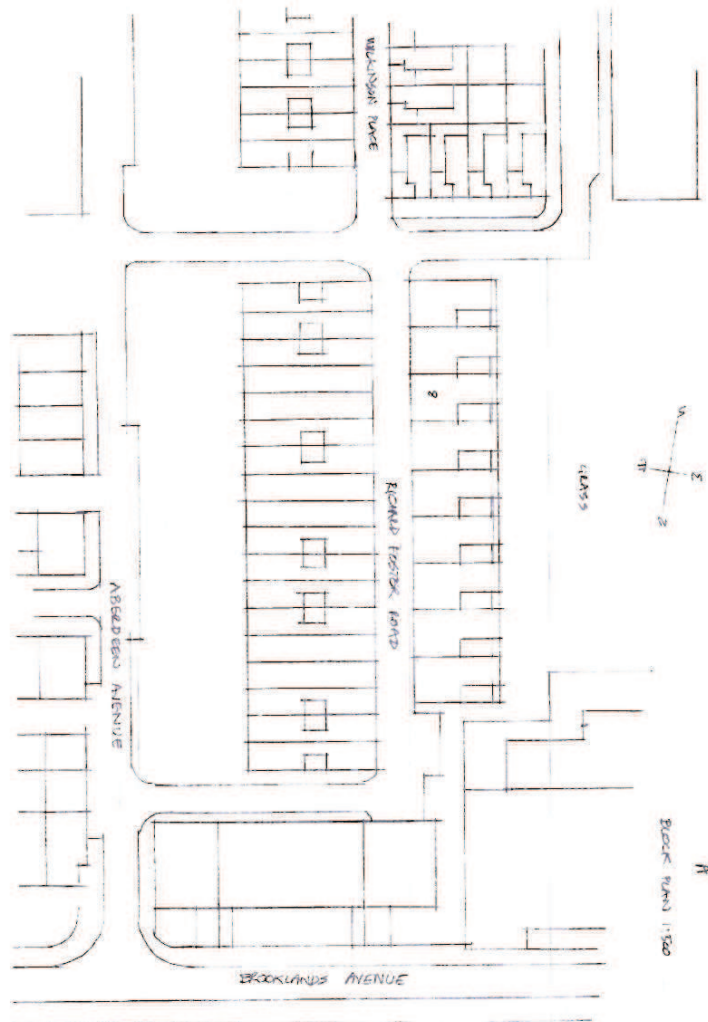
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PRELIMINARY

FRITLAND RIES ROBERTS ARCHITECTS

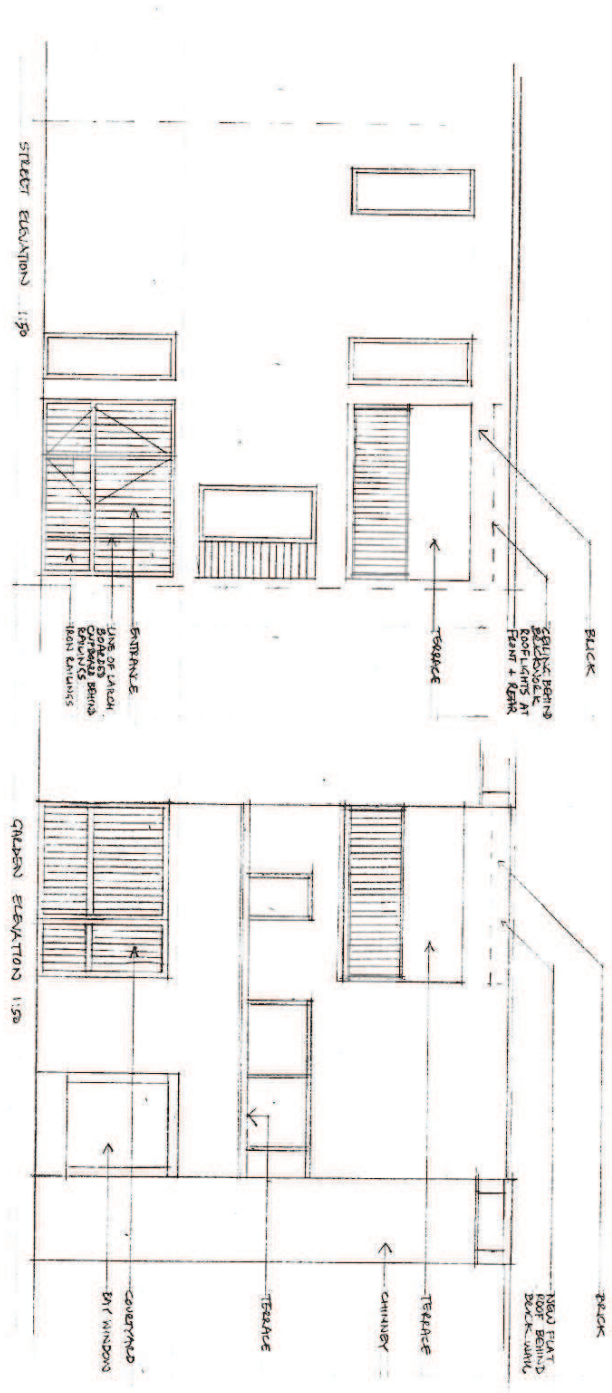
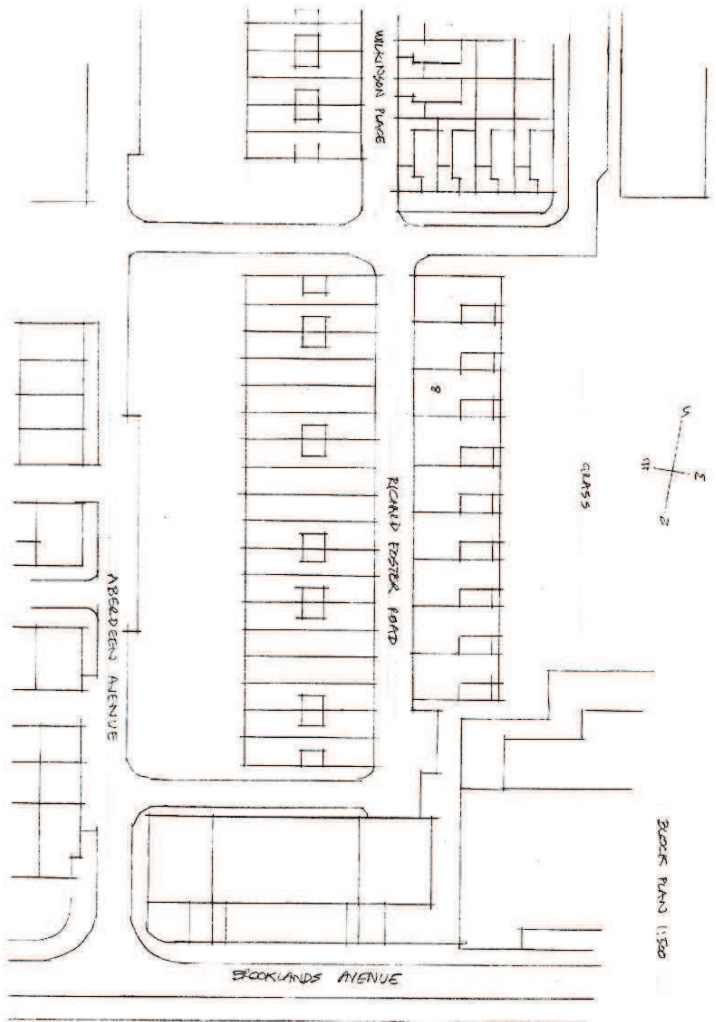
PROFESSIONAL SERVICE

9 RICHARD FOSTER ROAD  
 SERVICE - ACT. APPROV.  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: 13/04/24

1:100 AS PROPOSED

13/04/24





BOOK ROAD 1:50

**PRELIMINARY**

**FREEL AND REES ROBERTS ARCHITECTS**

22 GILFILLAN STREET, AUCKLAND 1010  
PH: 09 308 6222  
WWW.FREELANDREESROBERTS.COM

Client: **FARM - OLIVER LUDWIG**

Project: **9 RICHARD FOSTER ROAD, AUCKLAND - AUCKLAND**

Phase: **PLATE PLAN**

ELEVATIONS AS RECLOSED

1:50 (S) 1:50 (N) 1:50 (E) 1:50 (W)

13.09.14

Drawn: [Signature]

Scale: 1:50

Date: 13.09.14



**CAMBRIDGE CITY COUNCIL**

**The Guildhall, Cambridge, CB2 3QJ**

TOWN AND COUNTRY PLANNING ACTS 1990

**OUTLINE PLANNING PERMISSION**

SUBJECT TO CONDITIONS

Ref: C/00/1175/OP

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To: DTZ Pieda Consulting  
1 Curzon Street  
London  
W1A 5PZ

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The Council hereby grant outline planning permission for

**Outline Application for 9.45ha of Residential Development (Class C3) comprising not more than 382 dwellings; together with 1.92ha office development (Class B1) comprising a total maximum floorspace of 16500 sq metres (gross); alterations to the public highway, access, car parking and ancillary development.**

at

**Development Site, Former Government Buildings, Brooklands Avenue, Cambridge**

in accordance with your application received 24th November 2000 and the plans, drawings and documents which form part of the application, subject to the conditions set out below:

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

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.



Reason: In accordance with the requirements of section 92 of the Town and Country Planning Act 1990.

- 3 Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters" shall be obtained from the local planning authority in writing before any development is commenced.

Reason: To ensure that all necessary details are acceptable.

- 4 Notwithstanding the information shown on drawing no. SK01 rev L no details of the submitted layout are approved as part of this consent.

Reason: All matters of detail remain reserved.

- 5 The number of dwellings hereby approved shall not exceed 382.

Reason: To ensure that the site is not overdeveloped and that traffic generation to the site is in accordance with the information submitted in the Environmental Assessment.

- 6 The amount of office floorspace hereby approved shall not exceed 16,500 square metres gross.

Reason: To ensure that the traffic generation to the site is in accordance with the information submitted in the Environmental Assessment.

- 7 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.

- 8 Before starting any brick or stonework, 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.

- 9 No part of the development shall be occupied until space has been laid out within the site, in accordance with the approved plans, for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning spaces provided shall thereafter be retained and shall



not be used for any purpose other than the parking or turning of vehicles, unless and until adequate, alternative parking and turning space is provided to the satisfaction of the local planning authority which is also to be given in writing.

Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience.

- 10 No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted have been 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.

- 11 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.

- 12 No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of the earthworks are acceptable.

- 13 No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity.



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

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design.

- 15 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development.

- 16 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.

- 17 Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity.

- 18 No development, including demolition, shall commence on site until the following details have been submitted to and approved by the local planning authority:

- (a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter measured over the bark at a point 1.5 metres above ground level,



exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree;

- (b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) apply;
- (c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree;
- (e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage during the course of development;
- (f) details of any trees proposed for removal.

In the condition 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: To safeguard and ensure the protection of those existing trees which are to be retained on or adjacent to the site.

- 19 In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development (including



demolition), and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site.

- 20 No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity.

- 21 If within a period of five years from the date of the planting of any tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features.

- 22 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 before any equipment, machinery or materials are brought onto the site for the purpose of development. The agreed means of protection shall also be implemented in accordance with the approved scheme before any equipment, machinery or materials are brought onto the site for the purpose of development, and 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.

- 23 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.

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

Reason: To protect the amenity of nearby properties.

- 25 Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.

- 26 Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
- i) contractors' access arrangements for vehicles, plant and personnel,
  - ii) contractor's site storage area/compound,
  - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
  - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period.

- 27 Prior to the commencement of the development a scheme to identify any potential contamination of the site and appropriate remediation measures shall be submitted to and approved by the local planning authority.

Reason: To ensure that any contamination of the site is adequately dealt with.

- 28 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 extension, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site.



29 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.

30 No demolition of the Regional Seat of Government Building may take place until such time as the local planning authority has heard from the Department of Media, Culture and Sport (or any successor department), the decision as to whether or not the building has been placed upon the list of Buildings of Special Architectural or Historic Interest.

Reason: To safeguard the Regional Seat of Government building from premature demolition.

31 In the event that the development is to be carried out in phases full details of the phasing shall be submitted to and approved prior to the commencement of the development.

Reason: To ensure that each phase of the development can be considered independently.

32 No development shall commence on any phase of the development prior to the submission to and approval by the local planning authority of all the details relevant to that individual phase of the development required by conditions 07, 08, 10, 23 and 24, on the understanding that the requirements of those conditions may be for an individual phase only.

Reason: To ensure that all the details for each phase of the development are satisfactory before implementation commences.

33 Prior to or as part of the first submission of reserved matters for any of the residential development, a landscape strategy for the whole 9.45 hectare residential site, shall be submitted to and approved in writing by the local planning authority. Subsequent landscaping detail required by conditions 11, 12, 13, 14, 15, 16, 18, 20 and 22 shall be submitted to accord with the approved strategy. The strategy shall be implemented in accordance with a timetable agreed as part of the approved strategy.

Reason: To ensure that the strategic landscaping of the wider site is pre planned and implemented in accordance with that agreed.

**INFORMATIVE:** This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s106 of the Town and Country Planning Act 1990 (as amended) between Cambridge City Council,



Kajima Cambridge Ltd and Countryside Residential (North Thames) Ltd dated as this decision notice.

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passersby. 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).

**INFORMATIVE:** The applicants are advised that once the land is transferred to private ownership, Conservation Area Consent will be required for the demolition of existing buildings within the Conservation Area.

**INFORMATIVE:** The applicants are advised that the local planning authority wish to see a high quality, innovative design for the office buildings and the residential development approved in this planning permission.

**INFORMATIVE:** The environmental information contained within the Environmental Statement has been taken into consideration in the formulation of this decision.

This decision notice relates to the following approved drawings:- DTZ1 .

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Your attention is specifically drawn to the requirements of the Chronically Sick and Disabled Persons Act 1970, the Disabled Persons Act 1981, to the British Standards Institution Code of Practice for Access for the Disabled to Buildings (BS 5810 1979), to Part M of the Building Regulations 1991, and to BS 5588 Part 8 1988 (Code of Practice for means of escape for disabled persons). The development should comply with these requirements.

Dated: 10th October 2001

Guildhall, Cambridge, CB2 3QJ



Director of Environment & Planning



SEE NOTES OVERLEAF

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<b>Application Number</b>	13/0722/FUL	Agenda Item	
<b>Date Received</b>	2nd July 2013	<b>Officer</b>	Lisa Lamb
<b>Target Date</b>	27th August 2013		
<b>Ward</b>	Trumpington		
<b>Site</b>	Trumpington Park And Ride Site Hauxton Road Cambridge Cambridgeshire		
<b>Proposal</b>	Change of use (sui generis) for a 150 vehicle car boot fair (second hand goods only) on Sundays on existing car park between 7.00am - 1.00pm		
<b>Applicant</b>	Sherman And Waterman Associates 1A Tavistock Court The Piazza Covent Garden London WC2 E8BD		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p>There will be no significant harm to the amenities of neighbours.</p> <p>There are no highway safety or parking issues arising.</p> <p>The proposed use of the park and ride site as a boot fair would not have a detrimental visual impact.</p>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 Trumpington Park and Ride site is on the southern fringe of the city immediately west of Hauxton Road. The proposal site is located to the far north-eastern corner of the Park and Ride site occupying 150 car parking spaces of the 1,350 spaces provided across the wider site.

## 2.0 THE PROPOSAL

2.1 This application seeks temporary permission for a change to a sui generis use at the site to allow for a 150 car boot fair (for second hand goods only) on Sundays between the hours of

7:00am and 1:00pm.

2.2 The proposals were originally submitted as a renewal of 09/0772/FUL however, this was a temporary 3 year permission granted in March 2009 which expired in March 2012. The description of the development has been updated to reflect the fact that this is not a renewal.

2.3 The application is accompanied by the following supporting information:

1. Transport Statement

2.4 Since the submission of the original application additional information relating to the waste disposal arrangements have been provided.

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/0889/FUL	Change of use (sui generis) for a 150 car boot fair (second hand goods only) on Sundays on existing car park between the hours of 7:00am and 1:00pm.	A/C
09/1094/FUL	Change of use for mobile car valeting service covering existing park and ride site.	A/C
09/0303/FUL	Change of use (sui generis) for a 150 car boot fair (second hand goods only) on Sundays on existing car park between the hours of 7:00am to 12.30pm.	W/D
06/0857/FUL	Re-site a mobile mammography unit presently based at Tesco, Fulbourn to Trumpington Park & Ride site at request of Addenbrooke's NHS Trust.	A/C
05/0804/TELD ET	15 metre mobile telecommunications tower, 3 no. antennae within a GRP shroud, equipment cabinet, electricity	A/C



	cabinet and development ancillary thereto.	
C/00/0315/FU L	1500 space Park and Ride car park, erection of a one storey amenity building creation of 2 new vehicular accesses and a bus only access.	A/C

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Central Government Advice

**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.

**Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

##### 5.2 Cambridge Local Plan 2006

3/1 Sustainable development  
 3/4 Responding to context  
 3/7 Creating successful places  
 8/2 Transport Impacts

#### 6.0 CONSULTATIONS

6.1 **Cambridgeshire County Council (Transport)** – No Objection: Do not wish to comment on the application. Officers have sought clarification from the Highway’s team concerning the imposition of conditions and have been advised that the site is subject to a license agreement with Highway’s. As such, controls over the advent period of trading can be controlled via

the highways licence and it is not therefore, appropriate to impose any conditions relating to the advent operation.

6.2 **Refuse and Environment** – No Objection: Advise that provision should be made for recycling collection at the site and that further details should be provided. It is considered that this can be adequately controlled by way of a suitably worded condition.

6.3 **Environmental Health** – No Objection: Advise that the use of public address systems and/or amplified music should be prohibited at the site. Comment that 7am is early and that an 8am start would be more reasonable for a Sunday.

6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## 7.0 REPRESENTATIONS

7.1 Councillor Blackhurst commented raising the following issues:

- Local residents have concerns relating to the conduct rather than the principle of the event.
- The footpath to the eastern edge of the site being obstructed which means that people have to walk on the road.
- The footpath being blocked is part of the 'safe route' to the new Trumpington Meadows primary school, and while the school is closed on a Sunday, the rooms therein will be in use throughout the week.

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

2 Spring Drive  
58 Spring Drive.

One anonymous representation was also received from 'Trumpington Meadows'.

7.3 The representations can be summarised as follows:

- The location of the car boot fair was ideal prior to the new housing development

- The Car boot fair will cause noise and disturbance on a Sunday when people could expect a noise free day,
- Invasion of privacy to the dwellings as many of the flats face onto the car boot sale and have large glazed areas/sliding doors on the elevation fronting the boot fair.
- There is no mention of the new development in the application submission.
- The boot fair should be on the other side of the park and ride site and would be equally accessible.
- People using the park and ride site to catch a bus is a different use to people ambling around the site on a Sunday morning and gives rise to invasion of privacy.
- The setting up of the boot fair is an issue 30m from the new dwellings.

7.4 The owners/occupiers of the following addresses have made representations in support of the proposal: 8 Billberry End and 3 Audit Hall Road, Empingham, LE15 8PH raising the following points:

- The car boot fair has been going for many years.
- The boot fair is very popular and is very well managed.
- The boot fair is one of the best and busiest regular Sunday attractions in Cambridgeshire.
- The sale/purchase of recycled goods should be available.
- The recycling of goods saves tonnes of landfill.
- The current economic climate means that this helps hard up families who can buy and sell at the fair.
- A large number of the visitors to the boot fair also use the park and ride to go into town after looking around the boot fair so this is important usage and revenue for the park and ride service.

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 the site, design and external spaces.
2. Impact on amenity.
3. Highway Safety.
4. Refuse arrangements.
5. Third Party Representations.

### **Context of the site, design and external spaces.**

- 8.2 Visually the proposed use will not result in a visual impact outside of the site that is uncharacteristic or significantly different to that of its primary and permanent use as a car park. Therefore, in my opinion, the proposal is compliant with the Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.3 The previous permission (reference 09/0889/FUL) was granted on a temporary basis following concerns relating to parking provisions and also to allow time to '*assess what if any implications it has for residents of the surrounding area*'. The boot fair has operated since 2009 and Environmental Health have advised that there have been no noise complaints received in relation to the operation of the car boot fair during that period.
- 8.4 The neighbor objections received raise concern in relation to noise and disturbance and also loss of privacy/overlooking.
- 8.5 With regard to noise and disturbance, it is accepted that the Trumpington Meadows development to the north of the site is in close proximity. However, it is considered that the unpacking of vehicles and setting up of stalls would not give rise to an unacceptable level of noise in addition to the usual vehicle movements. Conditions restricting the use of public address systems can be imposed to ensure that the residents of the new housing development to the north of the site, particularly Spring Drive, do not experience amplified noise.
- 8.6 The comments from the City Council's Environmental Health Team are also noted in respect of the 7am start time, with the suggestion that 8am would be more reasonable. However, the

boot fair has been in operation for a substantial period of time with no complaints received in respect of noise and so it is considered that the operation is possible in this location without causing a noise nuisance to local residents. It is also a feature of Boot Fairs that they set up early and run for the morning period only. Given the nature of the boot fair and that the operation has occurred at the site for such a substantial period, to seek to reduce the hours of operation in the absence of any harmful impacts on the local residents would not be reasonable.

- 8.7 With regard to overlooking and loss of privacy, it is considered that there is sufficient distance between the park and ride site and the houses. The exit road to the park and ride site and the parking areas serving Spring Drive sit between the dwellings and the boot fair site. Whilst the comments relating to the different users of the site are noted, there would not be people in closer proximity to the dwellings than would be the case with the normal use of the park and ride site. It is not considered therefore, that there would be undue overlooking or loss of privacy should the boot fair be granted. That said, the comments relating to the re-siting of the boot fair are also noted and it is considered that in the longer term it would be preferable alternative locations within the park and ride site for the boot fair to be explored. It is concluded that a temporary permission would allow the boot fair to continue to operate whilst alternative sitings are explored by the operators.
- 8.8 In my opinion the impacts of the development are acceptable and would comply with Policies 3/1, 3/4, and 3/7 of the Cambridge Local Plan (2063).

### **Refuse Arrangements**

- 8.9 The previous application (09/0889/FUL) had a condition attached (condition number 2) which required the submission of details relating to waste disposal at the site. These details were never formally discharged. Details relating to waste have been provided with the current submission and indicate that eight commercial bins (110 litre) are stored to the east of the site and are collected under contract with Veolia Environmental Services. Further details have been submitted relating to the sorting of recycling.

- 8.10 Cambridge City Council's Waste Services Team have advised that the site has adequate space for refuse and recycling storage and also that the details submitted relating to the recycling element are acceptable as a matter of principle, there would however need to be sight of a contract to implement the recycling at the site to fully satisfy the requirements.
- 8.11 In the light of the advice from the Councils Waste Services Team it is considered that the additional information required could be controlled by way of a suitably worded condition.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.13 The previous permission (09/0889/FUL) was granted on a temporary 3 year basis to *'to allow the local planning authority to assess the impact of the Car Boot Fair use and its implications for the provision of parking at this Park and Ride site, to ensure that it does not prejudice the wider parking needs of the City during a period of economic change'*.
- 8.14 The car boot fair has been in operation in excess of 4 years now, and the Highway Authority have not expressed any concern relating to parking provision in the wider area. Since the original application was granted, a license arrangement is now in place with the Highway Authority and this means that peak periods such as Christmas can be controlled via the terms of the license agreement. It is not considered that there are any highway safety or parking issues in respect of the boot fair. Given that the Highway Authority are licensing the site it is also considered that conditions relating to highways matters and parking would not be required.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Third Party Representations**

- 8.16 The comments received from third parties are covered in the 'representations' section of the report above.

## 9.0 CONCLUSION

- 9.1 There have been no complaints in relation to parking or neighbour amenity since the boot fair has been in operation. That said, the new Trumpington Meadows development is a recent material change since the previous permission was determined and relatively new neighbours to the use live in close proximity. A further temporary consent would be appropriate to allow the site operators the opportunity to explore the re-siting of the boot fair within the park and ride site for the longer term, given that this will eventually wrap around a lot of the park and ride site.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

1. The sui generis Car Boot Fair use hereby approved is for a temporary period of 2 years from the date of this permission, following which time the use shall cease.

Reason: To allow the Car Boot Fair operators time to explore alternative sitings within the park and ride site for a permanent boot fair which would not be in such close proximity to residential uses. (Cambridge Local Plan 2006 policies 3/4, 3/11)

2. The sui generis use hereby permitted shall only operate between the hours of 0700hours and 1300 hours on Sundays, with the site returned to its use as a car park by no later than 1400 hours on each Sunday that the car boot fair functions.

Reason: To control its impact in terms of transport movements, noise and disturbance, and residential amenity. (Cambridge Local Plan 2006 policies 3/7 and 8/2)

3. The sui generis use of part of the Park and Ride site shall be used for a second-hand car boot fair only and for no other purpose (including any other purpose in sui generis use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because use of the use of the site for any other purpose would require re-examination of its impact in terms of transport movements, noise and disturbance, and residential amenity. (Cambridge Local Plan 2006 policies 3/7 and 8/2)

4. The use and operation of a Public Address System and/or Amplified music within the site is prohibited.

Reason: In the interests of preserving the amenities of the surrounding residents in accordance with Policy 3/4 and 3/7 of the Cambridge Local Plan (2006).

5. Within three months of the date of this permission details of the waste for recycling contractor shall be submitted to the Local Planning Authority. Once the contractor is approved the facilities shall be set up and provided in accordance with the details received from the applicants agent by letter on 5 August 2013 and as updated by their e-mail of 28 August 2013 and shall be thereafter retained.

Reason - As no details of recycling facilities have been provided with the application, in order to protect the amenities of nearby residents/occupiers and in the interests of visual amenity in accordance with Cambridge Local Plan (2006) Policies 3/4 and 3/7.

6. 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.





**Sherman and Waterman  
Associates Limited**

Jubilee Market Hall  
No 1 Tavistock Court  
The Piazza, Covent Garden  
London WC2E 8BD  
Tel: 020 7240 7405  
Fax: 020 7836 4943

Sherman & Waterman Associates Ltd  
Company No. 1182459

REF MAC/TPR/CBPL

5<sup>th</sup> August 2013

Ms Lisa Lamb  
Enforcement Officer  
Planning Services  
Environment Department  
PO Box 700  
Cambridge  
CB1 0JH



Dear Ms Lamb

Application for renewal of Planning 09/0889/FUL

Further to your recent request for more information to validate our Application for the renewal of our temporary planning. I write to confirm the company's policy in respect of the cleansing of the Trumpington Park & Ride Sunday Car boot and the disposal of the waste generated from the said operation .

The company employs 4 operatives to clear all waste generated arising from the car boot operation on a Sunday , all waste is deposited of in 1100 litre lockable bins of which there are Eight . These bin are held under contract from Veolia Environmental Services and are kept on the eastern part of the Park and Ride adjacent to the Bicycle park . Veolia is contracted to collect the trade waste ever Monday morning. For the period of our existing licence I am not aware of any issues arising from the cleansing or disposal of trade waste from the site.

I attach a floor plan of the site showing the location of the 1100 litre bins on the site, together with a copy of Veolia Environmental Services collection schedule for June 2013. I further attach some photographs of the site taken yesterday Sunday 4<sup>th</sup> August at 1.00 pm showing the location of the bins and the site at the end of a working day.

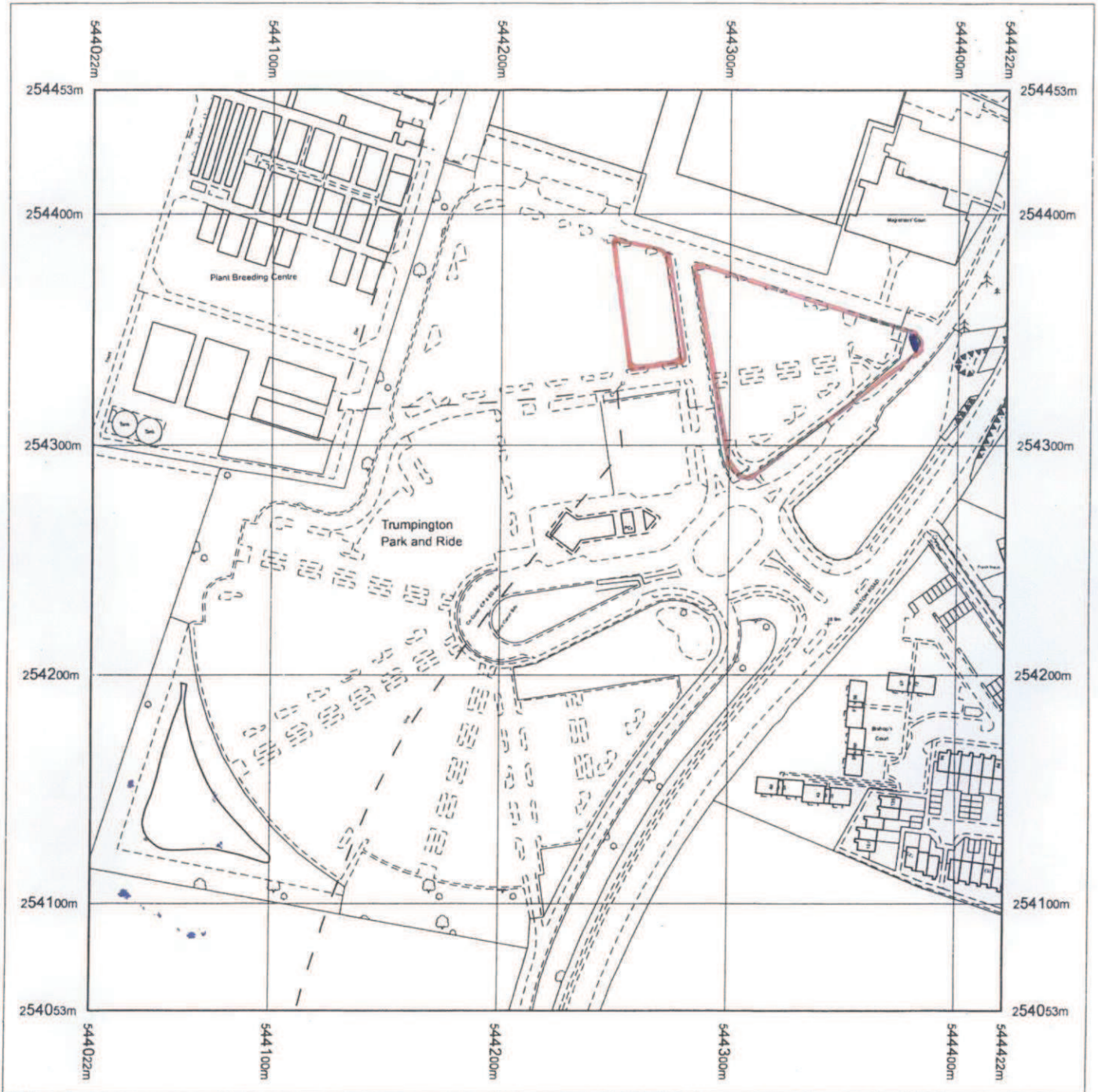
Whilst writing I would like to amend the site drawings submitted on our original application to include an area of the site adjacent to the primary site. This area has been used in the past to accommodate the overflow of car boot sellers which is happens on an ad hoc basis . Attendance at the car boot is

subject to seasonal change and the overflow is used primarily in the summer when demand is highest. At no time in the past has attendance ever exceeded the agreed planning amount of 150 vehicles.

I hope the attached information will suffice for your purpose and should you require any further information in respect of the enclosed information please do not hesitate to contact me .







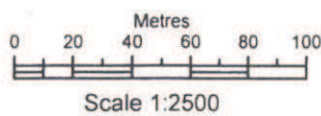
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The representation of a road, track or path is no evidence of a right of way.

The representation of features as lines is no evidence of a property boundary.



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*- VEOLIA BINS LOCATION*

*- CAR BOOT SELLING AREA*

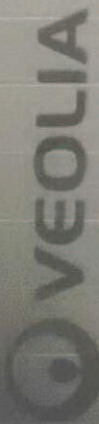












ENVIRONMENTAL SERVICES

43703/20029/2

SHERMAN & WATERMAN ASSOCIATES LTD  
JUBILEE MARKET HALL  
NO 1 TAVISTOCK COURT  
THE PIAZZA  
COVENT GARDEN  
WC2E 8BD

<b>Application Number</b>	13/0634/FUL	Agenda Item	
<b>Date Received</b>	13th May 2013	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	8th July 2013		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	9 Mowbray Road Cambridge CB1 7SR		
<b>Proposal</b>	Conversion of a semi-detached house to three self-contained flats		
<b>Applicant</b>	Mrs Pankhania 89 Perne Road Cambridge CB1 3SB		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1) The conversion of the property in three apartments is acceptable in principle.</li> <li>2) The external layout changes within this new application addresses the previous concerns of the Inspector in 2010.</li> </ol>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 9 Mowbray Road is a semi-detached two-storey property which has been extended to the side and the rear at two-storey and single storey level. These extensions were approved in 2010.
- 1.2 The property sits at an oblique 45 degree angle to Mowbray Road, mirroring the properties to the north 23 and 25 and properties across the other side of the road at 18-24 and 26-32 Mowbray Road.
- 1.3 The driveway is currently laid to gravel. The vehicle crossover approved under 10/0003/FUL has not been implemented.
- 1.4 The site is not located within the Conservation Area. The site does not fall within the Controlled Parking Zone. The access is

via the existing dropped kerb from Mowbray Road which crosses over a grass verge and the pavement.

## **2.0 THE PROPOSAL**

- 2.1 This revised application seeks permission for the conversion of the semi detached house to form three self contained flats.
- 2.2 The application proposes to reconfigure the external space around the building, provide a new internal refuse and cycle store and a new entrance to unit 3. The rear amenity space has been subdivided more formally to provide a private rear garden for unit 1 and unit 3. A new porch will be provided over the entrance of unit 2.
- 2.3 The application includes a new vehicle crossover onto Mowbray Road.
- 2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
12/0183/FUL	Change of use to HMO	Refused
10/1028/FUL	Change of use to 1no two bedroom house, 1no two bedroom flat and 1no one bedroom flat.	Refused. Appeal dismissed.
10/0661/FUL	Change of use from house to three one-bedroom flats and one two-bedroom flat.	Refused. Appeal dismissed.
10/0003/FUL	Two storey side and part single, part two-storey rear extension and provision of new vehicle access.	Approved with conditions.

- 3.1 There is a current enforcement notice, issued under Section 172 of the Town and Country Planning Act 1990 (as amended) for an alleged breach of planning control, namely, without



planning permission, the sub division of a C3 dwelling house to create a House in Multiple Occupation (sui generis) and self-contained flats. The applicant is appealing the enforcement notice.

3.2 The decision of the Planning Inspector in the appeal on the previous application 10/1028/FUL is attached to this report as Appendix A.

#### 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
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011	CS16
Cambridge Local Plan 2006	3/4 3/7 4/13 5/1 5/2 8/2 8/6

### 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	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

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 The applicant has previously demonstrated to the satisfaction of the Highway Authority that three cars can be kept within the site and access the highway independently, with an adequate turning facility, however no dimensions are shown on the plans.
- 6.2 Car parking spaces should be 2.5m x 5m with a 6m reversing space. The access should provide a clear width at the access of 4.5 metres.
- 6.3 Car parking spaces are provided at less than one space per dwelling. The area experiences significant competition for available on-street space. The provision of two spaces is likely

to result in the manoeuvring area being used for parking, negating the benefit in highway safety from having such a facility.

## **Head of Environmental Services**

6.4 No objections.

6.5 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 Amanda Taylor has commented on this application and has requested determination by Committee for the following reasons.

- Possible issues of scale and appropriateness for the area
- Possible issues concerning the layout of the units

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

26 Mowbray Road  
11 Mowbray Road

7.3 The representations can be summarised as follows:

- More car parking required.
- Kitchen close to the boundary with number 11 would be strongly resisted.
- Latest plans do not state what the garden room will be used for. It should not be a kitchen.
- There is no change in vehicle turning and car parking area which was previously refused.
- There should be at least three car parking spaces provided.
- Opposed to placement of boiler.
- The rear guttering cannot cope.

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 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 Two previous planning applications to subdivide the C3 dwelling house into flats were refused in 2010. The refusal of each application was subject to an appeal to the Planning Inspectorate and both appeals were dismissed. The key issues from the latest appeal decision 10/1028/FUL were as follows:

- Whether the scheme would provide acceptable living conditions with regard to condition 2;
- and, whether financial contributions should be required in respect of community development or waste facilities.

8.3 The provision of additional dwellings on previously developed land, and of higher density housing in sustainable locations is generally supported by central government advice contained within the National Planning Policy Framework 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 in compliance with these policy objectives.

8.4 In my opinion, the principle broad principle of the development is acceptable and in accordance with policy 5/1. I discuss below how the current application proposal addresses the concerns of the Inspector in 2010 (10/1028/FUL).

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

- 8.5 The key design issue is the design and appearance of the proposed alterations in relation to the building and wider context.
- 8.6 The 2 storey extension was approved and implemented under the previous permission 10/0003/FUL. The proposed porch alterations to the building will be relatively minor and will not alter the character of the property.

### Trees

- 8.7 There is a mature tree in the highway verge which can be protected during the construction of the vehicle crossover, through the imposition of planning condition 2.
- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/14.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.9 The 2 storey extension has been approved and constructed under application 13/0003/FUL. Therefore the impact of the application proposal relates to the use of the premises for three flats only.
- 8.10 The comings and goings from the more intense use of the premises will not in my view be harmful to the amenities of adjacent residential properties. The Inspector did not raise this as an issue in his decision in 2010.
- 8.11 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) policy 3/4.

### Amenity for future occupiers of the site

- 8.12 The previous scheme in 2010 was considered unacceptable by the Inspector primarily because of the living conditions of future occupiers, in particular unit 2.

- 8.13 The previous scheme in 2010 proposed to store bins externally, which was immediately outside the door and window to unit 2. The Inspector opined that the siting of so many bins belonging to three different households, so close to the doors or window of one unit, would be likely to cause significant disturbance.
- 8.14 The previous scheme in 2010 also proposed cycle parking to be accommodated within a wooden building situated only 1.5m from unit 2's back wall and window. Again, the Inspector deemed the design of the external spaces to be inadequate. It was concluded that such a large structure would intrude unacceptably into the already limited space around the main building, further restricting outlook to the rear, giving the area the appearance of being excessively cluttered and oppressive.
- 8.15 The location of the turning area in relation to the front entrance of unit 2 was also considered unacceptable by the Inspector in 2010. It was considered that the turning area would result in disturbance to occupiers and inconvenience so close to the entrance of unit 2.
- 8.16 In addition, the siting of the entrance to unit 3 would have required users to approach close to the main window of unit 2's lounge, causing a further loss of privacy to that unit.
- 8.17 This revised application has addressed these layout issues. The scheme provides an internal refuse and cycle store which ensures that the windows of unit 2 are not disturbed by comings and goings of residents accessing these essential services.
- 8.18 The new porches and subdivided garden curtilage ensures each flat has its own defensible threshold and that daily access does not conflict with the privacy or outlook of any other unit.
- 8.19 The proposed new driveway and vehicle crossover successfully integrates with the new flat layout and will result in a good relationship of buildings routes and spaces as required by Local Plan policy 3/7.
- 8.20 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, which fully addresses the concerns of the

Inspector in 2010. I consider that the application is compliant with Cambridge Local Plan (2006) policies 3/7 and 5/1.

### **Refuse Arrangements**

- 8.21 As discussed above, the application proposal provides an internal refuse store which is adequate in size. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.22 The Highways Authority does not raise any objection to the position of the proposed vehicle crossover and access. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

#### Car Parking

- 8.23 The application now proposes two car parking spaces. This provision does not exceed the Council's maximum standards and is in my view acceptable. Given the size of the units and the proximity of bus links and shops, I consider this level of car parking acceptable.
- 8.24 As discussed above, the application proposal provides an integral cycle store which is adequate in size, secure and convenient for daily use. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## Third Party Representations

8.25 The representations received have been covered in the above report and are summarised below:

<b>Issue</b>	<b>Report Section</b>
More car parking required.	Paragraph 8.23.
Kitchen close to the boundary with number 11 would be strongly resisted.	The detailed internal layout of the flats cannot be controlled through planning legislation.
There is no change in vehicle turning and car parking area which was previously refused.	The car parking layout has been slightly amended to improve the relationship with unit 2.
The rear guttering cannot cope.	This is a maintenance issue which is the responsibility of the landlord.

## Planning Obligation Strategy

8.26 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.

The proposed development triggers the requirement for the following community infrastructure, which is calculated on the basis of a net increase of two units, (discounting one of the 2 bed flats for the purposes of the calculation):



## Open Space

8.27 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.

<b>Outdoor sports facilities</b>					
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	1	357
2-bed	2	238	476	1	476
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>833</b>

<b>Indoor sports facilities</b>					
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	1	403.50
2-bed	2	269	538	1	538
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>941.5</b>

<b>Informal open space</b>					
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	1	363
2-bed	2	242	484	1	484
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>847</b>

<b>Provision for children and teenagers</b>					
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	1	632
3-bed	3	316	948		
4-bed	4	316	1264		
<b>Total</b>					<b>632</b>

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 J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	1	1256
2-bed	1256	1	1256
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>2512</b>

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 J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	2	300
<b>Total</b>			<b>300</b>

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**

- 9.1 The proposed revisions to the layout and function of the building and external spaces fully addresses the Inspector's decision in 2010. The S106 reason for refusal is also addressed. 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. 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)

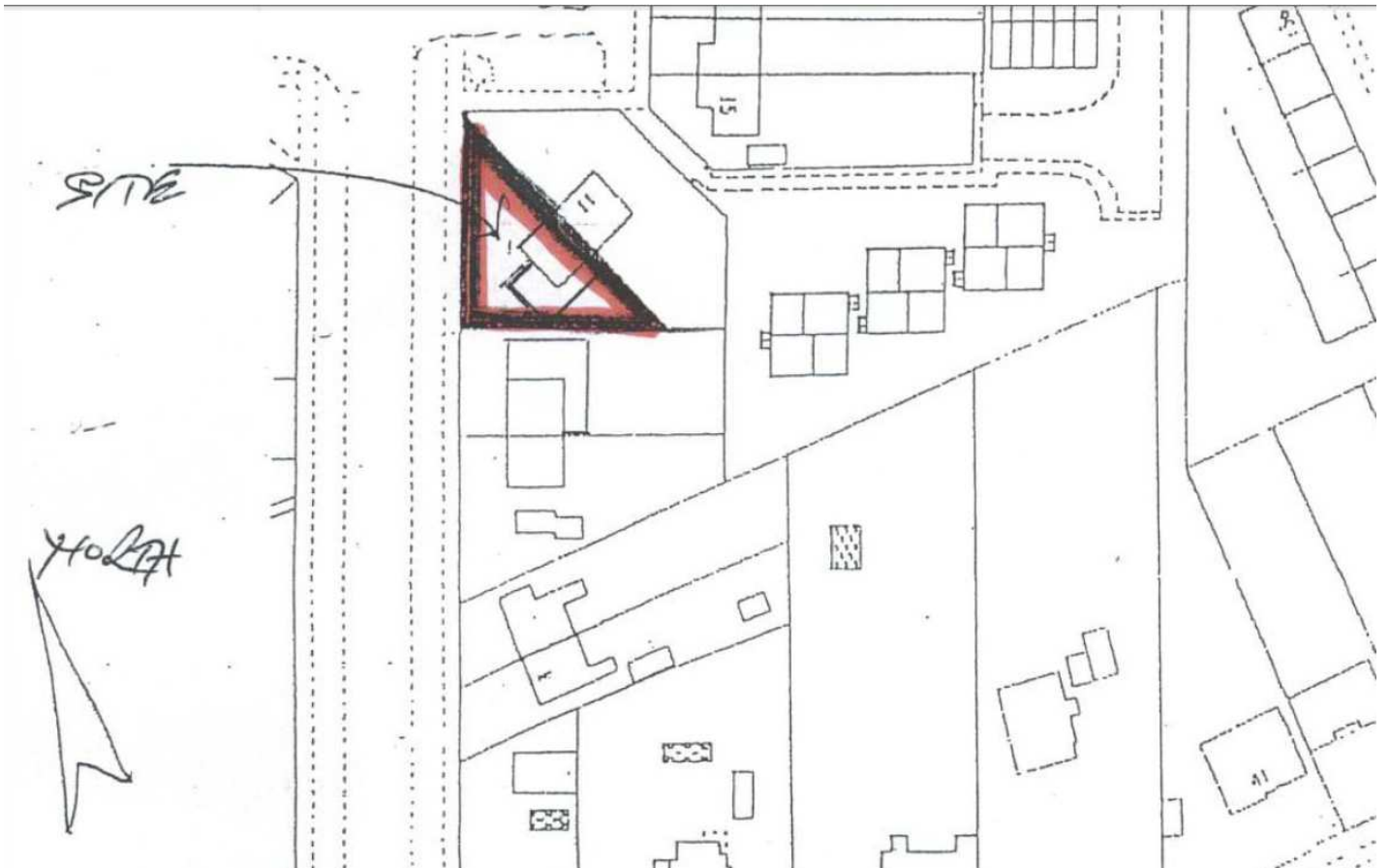
3. The car parking spaces 1 and 2, turning area and vehicular cross-over shall be provided within 6 months following the grant of this permission. The turning space (shown on the south west side of flat 2) shall not be used for parking and shall be used for turning vehicles only and kept free for such.

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

4. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice within 6 months from the date of 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.

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The Planning  
Inspectorate



Quality Assurance Unit  
Temple Quay House  
2 The Square  
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: 10/1028/FUL  
Our Ref: APP/Q0505/A/11/2148073/NWF  
Date: 22 August 2011

Dear Ms Day

**Town and Country Planning Act 1990  
Appeal by Mr Pankhania  
Site at 9 Mowbray Road, Cambridge, CB1 7SR**

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.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback](http://www.planningportal.gov.uk/planning/appeals/planninginspectorate/feedback). 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 020 7947 6655.

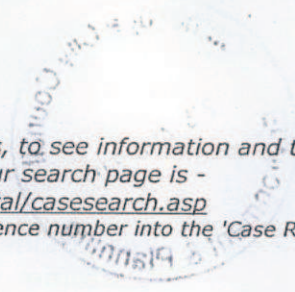
Yours sincerely

Sophie Woodruff

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







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## Appeal Decision

Site visit made on 15 August 2011

by **John Felgate BA (Hons), MA, MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 August 2011

---

### Appeal Ref: **APP/Q0505/A/11/2148073**

### **9 Mowbray Road, Cambridge CB1 7SR**

- 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 Pankhania against the decision of Cambridge City Council.
  - The application Ref 10/1028/FUL, dated 12 October 2010, was refused by notice dated 7 December 2010.
  - The development proposed is described as change of use to 1 no. two-bedroom house, 1 no. two-bedroom flat, and 1 no. one-bedroom flat.
- 

### Decision

1. The appeal is dismissed.

### Planning background

2. The appeal property is a semi-detached house. Planning permission for side and rear extensions and a new vehicular access was granted in 2010 (Ref 10/003/FUL). At the time of my visit, that development appeared largely complete, except for the access. The rear yard had been fully concreted.
3. A subsequent application proposed to convert the extended building into three 1-bedroom and one 2-bedroom flats. That application became the subject of an appeal, which was dismissed in January 2011 (APP/Q0505/A/10/2138349). The inspector in that case found that the proposal would result in the front forecourt becoming dominated by parked cars and wheelie bins, causing harm to the area's character and appearance; and she also considered that the scheme would fail to create satisfactory living conditions for future occupiers, in terms of noise and outlook, due to the positioning of cars and refuse bins close to windows. The inspector found no justification for the various financial contributions sought by the Council, but this did not overcome the harm.
4. In the present appeal, the Council raises no objections relating to the effects on the area's character and appearance, and does not object to the subdivision of the property in principle.

### Main issues

5. In the light of the above, and the written submissions before me, the main issues in the present appeal are:
  - whether the scheme would provide acceptable living conditions for future occupiers, with particular regard to proposed unit 2;
  - and whether financial contributions should be required in respect of community development or waste facilities.



## Reasons for decision

### *Living conditions*

6. In the present scheme, household waste for each of the three residential units would be stored in bins sited together at the rear of the building. Based on the submitted proposals, this would involve three wheelie-sized bins for each dwelling, making nine such bins in total. I agree that siting these bins to the rear is preferable to storing them at the front or side as in the previous appeal scheme. However, the location now proposed would be immediately outside the kitchen door and window of unit 2. In my view it is clear that siting so many bins, belonging to three different households, so close to the doors or windows of one unit, would be likely to cause a significant nuisance. Not only would this location present an unacceptably poor outlook, but there would also be noise from the opening and closing of the bins, and the potential for unpleasant smells. In addition, the use of this area immediately adjacent to unit 2 would result in a loss of privacy for that unit's occupiers.
7. Cycle parking would be provided in a wooden building, measuring 4m long and 2.5m high, to be sited in the same area. I accept that this would provide a high degree of security for bicycles, and would encourage the use of this form of transport in accordance with relevant policies. But the cycle store would again be only 1.5 m from unit 2's back door and window. It seems to me that siting such a large structure in this way would intrude unacceptably into the already limited space around the main building, further restricting any outlook to the rear, and giving this area the appearance of being excessively cluttered and somewhat oppressive. In addition, the positioning of the access to this building would again require users to pass directly adjacent to unit 2's door and window, exacerbating the loss of privacy arising from the siting of the refuse area.
8. The main entrance to unit 2 would be at the side of the property, adjacent to the proposed vehicular turning area. Whilst I agree that a turning facility is necessary, the manoeuvring of vehicles in that area would be likely to result in disturbance to the occupiers, and also potentially significant danger, especially to any children or less mobile persons. Furthermore, if the turning area also became used as additional parking, as seems quite likely, unit 2's entrance would be seriously obstructed, causing further inconvenience.
9. In addition, I note that the siting of the entrance to unit 3 would require users to approach close to the main window of unit 2's lounge, causing further loss of privacy to that unit.
10. I appreciate that there may be scope for some of these shortcomings to be addressed through further amendments, but based on the information before me now, there is no certainty that this would result in a satisfactory scheme overall. I therefore agree with the Council that the objections to the present proposals cannot be overcome by means of conditions.
11. For these reasons, I conclude that the deficiencies that I have identified would result in unacceptable living conditions within unit 2, contrary to the aims of Local Plan<sup>1</sup> Policy 5/2.

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<sup>1</sup> The Cambridge City Local Plan, 2006



*Financial contributions*

12. The contributions sought by the Council relate to community development facilities and household waste receptacles. Provision for the Council to seek payments towards such facilities and infrastructure is contained within Policy 5/14 of the Local Plan and Policies P6/1 and P9/8 of the Structure Plan<sup>2</sup>.
13. However, Regulation 122<sup>3</sup> of the relevant Regulations requires that such payments may only be made where, amongst other things, they are necessary to make the proposed development acceptable in planning terms. A similar test is also contained within Circular 05/2005. In the present case, the submissions before me fail to indicate how the payments now sought by the Council would pass this test.
14. In particular there is nothing to suggest that, in the absence of any contribution to community facilities, the development now proposed would cause harm in that respect, to such an extent that the lack of such a payment would in itself justify the refusal of planning permission. In the case of the contribution that is sought towards waste receptacles, whilst such a payment would relate to the Council's concern over refuse storage, it would not overcome that concern, and thus would not make the development acceptable.
15. I note the contents of the relevant SPD<sup>4</sup>, which explains the reasoning behind seeking financial contributions, and the amounts sought. But this does not outweigh the need for any such payments to comply with the Regulations and Circular referred to above.
16. I therefore conclude that the lack of the financial contributions sought by the Council has not been shown to justify refusal.

**Overall conclusion**

17. For the reasons explained above, I have concluded that the proposed scheme would result in seriously sub-standard living accommodation for the occupiers of proposed unit 2. For that reason, planning permission should not be granted.
18. The financial payments sought by the Council have not been shown to be necessary, and had there been no other grounds, this would not have been a proper reason to withhold planning permission. But in this case the failure to provide acceptable living conditions is a compelling objection.
19. I have taken account of all the other matters raised, but these do not alter my conclusion. I therefore dismiss the appeal.

*John Felgate*

INSPECTOR

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<sup>2</sup> The Cambridgeshire and Peterborough Structure Plan, 2003

<sup>3</sup> The Community Infrastructure Levy Regulations 2010

<sup>4</sup> Planning Obligations Strategy: Supplementary Planning Document, March 2010

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