



NORTH AREA COMMITTEE



AGENDA

To: City Councillors: Nimmo-Smith (Chair), Ward (Vice-Chair), Boyce, Bird, Brierley, Kerr, McGovern, O'Reilly, Price, Todd-Jones, Tunnacliffe and Znajek

County Councillors: Manning, Pellew, Sales and Wilkins

Dispatched: Wednesday, 14 March 2012

Date: Thursday, 22 March 2012

Time: 6.00 pm

Venue: The Centre Hall, Shirley School, Nuffield Road, Cambridge

Contact: Glenn Burgess

Direct Dial: 01223 457169

PLANNING ITEMS

1 APOLOGIES FOR ABSENCE

2 MINUTES OF THE LAST MEETING (*Pages 1 - 6*)

To approve the minutes of the meeting held on 26 January 2012

3 DECLARATIONS OF INTEREST Committee Manager

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

4 PLANNING APPLICATIONS

The applications for planning permission listed below require determination. A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting.

5 11/1179/FUL - ECCHO HOUSE, FRANKS LANE, CAMBRIDGE
(Pages 7 - 28)

6 11/0827/FUL - 192 GREEN END ROAD, CAMBRIDGE *(Pages 29 - 52)*

INFORMATION FOR THE PUBLIC

Public speaking rules relating to planning applications: Anyone wishing to speak about one of these applications may do so provided that they have made a representation in writing within the consultation period and have notified the Area Committee Manager shown at the top of the agenda **by 12 Noon on the day before the meeting** of the Area Committee.

Guidance on speaking on these issues can be obtained from Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk or on-line:

<http://www.cambridge.gov.uk/public/docs/Having%20your%20say%20at%20meetings.pdf>

Filming, recording and photography at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

The Democratic Services Manager can be contacted on 01223 457013 or 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 business 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.

At the meeting public speakers at Committee 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.

The Chair will adopt the principles of the public speaking scheme regarding planning applications for general items, enforcement items and tree items.

GENERAL INFORMATION FOR MEMBERS OF THE PUBLIC

Cambridge City Council would value your assistance in improving the public speaking process of committee meetings.

You are invited to complete a feedback form available in the committee room or on-line using the following hyperlink:

<http://www.surveymonkey.com/s/Y9Y6MV8>

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

Information regarding committees, councilors and the democratic process is available at www.cambridge.gov.uk/democracy

NORTH AREA COMMITTEE

26 January 2012

6.00 - 7.00 pm

Present: Councillors Nimmo-Smith (Chair), Boyce, Bird, Brierley, Kerr, McGovern, Price, Todd-Jones, Tunnacliffe and Znajak

Officers: Tony Collins (Principal Planning Officer) and Glenn Burgess (Committee Manager)

FOR THE INFORMATION OF THE COUNCIL**12/1/NAC Apologies for Absence**

Apologies were received from City Councillors O'Reilly and Ward.

12/2/NAC Declarations of Interest (Planning)

Councillor	Item	Interest
Boyce	12/5/NAC	Personal: Knows the objectors from 25 Mulberry Close

12/3/NAC Minutes of the Meeting held on 24 November 2011

The minutes of the 24 November 2011 meeting were approved and signed as a correct record.

12/4/NAC Planning Applications**12/5/NAC 11/1208/OUT - 2 Greens Road, Cambridge**

The committee received an application for outline planning permission.

The application sought approval for demolition of workshop and erection of 4 dwellings and garaging.

The committee received representations in objection to the application from the following:

- Mr Dan Lafferty

The representation covered the following issues:

- i. Insufficient parking
- ii. Happy with the principle of development but concerned that it would add to parking problems
- iii. Need to update traffic regulations to address the problem

The Committee:

Resolved (by 5 votes to 1) to accept the officer recommendation to approve outline planning permission subject to conditions for the following reasons:

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:

East of England plan 2008: SS1, ENV7;
Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8;
Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 3/12, 4/13, 5/1, 8/6, 8/10, 5/14, 10/1;

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

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

www.cambridge.gov.uk/planningpublicaccess

or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

12/6/NAC 11/1250/EXP - Land Adj. To 7 Church Street, Cambridge

The committee received an application seeking an extension of time for the implementation of planning consent.

The application sought approval for extension of time for the implementation of planning permission reference 08/1181/FUL for erection of 3 two-bed flats and 1 three-bed duplex with parking.

The committee received representations in objection to the application from the following:

- Michael Bond – Old Chesterton Residents Association

The representation covered the following issues:

- iv. Gardens act as an important amenity space and should not be used for development.
- v. Impact upon privacy for users of the recreation ground.
- vi. Fencing around the recreation ground would be lost.
- vii. New residents may object to ongoing events on the recreation ground.

The Applicants Agent (Anthony Dean) addressed the committee in support of the application.

The Committee:

Councillor McGovern proposed an additional Condition and Informative regarding landscaping.

Resolved (by 7 votes to 0) to include an additional Condition regarding hard and soft landscaping works, and an additional Informative regarding replacement trees.

Councillor McGovern proposed an additional Condition regarding hours of construction.

Resolved (by 6 votes to 1) to include an additional Condition regarding hours of construction.

Please note: Post meeting, officers highlighted that this Condition had already been included in the officer's report.

Resolved by (7 votes to 0) to accept the officer recommendation to approve the extension of time for the implementation of planning consent with the addition of the following Conditions and Informatives:

Condition 9: 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 means of enclosure; vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures. 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. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

INFORMATIVE: The applicant is advised that the Council will expect the landscaping plan to include some replacement trees.

For the following reasons:

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

East of England plan 2008: ENV6 and ENV7.

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/11, 3/12, 4/2, 4/4, 4/11, 4/13, 5/1, 5/14, 8/2, 8/4, 8/6, 8/10 and 10/1

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission. These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

12/7/NAC 11/1004/FUL - 118 Ramsden Square, Cambridge

The committee received an application for full planning permission.

The application sought approval for the erection of a new dwelling.

The Committee:

Resolved (by 7 votes to 0) to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

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:

East of England plan 2008: SS1, H1, T2, T9, T14, ENV7 and WM6

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

Cambridge Local Plan (2006):

3/1,3/4,3/7,3/8,3/10,3/12,4/13,5/1,5/14,8/2,8/3,8/6,8/10,10/

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.

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

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or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

The meeting ended at 7.00 pm

CHAIR

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Application Number	11/1179/FUL	Agenda Item	
Date Received	7th October 2011	Officer	Miss Sophie Pain
Target Date	2nd December 2011		
Ward	East Chesterton		
Site	Eccho House Franks Lane Cambridge Cambridgeshire CB4 1RN		
Proposal	Change of use from Area Community Housing Office to a Disabled Person's Bungalow.		
Applicant	Director - Customer And Community Services Cambridge City Council 171 Arbury Road Cambridge		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located on the southern corner of Frank's Lane and Green End Road. It is an existing single storey property, which was formally used as an Area Community Housing Office.
- 1.2 The surrounding area is predominately a residential area with the recreation ground to the north of the site on the opposite corner of Franks Lane, and Green End Road Local Centre is located to the south.
- 1.3 The site does not fall within Conservation Area.

2.0 THE PROPOSAL

- 2.1 The applicant seeks planning permission for a change of use of the property from a D1 use (Community Use) to a C3 use (residential use) for the use of a disabled resident. The application proposes one disabled car parking space to be used in conjunction with the proposed development, 1 car parking

space for a carer and 2 for visitors. It is also proposed to erect a fence on the west and north elevations to match the existing. The fence will vary between 600 mm on the corner of the two roads for visibility purposes and increase to over 1 m in other places.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/90/0155	Erection of a single storey building for use as a housing estates office. (Amended by letter dated 05/04/1990 and 27/11/1990 and accompanying drawings)	APC

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

- 5.3 **Planning Policy Statement 3: Housing (first published November 2006, 2nd edition published January 2010, 3rd edition published June 2010, 4th edition published June 2011):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

The definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities.

(June 2010)

Technical amendments to Annex B: Definitions, to reflect the introduction of Affordable Rent. (June 2011)

- 5.4 **Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should

help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

- 5.5 **Planning Policy Guidance 24 - Planning and Noise (1994):** States at paragraph 12, that planning authorities should consider carefully whether new noise-sensitive development would be incompatible with existing activities. At paragraph 13, a number of mitigation measures are suggested which could be introduced to control the source of, or limit exposure to, noise.
- 5.6 **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.
- 5.7 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

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.

5.8 **East of England Plan 2008**

SS1: Achieving Sustainable Development
H1: Regional Housing Provision 2001 to 2021
T9: Walking, Cycling and other Non-Motorised Transport
T14 Parking
ENV7: Quality in the Built Environment
WM6: Waste Management in Development

5.9 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.10 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

5/1 Housing provision

5/11 Protection of community facilities

8/2 Transport impact

8/6 Cycle parking

8/10 Off-street car parking

Planning Obligation Related Policies

3/7 Creating successful places

3/8 Open space and recreation provision through new development

10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

5.11 **Supplementary Planning Documents**

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

adaptation, water, materials and construction waste and historic environment.

5.12 **Material Considerations**

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft NPPF) 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.

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.

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.

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposed use would be anticipated to be less intensive, in terms of traffic generation and parking demand than the existing, and so no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

Head of Environmental Services

- 6.2 There are no adverse comments regarding this application although an informative has been suggested advising the applicant to contact the local planning authority should any land contamination be discovered during the course of the works.

Disability Consultative Panel (Meeting of 9th November 2011)

- 6.3 Navigating through the bungalow to the kitchen should be directly from hallway.

Future hoist provision - the Panel note that although the current needs of the resident are not specified, the design will allow for potentially different needs in the future.

Shared shower room facilities - the carer has to share facilities with the disabled resident, which can cause problems.

Shower room - the fittings are not specified in the plans.

Cambridge City Council Access Officer

- 6.4 Concern about the proposed entrance as the angles would be difficult for a wheelchair user to use. It would be preferred if the porch could be incorporated into the building and to then remove the lobby in order to create a large hall, or to leave the porch and remove the lobby, which would also create a large hall. It would be easier to manoeuvre.
- 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 A neutral representation was made. The representation did not specify their address.
- 7.2 The representation can be summarised as follows:

Consideration should be given to changing the front of the building in order to deter children congregating there. The proposed design needs to look more like a home rather than a public building in order to discourage people from using the porch.

- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligations Strategy

Principle of Development

8.2 The previous use of the property was for D1 purposes, namely a community venue for local residents, which has since re-located further north on Green End Road in Brown Fields Community Centre. In planning terms this is considered to be a Community Facility. Policy 5/11 of the Local Plan is relevant which seeks to protect existing community facilities. The policy seeks to ensure that applications, which propose to lose community facilities can be relocated to another, appropriate premises or site of similar accessibility for its users. Considering that the facility has re-located further north on the same road, with improved facilities, I am of the view that the proposal meets this policy criterion and the principle of converting the proposal back into residential is acceptable.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/11 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

8.4 The application site is located on a very open corner, which is visible to users of Green End Road and Franks Lane. The only external alteration to the property is a new upvc window to the front elevation, which will serve the proposed kitchen. The proposal also seeks a new fence along part of the elevation fronting Green End Road and Franks Lane, which will enclose and privatise the entrance into the property. No details have

been submitted regarding the appearance of this boundary treatment, so I consider that a condition should be imposed that required further details. Subject to the imposition of this condition I do not consider to be harmful and as such I consider that the proposal is compliant with East of England Plan 2008 policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 The nearest residential properties are to the south, No's 130 and 132 Green End Road. Given that Eccho House is situated on its northern boundary, it means that there is sufficient distance between these two properties. The proposed new window is on the front elevation and overlooks Green End Road and therefore, there is no potential for additional overlooking into the neighbouring property.
- 8.6 I do not consider that there are any adverse effects by granting permission for the change of use of this property into a residential dwelling. In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.7 The Disability Consultative Panel and the Access Officer have made suggestions that they consider could improve the usability of this property for future occupiers. The suggestions are alterations that could be made to the internal arrangements of the property, which would not require planning permission. As such, I consider that an informative could be attached to any permission, in order to ensure that the internal arrangements of the property are best suited to the future occupants of the property.
- 8.8 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7.

Refuse Arrangements

- 8.9 There is a garden that has sufficient space to accommodate the storage of 3 bins. It is considered that appropriate provision is provided and no further advice has been provided by Refuse colleagues
- 8.10 In my opinion the proposal is compliant with East of England Plan 2008 policy ENV7.

Car and Cycle Parking

- 8.11 There was car parking provided as part of the previous D1 use to the rear of the property. This will be utilised for the proposed use, with one disabled space, one for a carer and two for visitors. The disabled car parking space is closest to the property and to the back door to the property, for ease of the user. This is considered to be appropriate. The remaining 3 spaces are to the rear of the property and all 4 shall be access from Frank's Lane.
- 8.12 At present there are cycle parking hoops at the entrance to the property, underneath the canopy. These are to be removed and a hoop placed in the rear garden. There are no details of this and in order to ensure that it complies with cycle parking standards, I recommend the imposition of a condition, which details the covered and secure cycle parking for the property.
- 8.13 In my opinion the proposal is compliant with East of England Plan 2008 policies T9 and T14 and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.14 The proposal is seeking to erect boundary treatment around the entrance into the property, which will mark out this space as private. I consider that this deter the public from using this space for anti social behaviour as it will be clearly marked as private.

Planning Obligation Strategy

- 8.15 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an

assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.16 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.17 The application proposes the conversion of a community facility to form one two-bedroom bungalow. No residential units would be removed, so the net total of additional residential units is one. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

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

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

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

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

8.18 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

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

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

8.20 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

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

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

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

8.22 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

8.23 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

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

9.0 CONCLUSION

9.1 The proposed development is considered to be acceptable and will not lead to a detrimental harm to either the appearance of the area or the amenity of neighbouring properties. A recommendation of approval is forthcoming.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 31st May 2012 and subject to the following conditions and reasons for approval:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the occupation of the approved development, details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

3. Prior to the occupation of the approved development, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority a plan indicating . 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policy 3/4)

INFORMATIVE: The applicant is advised that the layout of the property could be amended for the future user and that advice is sought from the City Council Access Officer, Mark Taylor, who can be contacted on 01223 457075 prior to the commencement of refurbishment works.

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:

East of England plan 2008: SS1,H1,T9,T14,ENV7 and WM6

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

Cambridge Local Plan (2006):
3/1,3/4,3/7,3/8,5/1,5/11,8/2,8/6,8/10,10/1

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

2. Unless prior agreement has been obtained from the Head of Planning, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 31st May 2012 it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for open space/sports facilities, community development facilities, education and life-long learning facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8 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.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

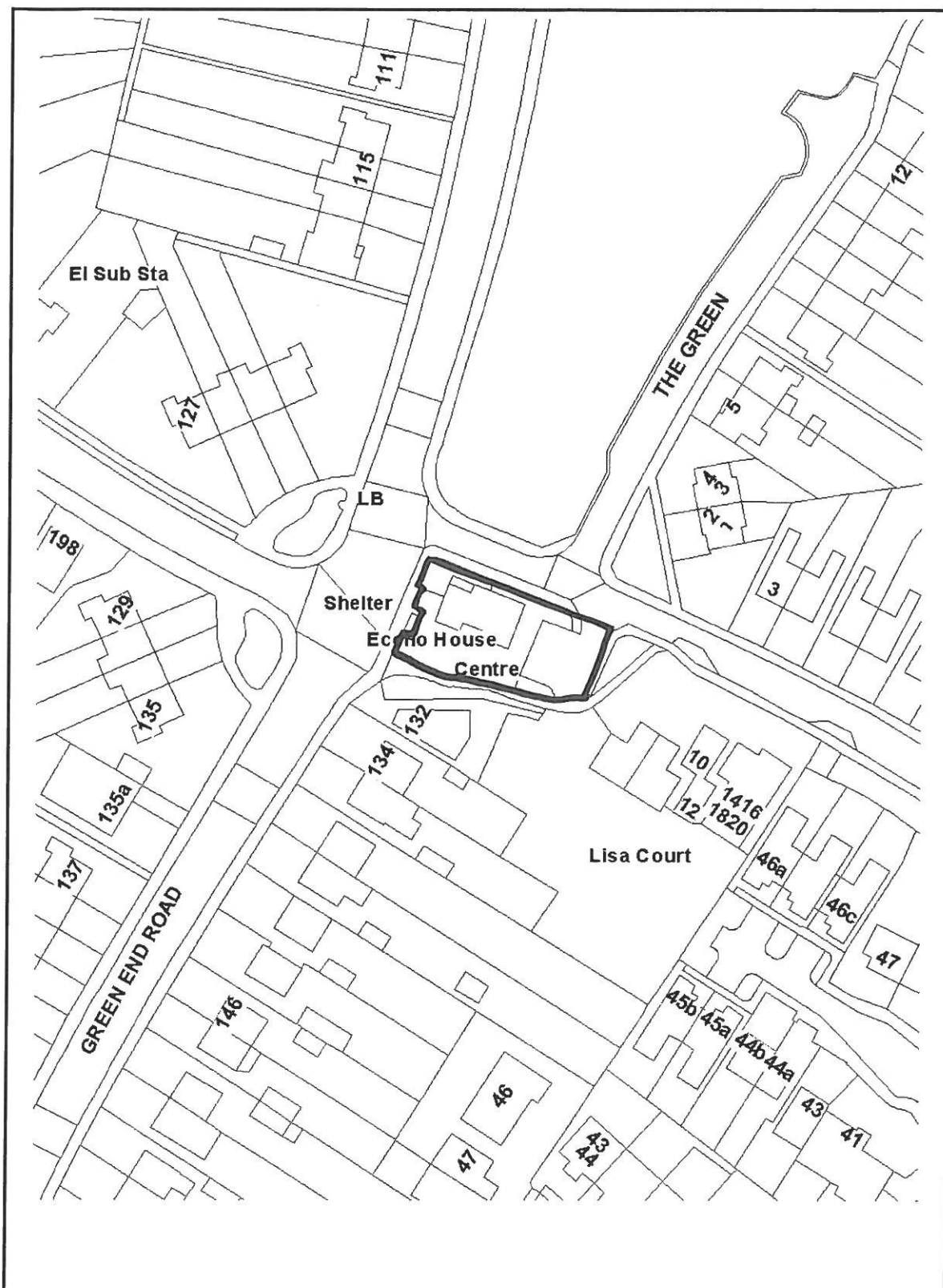
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1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses "exempt or confidential information"
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected on the City Council website at:

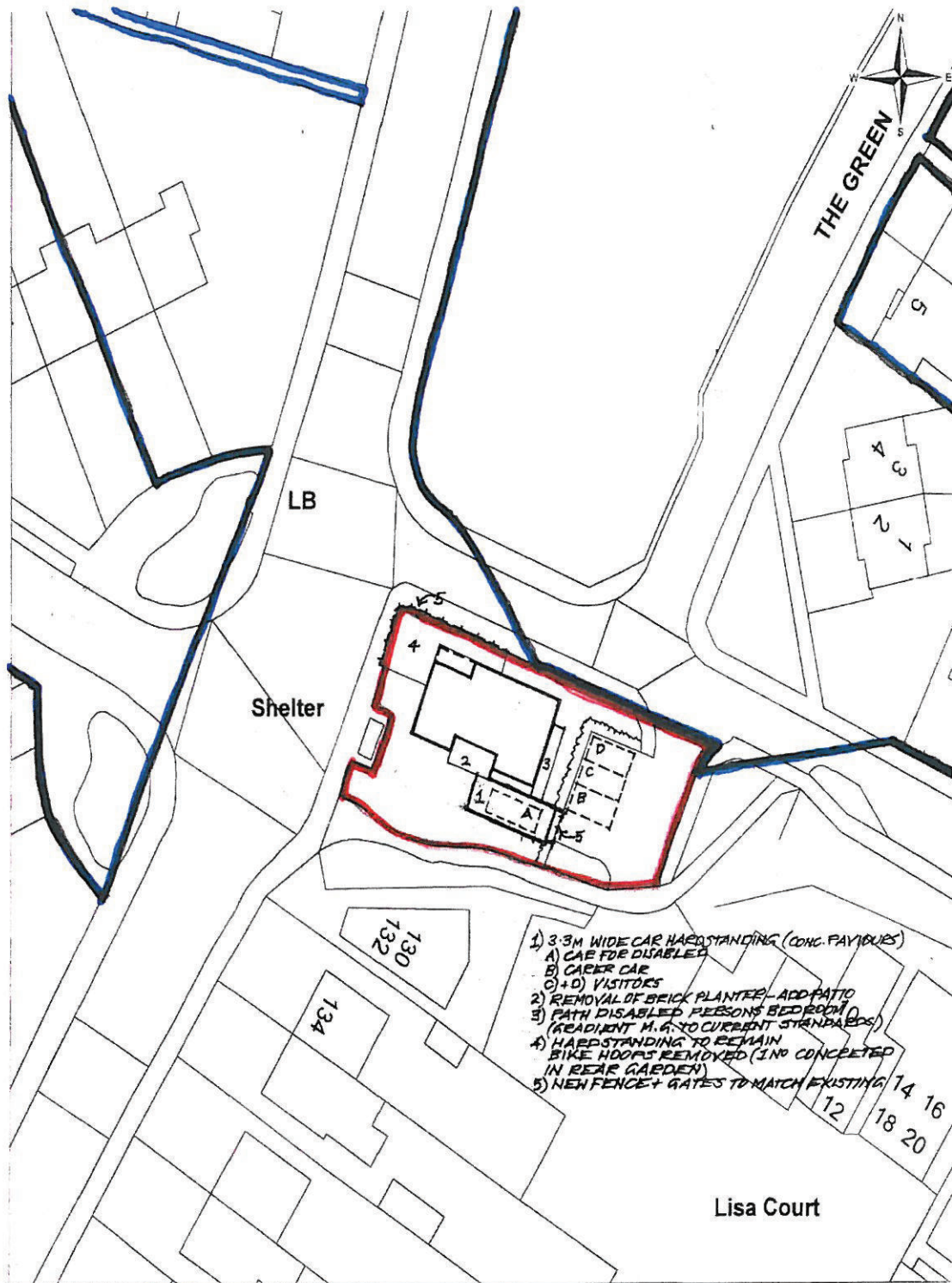
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or by visiting the Customer Service Centre at Mandela House.



11/1179/FUL
Eccho House Franks Lane Cambridge Cambridgeshire

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- 1) 3.3M WIDE CAR HARDSTANDING (CONG. PAVING)
- A) CAR FOR DISABLED
- B) CAREER CAR
- C) + D) VISITORS
- 2) REMOVAL OF BRICK PLANTER - ADD PATIO
- 3) PATH DISABLED PERSONS BEDROOM (READING N.A. TO CURRENT STANDARDS)
- 4) HARDSTANDING TO REMAIN BIKE HOOPS REMOVED (I.N.O CONCRETED IN REAR GARDEN)
- 5) NEW FENCE + GATES TO MATCH EXISTING



Property & Building Services

Eccho House, Frank's Lane

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Date:	03/10/11
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Section/Department	Property & Building Services
Scale:	1:500 @ A4

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Application Number	11/0827/FUL	Agenda Item	
Date Received	11th July 2011	Officer	Miss Amy Lack
Target Date	5th September 2011		
Ward	East Chesterton		
Site	192 Green End Road Cambridge Cambridgeshire CB4 1RN		
Proposal	Proposed change of use to motorcycle dealership.		
Applicant	Mr P Coleman 192 Green End Road Cambridge Cambridgeshire CB4 1RN		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 192 Green End Road is a two storey pitched-roofed building, located to the east of the junction with Scotland Road, on the south east side of Green End Road. The ground floor unit and a flat roof single storey outbuilding to the rear were previously occupied by 'Glassworld' (Use Class B1 - light industry). These are now occupied by Kawasaki motorcycle dealership 'Supa Moto' (Sui Generis). The upper floor of the building comprises three flats.
- 1.2 To the south is 196 Green End Road. This is a smaller two storey detached dwelling. The ground floor appears to be vacant and is boarded up at the front. However access to the side of the property and rear accesses an upper floor flat. The properties directly to the north east are retail units with residential above, with residential beyond. On the opposite corner there are other retail uses with offices and a church opposite the site. Beyond these uses, the area is dominated by residential properties.

1.3 The site is designated a local centre. It does not fall within a conservation area and falls outside the controlled parking zone (CPZ).

2.0 THE PROPOSAL

2.1 This application proposes a retrospective change of use of the ground floor unit and outbuilding to the rear from light industry (Use Class B1) to a motorcycle dealership (Use Class sui generis).

2.2 Externally a decking area is proposed central to the forecourt at the front of the building to provide an informal seating area with four motorcycle parking bays marked out on the tarmac either side. The area of decking measures 2.95 metres wide, 5.9 metres long and 0.12 metres high.

2.3 To the rear the installation of a garage door to an existing single storey outbuilding is proposed. This building is used for storage ancillary to the dealership.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
05/0754/FUL	Use of land for parking of food trailer.	REF
C/00/0732	Change of use from domestic garage to dog grooming parlour (retrospective application).	REF
C/98/0750	Demolition of existing buildings and subsequent erection of a two storey replacement building comprising retail at ground with three flats above and garages to rear.	A/C
C/98/0497	Change of use of mixed use - retail (Class A1) on ground floor with residential on first floor to offices (Class A2) on ground	A/C

floor with residential on first floor.

- 3.1 Planning application reference C/98/0750 granted permission of the demolition of the previous buildings on site and subsequent erection of the two storey building that currently stands comprising retail at ground with three flats above and an outbuilding to the rear previously garages to the flats.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

- 5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

- 5.3 **Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009):** sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development

management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.

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

5.5 **East of England Plan 2008**

SS1: Achieving Sustainable Development

T1: Regional Transport Strategy Objectives and Outcomes

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV7: Quality in the Built Environment

WM6: Waste Management in Development

5.6 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

4/13 Pollution and amenity

7/3 Protection of Industrial and Storage Space

8/2 Transport impact

8/6 Cycle parking

8/10 Off-street car parking

5.7 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended

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

5.8 Material Considerations

5.9 Draft National Planning Policy Framework (July 2011)

The National Planning Policy Framework (Draft NPPF) 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.

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community

4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted
7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

5.10 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.

5.11 **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.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No significant adverse impact should result upon the Public Highway as a result of this proposal.

Head of Environmental Services

- 6.2 No objection. It is recommended that the hours of trade are conditioned to accord with those suggested on the application form given residential accommodation on the first floor.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

- 186, Green End Road
- 204, Green End Road
- 10, Tenison Road

- 7.2 The representations can be summarised as follows:

Procedure

- Change of use from Glass shop to Motorcycles presumably does not need permission but operating a café may need permission but this is not mentioned in the application.

Highway safety and access

- A nursery and sight impaired charity across the road already struggle with accessibility, made worse by parked cars and motorcycles;
- Delivery of motorcycles on large trucks which cannot turn properly on the site and reverse into the highway is dangerous.

Residential amenity

- If approved opening hours should be 0800 – 1700 Monday to Friday 0830-1230 Saturday and not Sundays and bank holidays.
- Hazardous substances on site should have appropriate licences, and proper waste storage should be provided.
- The associated flats need to be better provided for with car parking, cycle parking and refuse storage as well as for the proposed.
- Attempts to sell food and drink from this site have been made over the years but always rejected on issues of noise, little and environmental issues.
- All work should be undertaken inside with doors and windows shut.

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations

Principle of Development

8.2 Previously the company 'Glassworld', Use Class B1(c) - light industry, occupied the ground floor unit at 192 Green End Road and used the single storey outbuilding to the rear. As such, policy 7/3 of the Cambridge Local Plan (2006) applies in determining whether or not the loss of a light industrial unit is acceptable. Policy 7/3 reads as follows:

7/3 Protection of Industrial and Storage Space

Development, including changes of use, that results in loss of floorspace within Use Classes B1 (c), B2 and B8 will not be permitted where the site is identified on the Proposals Map as a protected industrial/storage site. Development, including changes of use, that results in a loss of floorspace within Use Classes B1 (c), B2 and B8 elsewhere in the City will only be permitted if:

- a. there is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either
- b. the proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or
- c. the continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or
- d. the loss of a small proportion of industrial storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or
- e. redevelopment for mixed use or residential development would be more appropriate.

8.3 The applicant has submitted a statement which seeks to demonstrate that the proposed change of use complies with policy 7/3.

8.4 The site does not fall within a protected industrial site as identified on the Cambridge Local Plan proposals map. Therefore, in order to satisfy Policy 7/3 the application must satisfy criterion A and one other criterion of the above policy.

8.5 Criterion A seeks to ensure that there is sufficient supply of such floorspace in the City to meet the demand and / or vacancy rates are high. If the site had been empty for a significant period of time and efforts had been made to get a B1(c), B2 or B8 use to occupy the site then they would have a good case as to why the proposal meets criterion A of policy 7/3.

8.6 The applicant states that the unit was marketed when it became vacant for a period of 10 months before it was occupied again.

It was marketed as Showroom and Workshop. The response throughout the marketing period was just over 30 requests for specific details from the agents Januarys, of those only 2 parties actually carried out a viewing, one was for a Tyre and Exhaust Centre in Nov 2010, the second viewing was taken by the present user. The interest from the Tyre and Exhaust Centre fell following the site visit as they felt the site didn't suit their particular requirements.

- 8.7 The current use generates three jobs, where the previous use generated 2 jobs. Assuming that these are full time employees, then I am satisfied that the application has successfully demonstrated that it meets criterion B of policy 7/3. Furthermore the current retrospectively proposed use is helping provide more unskilled or semi-skilled jobs than the previous use. I consider this to support the diversity of employment opportunities in Cambridge which is one of the purposes of policy 7/3.
- 8.8 Therefore I am satisfied, that in principle the use of this site as a Motorcycle Dealership (sui generis) is acceptable, subject to this use being assessed against the criteria of other relevant development plan policies.

Context of site, design and external spaces

- 8.9 The adoption of the Cambridge Local Plan (2006) identified this part of East Chesterton as a local centre. Here a number of the units which front onto Green End Road and around the junction with Scotland Road to the west are commercial at ground floor. I recognise that the upper floors of many of these units and the surrounding area immediately beyond this centre are predominantly residential but the Motorcycle Dealership has occupied an existing commercial premises. With a small parking area to the front, shopfront glazing at ground and ample parking and storage to the rear the site seems well suited to this use which is in keeping with the character of the area and respects the constraints of its site.
- 8.10 A timber decking area is proposed central to the motorcycle parking on the forecourt. It will provide an area where visitors to the dealership can sit outside. I believe this serves to break up the area of tarmac and is not out of keeping located in front of the commercial building.

- 8.11 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Disabled access

- 8.12 Access from the pavement, across the forecourt and into the building is level. The customer entrance door into the sales area is not automatic. However, it does have an opening width that is suitable to allow wheelchair access and meets the current Building Regulations with reference to access covered by Part M and British Standard 8300 (Design of Buildings and their approaches to meet the needs of disabled people – Code of Practice). As such, I am satisfied that the proposal is compliant with East of England (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.13 Despite a number of commercial uses adjacent and near to the site the upper floors of the building and the prevailing character of the surrounding area is residential. The applicant has suggested the hours of opening are as currently managed between 0900 and 1800 hours Monday to Saturday and 1000 to 1600 hours on Sunday and Bank Holidays. The Environmental Health officer consulted on the application has raised no objection with regard to the impact of the proposal upon the residential amenity of nearby occupiers. This recommendation is subject to a single condition that restricts the use of the dealership to these hours (condition 1).
- 8.14 Third party representations received have also raised concern at the noise and disturbance from the servicing areas of the building and requested that all windows and doors are conditioned to remain fixed shut. I do not consider this reasonable or necessary. The recommendation of condition 1 above will ensure that operational hours are restricted and should noise from the site impact upon the residential amenity of neighbouring occupiers to a significant adverse degree this should be controlled through separate legislation. Notwithstanding this, I do not envisage the type of repairs that

will be carried out on site likely to be of a nature that would create a significant amount of noise or disturbance to nearby occupiers.

- 8.15 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider it compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Refuse Arrangements

- 8.16 The submitted plans do not illustrate a designated refuse and recycling store for commercial waste from the motorcycle dealership. While conducting my site visit I observed that provision for refuse was made within the area to the rear of the building which appears to be informally used for the parking of motorcycles which are being serviced or repaired in connection with the dealership, and, in connection with the residential units above, for cycle parking and for drying washing on a gravelled area to the far eastern corner of the site. There is ample room in this space to provide a dedicated area for the commercial waste from the motorcycle dealership. As such, I recommend that a standard waste and recycling condition is imposed (condition 2) to agree details of a dedicated store which will help to maintain the order of this space given that it is also used for access to the flats.
- 8.17 For the residential accommodation above the business, a store accommodating refuse and recycling storage is located at ground floor beneath the external brick stairway which accesses the residential units. I consider this to make satisfactory provision for the refuse requirement of the residential at the first floor which accords with the City Council's current waste strategy.
- 8.18 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.19 Some of the third party representations received object to the use of the site by the motorcycle dealership on the grounds of

highway safety. A school, nursery and meeting place for an impaired sight charity are all located nearby and I acknowledge that the children and disabled associated with these uses are particularly vulnerable with regard to highway safety. Much of the concern was expressed at parking of vehicles associated with the motorcycle dealership in such a way that would obstruct the pavement and the road.

8.20 I did not witness any such obstruction when I conducted my site inspection. The few motorcycles that were parked out the front were within the forecourt to the unit and in no way obstructing the pavement to Green End Road.

8.21 I am mindful that obstruction of the highway is unlawful. However, Circular 11/95 explains that the planning system should not seek to duplicate the effect of other controls that are in place. In my opinion, considering the parking restrictions of a public highway, the refusal of planning permission on the grounds of highway safety would represent duplication of this control. Further to this the Highway Authority have raised no objection to the proposal on highway safety grounds. As such, in my opinion the proposal is compliant with East of England (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.22 The site has ample room for the parking of bicycles, cars and motorcycles.

8.23 To the front of the building is a forecourt which covers an area in excess of 7 metres forward of the shopfront towards the pavement and occupies the width of the 14.5 metre building. This currently marks out provision for the parking of six cars. When I conducted my site visit this space was being used for the parking of a couple of motorcycles for sale by the dealership and a couple of motorcycles owned by customers. The application proposes the reconfiguration of this space to make provision for eight motorcycle parking bays and a central timber decking area 5.9 metres in length and 2.95 metres in width to provide an area for outdoor seating.

8.24 At the rear of the building six cycle stands, secured to the rear wall of the building, are used by the occupiers of the first floor

flats. This provision is unaffected by the proposals brought forward by this application.

- 8.25 I am satisfied that there is ample parking provision for the uses on the site of motorcycle dealership and residential. The reconfiguration of the parking is acceptable. In my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14 and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.26 A number of the third party representations received have made reference to the ancillary café area within the dealership. This only occupies a very small percentage of the floor space within the building, comprising a coffee machine, drinks making area and equipment for heating up food.
- 8.27 The building is very obviously being used as a motorcycle dealership, not a café. The nature of recreational motorcycling will often see the use of a dealership such as this as a destination for a 'ride-out'. It is this minority, or those customers discussing the purchase of a motorcycle with the dealership's sales people that are likely to stop for any length of time enough to have a coffee and/or a snack which will use this part of the service offer. I do not believe the use of this premises as a motorcycle dealership is a guise in order to sell food from this site as some of the third party representations received suggest. I am of the view that the on site café provisions are undoubtedly ancillary to the main use. I have reviewed the planning history for the siting of a food trailer refused under planning application reference 05/0754/FUL. This was to be located on the tarmaced area to the front of the building, it was not associated with the use of this commercial unit.
- 8.28 Issues raised with regard to the obstruction of the pavements and highway, and the use of hazardous substances on site requiring appropriate licences are matter that should be controlled through separate legislation.

9.0 CONCLUSION

- 9.1 The motorcycle dealership use is considered to work well on this site. It is in keeping with the commercial character of this

local centre and subject to a condition to restrict the hours of opening it will not have any adverse impact upon the residential amenity of nearby occupiers. I recommend that the application be approved.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Except with the prior written agreement of the local planning authority the use of the building hereby approved as a motorcycle dealership shall only be carried out between the hours of 0900 hours to 1800 hours Monday to Saturday and 1000 until 1600 on Sundays and Bank Holidays and at no other times.

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

2. Prior to the commencement of the use hereby permitted, the on-site storage facilities for trade waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

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:

East of England plan 2008: SS1, ENV7, T1, T9, T14, ENV7 and WM6

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 4/13, 8/2, 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.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

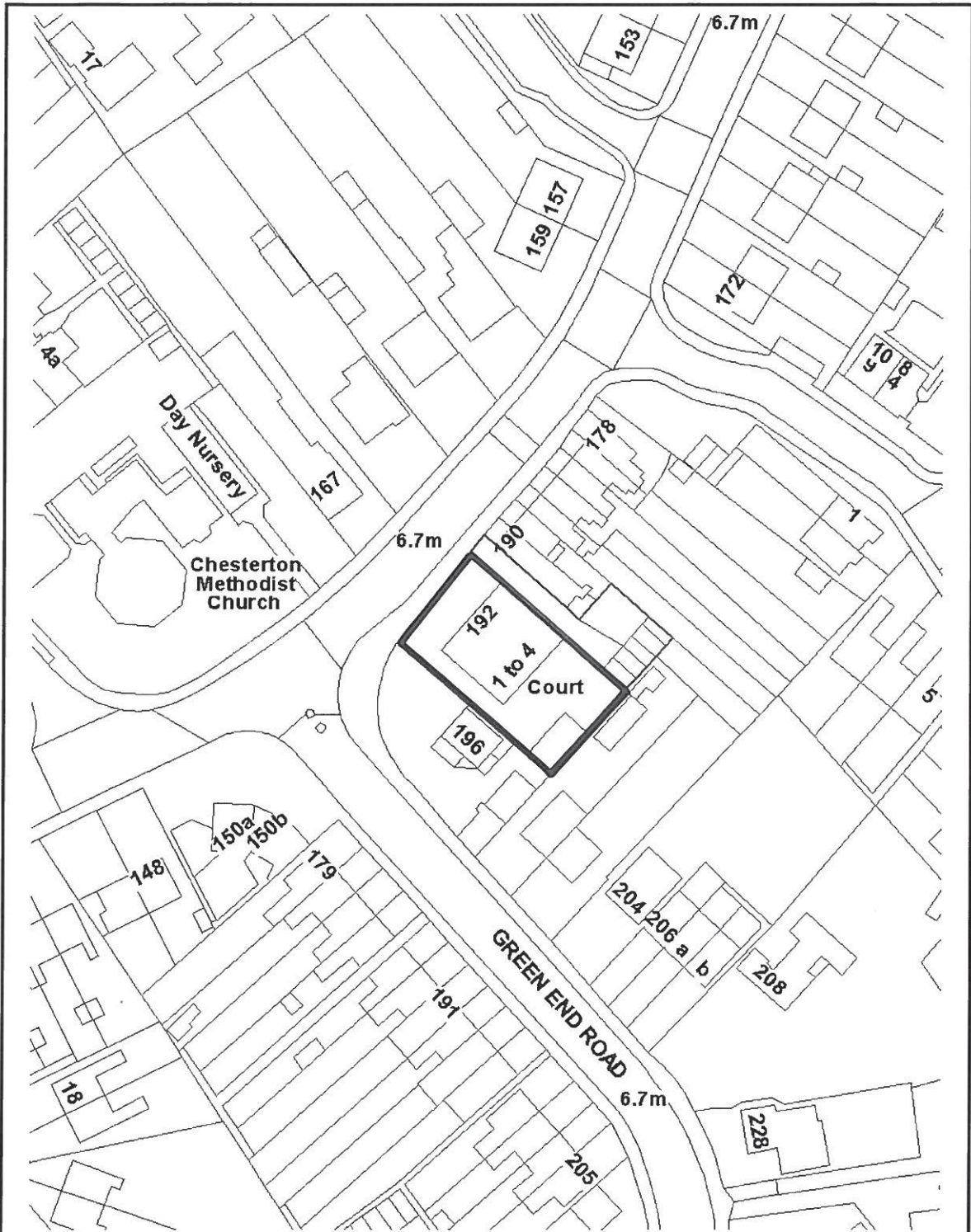
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5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

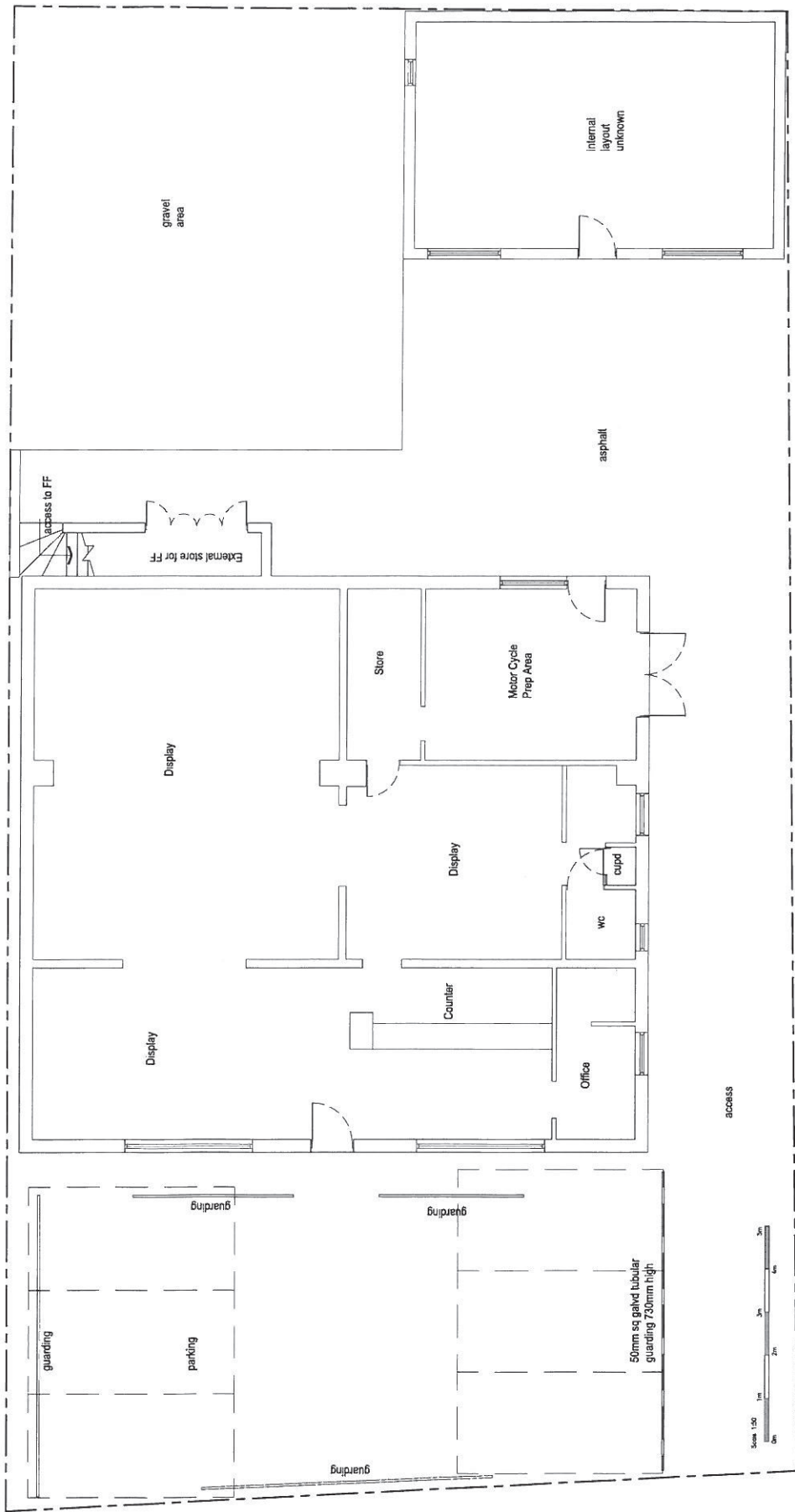
These papers may be inspected on the City Council website at: www.cambridge.gov.uk/planningpublicaccess or by visiting the Customer Service Centre at Mandela House.

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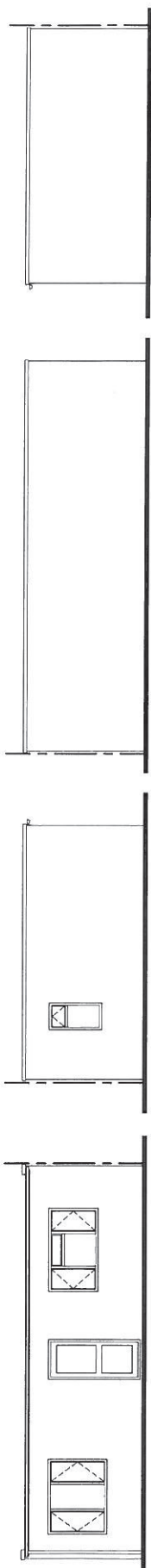


11/0827/FUL
192 Green End Road Cambridge Cambridgeshire CB4 1RN

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EXISTING GROUND FLOOR PLAN SCALE 1:50



OUTBUILDING REAR ELEVATION SCALE 1:50

OUTBUILDING SIDE ELEVATION SCALE 1:50

OUTBUILDING FRONT ELEVATION SCALE 1:50

EXISTING ELEVATIONS

DRAWING ISSUE
 FEASIBILITY
 PLANNING
 BUILDING REGULATIONS
 CONSTRUCTION

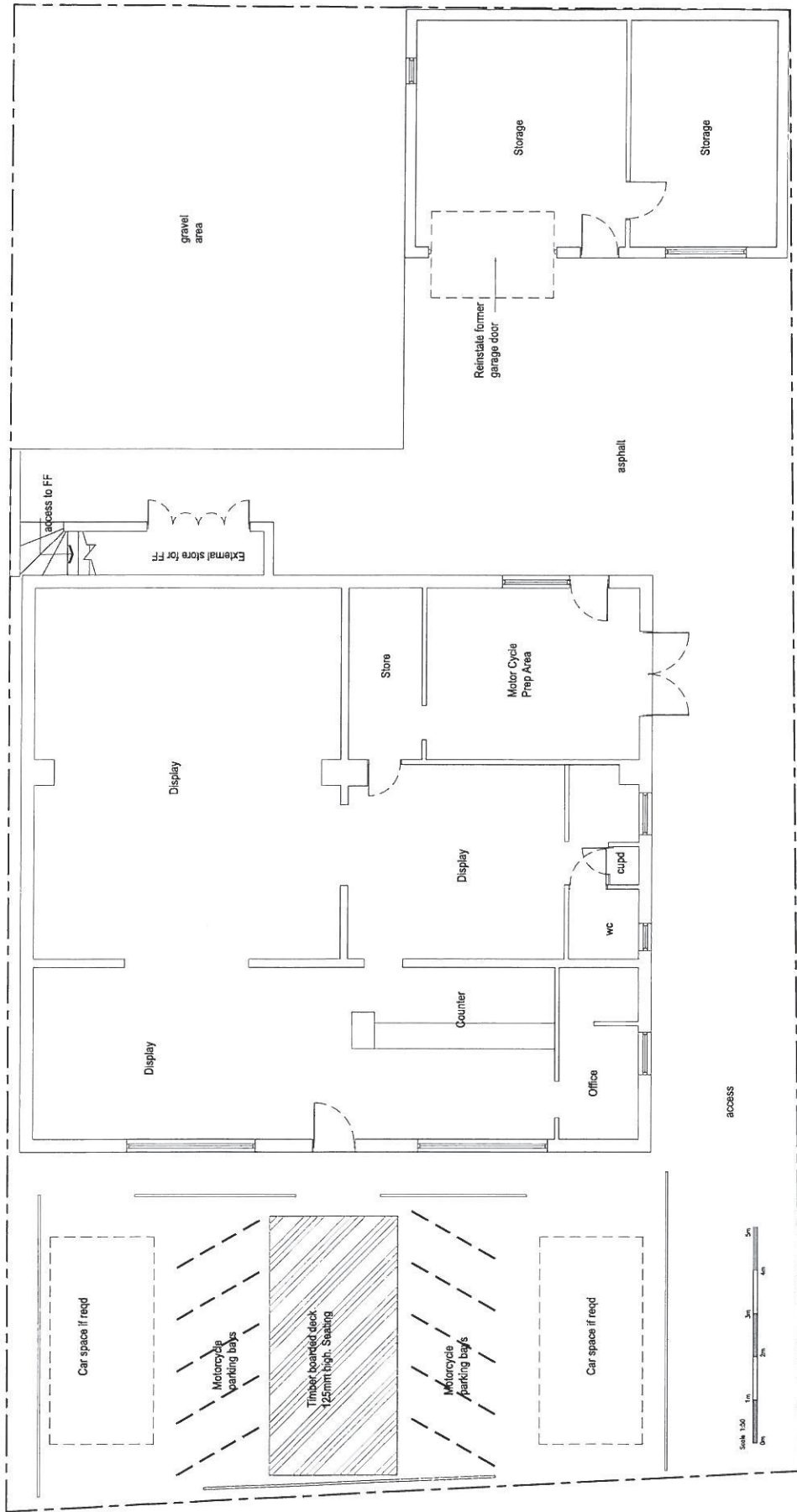
JFA

400P-DESIGNING LTD
 LITTON HOUSE,
 100-102 BRASSERS PARK,
 SAVILLE ROAD,
 PETERBOROUGH
 PE3 7PR.
 TEL 01753 843866
 E-MAIL
 info@400p-designing.co.uk

PROJECT
 CHANGE OF USES
 192 GROSS ROAD
 CAMBRIDGE

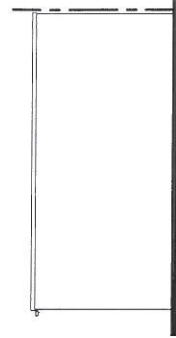
DRAWING
 EIGHTH FLOOR PLAN
 ELEVATIONS

Scale 1:50 @ A1 size
 drawing number
 118859-01

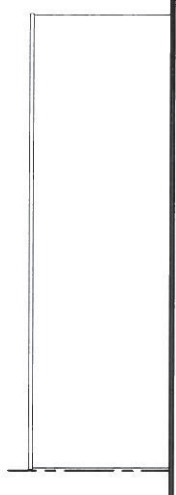


PROPOSED GROUND FLOOR PLAN SCALE 1:50

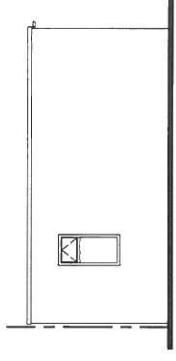
- DRAWING SCALE
- FEASIBILITY
 - PLANNING
 - BUILDING REGULATIONS
 - CONSTRUCTION



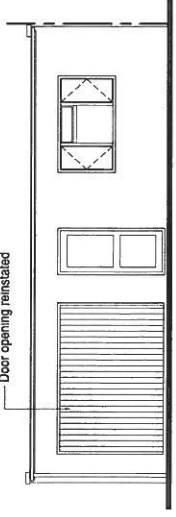
OUTBUILDING SIDE ELEVATION SCALE 1:50



OUTBUILDING REAR ELEVATION SCALE 1:50



OUTBUILDING SIDE ELEVATION SCALE 1:50



OUTBUILDING FRONT ELEVATION SCALE 1:50

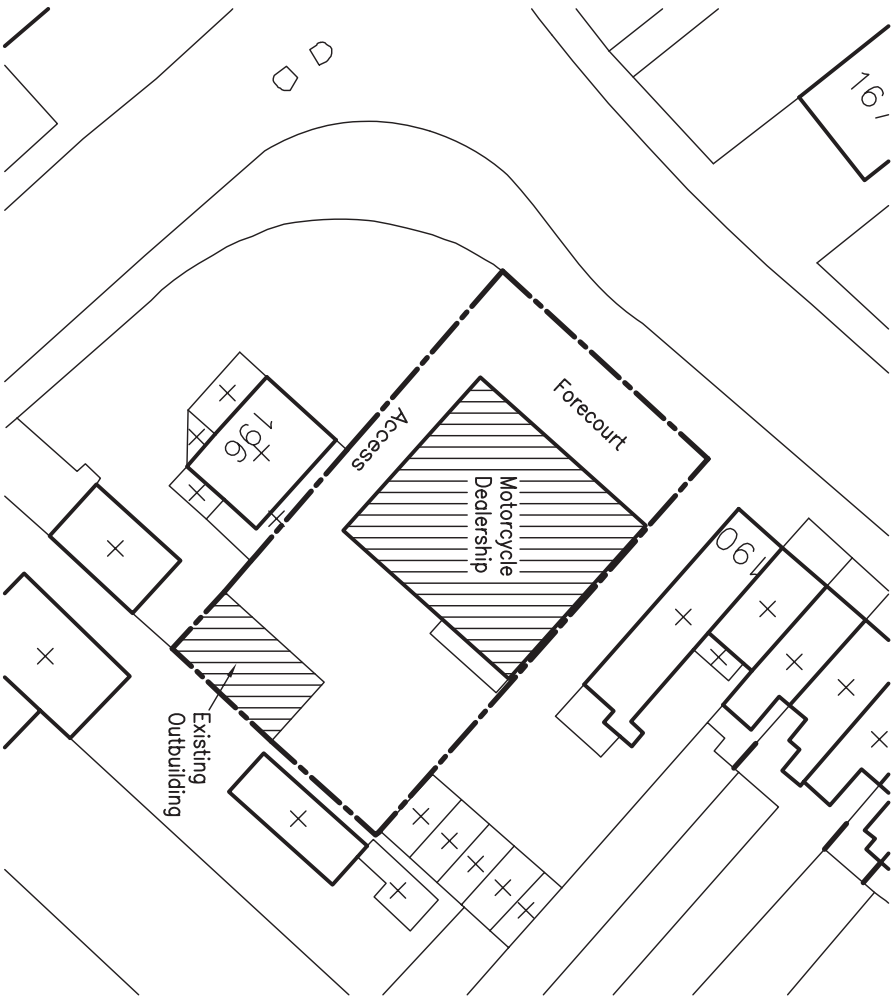
PROPOSED ELEVATIONS

GF

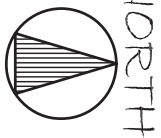
GF008 DESIGNING LTD
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PROJECT
 Change of Use to
 1/2 Cycle Fuel Retail
 Garage
 DRAWING
 Proposed Plan and
 Elevations
 Drawing number
 12504-02
 Scale 1:50 @ A1 size

Scale 1:500
 0m 5m 10m 15m 20m



BLOCK PLAN
 SCALE 1:500



- DRAWING ISSUE
- FEASIBILITY
 - PLANNING
 - BUILDING REGULATIONS
 - CONSTRUCTION

SP

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PROJECT
 Change of Use to
 192 Green End Road
 Cambridge

DRAWING
 Block Plan

Scale 1:500 @ A4 size

drawing number :
 11350-04

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