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SOUTH AREA COMMITTEE

Chair: Councillor Andy Blackhurst

Labour Spokesperson: Councillor Russ McPherson



AGENDA

To: Councillors Blackhurst (Chair), Sanders (Vice-Chair), Al Bander, Dryden, McPherson, Newbold, Stuart, Taylor, Carter, Heathcock and Shepherd

Co-opted non-voting members:

County Councillors: Carter, Heathcock and Shepherd

Despatched: 5 May 2010

Date: Thursday, 13 May 2010

Time: 7.00 pm

Venue: Music Recital Room, Hills Road 6th Form College

Contact: Martin Whelan **Direct Dial:** 01223 457012

INFORMATION FOR THE PUBLIC

The Open Forum section of the Agenda: 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.

To ensure that your views are heard, please note that there are Question Slips for Members of the Public to complete.

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.

Filming, photography and recording is not permitted at council meetings. Any request to do so must be put to the committee manager at least 24 hours before the start time of the relevant meeting.

AGENDA

- 1 APOLOGIES FOR ABSENCE
- 2 DECLARATION OF INTEREST
- 3 MINUTES OF THE MEETING HELD 11TH MARCH 2010 *(Pages 1 - 12)*
- 4 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.

- 5 CHERRY HINTON HALL IMPROVEMENT *(Pages 13 - 18)*

Report from the Head of Active Communities – Debbie Kaye *(Pages 13 - 18)*

6 PLANNING

- 6a 10/0201/FUL - 2A Scotsdowne Road *(Pages 19 - 44)*
- 6b 10/0215/FUL - 39 Shelford Road *(Pages 45 - 72)*
- 6c 10/0171/ADV - 23 High Street, Cherry Hinton *(Pages 73 - 80)*
- 6d 10/0295/FUL - 11 Kinnaird Way *(Pages 81 - 92)*
- 6e 10/0262/FUL - 23 Kelsey Crescent *(Pages 93 - 100)*
- 6f 10/0249/FUL - 44 Kelsey Crescent *(Pages 101 - 108)*
- 6g 10/0254/FUL - 113 Kelsey Crescent *(Pages 109 - 116)*

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 and Planning 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.

To all members of the Public

Any comments that you want to make about the way the Council is running Area Committees are very welcome. Please contact the Committee Manager listed at the top of this agenda or complete the forms supplied at the meeting.

If you would like to receive this agenda by e-mail, please contact the Committee Manager.

Additional information for public: City Council officers can also be emailed firstname.lastname@cambridge.gov.uk

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<http://www.cambridge.gov.uk/ccm/navigation/about-the-council/councillors/>

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South Area Committee

Minutes of a meeting on 11 March 2010

At Hills Road Sixth Form College, Hills Road, Cambridge

7:00pm – 10.20 pm

Present:

City Councillors

Stuart Newbold (Cherry Hinton)

Alan Baker, Viki Sanders and Amanda Taylor (Queen Edith's)

Salah Al Bander, Andy Blackhurst (Chair) and Sheila Stuart
(Trumpington)

County Councillor

Geoffrey Heathcock (Queen Edith's)

10/07 Minutes

The minutes of the meeting held on 21 January 2010 were confirmed as a true and accurate record of the meeting.

10/08 Apologies for Absence

City Cllrs: Dryden and McPherson

County Cllrs: Sheppard and Carter

10/09 Matters Arising from the Minutes

There were no matters arising from the minutes.

10/10 Declarations of Interest

Councillor	Item	Interest
Taylor	10/13	Declared a personal interest as a regular user of Brooklands Avenue.
Blackhurst	10/16/f	Declared a personal interest as member of the USS Pension Scheme
Baker	10/16/f	Declared a personal interest as member of the USS Pension

10/11 Open Forum

There were no questions raised during the open forum.

10/12 Safer Neighbourhoods and Policing

The committee received a presentation from Sgt Townsend regarding Safer Neighbours and Policing.

Members of the committee and public asked the following questions.

1. Can the reduced levels of anti-social behaviour (ASB) be attributed to weather or more pro-active policing?

The Police responded to explain that the weather does affect the level of crime and disorder, but that targeted patrols did also have significant effects.

2. With reference to s59 powers, a member of the public expressed concern about the potential abuse and lack of safeguards with the system and encouraged members of the committee to challenge the Police on the use of the powers.

The Police responded and explained that currently the powers were not being used in the south area of the city, but they were an additional tool available to the Police to tackle particular types of crime and disorder.

3. Concern was expressed about the statistical basis of the report, and the difficulty of making an informed assessment without the full information about all recorded crimes and disorder in the area.

The Police explained that the reports were produced to a consistent format for each committee agreed with the Leader of the Council, but that each area committee could ask for specific information in advance of the meeting.

4. With reference to the level of dwelling burglary in Queen Edith Ward, the Police were asked for an update on the work undertaken in the ward to tackle the crime.

The Police explained a number of tactics employed to tackle the number of incidents in the ward. The Police further explained that a number of the initiatives were focussed on key individuals committing high volumes of crimes. In response to a supplementary question it was agreed that the Police would review the mechanism for communicating key messages about the issues raised to Councillors and the wider public.

5. Clarification was requested on the current mechanisms in place to tackle verge and pavement parking where appropriate.

It was explained verge and pavement parking was primarily an issue for the local authority, but that where appropriate the Police would address specific

issues. The public present at the meeting were encouraged to report issues to the local authority.

6. Concern was raised about the number of cyclists riding without lights and it was suggested whether it would be possible to have a “purge” on failing to use lights particularly around Addenbrookes Hospital and Queen Ediths.

The Police highlighted the recent “no bike no light” campaign focussed on reducing the levels of cycling without lights. The Police also accepted concerns raised by the public and the committee regarding the prevalence of cyclists not adhering to traffic regulations.

7. A member of the public asked whether targeted operations in specific areas of the city, had the result of displacing crime to other areas of the city.

The Police explained that in a small city displacement could occur.

In response to a supplementary question regarding the responsibility of the Police in relation to re-offending, the Police explained that whilst the Probation Service are the responsible service for the management of offenders, where appropriate they would be involved. The Police highlighted significant improvements in the targeted intelligence of offender

8. The Police were asked whether it would be possible to include information regarding re-offending rates within future reports. The question also expressed significant with regards to the rate of violent crime.

The Police assured the committee and the public presented that the re-offending rates were closely monitored but that to date they had not formed part of the report to the Area Committee. The multi-agency approach to manage and tackling persistent and prolific offenders was explained, and it was also noted that the Community Safety Partnership actively scrutinised the issue.

With regards to violent crime, the Police explained that violent crime was a very broad concept, which included a wide range of offences. It was further explained that certain types of violent crime were under reported; so increased reporting would result in higher levels of report violent crime.

9. Clarification was sought on whether the changes to the Licensing Laws had resulted in increased problems.

The Police explained that whilst the relaxation of the licensing laws had not resulted in significant changes in the nature or extent of the problems, that

there continued to be peaks on Friday and Saturday nights between 11pm and 3am.

10. The Police were questioned, whether deterrents were in place to discourage the excessive consumption of alcohol and the associated problems.

It was explained that a number of deterrents were in place to discourage inappropriate consumption of alcohol. The Police explained that a number of different powers were available to use, but that each had to be used appropriately and proportionately.

11. A member of the public expressed concern about a number of assertions in the committee report regarding the level of crime in his area, and noted that since moving to the area that he had not seen a Policeman in his street.

The Police noted the concerns raised and explained that the area identified did form part of one of the priority areas. The Police re-iterated the proposed priorities as;

- *Tenby Close – Anti-Social Behaviour*
- *Aberdeen Avenue – Gilpin Road – Youths on Mopeds and associated Anti Social Behaviour*
- *Lawrence Crescent – Burglary*
- *Russel Court/Princes Court*

Following discussion regarding the additional potential priorities including anti social and illegal parking it was agreed that other authorities were better placed to tackle the issues highlighted.

Resolved (Unanimous): To adopt

- 1) The Policing and Safer Neighbourhood Priorities as outlined in the Committee with the addition of
 - a. Tackling Anti-Social Behaviour
 - b. Dwelling Burglary
 - c. Cycle lights and other cycle related issues.

10/13 Environmental Improvement Projects

The committee received a report from the interim Environmental Projects Manager. The report updated the committee on the progress of the current projects, and the following decisions;

- To defer a decision on Cherry Hinton High Street Verges pending a planning decision on the item.
- To put on hold the Rectory Terrace project pending the publication of the developers' proposals.

Cherry Hinton High Street

Cllr Newbold sought clarification on the status of the planning application, and questioned whether a decision on Cherry Hinton High Street needed to be deferred if the planning decision was going to be resolved through the Officer delegated route. Other members of the committee agreed that a decision in principle could be made prior to the outcome of the planning decision.

The Interim Environmental Projects Manager was questioned on the reference in the report to strengthening of CATV cabinets. It was explained that the existing fibre optic cables were designed to be underneath a verge, so would need to be strengthened prior to the proposed changes.

Trumpington War Memorial Survey

The Interim Environmental Projects Manager advised that following advice from Finance the project was ineligible for EIP project funding because it was a revenue cost. It was noted that the work had been undertaken through a different funding stream.

Rectory Terrace

The Interim Environmental Projects Manager advised that proposals were unlikely to be forthcoming until after the conclusion of the EIP scheme. Members agreed to defer the scheme.

Brooklands Avenue Traffic Calming Scheme

Cllr Stuart addressed committee and proposed the inclusion on an additional scheme to introduce traffic calming on Clarendon Road and Shaftsbury Road leading up to Brooklands Avenue. The Interim Environmental Projects Manager advised that the project was feasible, but clarified the nature of the available budget.

In response to questions regarding support for scheme, Cllr Stuart explained that that local residents association had collected a petition in favour of the scheme.

Resolved (6 for, 1 not voting) to;

- 1) Approve the Cherry Hinton Scheme for implementation at the cost of £40,000 subject to the outcome of the planning application.
- 2) Approve the deferral of the Rectory Lane project subject to the outcome of the developers plan.
- 3) Approve the inclusion of the proposed Clarendon Road/Shafsbury Road scheme for further investigation.

10/14 Wulfstan Way Local Centre – recommended improvements

The Joint Head of Urban Design addressed the committee and outlined potential options for the redevelopment of the local centre.

The committee and members of the public made the following comments;

- 1) The appropriateness of including steps within the design of the site due to the risk of trips and falls. Additional concerns were raised about the accessibility of the site for pushchairs and wheelchairs.
- 2) The need for the proposal to develop the whole site, specifically the area immediately opposite the shops.
- 3) Reference was made to the long history of limited or non-existent maintenance; the need to engage with all landowners and the need to ensure that there is sustainable funding to complete the scheme.
- 4) The importance of improving the “green” aspect of the site. Clarification was requested on whether the existing recycling facilities would remain.
- 5) The possibility of utilising the existing cycle racks and signage rather than replacing them was raised.
- 6) Clarification on whether the removal of railings on the boundary with Hullat Road would be appropriate in light of previous concerns regarding the illegal use of mini motors.
- 7) Criticism that the shopkeepers had not been specifically invited to the meeting in light of their previous involvement in the development of the project. The Joint Head of Urban Design noted the concerns raised, but explained that the proposals were still being developed and that more specific stakeholder consultation was planned.
- 8) It was noted that an existing 2hr parking restriction applied to part of the site, and the committee were requested to look at increasing the

number of available car parking spaces. Concerns were also raised about the potential for increased anti-social behaviour in the vicinity of the shops if the number of benches were increased. The Joint Head of Urban Design advised that a balance was required on the number of parking spaces provided on any scheme.

- 9) Concern was raised about the viability of businesses in the area, and the need to ensure that a range of businesses was supported in the local area.
- 10) Clarification was requested in light of previous issues in establishing funding streams for lighting projects. The Interim Environmental Improvements Project Manager advised that the availability of a revenue stream was dependent on whether there was an existing lighting scheme.

Members of the committee and the public thanked officers for the report and ideas.

Resolved (Unanimous) to

- 1) Allocate £101,000 funding from the Environmental Improvement Programme to the scheme.

10/15 Youth Summit 2009 – Outcomes and Actions

The Children and Young Peoples Service Manager introduced the report with the Executive Councillor for Community Development and Health. The committee welcomed the report and asked the following questions.

In response to a question regarding potential outcomes for older children and teenagers, the Executive Councillor explained that the intention was to provide Cambridge Cards with a free upgrade to all year 7 and 8 children in the city.

The Community Engagement Manager from the Police welcomed the initiative particularly the suggestion of engagement activities involving young people and the Police. The representative of the County Council also welcomed the proposals.

Mr Richard Taylor asked why the City Council was seeking to fund a private sector company by supplying the cards, rather than providing the discounts directly. The Executive Councillor explained that the Council and the company had had a long-standing relationship, and that the basic card was freely available across the city.

The committee were asked for comments regarding the potential venues of sessions during the Easter Holidays. Following discussion it was agreed that due to ongoing works at Nightingale Avenue, George 5th and Cherry Hinton Hall were the most appropriate venues.

10/16 Planning Applications

These minutes and the appendix should be read in conjunction with the reports on applications to the committee, where the conditions to the approved applications or reasons for refusal are set out in full and with the Amendment Sheet issued at the meeting. Any amendments to the recommendations are shown in the appendix.

Full details of the decisions, conditions of permissions and reasons for refusal may be inspected in the Environment and Planning Department, including those, which the committee delegated to the Head of Development Control to draw up.

a.	09/1129/FUL
Site	102 Glebe Road
Proposal	Erection of two dwelling (following demolition of existing dwelling).
Recommendation	APPROVE
Public Speakers:	Mr Blyth – Objector Mr Chris Anderson - Agent
Decision:	REFUSED by 5 votes to 0 for the following reason The proposal is unacceptable in that the width of the site access adjacent to the junction with Glebe Road, at 4 metres, is insufficient to give adequate space for two vehicles to pass. In the absence of an access with a width of a minimum of 4.5metres for a distance of 10 metres from the boundary with the public highway, it is likely that cars will be forced to reverse out into the highway or stop abruptly on the highway, which will prejudice the safety of other users of the highway in an area where very intense on street parking on both sides of the street restricts visibility and space for manoeuvring. For this reason the proposal will have an unacceptable transport impact and is contrary to policy 8/2 of the Cambridge Local Plan (2006).

b.	09/1048/FUL
Site	15 Colville Road, Cambridge, Cambridgeshire

Proposal	Erection of 2 two-bed flats including widening of existing vehicular access and provision of off-street parking.
Recommendation	APPROVE
Public Speakers:	None
Decision:	APPROVED unanimously subject to the conditions outlined in the committee report.

c.	09/1182/FUL
Site	40 Hills Road, Cambridge
Proposal	Change of use to a coffee shop (A3)
Recommendation	APPROVE
Public Speakers:	Natalie Jarman - Agent
Decision:	APPROVED unanimously subject to the conditions outlined in the committee report and as amended in the update sheet.

d.	09/1115/FUL
Site	1a Leete Road, Cambridge
Proposal	Conversion of existing dwelling into one 1-bed dwelling and one 2-bed dwelling & single storey side and rear extension.
Recommendation	1. APPROVE – Proposed extension 2. REFUSE – Subdivision of the property
Public Speakers:	Mrs Douglas - Applicant
Decision:	1. APPROVED the extension of the property unanimously subject to the conditions outlined in the committee report and as amended in the update sheet and the conditions agreed by the committee. 2. REFUSED the subdivision of the property 5 votes to 1 vote for the reasons outlined in the committee report and update sheet.

e.	09/1049/OUT
Site	The Cottage, Gazeley Road
Proposal	Outline application to sub-divide existing residential site to form a separate 1000 sq m site suitable for a single 5-bedroom residence.
Recommendation	APPROVE
Public Speakers:	N/A
Decision:	APPROVED unanimously subject to the conditions outlined in the committee report and as amended in the update sheet.

f.	09/0889/FUL
Site	Trumpington Park and Ride
Proposal	Change of use to a coffee shop (A3)
Recommendation	APPROVE
Public Speakers:	Natalie Jarman - Agent
Decision:	<p>APPROVED unanimously subject to the conditions outlined in the committee report and as amended in the update sheet. Two conditions were added by the committee as outlined below;</p> <p>1. The sui generis Car Boot Fair use hereby approved is for the period to the 31 March 2012 only, during which time the car boot fair shall operate on Sundays only, between 0700 and 1300 hours, but specifically excluding all Sundays in December 2010 and December 2011, 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.</p> <p>Reason: 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, and to assess what if any implications it has for residents of the surrounding area (Cambridge Local Plan 2006 policies 3/4, 4/13 and 8/2)</p> <p>2. Prior to the commencement of the use hereby permitted, the on-site storage facilities for waste generated by the development, including waste for recycling and the arrangements for the disposal of waste shall be submitted for the approval of the local planning authority, which is to be given in writing. The agreed provision and arrangements shall be adhered to thereafter, unless agreement to alternative arrangements are first agreed in writing by the local planning authority.</p> <p>Reason: To protect the amenities of other users of the site and residents of the surrounding area and in the interests of visual amenity (East of England Plan 2008 Policy ENV7 and WM6 and Cambridge Local Plan (2006) policy 4/13.</p>



Chair

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Report by: Head of Active Communities

To: South Area Committee, 13th May 2010

Wards: Cherry Hinton, Queen Edith's and Trumpington

Cherry Hinton Hall Improvements

1. Executive Summary

1.1 Officers from Active Communities have engaged with a series of key stakeholders to consider the future use of this area previously occupied by the former propagation centre in the centre of the park. In addition, stakeholders were asked to consider the whole park for improvements and creation of a Masterplan see Appendix A.

1.2 A series of workshops were carried out with local residents and a report commissioned to understand usage, needs, and improvements at Cherry Hinton Hall. Both of these approaches have shaped the proposed Master Plan

2. Recommendations

2.1 The South Area Committee is recommended to:-

- a) Agree the proposals and timescales as laid out within this report, and
- b) Instruct officers to proceed with wider public consultation on the Masterplan.

3 Background

3.1 The former propagation centre compound in the centre of the Hall grounds has remains fallow and there have been discussions about its future use. In January 2010 Active Communities undertook a stakeholder session involving officers, the local friends group and the principle of the Cambridge International school who are currently tenants of the Hall building.

- 3.2 In addition to this, the Friends of Cherry Hinton Hall group was established during 2009 and has since met regularly and worked with the Council to develop a clear list of priorities for improvements.
- 3.3 A consultancy report entitled “Understanding usage, needs, and improvements at Cherry Hinton Hall” was commissioned in January 2009 and had the following key objectives:-
- a. To examine how people utilise the park, and to see which groups of people are well served, and which are less well served, by the park as it currently stands;
 - b. To examine which facilities in the park require improvement to meet the needs and expectations of those who use the park for different purposes; and
 - c. To explore possible future uses of the former propagation centre, and to gauge public and stakeholder interest in a range of alternative possibilities.
- 3.4 Taking the information derived from the above report, a sketch landscape masterplan was formulated based on the following key objectives and the outcomes:-
- a. To retain the existing character and uses of the park, whilst improving its fabric, facilities and biodiversity;
 - b. To restore the historic setting of the Hall building and recreate the sense of a residence within a parkland. To improve the visibility of the Hall by removing the dense planting on its South side, and restore something of the original carriage sweep and formal planting, possibly a rose garden;
 - c. To develop former propagation area as a public space at the heart of the park, incorporating a flexible events space, and areas of orchard, wildflower areas and community gardening spaces relating to the former walled gardens of the Hall. Within the development some of the area will be retained to facilitate council function relating to operational management of parks and open spaces;
 - d. To improve the quality of the spaces around the weir and improve conditions for paddling, pond-dipping etc;
 - e. To improve seating and access to the water in this important ‘hub’ area;
 - f. To connect disparate parts of the park with paths and planting, including a circuit route around the park;
 - g. To improve the legibility of paths and routes, cater for ‘desire lines’ and simplify the path network;
 - h. To spread the provision of WCs and possibly catering concessions across the site, responding to the patterns of use;

- i. To improve the structure, quality and diversity of the existing woodlands, hedges and tree belts, thinning out where necessary and adding understorey planting and coppice;
- j. To improve the ecological and visual condition of the ponds area. To dredge the water bodies of silt and remove overhanging vegetation. To thin and replant the woodland areas as necessary to retain biodiversity and structure, and remove ivy from trees. Create glades by opening up the canopy in places. To add aquatic planting to the ponds to improve water quality and soften the engineered pond edges and
- k. To rationalise seating provision and improve the quality of benches. To improve signage and interpretation and install new litter bins, a dedicated barbecue area etc. Line of existing fence/hedge yard access to recycling centre.

4 Creating the Masterplan

4.1 Designed by Robert Myers Associates the plan has been discussed with the key stakeholders and revised to its current format. The key design areas include:-

- a. The removal of existing planting to the front of the Hall to open up views of the building. A historical arrangement will be restored with a gravel forecourt and parterre rose garden;
- b. Restoration of lake area to promote the biodiversity of both the water and surrounding fauna;
- c. Incorporation of pond dipping platform, seating, barbecue area and kingfisher reflection area which has pre-approved funding via the Children's and Youth Participation Service;
- d. Re-alignment of existing pathways and incorporation of new paths to the perimeter to create a circular route;
- e. To open out the central area incorporating into public space including a café facility, performance space and soft landscape;
- f. To consider the current building in the center compound and create a new community facility with the construction more in keeping with the Hall building itself; and
- g. The relocation of the current toilet provision to a more appropriate and accessible position.

5 Next Steps

5.1 The next stage for the plan is to extend the consultation to a wider audience during the summer period (2010). This will include on site as well as web based consultation, both via the Cambridge City Council and friends group web pages. The consultation will then be considered and the Masterplan refined if required to reflect any changes.

- 5.2 It is anticipated that the project will go to Community Services Scrutiny in September 2010 and, subject to approval, officers will consider submission of projects for funding to Improve Your Neighbourhood Scheme in autumn 2010.
- 5.3 These projects will be in addition to prior approved section 106 projects for Cherry Hinton that fit the Masterplan comfortably.
- 5.5 The Children's and Youth Participation Team already have a Big Lottery funding allocation to deliver certain elements of the Master Plan around the lake area. Project delivery for this funding will need to be before the end of March 2011.
- 5.6 A full project appraisal will be considered by Community Services Committee during the first quarter of 2011.

6 Background Papers

- a. Phil Back Consultancy "Understanding usage, needs, and improvements at Cherry Hinton Hall" January 2009.
- b. Notes from Stakeholder Meeting 11/01/2010

7 Appendices

Appendix A – Masterplan for Cherry Hinton Hall Grounds

8 Inspection of Papers

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

Author's Name: Anthony French
Author's Phone Number: 01223 457000
Author's Email: anthony.french@cambridge.gov.uk

Design Concept

The Masterplan Aims:

- To retain the existing character and uses of the park, whilst improving its fabric, facilities and biodiversity.
- To restore the historic setting of the Hall building and recreate the sense of a residence within a parkland. To improve the visibility of the Hall by removing the dense planting on its South side, and restore something of the original carriage sweep and formal planting, possibly a rose garden.
- To develop the former propagation centre area as a public space at the heart of the park, incorporating a flexible events space, and areas of orchard, wildflower areas and community gardening spaces relating to the former walled gardens of the Hall.
- To improve the quality of the spaces around the weir and improve conditions for paddling, pond-dipping etc.
- To improve seating and access to the water in this important 'hub' area.
- To connect disparate parts of the park with paths and planting, including a circuit route around the park.
- To improve the legibility of paths and routes, cater for 'desire lines' and simplify the path network.
- To spread the provision of WCs and possibly catering concessions across the site, responding to the patterns of use.
- To improve the structure, quality and diversity of the existing woodlands, hedges and tree belts, thinning out where necessary and adding understorey planting and coppice.
- To improve the ecological and visual condition of the ponds area. To dredge the water bodies of silt and remove overhanging vegetation. To thin and replant the woodland areas as necessary to retain biodiversity and structure, and remove ivy from trees. Create glades by opening up the canopy in places. To add aquatic planting to the ponds to improve water quality and soften the engineered pond edges.
- To rationalise seating provision and improve the quality of benches. To improve signage and interpretation and install new litter bins, a dedicated barbecue area etc.

Existing ponds to be cleared out and woodland improved by removing ivy from trees, noxious weeds, selective thinning of trees and re-planting native trees and understorey shrubs. Remove overhanging vegetation from ponds to reduce leaf fall into water (to be agreed with City Council ecologist).

Proposed new seating

Proposed new stone bridge and relaid paving around pool.

Thin existing tree planting to open up stream, improve water clarity and encourage pond dipping

Proposed tree planting Barbecue area

Line of Existing fence/hedge

Paths realigned

Proposed trees along boundary

Proposed path with seating

Clear ivy and rejuvenate hedgerow

Selectively thin existing tree belts to allow best trees to thrive and underplant underplant with Hazel and Hawthorn etc (Coppice).

Tree planting to screen houses

Pond dipping platform

Long grass/bulbs wildflower areas

Gravel/hoggin circuit path

Existing planting removed to open views of house. Historic arrangement restored, with gravel forecourt and parterre or rose garden

Existing shelterbelts to be selectively thinned (to be agreed with City Council arboriculturist)

Paths re-aligned to suit desire lines

Add cycle parking in carpark

Access to recycling centre

Existing play area

Proposed small trees on mound

Existing Tennis Court



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Application Number	10/0201/FUL	Agenda Item	
Date Received	10th March 2010	Officer	Miss Catherine Linford
Target Date	5th May 2010		
Ward	Trumpington		
Site	2A Scotsdowne Road Cambridge Cambridgeshire CB2 9HU		
Proposal	Erection of 3no 2bed terrace dwellings following demolition of existing bungalow.		
Applicant	Mr P Pizza 2A Scotsdowne Road Cambridge Cambridgeshire CB2 9HU		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is an irregular parcel of land currently occupied by a bungalow, situated on the south-west side of the junction of Scotsdowne Road and Alpha Terrace; it has a long frontage to the former but a short frontage to the latter. The surrounding area is predominantly residential in character, with the exception of a church and church hall directly opposite the site on Scotsdowne Road. The predominant housing form on Scotsdowne Road is bungalows and semi-detached properties, though Alpha Terrace is predominantly terraced housing.
- 1.2 A Tree Preservation Order protects a Horse Chestnut tree on land just outside site to the rear of 47 High Street.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for a terrace of three, 2-bed houses following the demolition of the existing bungalow.

- 2.2 In total, the proposed dwellings would have as similar footprint to the existing bungalow, but shifted southwards on the site, resulting in the proposed building sitting 1.625m from the southern boundary and 2.59m from the northern boundary. The building would be of a larger scale than the existing building being two-storeys in height. The houses would sit approximately 5.5m back from the street frontage with car parking to the front, along with bin storage. Cycle parking would be provided in each of the rear gardens. The land to the north of the houses would be kept open and used as a vegetable patch.
- 2.3 The proposed dwellings are identical to those proposed in the previous application (09/0443/FUL), but the building has been moved 1.59m further south on the site; is 1.6m narrow; and is therefore 0.2m further away from the southern boundary with the neighbouring property.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Arboricultural Survey

3.0 SITE HISTORY

Reference	Description	Outcome
C/04/0707	Erection of single storey side extension to bungalow and new garage	REF
C/04/1031	Erection of single storey side extension and new garage to bungalow	A/C
09/0443/FUL	Erection of 3no 2bed terrace dwellings following demolition of existing bungalow	REF

- 3.1 The decision notice for the previously refused application 09/0443/FUL is attached to this report as Appendix 1.

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 3: Housing (2006):** 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.

5.4 **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.

5.5 **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.

5.6 **East of England Plan 2008**

SS1 Achieving sustainable development

T14 Parking

ENV7 Quality in the built environment

5.7 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.8 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/12 The design of new buildings

4/4 Trees

5/1 Housing provision

8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development
5/14 Provision of community facilities through new development
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Objection: Subject to conditions relating to visibility splays and a traffic management plan.

Head of Environmental Services

6.2 No Objection: Subject to conditions relating to contaminated land, construction hours and waste storage provision.

Arboricultural Officer

6.3 No Objection: Subject to conditions relating to the location of the constructors compound, location of services, and tree protection.

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

7.0 REPRESENTATIONS

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

7 Alpha Terrace
15 Alpha Terrace
21 Alpha Terrace
3 Scotsdowne Road

7.2 The representations can be summarised as follows:

The size and style of the proposed dwellings is out of keeping with the remainder of properties on Scotsdowne Road

The dwellings would dominate neighbouring properties and gardens

Unconvinced that the welfare of the trees will be safeguarded in the long term

Shortage of on-road parking spaces and there is no scope for accommodating additional vehicles

Construction process will be disruptive

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. Trees
5. Refuse arrangements
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

8.2 The provision of extra housing in the City is supported in principle in the Cambridge Local Plan (2006). Policy 5/1 of the Local Plan maintains that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. This proposal for three dwellings would be compatible with adjoining land uses.

8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006)

Context of site, design and external spaces

- 8.4 The design of the proposed dwellings has not changed since the previous application, and was considered to be acceptable then. Policy 3/10 of the Cambridge Local Plan (2006), relating to the sub-division of existing plots, states that:

Residential development within the garden area or curtilage of existing properties will not be permitted if it will:

- a) Have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;*
 - b) Provide inadequate amenity space, or vehicular access and parking spaces for the proposed and existing properties;*
 - c) Detract from the prevailing character and appearance of the area;*
 - d) Adversely affect the setting of Listed Building, or buildings or gardens of local interest within or close to the site;*
 - e) Adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and*
 - f) Prejudice the comprehensive development of the wider area of which the site forms part.*
- 8.5 Only parts a), b), c) and e) of the policy are relevant to this application. Part c) will be discussed here with other relevant parts discussed further on in the report.
- 8.6 This area is predominantly residential in use, with the exception of a church and church hall directly opposite the site on Scotsdowne Road. However, the two streets at the junction of which the site sits (Scotsdowne Road and Alpha Terrace) differ greatly in character. The dwellings on Scotsdowne Road are mainly detached bungalows and two-storey, semi-detached properties, with the property immediately adjacent to 2a being a detached bungalow. Alpha Terrace consists almost exclusively of two-storey, Victorian properties with the occasional semi-detached and detached property.
- 8.7 The proposed dwellings have been designed to mimic the houses on Alpha Terrace, being two-storey terraced properties,

but would each have one off-street parking space to the front along with a bin store. The proposed dwellings do appear to be disproportionately tall, but they are similar in height to the properties on Alpha Terrace (the proposed dwellings would be 9.4 in height and the houses on Alpha Terrace are approximately 9.1m in height), and therefore I consider the scale of the proposed dwellings to be acceptable and appropriate. Cycle parking would be provided in each of the rear gardens, and would be accessible from the street. As the site is a corner plot, between two streets, which are significantly different in character, it is in my view reasonable that the design of the properties takes it lead from the character of one of the two streets. Therefore, although the proposed dwellings would differ greatly from the adjacent dwellings on Scotsdowne Road, I do not believe that this would mean that they would detract from the prevailing mixed character and appearance of the locality. Although the new dwellings would not match Scotsdowne Road in appearance, they would successful fit in terms of the building line, being in a similar position to the existing bungalow.

- 8.8 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, part c) of 3/10 and 3/12.

Residential Amenity

- 8.9 In the representations received concerns have been raised regarding the domination of neighbouring properties. 2 Scotsdowne Road is a bungalow, which is situated approximately 12m from the boundary with 2a. In my opinion, this separation distance and the location of the houses to the north of 2a, means that the new dwellings would not overshadow the neighbouring property or compromise daylight entering this property. No windows are proposed on the side elevations, and therefore there is no potential for direct overlooking of the neighbouring property. The site backs onto commercial space, which has residential dwellings adjacent to it, but I believe these buildings are at too great a distance to be impacted by the proposed development.
- 8.10 The possibility of an increase in noise and disturbance, both in the construction stage and once the properties are occupied, is something that needs to be fully addressed. It is logical that

three dwellings would create more movements, and potentially more noise than one dwelling, but I do not consider that this would be unacceptable or detrimental to the occupiers of neighbouring properties. The hours of construction can be controlled by condition, in order to limit the impact on amenity, but there is bound to be a degree of disturbance in the construction phase.

- 8.11 In the representations received, concern has been raised about the number of car parking spaces proposed and the likely impact the development would have on demand for on-street parking spaces. I understand that there is often considerable demand for on-street parking spaces at this end of Scotsdowne Road, due to the church and church hall, and Fawcett Primary School, which is at the end of Alpha Terrace. In saying that, the City Council car parking standards are maximum standards, and stipulate that no more than 1 car park space can be provided for a dwelling of 2 bedrooms. The Local Highway Authority does not believe that there is an on-street parking problem here, of such a degree that warrants refusal when one space per dwelling is being provided. I share that view.
- 8.12 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Trees

- 8.13 To the north of the site there is a mature Horse Chestnut tree, which is protected by a TPO, and a Lime tree, which is not protected. The canopies of both the Horse Chestnut and Lime trees overhang the existing bungalow. The Chestnut trees and Lime trees are visually significant and make a significant visual contribution to the local area.
- 8.14 The previous application (09/0443/FUL) did not include a Tree Survey, and therefore the City Council's Arboricultural Officer had to assume that the trees were in a reasonable healthy condition with a reasonable life expectancy. In this application, the proposed building would have been 0.59m closer to the boundary with the trees, and to accommodate the taller building, in this location, the trees would have had to be cut

back significantly. The pruning would have been required to construct the dwellings and in order to clear the dwellings when they were built, and to prevent damage. This would have had a significant adverse effect on the trees and would have diminished their amenity value. Also, the process of repeated surgery, which would have been necessary could have had an adverse effect on the health of the trees. For these reasons, this application was refused.

- 8.15 A Tree Survey has been submitted as part of this current application, and the findings of this report are accepted by the City Council's Arboricultural Officer. The condition of the Lime Tree, closest to the bungalow is poor and the Chestnut Tree is in a reasonable condition for its age and location. There are minor cavities and defects within the canopy but these are not significant, and it is expected that the tree would be present for many more years.
- 8.16 The Root Protection Area for the Chestnut tree extends well into the site and under the existing building. The Arboricultural Officer has explained that, from their experience, it may be assumed that the density of roots under the building may be considerably less than elsewhere on site. If so, the construction of a replacement building on the same footprint may be permissible as long as suitable foundations can be agreed. These should be piled and initially hand dug to ensure that no large roots are damaged. To ensure the protection of the root system of the tree, I would recommend that a condition be added, which stated that within the Root Protection Area the foundations shall be piled and hand dug. To ensure that the root system is not disrupted, no underground services should be permitted within the Root Protection Area. This can be achieved by condition.
- 8.17 The City Council's Arboricultural Officer is no longer concerned that the proposed development would have an adverse impact on the protected trees, and I am, therefore, satisfied that the applicant has therefore successfully overcome the previous reason for refusal.
- 8.18 In my opinion, the proposal is compliant with part e) of policy 3/10 and policy 4/4 of the Cambridge Local Plan (2006).

Refuse Arrangements

- 8.19 A bin store would be situated at the front of each property, and subject to details, this is acceptable in principle. This is the same provision as proposed in the previous application, which was considered to be acceptable.
- 8.20 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.21 The off-street car parking provision has been discussed in greater detail under the heading 'residential amenity' but I here I would repeat that according to Appendix C (Car Parking Standards) of the Cambridge Local Plan (2006), a dwelling of two bedrooms outside the Controlled Parking Zone should have a maximum of one car parking space. It is proposed that each new dwelling have one car parking space, at the front of each property. This is within the standards and is therefore acceptable.
- 8.22 Cycle parking would be situated in the rear garden of each property within a shed. Two cycle parking spaces must be provided for each dwelling, I am confident that this can be achieved here. This is the same provision as proposed in the previous application, which was considered to be acceptable.
- 8.23 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 and part b) of policy 3/10.

Third Party Representations

- 8.24 Those issues raised by third parties have been addressed in the main body of the report

Planning Obligation Strategy

- 8.25 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests.

If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements.

8.26 The Planning Obligation Strategy (2004) 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. The proposed development triggers the requirement for the following community infrastructure:

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 formal open space, informal open space and children's play areas. The total contribution sought has been calculated as follows.

8.28 The application proposes the erection of three two-bedroom houses. One residential units would be removed, so the net total of additional residential units is two. 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 children's play space are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Formal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
3	6	3	3	360	1080

Informal open space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms	Assumed net additional persons	£ per person	Total £
3	6	3		306	918

Children's play space					
Existing total bedrooms	New total bedrooms	Net additional bedrooms not in 1-bed units	Assumed net additional persons not in 1-bed units	£ per person	Total £
3	6	3	3	399	1197

8.29 The S106 has been completed, and therefore I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 3/8 and 10/1.

Community Development

8.30 The Planning Obligation Strategy (2004) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1085 for each unit of one or two bedrooms and £1625 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	1085		
2-bed	1085	2 additional	2170
3-bed	1625		
4-bed	1625		
Total			2170

8.31 The S106 has been completed, and therefore I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Planning Obligation Strategy - Conclusion

8.32 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 In my opinion, the proposed dwellings would not detract from the prevailing mixed character of the locality and would successfully integrate with their surroundings. The proposal would not, in my view, have a significant detrimental impact on the occupiers of neighbouring properties and, subject to conditions, would not have a detrimental impact on the neighbouring protected trees. The applicant has successfully overcome the previous reason for refusal and therefore, this application is recommended for approval, subject to conditions.

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. 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. (Cambridge Local Plan 2006 policy 4/13)

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

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

4. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

5. Prior to the commencement of development, a drawing showing two 2.0 x 2.0 metre visibility splays shall be submitted to and approved in writing by the Local Planning Authority. This area shall be kept clear of all planting, fencing and walls exceeding 600mm high.

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

6. No demolition works shall commence on site until a traffic management plan has been agreed with the Highway Authority.

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

7. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

(a)The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b)The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c)A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

(d)Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e)If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

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

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

8. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and 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))

9. 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) contractors 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. (Cambridge Local Plan 2006 policy 4/13)

10. Unless otherwise agreed in writing by the Local no underground services shall be located within the Root Protection Area of the Horse Chestnut Tree.

Reason: To prevent harm to the protected Horse Chestnut Tree. (Cambridge Local Plan 2006, policy 4/4)

11. Unless otherwise agreed in writing with the Local Planning Authority, within the Root Protection Area of the Horse Chestnut Tree the foundations shall be piled and hand dug.

Reason: To prevent harm to the protected Horse Chestnut Tree. (Cambridge Local Plan 2006, policy 4/4)

12. No work shall start on the application site (including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, and positioning of site huts) until:

- a) A Tree Protection Plan has been submitted to and agreed in writing by the local planning authority.

- (b) The developer has appointed a competent arboriculturalist and there has been a site meeting between the site agent, the developer's arboriculturalist, and the Council's Arboricultural Officer.

- (c) All development facilitation pruning, where required, has been completed in accordance with BS 3998:1989.

- (d) All tree protection barriers and ground protection measures have been installed to the satisfaction of the local planning authority

Reason: To protect the health and welfare of the protected trees on the site. (Cambridge Local Plan 2006 policy 4/4)

INFORMATIVE: Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

Reasons for Approval

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

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

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

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Ref:09/0443/FUL

Mr P Pizza
2A Scotsdowne Road
Cambridge
Cambridgeshire
CB2 9HU

DECISION	SIS
NOTED IN	DATE
STATUTORY REGISTER	/
COUNTY	/
RENEWAL DATE ON COMPUTER	

The Council hereby refuse permission for

Erection of 3no 2bed terrace dwellings following demolition of existing bungalow.

at

2A Scotsdowne Road Cambridge Cambridgeshire CB2 9HU

in accordance with your application received 15th May 2009 and the plans, drawings and documents which form part of the application, for the following reasons:

1. In order to accommodate the proposed dwellings, it would be necessary to significantly prune the Horse Chestnut Tree and the Lime Tree to the north of the site, which would have an adverse effect on the trees and would diminish their amenity value to an unacceptable degree. To keep the trees clear of the buildings repeated surgery would be required, which is likely to have an adverse effect on the trees. The Horse Chestnut Tree is the subject of a Tree Protection Order and in the absence of any evidence to demonstrate that the tree is of a poor condition, or that its removal is necessary, the proposal is in conflict with policy 4/4 of the Cambridge Local Plan (2006).

This decision notice relates to the following drawings: **PP01, PP03A, PP04A, PP05A, PP06A.**

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

Simon Payne
Director of Environment & Planning
Cambridge City Council The Guildhall Cambridge CB2 3QJ
Telephone 01223 457000 Minicom (non-speaking phone) 01223 457050



For further information please go to www.cambridge.gov.uk/planning to view the 'Your Decision Notice' leaflet. If you require a hard copy please contact Development Control on (01223) 457200.

Dated: 10 July 2009

Guildhall, Cambridge, CB2 3QJ



Director of Environment & Planning

SEE NOTES ATTACHED

PLANNING PERMISSION

1. Appeals to the Secretary of State

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

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

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

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

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

2. Purchase Notices

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

LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

3. Notification of Demolition

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

4. Appeals to the Secretary of State

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

5. Purchase Notice

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

6. Compensation

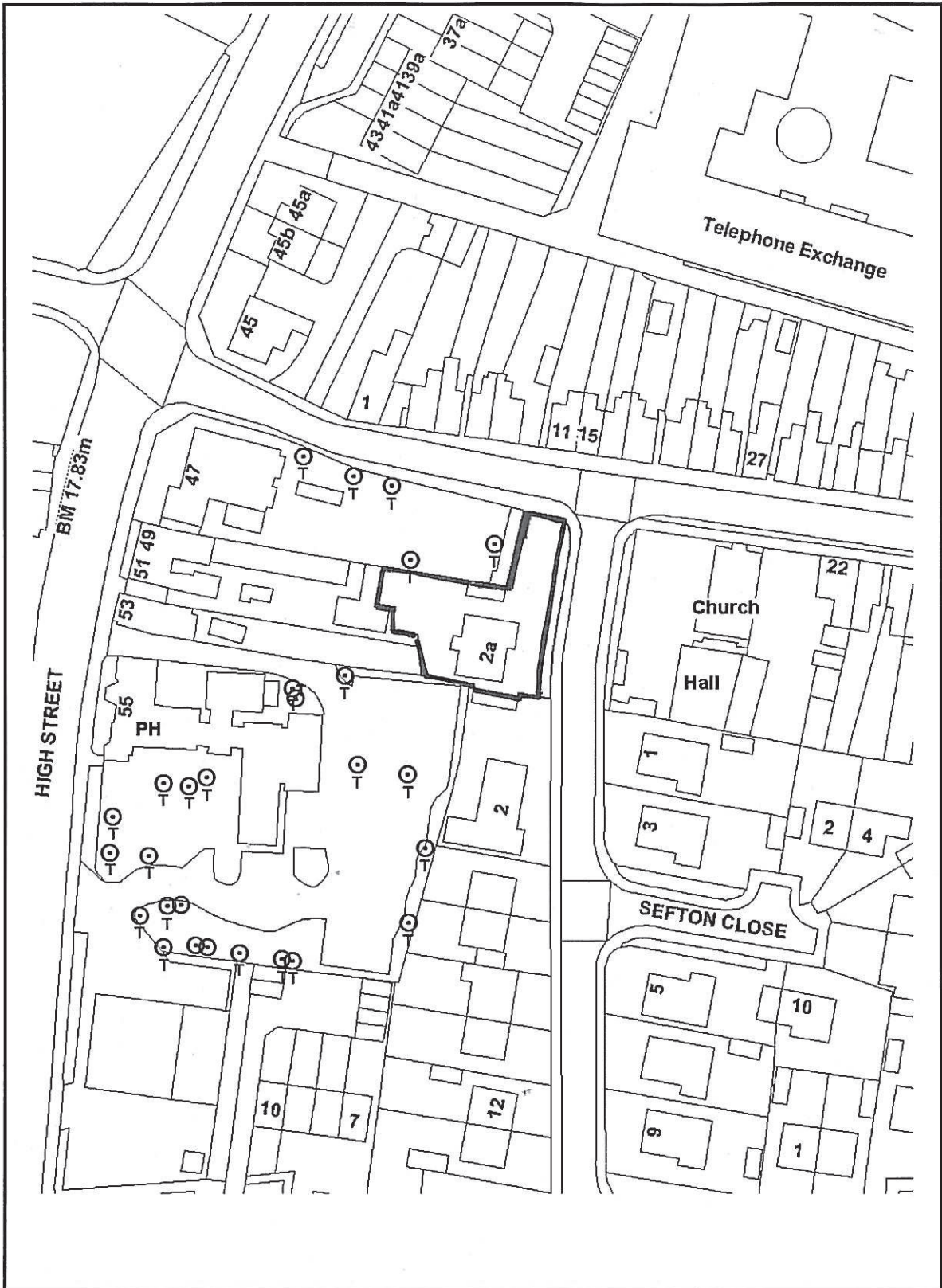
In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

CONSENT TO DISPLAY AN ADVERTISEMENT

7. Appeals to the Secretary of State

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





10/0201/FUL
2A Scotsdowne Road Cambridge Cambridgeshire CB2 9HU

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Application Number	10/0215/FUL	Agenda Item	
Date Received	26th March 2010	Officer	Mr James D'Arcy
Target Date	21st May 2010		
Ward	Trumpington		
Site	39 Shelford Road Cambridge Cambridgeshire CB2 9LZ		
Proposal	Erection of 3 four-bed dwellings (following demolition of existing dwelling).		
Applicant	Mr Brian Tyler The Granary 13 Royston Road Harston Cambridge CB22 7NH		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 39 Shelford Road lies on the northern side of Shelford Road, in fairly close proximity to the southern boundary of Cambridge City with South Cambridgeshire District Council. This application for full planning permission relates to the curtilage of No. 39 Shelford Road and a portion of land that previously formed part of the rear gardens of Nos. 37 and 41 Shelford Road, adjacent. The plot, therefore, is effectively 'T' shaped, and extends to the southeast and northwest, wrapping around the existing rear gardens of Nos. 37 and 41, adjacent. The plot is quite large, measuring just over 90 metres in depth, and towards the rear is over 40 metres in width.
- 1.2 The existing property at 39 Shelford Road is a fairly large, hipped roof bungalow that has been considerably extended to the rear. It has a vehicular access to its northwestern side. Boundary treatments on site are varied, but include mature hedging and a line of substantial leylandii trees to the northeast. There are a number of trees on site and in close proximity to the site but located within adjacent gardens. The form and character of dwellings along the northern side of Shelford Road is varied and a

mix of both ages and styles.

- 1.3 Planning permission has previously been granted for the demolition of the existing bungalow at the front of the site and its replacement with a detached, two-storey dwellinghouse, located to the northwest side of the resulting plot, plus the erection of two bungalows to the rear (reference planning permissions C/02/0038/OP, C/06/1393/REM, & 07/0598/FUL).
- 1.4 The site is not located within a designated Conservation Area and the site falls outside the controlled parking zone (CPZ).

2.0 THE PROPOSAL

- 2.1 This application seeks full planning permission for the erection of 3 dwellings following the demolition of the existing bungalow, and broadly relates to revisions with regard to siting, footprint and design of the previous planning permissions for the site, specifically, reserved matters planning permission reference C/06/1393/REM, and Full Planning permission reference 07/0598/FUL which repositioned dwellings within the site to take into account the impact upon neighbouring amenity and the character of the area. Both of these applications are considered to have satisfactorily addressed the key constraints of this site. As such, whilst this application must be considered on its own merits, the previous planning permissions are significant material considerations in its determination.
- 2.2 The key differences between this scheme and the approved scheme (reference 07/0598/FUL) are as follows:

There is a reduction in the heights (measured at ridge) on the single storey dwellings to the rear, of 0.8 and 0.3m respectively, although Plot 1 retains the same height as that previously approved. Eaves heights are to remain unchanged.

Plot 1 and 2 have an increased floorspace and plot 3 features a slight (2m²) reduction in floorspace.

The proposed garages serving the new dwellings have also been repositioned in relation to the prior approval, locating them closer to the boundaries of the site.

Further detailed design changes are set out in the assessment

paragraphs found below.

2.3 The application is accompanied by the following supporting information:

1. Design and access statement
2. Arboricultural statement
3. Plans and elevations

3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
C/87/1034	Outline application for the erection of 2 no. detached bungalows.	Appeal dismissed
C/01/0916/OP	Erection of 5 dwellings, demolition of existing dwelling on frontage and creation of a new vehicular access.	REF
C/02/0038/OP	Erection of 3 dwellings, demolition of existing dwelling on frontage and creation of new vehicular access.	A/C
C/02/0869/OP	Erection of 4 no. detached dwellings, demolition of existing dwelling and creation of new vehicular access.	REF
C/04/1041/OP	Erection of 2 no. bungalows.	REF
C/06/1393/REM	Erection of 3 dwellings following the demolition of the existing bungalow.	A/C
07/0598/FUL	Erection of three dwellings following the demolition of the existing bungalow (revised scheme)	A/C

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 **PPS1 Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **Planning Policy Statement 3 (PPS 3) Housing:** 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.

5.4 **PPG13 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 Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including World Heritage Sites, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.
- 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.

- 5.8 **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.

5.9 **East of England Plan 2008**

SS1 Sustainable Development
ENV7 Quality within the Built Environment

5.10 **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
3/12 The design of new buildings
4/4 Trees
4/13 Pollution and amenity
5/1 Housing provision
8/6 Cycle parking
8/10 Off-street car parking

Planning Obligation Related Policies

3/8 Open space and recreation provision through new development
5/14 Provision of community facilities through new development
10/1 Infrastructure improvements

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.

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.

5.12 **Material Considerations**

Cambridge City Council (2006) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development.

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

- 6.1 The footway and verge crossing must comply with the Highway Authority's specification for such works, rather than that proposed by the applicant. Informatives also recommended.

Head of Environmental Services

- 6.2 No objection in principle, subject to a condition regarding traffic related noise.

Arboricultural Section

- 6.3 Comments awaited

Cambridgeshire County Council (Archaeology)

- 6.4 The site has been subject to prior investigation, and as such in this instance no further action is required.

Cambridge City Council Access Officer

- 6.5 No comments received. Comments on prior applications relating to the need for level access.
- 6.6 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:

34 Shelford Road
48 Foster Road

- 7.2 The representations can be summarised as follows:

The access to the site, and the interaction with the highway, specifically in relation to cyclists.

The retention and maintenance of a significant hedgerow, and the potential long-term impacts for existing and future residents

- 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.
- 7.4 The neighbour consultation period for this application expires on the 29th of April 2010. Any further representations will be referred to on the amendment sheet.

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports the provision of extra housing within the City and states that windfalls are an essential component of future housing provision in the City.
- 8.3 The Government is committed to maximising the re-use of previously developed land to minimise the amount of greenfield land being taken for development. The principle of the development of this site has already been established by the granting of prior outline and full planning permission. As such, this is a material planning consideration. Furthermore, given that the density would remain the same as those permissions, then I have no concerns in that regard, given that previously higher densities have been refused on this site.
- 8.4 I am of the opinion, therefore, that the key considerations in the determination of this planning application are whether the revised siting of the two bungalows to the rear, the modifications to the scale, footprint and design raise issues that significantly and detrimentally impact upon the character, appearance of the site and street scene, and whether as a result of these changes, there are adverse impacts upon the amenity of the occupiers of adjacent residential properties.

Context of site, design and external spaces

- 8.5 In terms of the siting, design, external appearance and scale of the proposed dwellings, the main differences are noted as:-

Plot 1

- 8.6 Plot 1 retains the same design as previously approved, although it is positioned approximately 0.3 metres closer to the boundary with number 37 Shelford Road. There is also a reduction in depth of approximately 0.2 metres at the rear of the property (the single

storey element).

Plot 2

- 8.7 Plot 2 is subject to a larger amount of visual alterations. The front elevation (southwest) now features two gables, with a centrally located front entrance. The building is moved 1m further away from the western boundary than the building previously approved. It is now 17.8m in width, in comparison with 14metres of the same elevation on the previous approval. The ridge height of the roof is reduced by 0.8 metres, and this reduction in height is exaggerated by the increased width and change in design.
- 8.8 The northwest elevation (side) remains largely consistent in depth with the prior approval, but has an increased ridge height in the stepped element to the rear of the building of 0.7m. This however is again offset by the reduction in overall height by 0.8 metres. The building is also repositioned 1.4 metres further away from the rear boundary of the site.
- 8.9 The extended side and rear elevations echo the above in terms of distances from boundaries, and reduction in ridge heights. There are no rooflights or velux windows proposed on this building, although there are floor to ceiling windows/doors on the rear elevation, located centrally and on the northern projecting element.

Plot 3

- 8.10 With regard to plot 3, various fenestration changes are proposed at ground floor level. These do not unduly alter the character of the proposal, and are consistent with the design of Plot 2. The footprint of the dwelling would reduce from 22.25 metres in width (measured along the front elevation) to 16.2 metres, and its depth (measured along the north west elevation) from 19.5 metres to 18.6 metres. The building is also moved 3.1 metres further from the rear of the plot in comparison with the previous approval. The maximum previous height of the building is also reduced by 0.3 metres, which is emphasized with the double gable frontage which is consistent with the dwelling on Plot 2.
- 8.11 In terms of siting, both the proposed bungalows would migrate south on the plot from the previously approved scheme. Whilst there is still only a relatively small area to the side of the proposed dwellings (eastern and western boundaries), which would make

effective boundary planting difficult, it would not preclude other types of boundary treatment and the slightly increased spacing will allow for increased scope in terms of boundary treatment solutions. The amenity impacts of this siting will be discussed in the section on amenity below. As such, these changes in themselves are not so significant or detrimental in design, massing, or siting terms to warrant a recommendation of refusal.

- 8.12 Whilst the proposed dwellings are larger than those found in the immediate locality, given the location of development significantly to the rear of Nos. 37 to 41 Shelford Road (67 metres), and the lack of ability to see either dwelling in full from the street scene, the overall scale is not significantly harmful or such as to warrant a recommendation of refusal on the grounds of form, character or scale.
- 8.13 In terms of the size of retained gardens and external amenity areas, plot 1 would retain a garden measuring some 9.8 metres in width and 15 metres in length from the rear, albeit inclusive of the garage space. Plot 2 would have a private rear garden of over 22 metres in width and over 14 metres in length, and plot 3 would have a rear garden width of over 22 metres and 12 metres in depth. All of the dwellings would be framed with soft landscaping and include a degree of front garden space, (in the form of “ courtyards” to the bungalows), thereby demonstrating that this is not an overdevelopment of the site as each dwelling is framed by its own distinct garden and green amenity area, as well as providing external hardstanding areas
- 8.14 Each dwelling has its own bicycle and bin storage areas that forms an integral part of the proposals. All properties are to be served by dedicated garages, encompassing cycle storage also. As such, whilst not contained within the envelope of the main buildings, this helps to prevent the proliferation of further structures on site.
- 8.15 I am of the opinion that the location, accessibility, simple design and roof arrangement of the proposed bike and car storage areas is complementary to the other development on this site and is of a scale that does not introduce any visual harm or have any wider adverse amenity impacts upon residents of the adjoining residential properties. No adverse comment or objection has been made in this regard by Environmental Health. I am of the opinion that the scale, height and location of all of the detached garages is

such that they do not overbear or have any significant visual or amenity upon the character of the site, the wider street scene or upon the amenities of nearby residential occupiers.

- 8.16 In my opinion, the proposal is compliant with East of England Plan 2008 policies SS1 & ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

Disabled access

- 8.17 The Council's Access Officer has made suggestions regarding flat thresholds and outward opening toilet doors. Given that such requirements are not within the remit of this planning application and are more directly related to Building Regulations, it is considered pertinent to add an informative requesting that such matters be discussed with the Access Officer.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

- 8.19 I am of the opinion that none of these revisions to siting, fenestration, or ridge height would introduce a significant or detrimental impact over and above the previously approved scheme, and will represent a reduction in impact upon the visual amenity of neighbours.
- 8.20 The previous planning permission removed permitted development rights for habitable accommodation in the roof space of the bungalows, and the insertion of roof lights and windows in the upper floor levels of both the bungalows and replacement dwelling fronting Shelford Road. This would ensure that there would be no overlooking of the garden areas or private amenity areas of adjacent residential properties whatsoever. Similar conditions have also been recommended for this proposal.
- 8.21 The proposed bungalow on plot 3 would be sited over 43 metres from the rear of Nos. 41 and 45 Shelford Road, as well as being to the north/north-east of those dwellings. Given this significant distance and relationship, this dwelling would not overshadow, visually dominate or enclose the rear or gardens of those properties.

- 8.22 The bungalows would also be sited over 30 metres from the rear of the properties fronting onto Foster Road to the northeast. As such, given the relatively low height of the proposed buildings, and that the main body of the two bungalows slope away from the rear of their gardens, I am of the opinion that this area would not be unduly overshadowed or enclosed by these properties.
- 8.23 The proposed larger bungalow on plot 2 would be sited over 23 metres to the rear of Nos. 1 and 2 The Brambles. With a suitable scheme of boundary treatment (as proposed by condition), I am of the opinion that due to the low eaves, only the roof line would be visible over such a boundary. Whilst something may be visible, this does not necessarily equate to introducing significant visual harm. Given that the roof pitch would slope away from the rear of the dwellings and their garden area, and combined with their orientation and height, I consider that the development is unlikely to overshadow or overbear this space more than the previously approved scheme. With a large area of intervening garden, the reduction in proximity to the common boundary by 2 metres is not considered to be materially significant.
- 8.24 The rear projecting element of Plot 1 would be set some 4 metres off the boundary with No. 37 to the northwest, and despite its length, I consider that the proposal is set far enough off that boundary to not result in any significant sense of enclosure or overshadowing compared to the previously approved scheme(s). Only one window is proposed at upper floor level, and this would be in the northwest (side) elevation facing No. 37, serving a proposed bathroom. A condition has been recommended so that it would be fitted with obscure glazing and fixed shut to protect the residential amenity of the adjacent occupiers.
- 8.25 Environmental Health have requested a condition limiting the hours of operation during construction to mitigate these impacts to an acceptable level upon the residential amenity of neighbouring occupiers. I have added this to my recommendation.
- 8.26 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/12 and 4/13.

Refuse Arrangements

8.27 The application makes provision for 3no. waste storage (wheelie bins) for each dwelling proposed. This is considered to be a fully acceptable location for these storage areas, and no adverse comment in this regard has been made by the Environmental Health section. Therefore, in my opinion, the proposal is compliant with Cambridge Local Plan (2006) policies 3/7, 3/10 and 3/12.

Highway Safety

8.28 Both the type of access (a shared surface) and its width, location and general layout within the plot remain consistent with the previously approved scheme. The Local Highway Authority have been consulted as part of the application process, and other than suggesting a number of standard informatives, have raised no specific objections or concerns, other than that the footway crossing and verge must comply with their specification for such works, not those that form part of this application. Given that it is considered reasonable and necessary to secure such provision via a planning condition, I do not consider that there is a such a significant or adverse potential impact upon highway safety, such as to warrant refusal on those grounds.

8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.30 The provision of bicycle and car parking is very similar to the previously approved scheme, ref 07/0598/FUL. The proposed double garages for each property satisfy the requirements for car parking, with the courtyard areas to the front of the bungalows providing an additional space for visitors.

8.31 Each garage indicates secure storage for two cycles, which is broadly compliant with the requirements for cycle storage.

8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/10, 8/6 and 8/10.

Third Party Representations

8.33 I am of the opinion that the majority of the issues raised by third

party representations have been fully considered in the text above. Subject to conditions relating to boundary treatments I consider that the comments raised regarding the neighbouring hedges can be sufficiently addressed.

Planning Obligation Strategy

8.34 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.

8.35 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. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.36 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.

8.37 The application proposes the erection of 1 four-bedroom houses,

and 2 four-bedroom bungalows. One residential unit 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 children's play space 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		
3-bed	3	238	714		
4-bed	4	238	952	3	2142
Total					2142

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076	3	2421
Total					2421

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968	3	2178
Total					2178

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264	3	2884
Total					2884

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

Community Development

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

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

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

Waste

8.41 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	3	150
Flat	150		
Total			150

8.42 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 and Cambridge Local Plan (2006) policies 5/14 and 10/1.

Planning Obligation - Conclusion

8.43 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.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

1. APPROVE subject to the satisfactory completion of the s106 agreement by 31 May 2010 and subject to the following conditions:

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

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

2. No development shall 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

4. 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. The building shall not be occupied until the area identified on the approved plans for car parking has been drained and surfaced in accordance with details submitted to and approved by the local planning authority in writing and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)

6. 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. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/7, 3/11, and 4/4)

7. Prior to the commencement of development, details of the method of all hardstanding and drive construction on site, as well as details of the foundation construction of the dwellings and garages hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Such details shall take into account the Root Protection Areas (as defined by BS5837:2005 Trees in relation to construction : clause 5) of the trees on site, as well as the conifers in the rear gardens of 41 Shelford Road and 2 The Brambles whose roots systems are likely to extend into the property. The development shall be carried out in accordance with the approved details.

Reason: To ensure the satisfactory protection of the existing trees in the interests of visual amenity, and to minimise any future impacts upon the new dwellings due to the proximity to those trees. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/7, 3/11, and 4/4)

8. 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), the two bungalows hereby permitted (plots 2 and 3) may not contain any habitable accommodation above ground floor level in the roof space.

Reason: To protect the amenity of adjoining residential occupiers. (Cambridge Local Plan 2006 policies 3/10 and 3/12)

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows other than those expressly authorised by this permission shall be constructed in the upper floor levels or roofslopes of the bungalows or replacement dwelling hereby permitted.

Reason: To protect the amenity of adjoining residential occupiers. (Cambridge Local Plan 2006 policies 3/10 and 3/12)

10. Notwithstanding the approved plans, full details of the footway and verge crossing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved plans.

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

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

Reason: To safeguard the amenity of neighbouring residents in accordance with the requirements of Cambridge Local Plan 2006 policy 4/13

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

Reason: In the interests of residential amenity and in accordance with the requirements of Cambridge Local Plan 2006 policy 4/13.

13. 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. (Cambridge Local Plan 2006 policy 4/13)

14. Part A

Prior to the commencement of refurbishment/ development works a noise report prepared in accordance with the provisions of PPG 24 'Planning and Noise,' that considers the impact of noise on the Shelford Road façades upon the proposed development shall be submitted in writing for consideration by the local planning authority

Part B

Following the submission of a PPG 24 noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme having regard to acoustic ventilation, (complying with the background, purge and summer cooling requirements of Approved Document F), detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise as a result of the proximity of the bedrooms/living rooms to the high ambient noise levels on the Shelford Road facades (dominated by traffic and vehicle noise), be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings-Code of Practice.' The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

Reason: To safeguard the amenity of neighbouring properties in accordance with the requirements of Cambridge Local Plan 2006 policy 4/13.

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

INFORMATIVE: The developer should contact the Highway Authority, or its Agent, to arrange construction of any works within, or disturbance of, or interference with, the Public Highway, and that all costs associated with such works shall be borne by the Developer; and an informative to the effect that the Developer will neither be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connexion; and an informative to the effect that no window nor door will be allowed to open over a highway, and no foundation nor footing for the structure will be allowed to encroach under the Public Highway.

Reasons for Approval

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: SS1, ENV7

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/10, 3/11, 3/14, 4/4, 8/2, 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.

2. **Unless prior agreement has been obtained from the Head of Development Services, 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 May 2010 it is recommended that the application be refused for the following reason**

The proposed development does not make appropriate provision for indoor and outdoor sports facilities, informal open space and provision for children and teenagers, community facilities and waste and recycling containers in accordance with policies 3/8, 5/14, 5/14 and 10/1 of the Cambridge Local Plan 2006; and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

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 by contacting John Summers (Ext.7103) in the Planning Department.

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10/0215/FUL
39 Shelford Road Cambridge Cambridgeshire CB2 9LZ

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Application Number	10/0171/ADV	Agenda Item	
Date Received	2nd March 2010	Officer	Miss Catherine Linford
Target Date	27th April 2010		
Ward	Cherry Hinton		
Site	23 High Street Cherry Hinton Cambridge Cambridgeshire CB1 9HX		
Proposal	Installation of 1 free-standing sign (non illuminated).		
Applicant	PO Box 232 51 Newmarket Road Cambridge CB5 8FF		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The subject property is currently occupied by the Cambridge Building Society and was originally one of a pair of semi-detached dwellings. The property is situated on the western side of Cherry Hinton High Street, on the junction with Mill End Close. The immediate area is predominantly residential in character with residential properties to the north, south and west, and open space across the street to the east.

2.0 THE PROPOSAL

- 2.1 This application seeks advertisement consent for a freestanding sign in a v-formation, to be positioned in the front garden area of the property. The sign would consist of 2 signs each measuring 460mm x 1600mm, standing on metal posts. The signs would be white, powder coated aluminium panels with a sapphire blue corporate logo.
- 2.2 The application is accompanied by the following supporting information:

1. Photographs of other signage on Cherry Hinton High Street

2.3 This application is identical to that refused under delegated powers under ref 09/1127/ADV.

3.0 SITE HISTORY

Reference	Description	Outcome
09/1127/ADV	Installation of a freestanding sign in a v-formation on metal posts	REF

3.1 The decision notice for the previously refused application 09/1127/ADV is attached to this report as Appendix 1.

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 **PPG19 Outdoor Advertisement Control (1992):** Explains that the main purpose of the advertisement control system is to help those involved in outdoor advertising to contribute positively to the appearance of an attractive environment in cities, towns and the countryside. The advice covers pre-application discussions, deemed consent, exemptions from detailed control and temporary as well as permanent advertisements. The role of guidance on design is explained as are criteria for dealing with advertisement applications.

5.3 East of England Plan 2008

SS1 Achieving sustainable development
ENV7 Quality in the built environment

5.4 Cambridge Local Plan 2006

3/1 Sustainable development
3/4 Responding to context
3/15 Shopfronts and signage

5.5 Material Considerations

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

No Objection: No significant adverse effect upon the public highway should result from this proposal.

6.1 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 Newbold has requested that this application is determined by South Area Committee.

7.2 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 The Town and Country Planning (Control of Advertisements) Regulations 2007 states that in deciding whether or not to approve an application for advertisement consent, the local planning authority may only consider the issues of amenity and public safety.

Amenity – Impact on the character of the building and the street scene

8.2 PPG19 specifically requires that Local Planning Authorities should have regard to the effects of advertisements on the

appearance of the building or the visual amenity of the immediate area where they are displayed. These requirements are also reflected in local policy. Policy 3/15 of the Local Plan states that signage shall contribute to the design and character of the building and its surroundings and complement the quality of the built environment.

- 8.3 The property is situated on the junction of Cherry Hinton High Street and Mill End Close. Both this section of the High Street and Mill End Close are almost exclusively residential in character, with the closest commercial properties situated some distance away along the High Street. The closest commercial properties are two public houses, which are situated 40-50m south of the subject property. The subject premises already has a fascia sign and in my view, the proposed sign situated in the front garden of the property, would be extremely intrusive in the street scene, to the detriment of the character of this residential area, and together with the existing advertisements constitute an excess of advertising material relative to the premises.
- 8.4 The applicant has submitted photographs showing other signage on Cherry Hinton High Street. The majority of these examples do not need advertisement consent, and even so these signs are situated on or adjacent to commercial premises that occupy buildings designed for that use. The application site is clearly a converted house and any signage proposed here should respect that and the surrounding residential area. I remain of the opinion that the proposed signs would be intrusive in the street scene and would be out of character with the building.
- 8.5 In my opinion, the proposed sign is unacceptable as it does not respect the character of the surrounding area and, therefore, fails to comply with policies 3/4 and 3/15 of the Cambridge Local Plan (2006), policy ENV7 of the EEP, the Cambridge City Council Shopfront Design Guide (1997), and government guidance in PPG19.

Public safety – Impact on highway safety

- 8.6 The Local Highway Authority has raised no objection to this application, and I am of the opinion that the proposed signs would not pose a danger to highway safety or that any other aspects of public safety would be prejudiced.

9.0 CONCLUSION

- 9.1 In my opinion, due to its size, colour and location, the proposed sign would constitute a visually intrusive and unduly dominant form of advertisement, which would have a detrimental impact upon the visual amenity of the surrounding predominantly residential area. The application is therefore recommended for refusal.

10.0 RECOMMENDATION

REFUSE for the following reason/s:

1. The proposed freestanding sign because of its size, its colour, and its proposed location, would constitute a visually intrusive and unduly dominant form of advertisement, which would have a detrimental impact upon the visual amenity of the surrounding predominantly residential area. The proposed advertisement is therefore contrary to policy 3/15 of the Cambridge Local Plan (2006) and to advice provided by PPG19 Outdoor Advertisement Control.

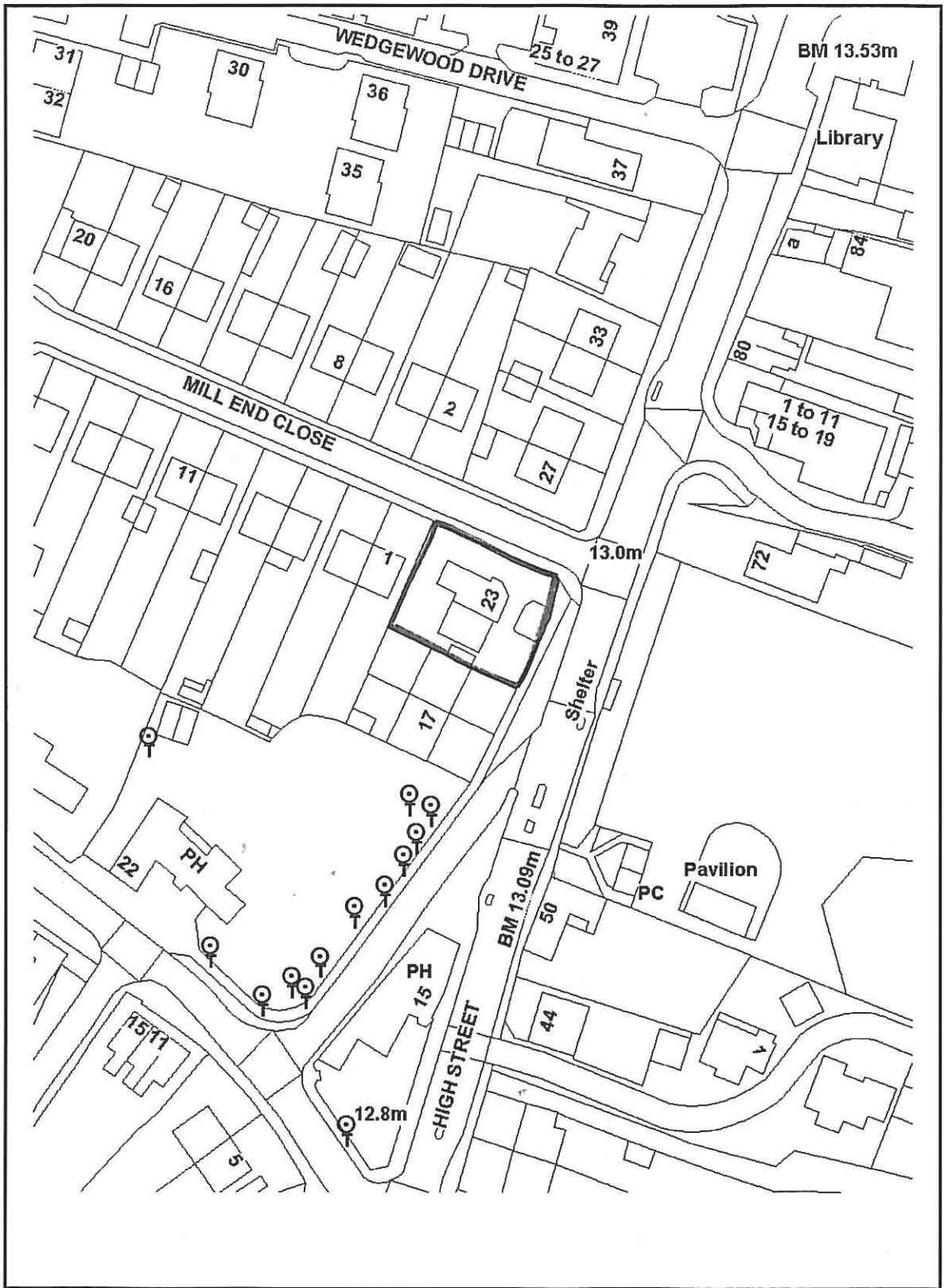
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10/0171/ADV
 23 High Street Cherry Hinton Cambridge Cambridgeshire

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Application Number	10/0295/FUL	Agenda Item	
Date Received	1st April 2010	Officer	Mr Marcus Shingler
Target Date	27th May 2010		
Ward	Queen Ediths		
Site	11 Kinnaird Way Cambridge Cambridgeshire CB1 8SN		
Proposal	Erection of two storey front and rear extensions.		
Applicant	Mr & Mrs Gough 11 Kinnaird Way Cambridge Cambridgeshire CB1 8SN		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 11 Kinnaird Way is a detached two-storey dwelling situated on the northern side of Kinnaird Way and finished in red brick and tiles. The area is predominantly residential in character containing mainly detached two-storey dwellings in a variety of design styles, there being no common design theme. The property has an existing attached flat roof garage to the west elevation and a modest front porch canopy.
- 1.2 The site does not lie within a conservation area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application follows the earlier refusal and subsequent approval of applications for a two-storey front side and rear extension (08/0422/FUL and 08/0886/FUL) and again seeks permission for a two-storey front, side and rear extension to the existing dwelling.
- 2.2 The two-storey front extension measures 7.1m wide by 1.6m deep and with a pitched roof over of maximum height 7.2m. The

proposed two-storey side extension will replace the existing single storey side garage and measures 8m deep by 3m wide and with a pitched roof over of maximum height 8.2m. The proposed rear extension measures 8.4m wide by 3.8m deep reducing to 3m as it runs across the rear face of the dwelling and with a pitched roof of maximum height 7.8m falling to 4m.

2.3 The following is a description of the development that has already been approved on the site:

‘The two-storey front extension measures 6.95m wide by 1.6m deep and with a pitched roof over of maximum height 7.5m. The proposed two-storey side extension will replace the existing single storey side garage and measures 8m deep by 2.8m wide and with a pitched roof over of maximum height 8m. The proposed rear extension measures 8.4m wide by 3m deep and with a pitched roof of maximum height 8m.’

2.4 The plans also show a single storey extension that is to be erected to the eastern end of the rear elevation adjacent to the boundary with 15 Kinnaird Way. This development has the benefit of a Lawful Development Certificate and does not need planning permission provided that it is completed before other works commence.

2.5 The application is reported to Committee for determination at the request of Councillor Baker.

3.0 SITE HISTORY

Reference	Description	A/C,REF,W/D
10/0059/CL2PD	Certificate of lawfulness for a single storey rear extension.	Granted
08/0886/FUL	Two-storey front, side and rear extension.	A/C
08/0422/FUL	Two-storey front, side and rear extension.	REF

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

5.2 PPS1 Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 PPG13 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.

5.4 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

ENV7 Quality in the built environment

5.6 Cambridge Local Plan 2006

3/4 Responding to context

3/14 Extending buildings

8/10 Off street car parking

5.7 Supplementary Planning Documents

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

6.0 CONSULTATIONS

6.1 Cambridgeshire County Council (Engineering)

6.2 The parking layout is not shown and should be provided showing dimensions.

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:

15 Kinnaird Way

7.2 The representations can be summarised as follows:

Objection is raised on the same grounds as the previously refused scheme, namely that the rear extension will lead to a loss of light, outlook and will be unduly enclosing on their property, which includes flank windows that serve a lounge.

Concern is expressed about the length of time over which consents have been given on the site and it is questioned whether there is a serious intention to develop the permitted extension if the larger scheme fails.

Concern is expressed that this extension could be built in conjunction with a single storey extension that could be constructed under permitted development and for which a Lawful Development Certificate has already been granted (10/0059/CL2PD).

The objector considers this will set a precedent and that the application should be viewed in conjunction with the single storey extension.

- 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. Context of site, design and external spaces
2. Residential amenity
3. Impact on Car Parking
4. Third party representations

Context of site, design and external spaces

- 8.2 In order to assess the development, I will address the proposals in their constituent elements:-

Two-storey front extension

- 8.3 The proposed two-storey front extension will be clearly visible in the street scene and careful assessment of its impact upon the character and appearance of the locality is required. In this respect, the extension is of significant scale, being very wide and I have considered whether this is unacceptably intrusive. However, site inspection reveals that the area is very mixed in design terms and other properties nearby have front two-storey

wings not dissimilar to that proposed in this instance. In these circumstances, I consider that it would be difficult to justify refusal of permission on the grounds of the front extension causing harm to the appearance of the locality. In reaching this view I am mindful that this element is similar to that which formed part of the previously approved scheme (08/0886/FUL) and no objections were raised to this element of the development in design terms.

Two-storey side extension

- 8.4 The proposed side extension will also be visible in the street scene but I do not consider that it would impact adversely upon its character and appearance. The side extension replaces an existing flat roofed side garage and will read as a continuation of the existing dwelling, being flush at main ridge and with the main front elevation of the property. Subject to the use of matching materials, I consider that the side extension will integrate satisfactorily as a harmonious addition to the dwelling. The side extension will be set off the common boundary with the unattached neighbouring dwelling to the west at No. 9 Kinnaird Way by 600mm and therefore the development would be unlikely to give rise to the creation of a terracing effect. In reaching this view I am mindful that this element is similar to that which formed part of the previously approved scheme (08/0886/FUL) and no objections were raised to this element of the development in design terms.

Two-storey rear extension

- 8.5 This element of the proposals will not be visible in the street scene and will have no impact therefore upon its character and appearance. The rear extension is of significant scale but I consider it would integrate satisfactorily with the existing dwelling, subject to the use of matching materials. The rear extension will be 3.8m deep at its greatest, but reduces to 3m and the rear garden is circa 15m deep and I do not consider that the rear garden environment would be harmed by the proposals. This element is also very similar to the approved scheme.
- 8.6 Overall the development is undoubtedly of significant scale but is similar to that approved under reference 08/0886/FUL and in my opinion the proposal is compliant with East of England Plan

(2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, and 3/14.

Residential Amenity

8.7 Again dealing with the constituent parts of the development: -

Two-storey front extension

8.8 The two-storey front extension is of significant width but of modest depth at 1.6m and given the separation distance to the front windows of the neighbouring dwellings at No's 9 and 15, I do not consider that either dwelling would be adversely affected by way of loss of light or outlook and nor would privacy be compromised as a result of the proposed front extension.

Two-storey side extension

8.9 The two-storey side extension is set to the western flank of the existing dwelling and thus the only potentially impacted property is that to the west at No. 9 Kinnaird Way. The main flank of this dwelling is about 4m from the common boundary and there are no main windows in the flank and thus any impact on light or outlook would not be of a significant scale.

Two-storey rear extension

8.10 The proposed rear extension is of significant scale but will be about 4m distant from the main rear windows of No. 9 Kinnaird Way and I do not consider that this property would be adversely affected by way of a significant loss of light or outlook and nor would privacy be unduly impacted.

8.11 The impact of the rear extension upon the unattached neighbouring dwelling to the east at No. 15 Kinnaird Way will be more marked. This dwelling has windows to the western flank that currently serve a lounge. These windows are not the only source of light to the lounge however, since there are also patio windows to the main rear elevation. The two-storey extension is set about 6.4m from the common boundary with No. 15 and given the 3m depth at its closest point, although there will inevitably be some impact, most particularly on the flank windows of this property, I do not consider that it would be of a degree that would merit refusal.

8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site. In

reaching this view I am mindful that the impact upon residential amenities of this scheme is not markedly different from that which would arise should the approved scheme (08/0886/FUL) be implemented. I consider that the development is compliant with East of England Plan (2008) policy ENV7, East of England Plan (2008) policy ENV7, Cambridge Local Plan (2006) policies 3/4 and 3/14.

Impact on Car Parking

- 8.13 I note the comments made by the officer of the Highways Authority. The garage is to be replaced as part of the development and in my view there is space on the driveway to park a car. The development accords with Cambridge Local Plan 2006 policy 8/10.

Third Party Representations

- 8.14 I have fully addressed the concerns of the objector about the impact of the rear extension that forms part of this application above. I can appreciate the concerns that result from a protracted planning history but these cannot be regarded as material planning considerations. This also applies to the question of whether or not development is carried out once a Certificate of Lawfulness is granted. In my view it is that part of the overall development that can be carried out in advance as 'permitted development', which will have the greatest impact on the amenity of the neighbour. This does not form part of the application proposals and cannot form part of the consideration of the application.

9.0 CONCLUSION

- 9.1 The proposals are considered to be acceptable and approval is recommended.

10.0 RECOMMENDATION

1. APPROVE subject to the following conditions:

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

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

2. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

Reasons for Approval

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

East of England plan 2008: ENV 7

Cambridge Local Plan (2006): Policies 3/4 and 3/14

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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10/0295/FUL
11 Kinnaird Way Cambridge Cambridgeshire CB1 8SN

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Application Number	10/0262/FUL	Agenda Item	
Date Received	25th March 2010	Officer	Mr Marcus Shingler
Target Date	20th May 2010		
Ward	Cherry Hinton		
Site	23 Kelsey Crescent Cambridge Cambridgeshire CB1 9XT		
Proposal	Erection of a part 1800mm, part 1200mm fence, enclosing existing grass verge area and change of use from public amenity space to private garden.		
Applicant	Mr Simon Desborough 23 Kelsey Crescent Cambridge Cambridgeshire CB1 4XT		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 23 Kelsey Crescent is a semi-detached two-storey dwelling and its associated front, side and rear gardens situated on the north western side of the main access road serving Kelsey Crescent. The area is residential in character containing a mixture of semi-detached and terraced dwellings. The subject dwelling is finished in red brickwork under a tiled roof.
- 1.2 The site does not lie within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application follows the earlier refusal under Officers delegated powers of an application that sought to reposition the existing boundary fence (09/0840/FUL). Permission is now sought for the erection of boundary fencing and change of use of the existing verge from public amenity space to private garden. The fencing is to the south eastern boundary of the plot and is 1.8m high falling to 1.2m high towards the eastern section (front of site). The fencing

that is the subject of this application has already been erected and the land enclosed and in use as private garden.

- 2.2 The application is reported to Committee for determination at the request of Councillor Newbold. Reports relating to the erection of fencing at 113 Kelsey Crescent and 44 Kelsey Crescent appear elsewhere on the Agenda. An application has also been made in relation to a similar fence at 54 Kelsey Crescent however this application is not valid because insufficient information has been submitted with it.

3.0 SITE HISTORY

Reference	Description	A/C,REF,W/D
09/0840/FUL	Repositioning of boundary fence (retrospective)	REF

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 Central Government Advice
- 5.2 PPS1 Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.
- 5.3 PPG13 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.

5.4 **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**

ENV7 Quality in the built environment

5.6 **Cambridge Local Plan 2006**

3/4 Responding to context

5.7 **Supplementary Planning Documents**

5.8 **Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006.**

Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

No objections.

- 6.1 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 One objection from the occupiers at No. 16 Kelsey Crescent has been received. The issues raised are summarised below: -

*The fencing results in the loss of grass verge and is out of keeping with the open plan nature of the area;
The fence blocks views of the road and is hazardous to traffic safety.*

- 7.2 At the time of compiling this report no other representations had been received, however the neighbour consultation period does not expire until 28 April 2010. Any further comments that are received will be reported on the Amendment Sheet.

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity

Context of site, design and external spaces

- 8.2 The boundary fencing that is the subject of this application had already been erected at the time of the Officers original site visit in 2009. It is therefore possible for a clear assessment of its impact on the character and appearance of the locality to be made.
- 8.3 The erection of the fence has led to the loss of the grass verge to the side of the property. Such verges contribute significantly to the character and appearance of the locality, giving it an open and

spacious appearance. The installation of fencing abutting the public footpath has created a hard and urban appearance that is alien to the generally open and spacious character. Given that the site is at a prominent corner position, I consider that this exacerbates the impact of the fencing and the visual intrusion.

- 8.4 For the above stated reasons I consider the development is in clear conflict with East of England Plan 2008 policy ENV7 and Cambridge Local Plan (2006) policies 3/4.

Residential Amenity

- 8.5 The proposed fencing is sited to the south eastern boundary of the plot and well away from neighbouring properties and would not give rise to any significant impact on light, outlook or privacy to neighbouring dwellings. I note the comments received from neighbouring objectors concerning potential sight line and highway safety issues but the Highways Officer has raised no objections to the development and I do not consider that refusal on this ground could be justified or sustained at appeal.

- 8.6 In my opinion the proposal adequately respects the residential amenity of its neighbours.

9.0 CONCLUSION

- 9.1 For the reasons set out above, the fencing and consequent enclosure of land is visually unacceptable and refusal is recommended.

10.0 RECOMMENDATION

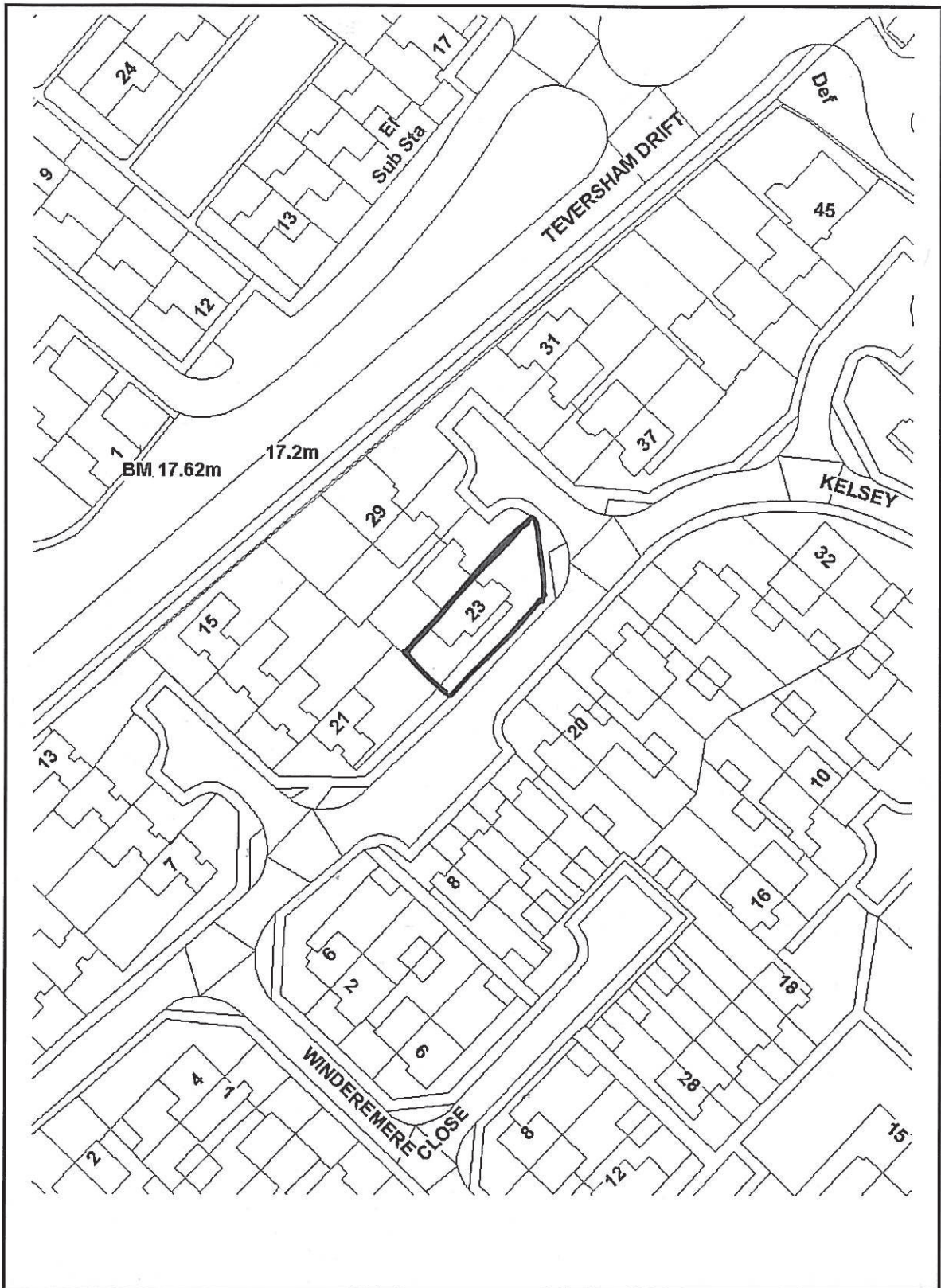
1. REFUSE for the following reason/s:
 1. The boundary fencing, by reason of its height, position abutting the public footway and its prominent corner location, is a visually dominant and intrusive feature in the street scene that is alien to and out of context with the open and spacious character of the locality. The fencing fails to respect the site context and causes demonstrable harm to the character and appearance of the area. For these reasons the application is contrary to policy ENV7 of the East of England Plan 2008, to policy 3/4 of the Cambridge Local Plan 2006 and to advice provided by PPS1 Delivering Sustainable Development.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



10/0262/FUL

23 Kelsey Crescent Cambridge Cambridgeshire CB1 9XT

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Application Number	10/0249/FUL	Agenda Item	
Date Received	13th April 2010	Officer	Mr Marcus Shingler
Target Date	8th June 2010		
Ward	Cherry Hinton		
Site	44 Kelsey Crescent Cambridge Cambridgeshire CB1 9XX		
Proposal	Erection of a close-boarded fence.		
Applicant	Mrs Jan Ruby 44 Kelsey Crescent Cambridge Cambridgeshire CB1 9XX		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 44 Kelsey Crescent is the southern half of a semi-detached pair of houses located on the north side of Kelsey Crescent at the junction with Broxbourne Close. This area is residential in character with a mix of mainly semi-detached and detached two-storey housing. The application dwelling itself is of traditional gable roof design and finished in brown facing bricks and brown concrete interlocking tiles. On the opposite side of the road, boundary fencing has also been installed to the side boundary of No. 113 Kelsey Crescent that is the subject of a current planning application (10/0254/FUL).
- 1.2 The site does not lie within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application follows the earlier refusal under Officers delegated powers of an application that sought to erect a fence (09/0859/FUL). Permission is now sought for the erection of a close boarded fence. The fence is 1.95m high and to the south eastern boundary of the site. The fencing has already been

erected and the land enclosed is in use as private garden. In this case planning permission has not been sought for change of use of the enclosed land to private amenity space.

- 2.2 The application is reported to Committee for determination at the request of Councillor Newbold. Reports relating to the erection of fencing at 23 Kelsey Crescent and 113 Kelsey Crescent appear elsewhere on the Agenda. An application has also been made in relation to a similar fence at 54 Kelsey Crescent however this application is not valid because insufficient information has been submitted with it.

3.0 SITE HISTORY

Reference	Description	A/C,REF,W/D
09/0859/FUL	Erect a close boarded fence (retrospective)	REF
08/1517/FUL	Single storey side/rear extension	A/C

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 Central Government Advice

- 5.2 PPS1 Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

- 5.3 PPG13 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.
- 5.4 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**
- ENV7 Quality in the built environment
- 5.6 **Cambridge Local Plan 2006**
- 3/4 Responding to context
- 5.7 **Supplementary Planning Documents**
- 5.8 Cambridge City Council (May 2007) – Sustainable Design and Construction: Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

6.0 CONSULTATIONS

6.1 Cambridgeshire County Council (Engineering)

No objections.

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

7.0 REPRESENTATIONS

- 7.1 At the time of writing, no representations had been received however the neighbour consultation period does not expire until 28 April 2010. Any further comments that are received will be reported on the Amendment Sheet.

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity

Context of site, design and external spaces

- 8.2 The boundary fencing that is the subject of this application had already been erected at the time of the Officers original site visit in 2009. It is therefore possible for a clear assessment of its impact on the character and appearance of the locality to be made.
- 8.3 The erection of the fence has led to the loss of the grass verge to the side of the property. I consider that such verges contribute significantly to the character and appearance of the locality, giving it an open and spacious appearance. Although the area of grass verge lost is not substantial in this instance, the installation of fencing abutting the public footpath has created a harsh and urban appearance that is alien to the generally open and spacious character of the locality. Given that the site is at a prominent corner position, I consider that this exacerbates the impact of the fencing and the visual intrusion

on Kelsey Crescent.

- 8.4 For the above stated reasons I consider the development is in clear conflict with East of England Plan 2008 policy ENV7 and Cambridge Local Plan (2006) policies 3/4.

Residential Amenity

- 8.5 The fencing is sited to the south and west side boundary of the site and well away from neighbouring properties and has no impact on light, outlook or privacy to neighbouring properties.
- 8.6 In my opinion the fencing adequately respects the amenities of neighbouring properties

9.0 CONCLUSION

- 9.1 For the reasons set out above, the fencing is visually unacceptable and refusal is recommended.

10.0 RECOMMENDATION

1. REFUSE for the following reason/s:

1. The boundary fencing, by reason of its height, position abutting the public footway and its prominent corner location, is a visually dominant and intrusive feature in the street scene that is alien to and out of context with the open and spacious character of the locality. The fencing fails to respect the site context and causes demonstrable harm to the character and appearance of the area. For these reasons the application is contrary to policy ENV7 of the East of England Plan 2008, to policy 3/4 of the Cambridge Local Plan 2006 and to advice provided by PPS1 Delivering Sustainable Development.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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10/0249/FUL

44 Kelsey Crescent Cambridge Cambridgeshire CB1 9XX

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Application Number	10/0254/FUL	Agenda Item	
Date Received	23rd March 2010	Officer	Mr Marcus Shingler
Target Date	18th May 2010		
Ward	Cherry Hinton		
Site	113 Kelsey Crescent Cambridge Cambridgeshire CB1 9XX		
Proposal	Retrospective application for erection of a fence.		
Applicant	Mrs J Starrs 113 Kelsey Crescent Cambridge Cambridgeshire CB1 9XX		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 113 Kelsey Crescent is an end of terrace two-storey dwelling situated on the eastern side of this section of Kelsey Crescent. The area is residential in character containing a mixture of semi-detached and terraced dwellings. The subject dwelling is finished in red brickwork under a tiled roof. On the opposite side of the road, boundary fencing has also been installed to the side boundary of No. 44 Kelsey Crescent that is the subject of a current planning application (10/0249/FUL).
- 1.2 The site does not lie within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application follows the earlier refusal under Officers delegated powers of an application that sought to erect a fence (09/0857/FUL). Permission is now sought for the retention of boundary fencing. The fencing is 1.8m high and to the south side rear boundary of the site. The fencing has already been erected and the land enclosed is in use as private garden. In this case planning permission has not been sought for change

of use of the enclosed land to private amenity space.

- 2.2 The application is reported to Committee for determination at the request of Councillor Newbold. Reports relating to the erection of fencing at 23 Kelsey Crescent and 44 Kelsey Crescent appear elsewhere on the Agenda. An application has also been made in relation to a similar fence at 54 Kelsey Crescent however this application is not valid because insufficient information has been submitted with it.

3.0 SITE HISTORY

Reference	Description	A/C,REF,W/D
09/0857/FUL	Erection of a fence (retrospective).	REF

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 Central Government Advice
- 5.2 PPS1 Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.
- 5.3 PPG13 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.

- 5.4 **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**

ENV7 Quality in the built environment

5.6 **Cambridge Local Plan 2006**

3/4 Responding to context

5.7 **Supplementary Planning Documents**

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

6.0 **CONSULTATIONS**

6.1 **Cambridgeshire County Council (Engineering)**

No objections.

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

7.0 REPRESENTATIONS

- 7.1 At the time of writing, no representations had been received however the neighbour consultation period does not expire until 28 April 2010. Any further comments that are received will be reported on the Amendment Sheet.

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Residential amenity

Context of site, design and external spaces

- 8.2 The boundary fencing that is the subject of this application had already been erected at the time of the Officers original site visit in 2009. It is therefore possible for a clear assessment of its impact on the character and appearance of the locality to be made.
- 8.3 The erection of the fence has resulted in the loss of view of a triangular piece of green space to the rear of car parking spaces and adjacent to a flat roof garage building. Such green spaces contribute significantly to the character and appearance of the locality, giving it an open and spacious appearance. Although the area of grass lost is not substantial in this instance, the installation of fencing abutting the public footpath which lies to the rear of the parking spaces and provides access to numbers 97 to 107 Kelsey Crescent has created a hard and urban appearance that is alien to the generally open and spacious character of the locality. Given that the site is at a prominent corner position, I consider that this exacerbates the impact of the fencing and the visual intrusion on Kelsey Crescent.
- 8.4 For the above stated reasons I consider the development is in clear conflict with East of England Plan 2008 policy ENV7 and

Cambridge Local Plan (2006) policies 3/4.

Residential Amenity

- 8.5 The fencing as erected is sited to the south and western side boundary of the plot and well away from neighbouring properties and would not give rise to any significant impact on light, outlook or privacy to neighbouring dwellings
- 8.6 In my view the fencing adequately respects the amenity of neighbouring properties.

9.0 CONCLUSION

- 9.1 For the reasons set out above, the fencing is visually unacceptable and refusal is recommended.

10.0 RECOMMENDATION

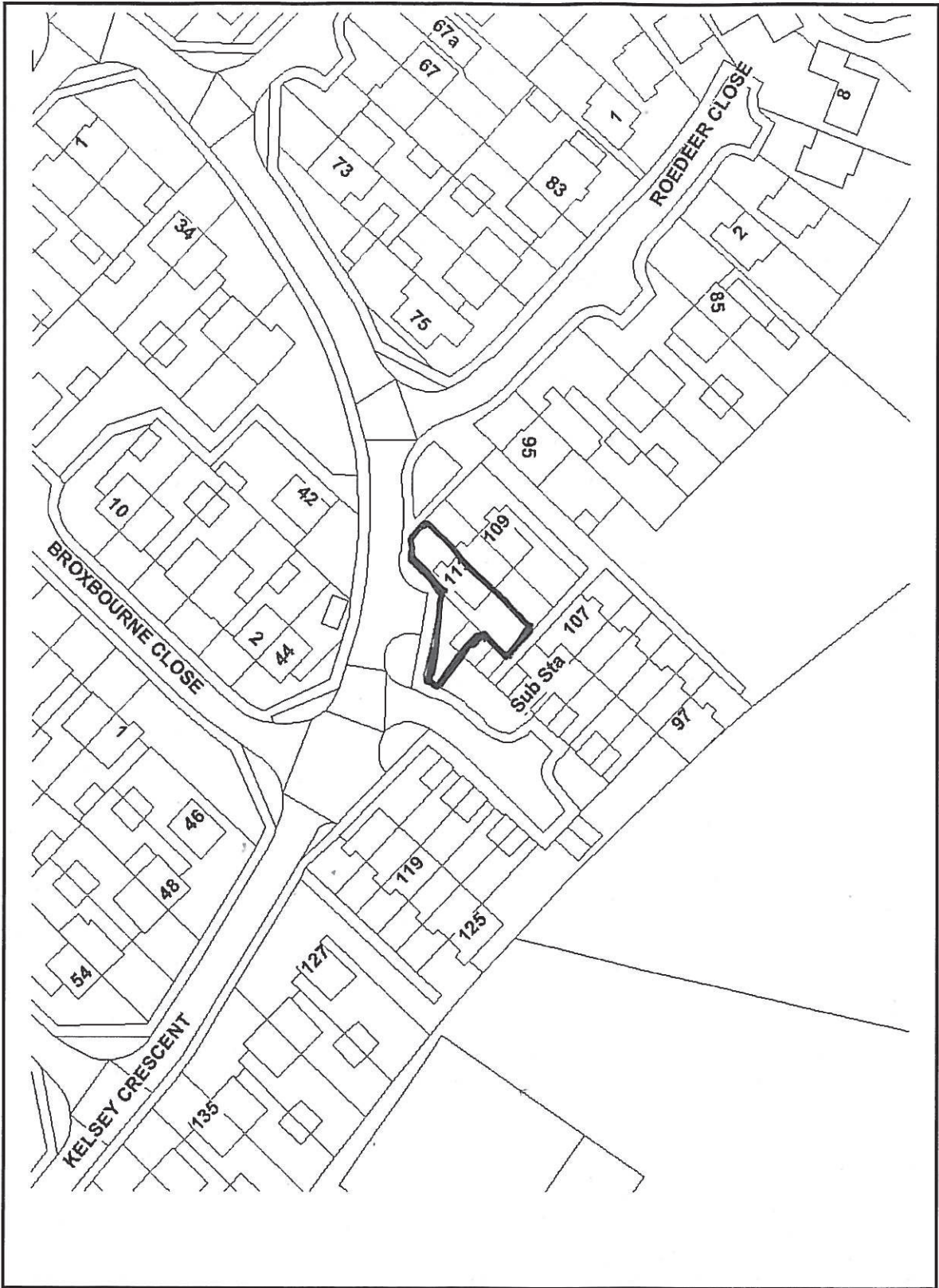
1. REFUSE for the following reason/s:
 1. The boundary fencing, by reason of its height, position abutting the public footway and its prominent corner location, is a visually dominant and intrusive feature in the street scene that is alien to and out of context with the open and spacious character of the locality. The fencing fails to respect the site context and causes demonstrable harm to the character and appearance of the area. For these reasons the application is contrary to policy ENV7 of the East of England Plan 2008, to policy 3/4 of the Cambridge Local Plan 2006 and to advice provided by PPS1 Delivering Sustainable Development.

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10/0254/FUL
113 Kelsey Crescent Cambridge Cambridgeshire CB1 9XX

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