



EAST AREA COMMITTEE



AGENDA

To: City Councillors: Blencowe (Chair), Owers (Vice-Chair), Benstead, Brown, Hart, Herbert, Johnson, Marchant-Daisley, Moghadas, Pogonowski, Saunders and Smart

County Councillors: Bourke, Harrison, Sadiq and Sedgwick-Jell

Dispatched: Wednesday, 29 August 2012

Date: Thursday, 6 September 2012

Time: 7.00 pm

Venue: Meeting Room - Cherry Trees Day Centre

Contact: James Goddard **Direct Dial:** 01223 457015

1 APOLOGIES FOR ABSENCE

7PM

2 DECLARATIONS OF INTEREST

Members of the committee are asked to declare any interests in the items on the agenda. In the case of any doubt, the advice of the Head of Legal should be sought **before the meeting**.

Minutes And Matters Arising

3 MINUTES (*Pages 1 - 12*)

To confirm the minutes of the meeting held on 2 August 2012.

4 MATTERS & ACTIONS ARISING FROM THE MINUTES

Reference will be made to the Committee Action Sheet available under the 'Matters & Actions Arising From The Minutes' section of the previous meeting agenda.

General agenda information can be accessed using the following hyperlink:

<http://www.cambridge.gov.uk/democracy/ieListMeetings.aspx?Committeed=147>

Open Forum: Turn Up And Have Your Say About Non-Agenda Items

5 OPEN FORUM	7.15PM
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Refer to the 'Information for the Public' section for rules on speaking.

Items For Decision / Discussion Including Public Input

6 EAST AND SOUTH TRANSPORT CORRIDOR AREA TRANSPORT PLANS	7.45PM
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Report to follow.

Intermission	8.45M
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Planning Items

7 PLANNING APPLICATIONS	9PM
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The applications for planning permission listed below require determination. A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting.

7a 12/0260/FUL - Ryedale House, 40 Cambridge Place Planning Officer (*Pages 25 - 54*)

7b 12/0837/FUL - 25 Cambridge Place Planning Officer (*Pages 55 - 76*)

7c 12/0883/FUL - 47 Priory Road Senior Planning Officer (*Pages 77 - 92*)

7d 12/0742/FUL - 233 Lichfield Road Planning Officer (*Pages 93 - 104*)

8 GENERAL ITEMS

8a Enforcement Report - 86 Brooks Road, Cambridge Planning Enforcement Officer (*Pages 105 - 132*)

The East Area Committee agenda is usually in the following order:

- Open Forum for public contributions
- Delegated decisions and issues that are of public concern, including further public contributions
- Planning Applications

This means that planning items will not normally be considered until at least 8.30pm
- see also estimated times on the agenda.

Meeting Information

Open Forum

Members of the public are invited to ask any question, or make a statement on any matter related to their local area covered by the City Council Wards for this Area Committee. The Forum will last up to 30 minutes, but may be extended at the Chair's discretion. The Chair may also time limit speakers to ensure as many are accommodated as practicable.

Public Speaking on Planning Items

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

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

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

For further information on speaking at committee please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Further information is also available online at

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

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

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

Representations on Planning Applications

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

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

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

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

**Filming,
recording and
photography**

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

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

www.cambridge.gov.uk/democracy/ecSDDisplay.aspx?NAME=SD1057&ID=1057&RPID=33371389&sch=doc&cat=13203&path=13020%2c13203

Fire Alarm

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

**Facilities for
disabled people**

Level access is available at all Area Committee Venues.

A loop system is available on request.

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

For further assistance please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

**Queries on
reports**

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

**General
Information**

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

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EAST AREA COMMITTEE2 August 2012
7.00 - 10.05 pm**Present**

Area Committee Members: Councillors Blencowe (Chair), Owers (Vice-Chair), Benstead, Brown, Hart, Herbert, Johnson, Marchant-Daisley, Moghadas, Pogonowski, Saunders and Smart

Area Committee Members: County Councillors Bourke, Sadiq and Sedgwick-Jell

Officers:

Project Delivery & Environment Manager: Andrew Preston

Senior Anti-Social Behaviour Officer: Sarah Steggles

Anti-Social Behaviour Investigator: Danae Evans

Committee Manager: James Goddard

Other Officers in Attendance:

Police Inspector: Steve Poppitt

FOR THE INFORMATION OF THE COUNCIL**12/37/EAC Apologies For Absence**

Apologies were received from Councillors Brown, Hart and Herbert.

12/38/EAC Declarations Of Interest

No declarations of interest were received.

12/39/EAC Minutes

The minutes of the 21 June 2012 meeting were approved and signed as a correct record subject to the following amendment:

- (i) Typographical error in 12/30/EAC Open Forum question 1. Comments and action point attributed to Councillor Blencowe should be attributed to Councillor Bourke.

The minutes of the 25 June 2012 meeting were approved and signed as a correct record.

12/40/EAC Matters & Actions Arising From The Minutes

- (i) **12/16/EAC Matters & Actions Arising From The Minutes “Action Point: Councillor Sedgwick-Jell to respond to Dr Eva’s Riverside Place gritting concerns raised in ‘open forum’ section. Councillor Sedgwick-Jell to clarify position with Graham Hughes (Service Director, Growth & Infrastructure – County) to ascertain gritting schedule.”**

Councillor Sedgwick-Jell has followed up the gritting issue with County Officers, they have undertaken to make the Riverside Place cycle lane and road a priority

- (ii) **12/17/EAC Open Forum matter arising: Addenbrooke’s bus service concern.**

Councillor Johnson and Councillor Sadiq met with Councillor Ward to discuss this issue.

- (iii) **12/30/EAC Open Forum “Action Point: Councillors Bourke and Marchant-Daisley to meet with ward residents and shopkeepers to discuss drug and alcohol related street life anti-social behaviour in the area around Mill Road and Norfolk Street. Issues to be reported back to August East Area Committee (EAC).”**

Councillor Bourke to meet with Inspector Poppitt and Mr Stamp to discuss Mill Road issues, in particular those affecting the Co-op. A mutually convenient date for the meeting was not possible prior to 2 August EAC.

This topic was revisited under minutes section 12/42/EAC Police and Safer Neighbourhoods.

- (iv) **12/30/EAC Open Forum “Action Point: Councillor Johnson to raise EAC bus service concerns, specifically changes to the Citi 3 bus route, with Andy Campbell (Stagecoach Cambridgeshire Managing Director).”**

Councillor Johnson passed on a response from Mr Campbell:

Mr Campbell stated that changes to the Citi 3 route were advertised two weeks before they took place, and that every bus had a poster advising passengers of the changes. He added that the poster pointed customers to the Stagecoach website for the new timetables. Mr Campbell also defended the changes to the Citi 3 route, explaining that "we were told prior to the changes that we had too many buses in Bridewell Road, others wanted a connection to Tesco; and Fulbourn wanted a more direct service. We managed to accommodate all these requests."

- (v) **12/30/EAC Open Forum "Action Point: Councillor Herbert to respond to Mrs Deards EIP question after liaising with Andrew Preston (Project Delivery & Environment Manager)."**

Councillor Herbert has liaised with the Project Delivery & Environment Manager. The County Council have raised no objections to the lines, so they should be implemented imminently.

- (vi) **12/30/EAC Open Forum "Action Point: Councillor Hart to liaise with Clare Rankin (Cycling & Walking Officer) and respond to Dr Eva to clarify if the River Lane Community Centre has cycle racks or alternatives."**

Councillor Hart has liaised with the Cycling & Walking Officer.

Councillor Blencowe is pursuing the implementation of a cycle rack outside of the Cherry Trees Day Centre.

- (vii) **12/30/EAC Open Forum matter arising "Action Point: Councillor Johnson to raise drug users and drug dealing in the Riverside area as a Police priority at August EAC"**

Councillor Johnson invited Mr Catto, of Riverside Residents Association, to attend EAC and give further background to the alleged problems in support for making this a police priority.

This topic was revisited under minutes section 12/42/EAC Police and Safer Neighbourhoods.

- (viii) 12/30/EAC Open Forum matter arising “Action Point: Councillor Johnson to raise request for double yellow lines along Riverside with Brian Stinton (Area Manager - County).”**

Councillor Johnson has raised the request for double yellow lines along Riverside with Brian Stinton (Area Manager - County). The County Council felt the suggestion was reasonable, but not a funding priority. The suggestion has now become an environmental improvement project priority.

- (ix) 12/30/EAC Open Forum matter arising “Action Point: Councillor Blencowe to raise resident’s concerns with the choice of colour for Riverside railings with the Project Delivery & Environment Manager.”**

Work on hold pending the outcome of the current moorings consultation.

- (x) 12/35/EACa 12/0260/FUL: Ryedale House, 40 Cambridge Place**

This item was deferred to Thursday 6 September 2012 because amendments were required to overcome the concerns raised by the owner of Bodyworks dance studio. These have now been received.

12/41/EAC Open Forum

- 1. Mr Green raised the following points about the City Council Planning Policy Issues and Options Paper:**
 - Requested Councillors to question policies in the Plan, particularly those in Chapter 12.
 - The City and County Councils were consulting on ways to reduce car usage. Mr Green felt that people’s car needs were not reflected in the plan and believed the model policies were based on was flawed.
 - Cambridge does not have alternatives for surface traffic travel options.
 - Requested a referendum on private motoring.

Councillor Smart responded:

- The Issues and Options Paper first stage had just closed, but responses were welcome to future consultation stages.

- Car needs for people who drove occasionally could be addressed through car clubs.
- A study by a Cambridge academic suggested an underground travel system in the City was feasible.

Councillor Blencowe said that Councillors were mindful of responses to the Issues and Options Paper consultation process.

Councillor Blencowe said that Councillors should set long term priorities based on responses to the Issues and Options Paper consultation process. They should not concentrate solely on short term options.

2. Mr Carpen asked why Councillors did not make greater use of social media to communicate with residents.

Councillors said that the Authority used social media, but individual councillors were not obliged to. Councillors could be active in other ways, such as surgeries. Jonathan James (Head of Customer Services) was the nominated City Council social media contact.

3. Mr Gawthrop expressed concern regarding the lack of progress on implementing traffic calming measures in Tenison Road. Specifically as further through traffic was expected in future.

EAC felt progress on Tenison Road traffic calming measures was unsatisfactory, particularly as additional Anglian Ruskin University students are expected to travel along Tenison Road in the near future. EAC recognised County Council staff issues impacted on project delivery, but the Committee expected progress. EAC undertook to monitor project progress.

12/42/EAC Policing and Safer Neighbourhoods

The Committee received a report from Inspector Poppitt regarding the policing and safer neighbourhoods trends.

The report outlined actions taken since the Committee on 12 April 2012. The current emerging issues/neighbourhood trends for each ward were also highlighted (see report for full details). Previous priorities and engagement activity noted in the report were:

- (i) Alcohol and drug-related street ASB in the East, targeting known hot spots and focussing on education and enforcement to address licensed premises selling alcohol to the intoxicated.
- (ii) ASB use of mopeds in Coleridge.
- (iii) Vehicle crime, such as theft and vandalism, in East of City.

The Committee discussed the following policing issues:

- (i) Declining levels of anti-social behaviour (ASB) in Romsey due to Police intervention.
- (ii) Vehicle crime such as vandalism in the East area.
- (iii) Drug users and drug dealing in the Riverside area.
- (iv) ASB linked to street drinking.
- (v) Street life ASB in east of city. Specifically relating to alcohol, drugs and threatening behaviour. Geographic areas of particular concern were identified as Mill Road, Mill Road Cemetary and Norfolk Street in the east of the city; as well as related issues in Burleigh Street and Fitzroy Street.
- (vi) Greater emphasis on licensing agreement terms to prevent the sale of alcohol to people who were already intoxicated. Licence holders should feel supported that they can refuse to sell alcohol when it would be inappropriate to do so, and that they have a responsibility not to do so under licensing terms eg when someone is intoxicated. Concern was expressed over the sale of high strength alcohol. It was noted that Licensees could lawfully sell high strength alcohol unless their licensing conditions prohibited it.
- (vii) The need to address ASB through joined up multi-agency action. For example, provision of support and facilities for the street life community, as well as the option for Police and Licensing Officers to take enforcement action. Greater focus on education, encouragement and support.
- (viii) The re-introduction of section 30 dispersal orders.
- (ix) People should report crimes in order to help the Police collect evidence and trend information. Residents expressed concern regarding response times to the 101 contact number and asked for alternative ways to report crimes.

Inspector Poppitt undertook to liaise with Councillor Benstead regarding targets for response times to the 101 number.

Members of the public made statements and asked a number of questions, as set out below.

1. Ms Wright raised concerns about :

- **Street life ASB in east of city. Specifically relating to alcohol, drugs and threatening behaviour from the street life community or their dogs in Norfolk Street.**
- **The sale of high strength alcohol as a contributing factor to ASB and littering.**
- **Referred to difficulties when reporting crimes to the Police.**

Councillor Benstead said that the City Council was the City Licensing authority. Any concerns regarding licensee practices should be referred to Licensing Officers.

2. Ms Dean made the following points:

- **Raised concerns about street life ASB in east of city. Specifically the impact of ASB in Norfolk Street on primary school children.**
- **Raised concerns about the sale of alcohol to people who were already intoxicated.**
- **Requested the re-introduction of section 30 dispersal orders.**
- **Requested that street drinking be made an offence in Cambridge either for a set period or indefinitely.**
- **The length of time required to report crimes through the Police 101 contact number.**
- **Supported the work of Jimmy's Night Shelter. Street life community members needed better support for the treatment of issues. The Police would benefit from alternative powers to the Council to stop habitual drinking problems.**
- **Suggested that if one premises needed a licence review in an area, nearby premises should have one too by default as they would be likely to be using the same practices.**

Inspector Poppitt responded:

- **The Police would undertake a licence review if given evidence to justify one.**
- **A geographic specific public area alcohol drinking ban would help address issues.**

Councillor Benstead said a licence review of one premises would not trigger a review of others in the locality, as different premises could have different licensing conditions. Reviews were triggered when licensing conditions were broken.

Councillor Blencowe said that Mill Road had been a Policing and Safer Neighbourhoods priority for over two years. It was clear that the problem was being managed, but not reduced as issues kept reoccurring in Mill Road, Mill Road Cemetary and Norfolk Street (plus related issues in Burleigh Street and Fitzroy Street). Councillor Blencowe recommended that if Police records evidenced there was a need, the Police should recommend the reintroduction of section 30 in these specific geographic areas to the Leader of the City Council.

This proposal was **carried unanimously**.

Action Point: East Area Committee Chair, Vice Chair and Spokes to meet Inspector Poppitt to discuss implementing a specific street drinking order on a zonal basis.

3. **Mr Gawthrop made the following points:**
 - **Reiterated points made by Ms Dean and Ms Wright.**
 - **Raised concerns about street life ASB in Mill Road Cemetary.**
 - **Supported the Police's objections to Hobby Home alcohol licence application in Mill Road at the 18 June 2012 Licensing Sub Committee. This was turned down due to the impact on the Cumulative Impact Zone.**
4. **Mr Catto raised concerns about drug dealing in the Riverside Area and associated ASB such as littering of used needles.**
5. **Councillor Johnson said the City Council was not in a position to offer the Police CCTV evidence unless it was requested. He asked if this policy could be amended.**

Inspector Poppitt welcomed the use of CCTV evidence. He undertook to speak to Council and Police colleagues to review if the policy could be amended or enhanced so evidence could be more easily provided to the Police.

6. **Councillor Owers queried contact details for Licensing Officers whom Councillors and residents could report concerns to.**

Action Point: Sarah Steggles (Senior Anti-Social Behaviour Officer) to send East Area Committee Members a list of contact numbers for

reporting different types of anti-social behaviour. These in turn can be passed to residents.

Councillor Owers requested a change to the recommendations. Amendments are shown in bold text.

- (i) Alcohol and drug-related street ASB in the East, targeting known hot spots **(including Mill Rd, Mill Rd Cemetery and Norfolk Street plus drug dealing in the Riverside Area)** and focusing on education and enforcement to address licensed premises selling alcohol to the intoxicated.
- (ii) ASB use of mopeds in **Riverside, Coleridge and Abbey** areas.

The amendments were **unanimously agreed**.

The following priorities were **unanimously agreed**:

- (i) Alcohol and drug-related street ASB in the East, targeting known hot spots (including Mill Rd, Mill Rd Cemetery and Norfolk Street plus drug dealing in the Riverside Area) and focusing on education and enforcement to address licensed premises selling alcohol to the intoxicated.
- (ii) ASB use of mopeds in Riverside, Coleridge and Abbey areas.
- (iii) Vehicle crime, such as theft and vandalism, in East of City.

12/43/EAC Environmental Improvement Programme

The Committee received a report from the Project Delivery & Environment Manager regarding the Environmental Improvement Programme. The report outlined progress of existing schemes and new suggested schemes for 2012/13.

The Project Delivery & Environment Manager referred to typographical errors in his report:

- (i) P41 Appendix A EIP Scheme 13 Palmer's Walk was incorrectly labelled as Paradise Walk.
- (ii) P41 Appendix A EIP Scheme 14 Burnside/Brookfields Parking Issues was incorrectly labelled as Petersfield instead of Romsey.
- (iii) P41 Appendix A EIP Scheme 16 Mill Road Right Turn into Coleridge Road was suggested by Councillor Moghadas, not Councillor Marchant-Daisley.

- (iv) P41 Appendix A EIP Scheme 17 Coldham's Lane was incorrectly labelled as Coldman's Lane.

Existing Schemes: Progress

The Environmental Projects Manager referred to suggestions passed on or not feasible as projects:

- (i) HGV weight restrictions for Romsey Terraced streets similar to Catharine Street.
- (ii) Rayson Way Verge Protection using bollards.

New Schemes That Require Decisions

Members considered a number of 2012/13 schemes put forward for approval.

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

- (i) Riverside Railings EIP was on hold pending consultation.
- (ii) The South Area Radial Review would affect road projects in Appendix C of his report.

Members of the public asked a number of questions as set out below.

1. Mr Rogers asked why the implementation of Rayson Way Verge Protection using bollards was delayed.

The Project Delivery & Environment Manager said a consultation exercise was required prior to undertaking action to determine if bollard implementation was the best method of protecting the verges.

2. Mr Rogers said that Whitehill Close Neighbourhood Watch had been established to address issues in the Close. Now these had been resolved, residents wanted the Whitehill Close Planting environmental improvement project (EIP) to go ahead, but with flowerbeds instead of flowers in grassed areas as proposed by the EIP.

Mrs Peachey stated that residents would be willing to maintain the flowerbeds.

The Project Delivery & Environment Manager has liaised with Mr Rogers, residents and Ward Councillors. Flowers in grassed areas as proposed by the EIP would save £2,000 - £3,000 per year in maintenance costs compared to flowerbeds.

The Project Delivery & Environment Manager said the EIP could be amended to include flowerbeds (instead of flowers in grassed areas) that residents would be responsible for. In this case, the Council would only be responsible for the provision of bulbs, not replacements. If the flowerbeds were not maintained, they would be returned to grass.

EAC suggested retaining the project on the EIP list at its present level of funding, but returning it to EAC for discussion in future.

ACTION POINT: Project Delivery & Environment Manager to amend Whitehill Close Planting environmental improvement project and return it to East Area Committee for consideration post discussions with residents.

3. **Mr Catto expressed concern regarding the path near Tesco's, covered by the Riverside Parking Issues EIP. The Resident Association would like the area enhanced.**

The Project Delivery & Environment Manager said a consultation exercise was required prior to undertaking action to determine if any objections will be raised to the EIP.

Councillor Blencowe said the issue would be raised at the next Area Joint Committee meeting.

Councillor Blencowe requested that the following project be added to the list set out in Appendix A of the Officer's report. The project was Mill Road Hanging Baskets for £7,500.

Councillor Blencowe proposed an amendment to the Officer's recommendations:

- (i) To further investigate alternative funding options for the Palmer's Walk/Petersfield Square proposal.
- (ii) To reduce the budget for Coldman's Lane, Ross Street and Catharine Street Tree Planting EIP from £20,000 to £11,550.

This amendment was **carried unanimously**.

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

- (i) Approve Mill Road Hanging Baskets project proposed by Councillor Blencowe.
- (ii) Allocate funding of up to £56,200 to the list of proposed projects in Appendix A of the Officer's report, except for Palmer's Walk/Petersfield Square.
- (iii) Approve the projects for implementation, subject to positive consultation and final approval by local Ward Councillors.
- (iv) Note the progress of existing schemes listed in Appendix C of the Officer's report.

The meeting ended at 10.05 pm

CHAIR

DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS

1.0 Central Government Advice

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

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

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

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

(b) directly related to the development; and

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

2.0 East of England Plan 2008

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

SS3: Key Centres for Development and Change

SS6: City and Town Centres

E1: Job Growth

E2: Provision of Land for Employment

E3: Strategic Employment Locations

E4: Clusters

E5: Regional Structure of Town Centres

E6: Tourism

H1: Regional Housing Provision 2001to 2021

H2: Affordable Housing

C1: Cultural Development

T1: Regional Transport Strategy Objectives and Outcomes

T2: Changing Travel Behaviour

T3 Managing Traffic Demand

T4 Urban Transport

T5 Inter Urban Public Transport
T8: Local Roads
T9: Walking, Cycling and other Non-Motorised Transport
T13 Public Transport Accessibility
T14 Parking
T15 Transport Investment Priorities

ENV1: Green Infrastructure
ENV3: Biodiversity and Earth Heritage
ENV6: The Historic Environment
ENV7: Quality in the Built Environment

ENG1: Carbon Dioxide Emissions and Energy Performance

WAT 2: Water Infrastructure
WAT 4: Flood Risk Management

WM6: Waste Management in Development

CSR1: Strategy for the Sub-Region
CSR2: Employment Generating Development
CSR4: Transport Infrastructure

3.0 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision
P9/8 Infrastructure Provision
P9/9 Cambridge Sub-Region Transport Strategy

4.0 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/3 Setting of the City
3/4 Responding to context
3/6 Ensuring coordinated development
3/7 Creating successful places
3/9 Watercourses and other bodies of water
3/10 Subdivision of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
3/13 Tall buildings and the skyline
3/14 Extending buildings
3/15 Shopfronts and signage

4/1 Green Belt
4/2 Protection of open space
4/3 Safeguarding features of amenity or nature conservation value

4/4 Trees
4/6 Protection of sites of local nature conservation importance
4/8 Local Biodiversity Action Plans
4/9 Scheduled Ancient Monuments/Archaeological Areas
4/10 Listed Buildings
4/11 Conservation Areas
4/12 Buildings of Local Interest
4/13 Pollution and amenity
4/14 Air Quality Management Areas
4/15 Lighting

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

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

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

8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and Cycling accessibility

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

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

10/1 Infrastructure improvements

Planning Obligation Related Policies

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

5.0 Supplementary Planning Documents

5.1 Cambridge City Council (May 2007) – Sustainable Design and

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

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

Eastern Gate Supplementary Planning Document (October 2011) Guidance on the redevelopment of the Eastern Gate site. The purpose

of this development framework (SPD) is threefold:

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

6.0 Material Considerations

Central Government Guidance

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

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

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

Includes the following statement:

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

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

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

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

6.3 City Wide Guidance

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

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

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

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

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

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

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

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

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

Cambridge City Council (2011) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study

in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

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

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

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

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

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

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

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

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

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

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

Cambridgeshire Design Guide For Streets and Public Realm (2007): The purpose of the Design Guide is to set out the key principles and aspirations that should underpin the detailed discussions about the design of streets and public spaces that will be taking place on a site-by-site basis.

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

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

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

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

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

6.4 **Area Guidelines**

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:

Cambridge City Council (2002)–Southern Corridor Area Transport Plan:

Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:

Cambridge City Council (2003)–Western Corridor Area Transport Plan:

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

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

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

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

Jesus Green Conservation Plan (1998)
Parkers Piece Conservation Plan (2001)
Sheeps Green/Coe Fen Conservation Plan (2001)
Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)
Long Road Suburbs and Approaches Study (March 2012)
Barton Road Suburbs and Approaches Study (March 2009)
Huntingdon Road Suburbs and Approaches Study (March 2009)
Madingley Road Suburbs and Approaches Study (March 2009)
Newmarket Road Suburbs and Approaches Study (October 2011)

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

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

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

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

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

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

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Application Number	12/0260/FUL	Agenda Item	
Date Received	27th February 2012	Officer	Miss Catherine Linford
Target Date	23rd April 2012		
Ward	Petersfield		
Site	Ryedale House 40 Cambridge Place Cambridge Cambridgeshire CB2 1NS		
Proposal	Conversion of existing buildings to form 4no 1 bedroom flats, along with cycle and refuse store, first floor dormer side extension and part demolition of rear.		
Applicant	H Drake Ryedale House 40 Cambridge Place Cambridge Cambridgeshire CB2 1NS		

INTRODUCTION

- A1 This application was deferred by East Area Committee on 21 June 2012 to allow the issues raised by a late objection from Bodyworks Dance Studio to be fully investigated and the results reported to Committee.
- A2 The issue raised was interlocking between the proposed flats and the dance studio, where children are taught. The applicant has looked into this issue and has suggested that a louvred screening system is installed to prevent overlooking. It is suggested that this system could either be fixed to the dance studio wall at a distance from it or it could be fixed to posts in the courtyard of the proposed flats. Clearly, it is not acceptable for screening system to be fixed to the dance studio as this would require an agreement from the owners of the dance studio, which may well not be forthcoming. In my opinion, there is scope for a screening system to be installed either on Ryedale House or within the application site, and I recommend that details of this are required by condition (condition 6).
- A3 An application for the conversion of the building into flats at 25 Cambridge Place was refused at East Area Committee on 21

June 2012, due to a lack of car parking. In my opinion, a car free development is acceptable here but the applicant owns the plot of land next door to the application site, and has explained that he is willing to use this site as car parking for the development if Committee feels this is necessary. This can be achieved through the use of a Grampian condition (condition 7).

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 40 Cambridge Place is a building, which was most recently in commercial use, which is attached to another commercial building. The building is two storeys in height, where it abuts the neighbouring building, dropping down to a single storey in height. The building has an asymmetrical roof, with a dormer on the southwestern side. Cambridge Place is mixed in character, with commercial and residential uses. The site lies within City of Cambridge Conservation Area 1 (Central).
- 1.2 The ground floor of the building was used as for one business, with a store at ground floor level, with workshop and office at the rear. The building has a mezzanine floor and this was used as a store.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to change the use of the building to residential to provide four one-bedroom flats. The dormer window to the side would be extended and part of the building, at the rear, would be demolished. Refuse and cycle storage would be provided at the rear of the building.
- 2.2 The application is accompanied by the following supporting information:
 1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/00/0391	Demolition of garage and storage buildings	A/C
C/00/0392	Replacement of existing store, garage and parking with new part two storey storage building with associated parking.	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 National Planning Policy Framework (March 2012)

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

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

- 1. planning should be genuinely plan-led**
- 2. planning should proactively drive and support the development and the default answer to development proposals should be "yes" , except where this would compromise the key sustainable development principles set out in the Draft NPPF**
- 3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a**

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

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

- 5.3 **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.
- 5.4 **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.

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.

5.5 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

5.6 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/6 Ensuring co-ordinated development

3/7 Creating successful places

3/14 Extending buildings

5/1 Housing provision

5/2 Conversion of large buildings

7/3 Protection of industrial and storage space

8/6 Cycle parking

8/10 Off-street car parking

5.7 **Supplementary Planning Documents**

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

considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

5.8 **Material Considerations**

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- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

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

City Wide Guidance

Cambridge and South Cambridgeshire Strategic Flood Risk Assessment - in November 2010 the Cambridge and South Cambridgeshire Level 1 Strategic Flood Risk Assessment (SFRA) was adopted by the City Council as a material consideration in planning decisions. The SFRA is primarily a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Objection:

Head of Environmental Services

- 6.2 No Objection:
- 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 Councillor Marchant-Daisley has called this application to Committee if it is to be recommended for approval as it raises significant planning issues.
- 7.2 The owners/occupiers of the following addresses have made representations:
- 15 Cambridge Place
 - 37 Cambridge Place
 - 47 Cambridge Place
 - Glisson and Tenison Area Residents Association
- 7.3 The representations can be summarised as follows:
- The proposal will not provide family housing, which Cambridge needs
 - They discriminate against the elderly and/or disabled – too dark, too noisy, no lift, no parking
 - The site is not suitable for residential given its proximity to the dance studio whose music is a constant problem for neighbours
 - Ryedale House is oriented towards the car park not the street, and the application should be viewed in the context of the car parking area. The car park is not part of the application and another building could be built there
 - No provision for car parking – Cambridge Place has double yellow lines along its whole length. Residents will not be able to apply for visitors permits so they will park illegally
 - Poor living conditions - The flats would be dark because of the much higher dance studio building behind. They will have to have lights on all the time, which must be against Government policy to conserve energy
 - The S106 agreement should include a contribution towards road repairs
 - Loss of employment space

Overlooking to the rear

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 7/3 of the Cambridge Local Plan (2006) states that development, including changes of use, that results in loss of floorspace within Use Classes B1 (c), B2 and B8 will not be permitted where the site is identified on the Proposals Map as a protected industrial/storage space. Development, including changes of use, that results in a loss of floorspace within Use Classes B1 (c), B2 and B8 elsewhere in the City will only be permitted if:

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

- e) Redevelopment for mixed use or residential development would be more appropriate.
- 8.3 In my opinion, Cambridge Place is not a suitable street for an industrial or storage business. Cambridge Place is a narrow road making the servicing of an industrial business very difficult, as it is not possible to easily manoeuvre a large vehicle. Also, there are a number of residential properties on Cambridge Place, which would be disturbed by an industrial use. In my opinion, residential use is far more appropriate than industrial use here.
- 8.4 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing developments on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. Although there are commercial premises on Cambridge Place, there are residential properties, and it is my opinion that residential use would be compatible with adjoining land uses.
- 8.5 Policy 5/2 of the Cambridge Local Plan (2006) states that the conversion of non-residential buildings into self-contained dwellings will be permitted except where:
- a) The residential property has a floorspace of less than 110m²;
 - b) The likely impact upon on-street parking would be unacceptable;
 - c) The living accommodation provided would be unsatisfactory;
 - d) The proposal would fail to provide for satisfactory refuse bin storage or cycle parking; and
 - e) The location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity.
- 8.6 Part a) of policy 5/2 of the Local Plan does not relate to this application as the building is not currently in residential use. The other sections of this policy will be discussed later on in this report.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 7/3 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.8 Currently at the front of the building, on Cambridge Place, there are a number of full length windows and an entrance door. The fenestration on this front elevation will be altered. At ground floor level, one of the full height windows would be replaced with a door, to provide access to one of the ground floor flats, with the other ground floor flat accessed from the existing entrance door. Windows would be added at first floor level, to serve the first floor flats.
- 8.9 At side of the building there is a dormer window, which will be extended. Currently, the dormer window appears as two 'stacked' dormers – one that runs along the length of the roof consisting of seven panes of glass; and another below this, directly below the southeasternmost two panes of glass, consisting of two panes of glass. The dormer would be enlarged so that it would be appear as two rows of glass running along the length of the roof, with a larger 'box-like' dormer on the southernwestern side.
- 8.10 At the rear, the single storey workshop and two storey lift shaft and office would be demolished, with the two storey office space replaced with a part single-storey part two storey element providing a cycle store at ground floor level, and a store for one of the first floor flats at first floor level. The remaining space would become private courtyards for the use of the ground floor flats.
- 8.11 In my opinion, these alterations are in keeping with the building and would be visually acceptable.
- 8.12 Adjacent to the building there is a car park, which does not fall within the application site but is in the applicant's control. Concern has been raised that in the future this land could be developed, and therefore the proposal should take this into consideration. In my opinion, the proposed change of use, extension to the dormer and alterations to the building would not prejudice the development of the adjacent land. The neighbouring site would be more overlooked than it currently is, but it is my view that this would not necessarily prevent the site from being developed in the future.

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

Residential amenity

Impact on amenity of neighbouring occupiers

Noise and disturbance

- 8.14 The occupiers of the residential properties on Cambridge Place (and the wider area to a lesser extent) will be affected by noise and disturbance in the construction period. Construction works are always disturbing, but in order to reduce the impact on these neighbours I recommend that the hours of construction are restricted (condition 2). As Cambridge Place is narrow, I also recommend a condition restricting delivery hours so that they avoid rush hour (condition 3), and I also recommend a condition requiring details of the contractors working arrangements (condition 4).
- 8.15 The first floor flats would be accessed from the rear of the building, and the cycle and bin stores would also be at the rear of the building. There may be noise associated with the comings and goings from this entrance, but in my opinion this would be minimal.

Car parking

- 8.16 Concern has been raised that as no car parking spaces are proposed, and the future residents will not be able to apply for parking permits, the residents will park illegally on neighbouring roads. I understand the concern raised regarding residents blocking the road with their cars or parking on neighbouring streets without permits. However, paragraph 39 of the National Planning Policy Framework (NPPF) states, in relation to parking standards, that Local Planning Authorities should take into account the accessibility of the development, and the availability of and opportunities for public transport. Cambridge Place is close to the City Centre, the railway station and bus routes, and as it is in such a sustainable location, I see no reason to insist that off-street parking spaces are provided.

Overlooking of 21 and 23 Glisson Road

- 8.17 The existing dormer window allows oblique views towards the rear of 21 and 23 Glisson Road, but at a distance as there is a void in front of the windows. The extension of the dormer, and the replacement of the mezzanine floor with a complete floor, will mean that oblique views towards the rear of 21 and 23 Glisson Road will be more likely. However, in my opinion, as the views would be oblique, they would not be significant or harmful enough to justify refusal of the application.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7 and part b) of policy 5/2.

Impact on amenity of future occupiers

Living accommodation

- 8.19 Concern has been raised that the proposed flats will be dark due to the taller dance studio building behind it on Glisson Road. All four of the proposed flats have a lot of glazing, which will make them as light as possible, and the enlarged dormer window will increase the light at first floor level. In my opinion, the flats will not be so dark as to warrant refusal of the application, and the living accommodation proposed is satisfactory. Environmental Health have not raised concerns about light or living conditions.

Noise

- 8.20 A dance studio is situated directly to the rear of the application site (25-29 Glisson Road). Both Environmental Health and Planning Enforcement have both received complaints about loud music from the dance studio from neighbouring properties. Any noise from the dance studio is therefore likely to have an impact on the future occupiers of the proposed flats. To mitigate against this impact I recommend a condition requiring a noise survey and mitigation strategy (condition 5).
- 8.21 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policy 3/7 and part c) of policy 5/2.

Refuse Arrangements

- 8.22 A bin store is proposed at the rear of the building and this is considered to be acceptable.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and part d) of policy 5/2.

Car and Cycle Parking

- 8.24 Car parking is assessed under the heading 'Residential Amenity' above.
- 8.25 Appendix D (Cycle Parking Standards) of the Cambridge Local Plan (2006) states that one secure, covered cycle parking space must be provided for each one-bedroom flat, which in this case would equate to four spaces in total. Four cycle parking spaces are proposed within a cycle store at the rear of the building. This meets the standards and is therefore acceptable.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10 part d) of policy 5/2

Third Party Representations

The proposal will not provide family housing, which Cambridge needs

- 8.27 The Local Planning Authority must assess the acceptability of what is proposed, and there is no policy basis to refuse the application because it proposes one-bedroom flats rather than family houses.

The S106 should include a contribution towards road repairs

- 8.28 The repair of any damage to the road in the construction period would be a civil matter between the developer and the Local Highway Authority.

Planning Obligations

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

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

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.30 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.
- 8.31 The application proposes the provision of four one-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom

units. The totals required for the new buildings are calculated as follows:

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

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

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

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £

studio	1	0	0		0
1 bed	1.5	0	0	4	0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264		
Total					0

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

Community Development

8.33 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	4	5024
2-bed	1256		
3-bed	1882		
4-bed	1882		
Total			5024

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

Waste

- 8.35 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		
Flat	150	4	600
Total			600

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

Education

- 8.37 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.38 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	4	640
2+- beds	2		160		
Total					640

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

Monitoring

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

Planning Obligations Conclusion

8.41 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 change of use is appropriate and the proposed alterations to the building would have no detrimental impact on the appearance of the building or the street. It is my view that, subject to conditions, the proposal would provide satisfactory living accommodation and would not

have a significant impact on neighbouring occupiers. I therefore recommend that the application is approved, subject to conditions and the completion of the S106 agreement.

10.0 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 06 December and subject to the following conditions and reasons for approval:

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

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

2. Except with the prior written agreement of the local planning authority 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 between 0700 hours and 0900 Mondays-Fridays and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the neighbouring residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

4. 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.

l) 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)

5. Part A

Prior to the commencement of refurbishment/development works a noise report prepared that considers the impact of noise from the neighbouring Dance Studio on upon the proposed development shall be submitted in writing for consideration by the local planning authority

Part B

Following the submission of a noise report and prior to the occupation of refurbishment/ development works, a noise insulation scheme having regard to acoustic ventilation, protecting the residential units from noise as a result of the proximity of the bedrooms/living rooms to the high noise levels from the neighbouring dance studio shall be submitted to and approved in writing by the local planning authority.

The scheme shall achieve:

- The 'good' noise levels recommended in British Standard 8233:1999 'Sound Insulation and noise reduction for buildings- Code of Practice,' with
- Ventilation meeting both the background and purge / summer cooling requirements of Approved Document F.

Details shall include:

- Glazing Specifications
- Details of Ventilation

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 protect the amenity of occupiers. (Cambridge Local Plan 2006, policy 4/13)

6. Prior to the commencement of development, a scheme for the screening of the rear windows to prevent interlocking between the development and the Bodyworks Dance Studio, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the users of the dance studio and future residents of the flats. (Cambridge Local Plan 2006, policy 3/7)

7. No part of the development hereby permitted shall take place until a scheme for car parking using the area of land outlined in blue on dwg no. 12/1312/01 has been submitted to and approved and writing by the Local Planning Authority.

Reason: To mitigate against the impact on on-street car parking. (Cambridge Local Plan 2006, policy 8/10)

Reasons for Approval

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

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/6, 3/7, 3/14, 5/1, 5/2, 7/3, 8/6, 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 Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 06 December, or if Committee determine that the application be refused, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, affordable housing, public realm improvements, public art, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

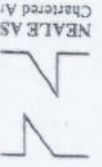
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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;

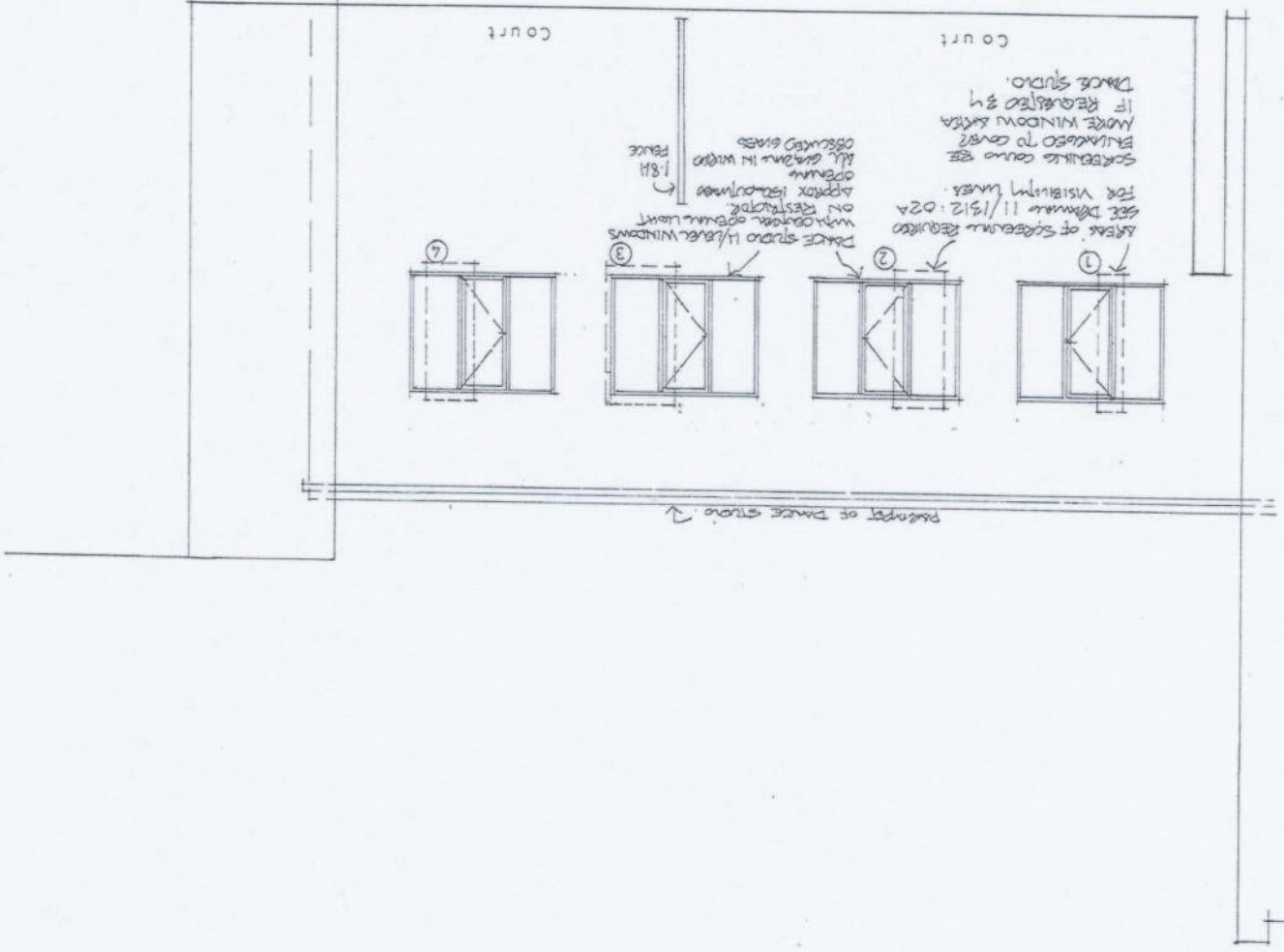
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt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

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

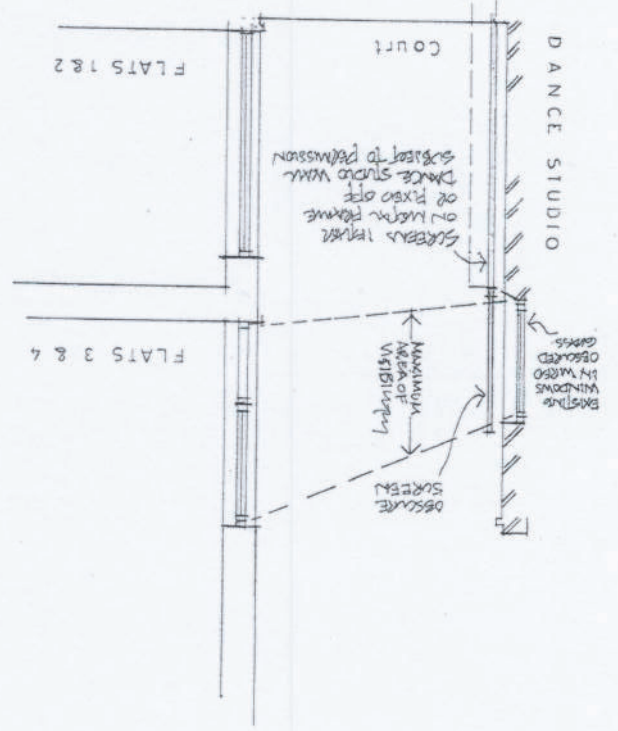


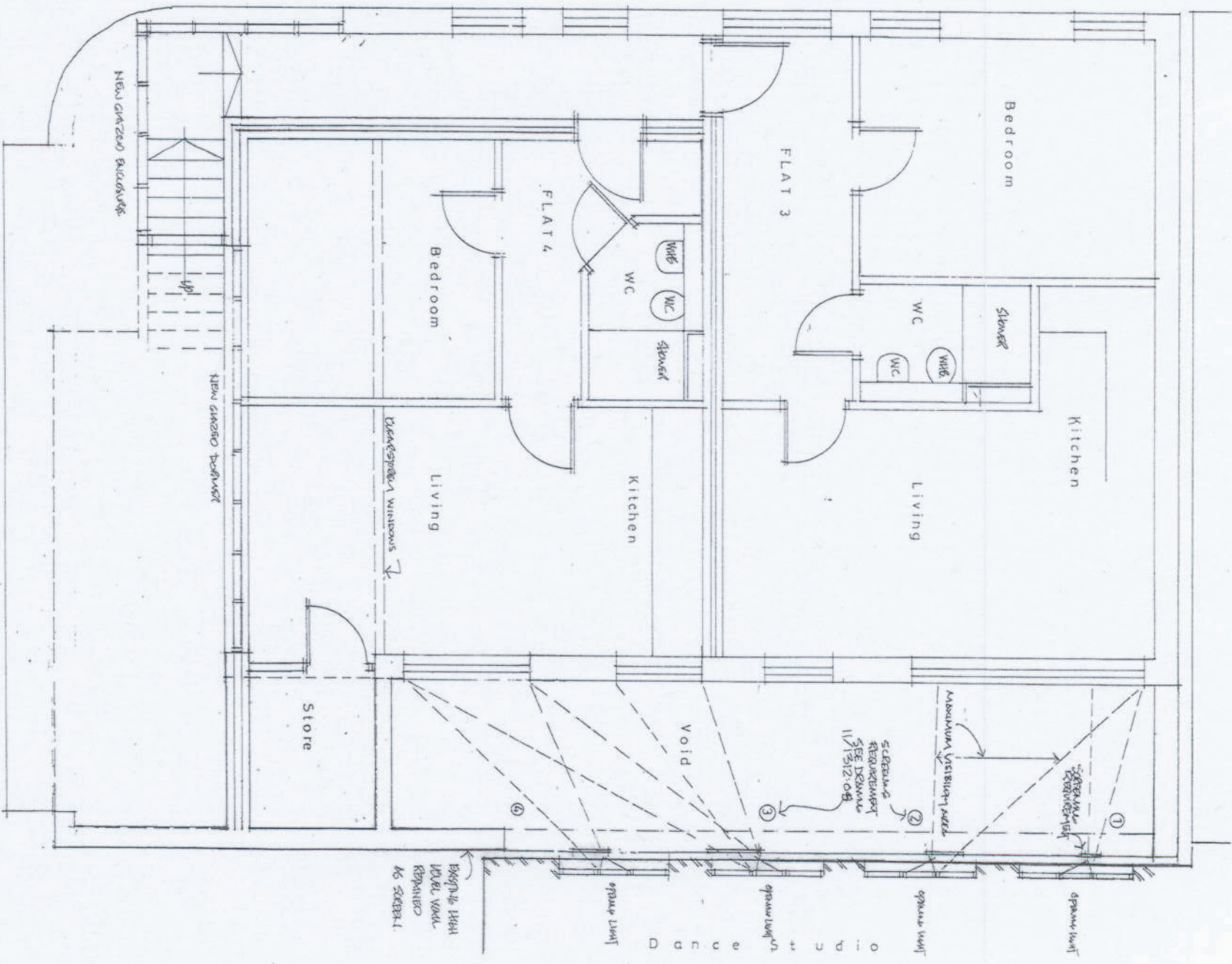
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S E C T I O N





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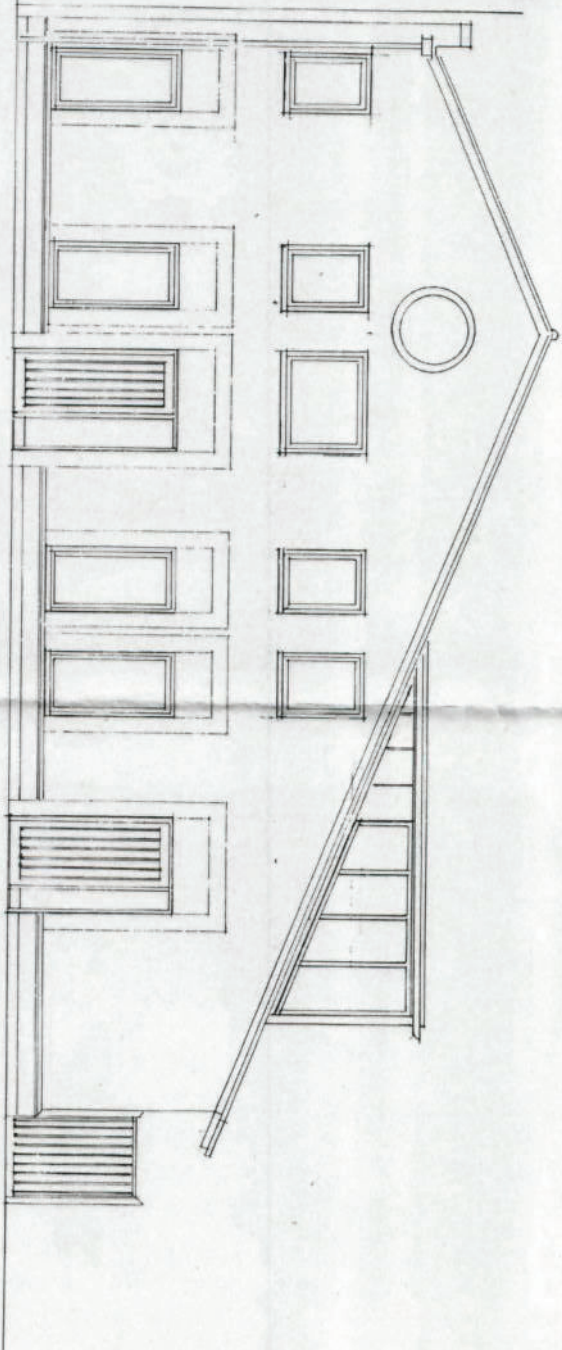


NEALE ASSOCIATES
Chartered Architects

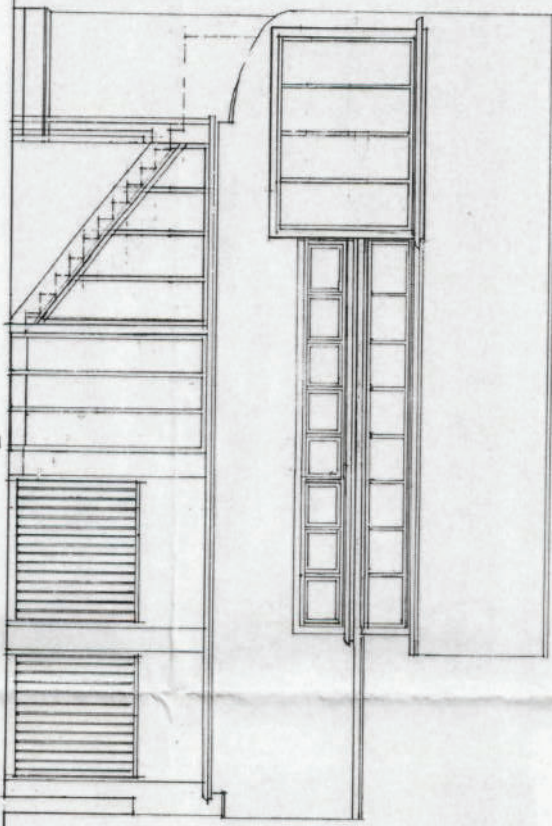
F I R S T
RIVINGTON SQUARES - P. TRICE STUDIO ARCHITECTS 27.07.2012
THE TRAM SHED, East Road, Cambridge, CB1 1BG
TEL: 01223 354477 Fax: 01223 516677
Email: neale@naarchitects.co.uk

Client H DRAKE Date October 2011
Project 40 42 CAMBRIDGE PLACE CAMBRIDGE Scale 1 : 50
Drawing FLOOR PLANS Dwg. No. 11/1312 : 02A

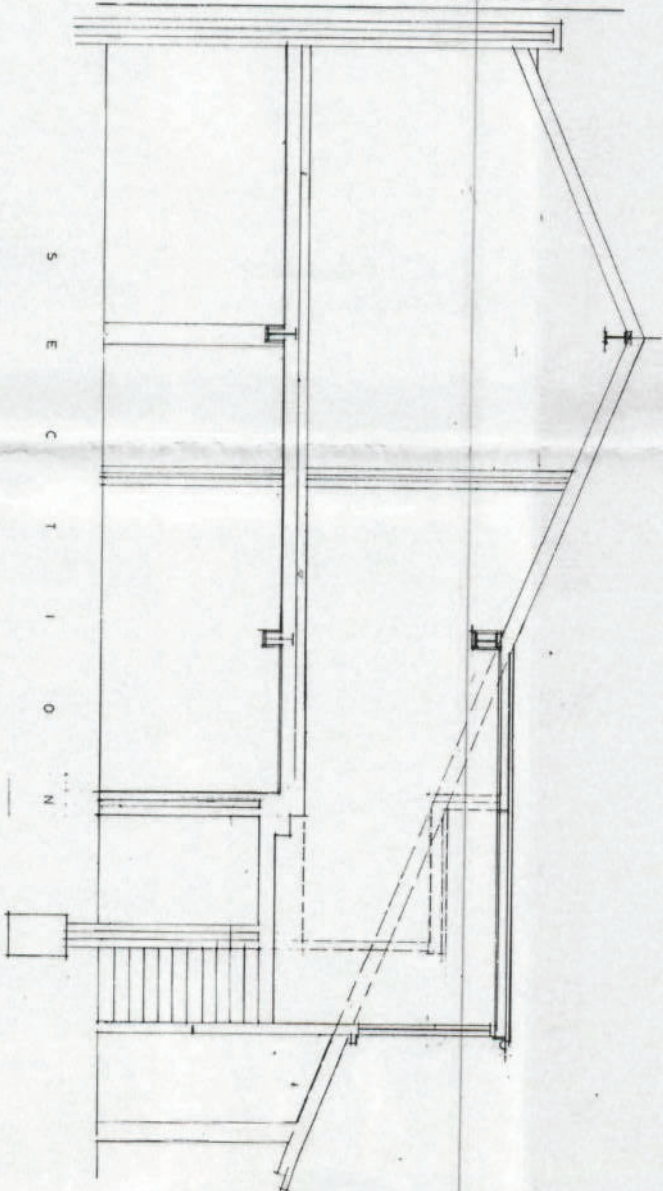
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FACADE



SIDE ELEVATION (SOUTH WEST)

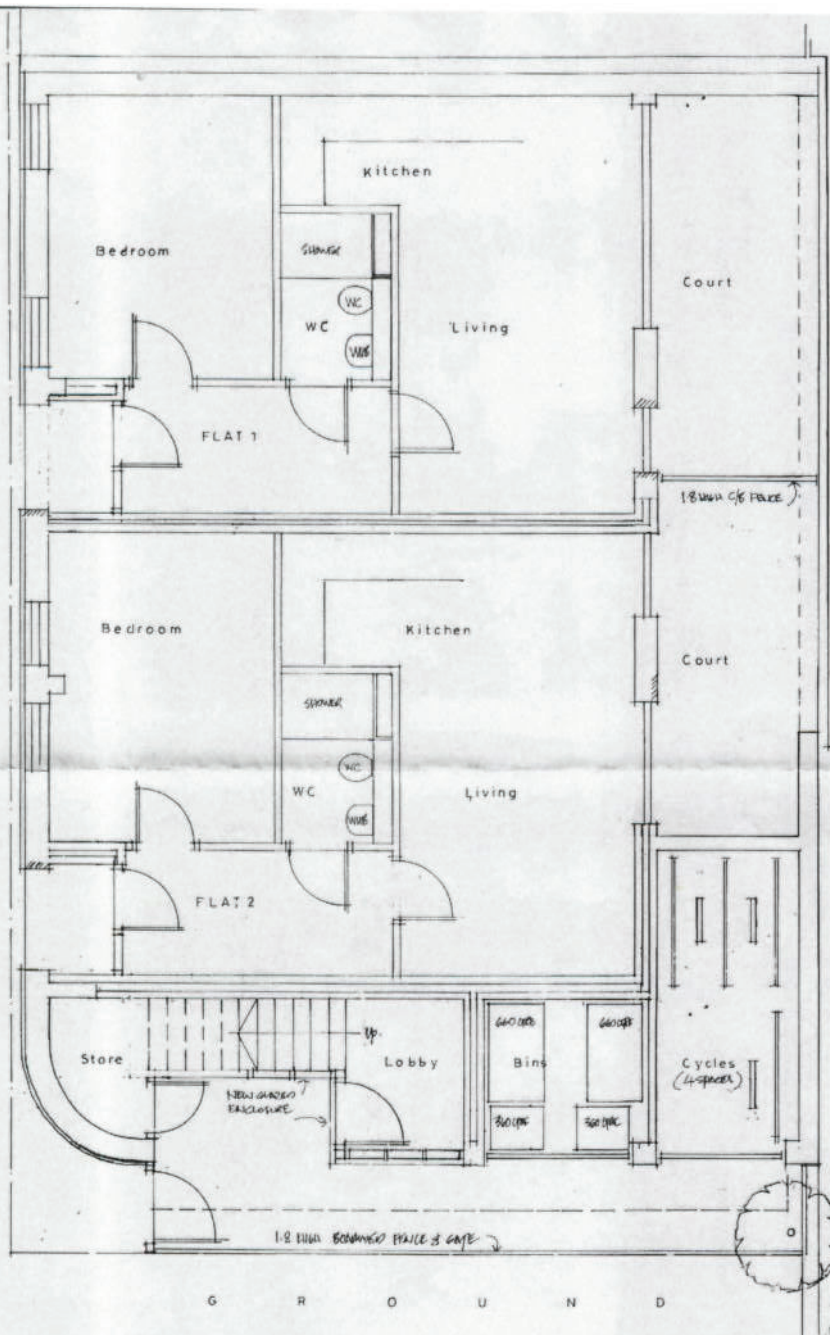


SECTION

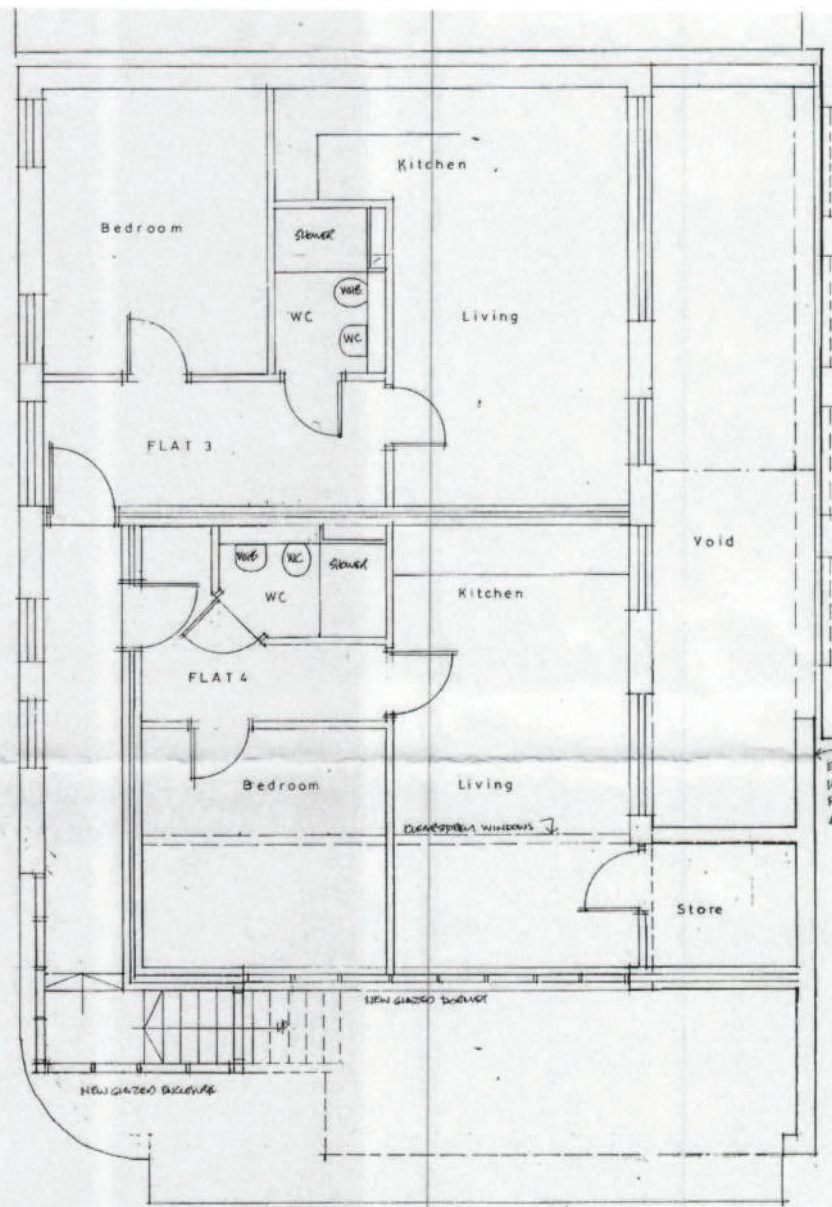


THE TRAM SHED, East Road, Cambridge, CB1 1BG
 Tel: 01223 354477 Fax: 01223 516677
 Email: info@nealearchitects.co.uk

Client H DRAKE
 Project 40 42 CAMBRIDGE PLACE CAMBRIDGE
 Scale 1 : 50
 Date October 2011
 Drawing ELEVATIONS & SECTION
 Dwg. No. 11/1312 - 03
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Dance Studio



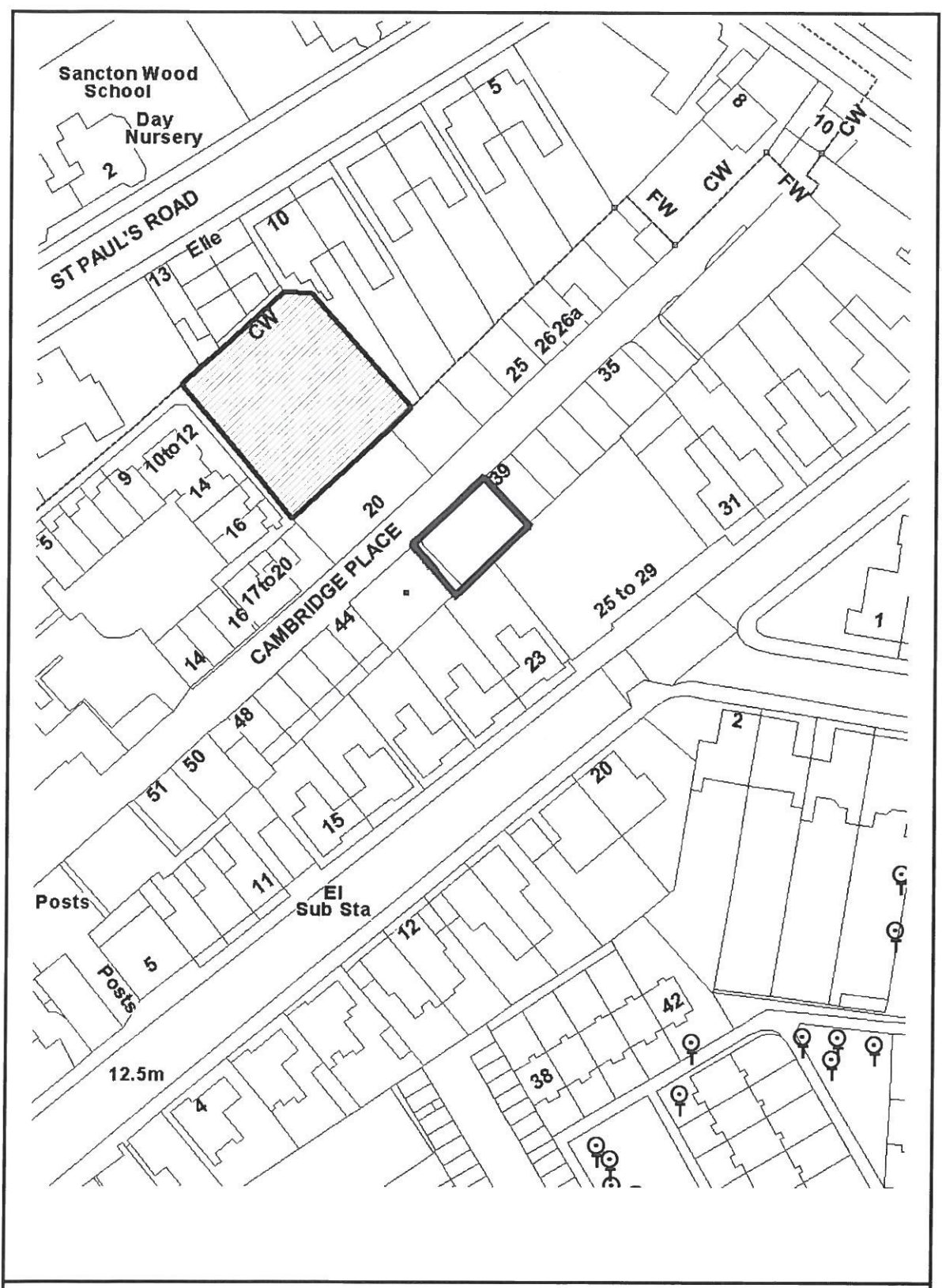
Dance Studio



F I R S T
THE TRAM SHED, East Road, Cambridge. CB1 1RG
Tel: 01223 354477 Fax: 01223 376677
Email: neale@nealeassociates.co.uk

Client H DRAKE Date October 2011
Project 40 42 CAMBRIDGE PLACE CAMBRIDGE Scale 1 : 50
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12/0260/FUL
Ryedale House 40 Cambridge Place Cambridge

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Agenda Item 7b

EAST AREA COMMITTEE

06th SEPTEMBER 2012

Application Number	12/0837/FUL	Agenda Item	
Date Received	3rd July 2012	Officer	Miss Catherine Linford
Target Date	28th August 2012		
Ward	Petersfield		
Site	25 Cambridge Place Cambridge CB2 1NS		
Proposal	Change of use from offices (Class use B1) to form 2No. studios and 2No. 1Bed. flats with associated access arrangements, parking and external alterations.		
Applicant	Mr Richard Mutty c/o The Coach House 13 Woodlands Road Great Shelford Cambridge CB22 5LW		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none">1. Office uses falling within use class B1a are not protected within the Cambridge 2006 Local Plan. The principle of development is therefore acceptable and the building lends itself to residential conversion.2. The use of the premises for residential purposes will not adversely harm the amenities of neighbouring properties.3. The scheme provides adequate refuse and bicycle parking provision.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site relates to a 2 storey terraced office building situated on the north west side of Cambridge Place. The premises consist of a garage on the ground floor and office space on the first and second floors.
- 1.2 The site does not have any external curtilage area.
- 1.3 The site falls within the Central Conservation Area. There are double yellow line car parking restrictions along Cambridge Place.

2.0 THE PROPOSAL

- 2.1 This application seeks consent for the change of use of the existing offices (use class B1) to form two studio flats and two one-bedroom flats.
- 2.2 There are minor changes proposed to the first and second floor fenestration and 2 velux windows will be inserted into the front roof slope.
- 2.3 The ground floor of the building would be given over entirely to and access lobby and staircase to the upper floors, one car parking space, cycle storage (six spaces), and bin storage.
- 2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
12/0490/FUL	Change of use from offices (Class use B1) to form 3No. studios and 2No. 1Bed. flats with associated access arrangements and external alterations.	REF

- 3.1 The decision notice for the previously refused application 12/0490/FUL is attached to this report as Appendix 1.

3.2 There is doubt as to whether or not a site notice was displayed, and therefore a further site notice has been posted with a deadline for comments of 12 September 2012. It is therefore recommended that this application is approved subject to there being no further comments received. If further comments are received, the application will be brought back to Committee.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6 ENV7
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8
Cambridge Local Plan 2006	3/4 3/7 4/11 4/13 5/1 5/2 8/2 8/6 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Conservation Area Appraisal: Cambridge Historic Core

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 The proposal should have no significant impact on the public highway.

Head of Environmental Services

6.2 No objection. An informative is recommended relating to contaminated land.

Urban Design and Conservation Team

- 6.3 Could be supported subject to being able to make the mullions more slender.
- 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:
15 Cambridge Place
26A Cambridge Place
- 7.2 The representations can be summarised as follows:
The units are too small to be classed as residential and are really no more than self catering hotel/hostel bedrooms – no storage, rudimentary cooking facilities and not suitable for all ages
Cambridge Place should provide for a diverse, inclusive and sustainable community and accommodation should be provided for the elderly and for families
Insufficient car parking
Due to the size of the accommodation residents are likely to be young creating noise and nuisance
- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:
1. Principle of development
 2. Context of site, design and external spaces
 3. Residential amenity
 4. Refuse arrangements
 5. Highway safety
 6. Car and cycle parking

7. Third party representations
8. Planning Obligation Strategy

Principle of Development

- 8.2 Office use falls within use class B1a of the Use Classes Order 1987. Local Plan policy 7/3 seeks to protect industrial (B2 and B1c) and storage uses, but offices are not included within the scope of the policy. There is no in principle policy objection to the proposed change of use.
- 8.3 The conversion of large properties is permitted by Local Plan policy 5/2 except where; the likely impact upon on-street car parking would be unacceptable; the living accommodation would be unsatisfactory; the proposal would fail to provide for satisfactory refuse storage or cycle provision or the location of the property or the nature of nearby land uses would not offer a satisfactory level of residential amenity. An analysis of these issues is provided in the relevant subsections below.
- 8.4 In my opinion, while I recognise that the proposal will represent a change in the character of what is currently a mixed of residential and office uses, the broad principle of the development is acceptable and in accordance with policy 5/2. The Local Plan does not promote large dwelling sizes over smaller units for this size of development. The proposal is however subject to the consideration of matters of detail.

Context of site, design and external spaces

- 8.5 The key design issue is the impact of the external alterations on the character and appearance of the street scene.
- 8.6 The development will require only minor alterations of the fenestration of the property. At first and second floor level, the central mullions of the windows would be widened to accommodate a solid partition between the flats. Two rooflights would also be added to the front roof slope. This would have an impact on the symmetry of the building, but as the alterations are so minor it is my opinion that this would not warrant refusal of the application.
- 8.7 I do not believe that the alterations will cause any significant harm to the streetscene or to the character or appearance of

the Conservation Area, and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 5/2.

Impact on amenity of neighbouring occupiers

- 8.8 Concerns have been raised regarding the type of accommodation giving rise to increased noise, disturbance and anti social behaviour. While the proposed use may give rise to an increase in general comings and goings as compared with the existing office use, this is unlikely to create significant disturbance for the adjoining numbers 24 (in office use) or number 26.
- 8.9 I do not consider the future occupants of this type of accommodation any more likely to be a source of anti social behaviour, as compared with any other premises. Anti social behaviour could in any case be tackled by other legislation.
- 8.10 Temporary noise and disturbance created during the conversion work can be eased through the imposition appropriate planning conditions and promotion of the considerate contractors scheme (conditions 2 and 3).
- 8.11 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.12 Local Plan policy 5/2 states that conversions of non-residential buildings will be permitted except where the living accommodation provided will be unsatisfactory. I recognise that the proposed dwellings are relatively small in size, but I feel that they provide a satisfactory level of amenity for future occupiers.
- 8.13 The studio flats on the first floor are limited in overall size, but benefit from full height south east first floor windows. Given the quiet nature of Cambridge Place, which is a cul de sac, this type and size of accommodation will no doubt be the preference of many prospective occupiers. The second floor one-bedroom flats are appropriate in size and gain further light in the roof space from the 2 new velux roof lights.

- 8.14 In my opinion the proposal provides an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 5/2.

Refuse Arrangements

- 8.15 The previous application was refused for the following reason:

Cycle parking and waste storage are not successfully integrated into the design. This is likely to lead to waste bins and cycles being left outside the building, detracting from the street scene and causing inconvenience to future residents of the development and nearby occupiers. The proposal is therefore contrary to policy 3/12 of the Cambridge Local Plan (2006) and to government guidance on good design in section 7 of the National Planning Policy Framework.

- 8.16 The refuse store has been increased in size and made more accessible through the introduction of a separate entrance door to the refuse store and cycle store, where before these areas were accessed via the entrance door to the staircase. Environmental Health have commented that the submitted plans now show adequate bin provision and the access is acceptable, and therefore it is my opinion that this reason for refusal has been satisfactorily addressed in relation to bin storage.

- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 5/2.

Car and Cycle Parking

Car Parking

- 8.18 The previous application was refused for the following reason:

The proposal provides no car parking space for visitors, contrary to policy 8/10 of the Cambridge Local Plan (2006).

- 8.19 One car parking space is now provided. Concerns have been raised about the limited number of car parking spaces provided but considering the site's location close to the City Centre, and

local transport routes it is my opinion that this level of provision is acceptable and that the provision of one car parking spaces has meant that this reason for refusal has been satisfactorily addressed.

- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/10.

Cycle Parking

- 8.21 The previous application was refused for the following reason:

Cycle parking and waste storage are not successfully integrated into the design. This is likely to lead to waste bins and cycles being left outside the building, detracting from the street scene and causing inconvenience to future residents of the development and nearby occupiers. The proposal is therefore contrary to policy 3/12 of the Cambridge Local Plan (2006) and to government guidance on good design in section 7 of the National Planning Policy Framework.

- 8.22 The cycle store has been made more accessible through the introduction of a separate entrance door to the refuse store and cycle store, where before these areas were accessed via the entrance door to the staircase. In my opinion, this has made the store more likely to be used, and therefore this reason for refusal has satisfactorily been addressed in relation to the cycle store.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.24 The issues raised in the representations received have been addressed under the headings above.

Planning Obligations

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

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.26 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.27 The totals required for the new units 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	2	476
1 bed	1.5	238	357	2	714
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					1190

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	2	538
1 bed	1.5	269	403.50	2	807
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					1345

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	2	484
1 bed	1.5	242	363	2	726
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
Total					1210

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

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

Community Development

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

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	2	2512
2-bed	1256	2	2512
3-bed	1882		
4-bed	1882		
Total			5024

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

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

Waste

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

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	4	600
Total			600

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

Waste Management

A contribution is sought from all dwellings towards up grading existing/providing new Household Recycling Centres to mitigate the impact of new development on these facilities. This development lies within the catchment site for Milton. Contributions are sought on the basis of £190 per house for four new sites giving increased capacity as permanent replacements for the existing temporary site at Milton. A total contribution of £760 is necessary

8.33 Subject to the completion of a S106 planning obligation to secure the requirements of the RECAP Waste Management Design Guide SPD 2012, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan

(2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policy 10/1 and the RECAP Waste Management Design Guide SPD 2012.

Education

8.34 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.35 In this case, four additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for lifelong learning. Contributions are therefore required on the following basis.

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	4	640
2+- beds	2		160		
Total					640

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

Monitoring

8.37 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the costs of monitoring

the implementation of planning obligations. The costs are calculated according to the heads of terms in the agreement. The contribution sought will be calculated as £150 per financial head of term and £300 per non-financial head of term. Contributions are therefore required on that basis.

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 The proposed conversion of the office premises is acceptable in principle and will not detract from the character and appearance of the street scene or the amenities of neighbours. It is my opinion that the proposals satisfactorily address the previous reasons for refusal and therefore the application is recommended for approval.

10.0 RECOMMENDATION

1. APPROVE subject to no further comments being received by 12 September 2012; subject to the satisfactory completion of the s106 agreement by 06 December 2012; and subject to the following conditions and reasons for approval:

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

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

2. 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)

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

Reasons for Approval

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

East of England plan 2008: ENV6, ENV7;

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

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

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

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

2. Unless prior agreement has been obtained from the Head of Planning, 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 06 December 2012, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, life-long learning facilities, waste storage, waste management facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 5/14, and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, the RECAP Waste Management Design Guide SPD 2012, and the Open Space Standards Guidance for Interpretation and Implementation 2010.

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

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

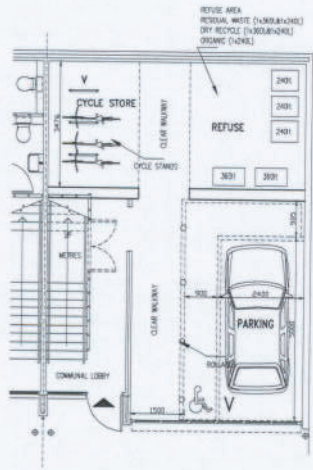
Under Section 100D of the Local Government Act 1972, the following are Background papers for each report on a planning application:

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.

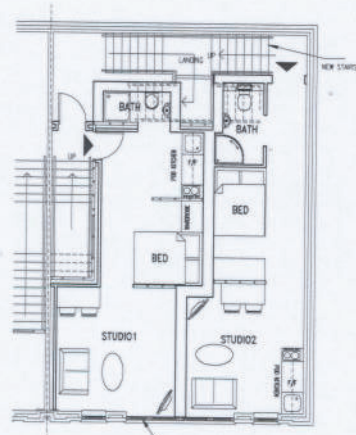
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www.cambridge.gov.uk/planningpublicaccess

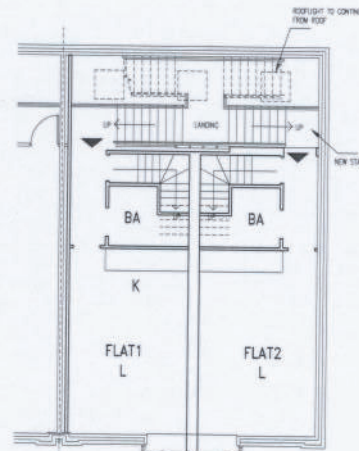
or by visiting the Customer Service Centre at Mandela House.



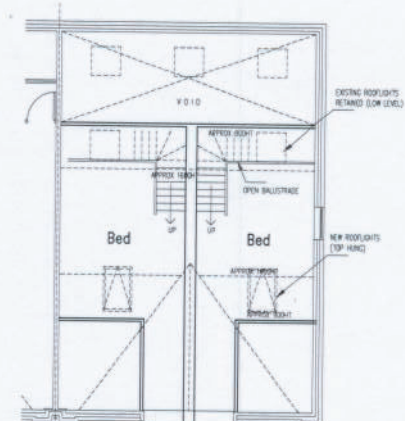
Proposed ground floor



Proposed first floor



Proposed second floor



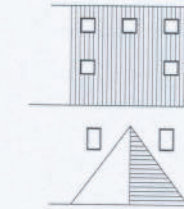
Proposed third floor



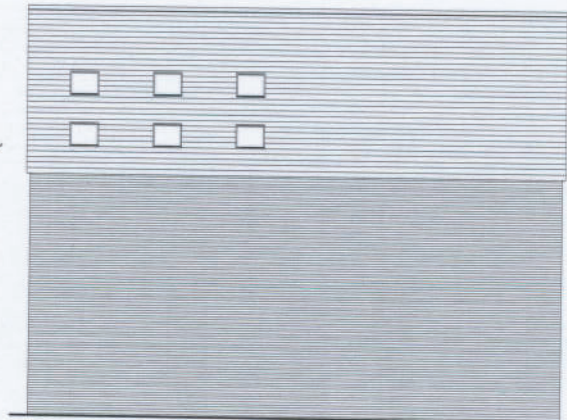
Proposed front elevation



Proposed side elevation



Proposed roof plan



Proposed rear elevation



Proposed side elevation

No. Date		
CLIENT Mutt Property Investments		
PROJECT Conversion to residential of No.25 Cambridge Place Cambridge		
TITLE PROPOSED Plans & elevations		
DRAWING STATUS PLANNING		
DRAWN	LC	CHECKED CS
SCALE	1:100 @ A2	
DATE	July, '12	
THE GALLERY 88 KING ST CAMBRIDGE CB1 1LN		
1: 01223 361803 F: 01223 361808 W: www.gporchitects.co.uk E: info@gporchitects.co.uk		
DPA ARCHITECTS LTD		
JOB NO.	DRAWING NUMBER	REV
293	PL2(21)02	

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Location Plan 1:1250

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Application Number	12/0883/FUL	Agenda Item	
Date Received	17th July 2012	Officer	Mrs Angela Briggs
Target Date	11th September 2012		
Ward	Abbey		
Site	47 Priory Road Cambridge CB5 8HT		
Proposal	Single storey rear extension		
Applicant	Mrs Joanna Anthony 47 Priory Road Cambridge CB5 8HT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">It respects the character and appearance of the Conservation Area;</p> <p style="padding-left: 40px;">It is in keeping with the character and scale of the host dwelling;</p> <p style="padding-left: 40px;">It does not have a significant impact on the amenities of neighbours.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

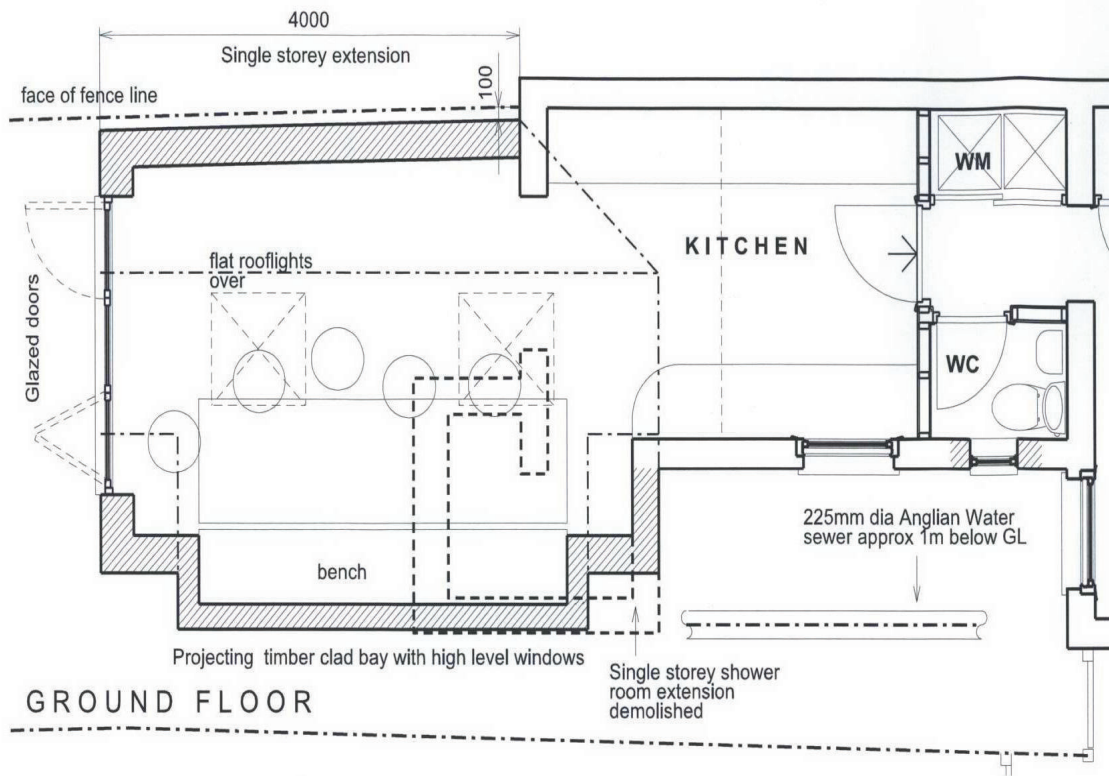
1.1 47 Priory Road is a detached late Victorian Cambridge stock brick and slate house orientated East-West, just south of the River Cam in the Riverside area. It is located within the Conservation Area No.1 (central). There are no Listed buildings or significant trees situated close to the property that would be affected by the proposals, however there is mature landscaping along the site boundaries to the rear and side. The property has a two-storey brick projection to the rear which has a mono-pitch type roof that slides across the rear facade from North to South. There is a further modest single storey lean-to extension to the rear, which is believed to have existed prior to

1948, and a small square extension projecting to the side which is currently a downstairs shower room.

- 1.2 The area is characterised by residential dwellings of a similar architecture. To the north of the site is a row of three cottages, 22-24 Riverside which all have very small courtyard gardens to the rear and disproportionate to the size of the dwellings, and those plots to the south at Priory Road and to the west along Riverside. Their courtyard areas are further eroded by additions to the houses at both single storey and two-storey levels. No.45 Priory Road, to the south has been significantly extended at two-storey and single storey, to the rear, although this is towards the southern boundary. The site falls within the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a single storey rear extension. This would involve the demolition of the small shower room extension but retaining the single storey kitchen extension. No alterations are proposed to the front of the property. The design of the extension is considered to be contemporary whilst seeking to respect the historic character of the property and the Conservation Area in which it sits. The extension measures 4m in depth from the end of the existing lean-to extension, 3.5m in width and 2.9m in height. The proposal includes two raised lanterns on the flat part of the extension. These lanterns would rise up by approximately 300mm above the flat roof element. The roof of the extension would be hipped at both ends. It would also include a projecting timber clad bay with high-level windows along the south side of the extension. The extension would be built within the boundary fence line which runs along the in side of the actual building line (see snippet of the proposed ground floor level below)



2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement

2.3 The application is brought before Committee at the request of Councillor Johnson for the following reasons:

The application is brought before Planning Committee because the neighbours have expressed concerns relating to loss of amenity (sun and light) and therefore Councillor Johnson feels that extra scrutiny is required.

3.0 SITE HISTORY

Reference	Description	Outcome
11/0641/FUL	Single storey rear extension. Increase in roof height with front and rear dormers and detached garden studio.	Refused.

3.1 The decision notice for the previously refused application 11/0641/FUL is attached to this report as Appendix A.

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6 ENV7
Cambridgeshire and Peterborough Structure Plan 2003	N/A
Cambridge Local Plan 2006	3/1 3/4 3/14 4/11

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comment.

Conservation Officer

No comment.

7.0 REPRESENTATIONS

7.1 Councillor Johnson has commented on this application. His comments are as follows:

To request the application to be referred to the East Area Committee for further scrutiny due to concerns from the neighbours regarding loss of amenity.

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

- o 22 and 23 Riverside

7.3 The representations can be summarised as follows:

- o The extension is too big and would dominate views from our rear gardens;
- o It would affect our residential amenity by blocking out sun and natural light into our living rooms and kitchens. Even worse impact during winter months when the sun is very low; Over-shadowing impact;
- o The development would result in an over-development within the Conservation Area, contrary to Policy 4/11 of the Local Plan;
- o The proposed extension would leave very little space to carry out any maintenance and therefore may impact upon my boundary fence (No.22 Riverside);
- o The information contained within the Design and Access Statement is misleading.
- o Land on 47 Priory Road is slightly higher than properties on Riverside so height of extension will have an impact and would create a sense of enclosure.

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

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Impact on the character and appearance of the Conservation Area
3. Residential amenity
4. Third party representations

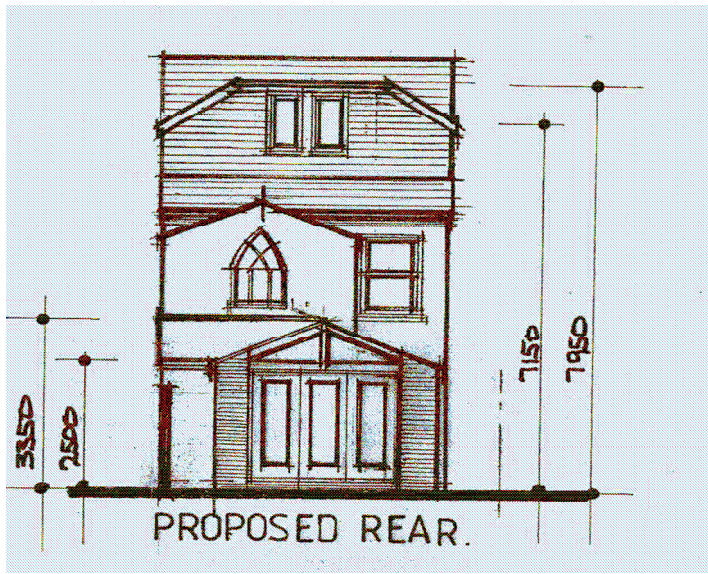
Context of site, design and external spaces

8.2 In terms of context, the site is constrained by the very nature of the development around it. Historical maps show that the properties 22-24 Riverside existed in 1903 and therefore the relationship between these dwellings and the application site have been rather intimate for over 100 years. This map obviously does not take into account the extensions/additions that have been made to the Riverside properties in more recent years. Nonetheless, it demonstrates a unique closeness between property boundaries which is important when considering any application for extensions to either the application site or to nos.22-24 Riverside. I am of the view that the proposed extension seeks to minimise the visual dominance of the extension from neighbouring properties. I do not consider that the proposal would introduce a built form that would detract from the character of the area, nor would be it be visually intrusive, in my opinion.

8.3 The decision on the previous application is a material consideration (Ref:11/0641/FUL). A single storey element formed part of that application, among other elements. The application was for a loft conversion(with a raised ridge and front/rear dormers), a single storey rear extension and a separate garden studio. The application was refused under delegated powers (see Appendix A for copy of decision notice). In the Planning Officer's delegated report, however, it is stated that the rear single storey extension as proposed would not result in amenity harm that would warrant a refusal of permission in its own right. The proposed single storey extension element of that application differs slightly in design

terms from what is proposed under this application as can be seen from the two elevations below:

Ref: 11/0641/FUL



Ref:12/0883/FUL



Garden / Rear Elevation (West)

8.4 The previous scheme shows a single storey extension to be higher and than the current proposal (Previous = 3.35m in height, proposed = 2.9m) and stepped away from the northern

boundary. The current proposal brings the flank wall of the extension closer to the northern boundary because there are practicality issues with building over an existing shallow sewer which runs down the southern side of the site and the water authority will not allow any development to be built above it. However, the design of the roof together with the height of the building at 2.9m means that the bulk of the building is stepped away from the boundary and would project 900mm higher than the existing boundary fence. The building would project into the garden by 4m from the end of the existing lean-to extension, which would, in my view, leave ample garden space beyond. In my view, the design and massing of the building is acceptable and relates well with the existing dwelling, the adjoining residential properties and the amenity space around the property.

- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, and 3/14.

Impact on the character and appearance of the Conservation Area:

- 8.6 The application is supported by a Design and Access Statement which acknowledges the historic character in which the site sits. No comments from the Conservation Officer have been received.

Policy 4/11 of the Local Plan is relevant. Part b of the policy is particularly relevant as it seeks all designs of any new buildings to preserve or enhance the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it. In my view, the proposed extension would not detract from the character or appearance of the Conservation Area because I consider that the extension is in keeping with the historic context of the site and its surroundings and respects the character of the host dwelling. The relatively modest scale of the proposed extension does not, in my opinion, protrude unnecessarily or compete with the historic essence of the area.

The neighbours are concerned that the proposal does not accord with Policy 4/11 of the Local Plan in that it does not enhance or preserve the character and appearance of the Conservation Area, and specifically state that it would be 'over-

development in a Conservation Area'. I do not agree with this view and consider that it does not harm the historic character of the Conservation Area and the building would not result in over-development of the Conservation Area. This is because it is not a building of great presence when viewing from any public vantages, where there is greater potential for a development to affect the historic asset. The building would be surrounded by other prominent buildings, such as the dwelling houses around it and by the various boundary treatments that separate buildings from the street and street furniture within the locality.

- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The proposal has attracted two objections from the neighbours at nos. 22 and 23 Riverside, who are located to the north of the site. I have assessed the site from these two properties. I visited early morning on a sunny day when the sun was still rising, so not at its highest point in the day. I assessed the site from the living areas to the rear and then from the courtyard gardens. The courtyard gardens measured just 4m in depth and both are mainly hard landscaped with some soft planting around the edges.

I accept that the gardens of these properties are relatively small compared with the gardens of the properties along Priory Road and Riverside, and the existing buildings around them do already, to some degree, create a sense of enclosure. However as the historical maps show, this relationship has been in existence for quite some time and I do not consider that this character has altered too significantly. I also accept that the extension to No.24 Riverside has contributed somewhat to the sense of enclosure, particularly to no.23s' garden area.

The neighbours have objected on the grounds that the extension would adversely affect their residential amenity due to the bulk and massing of the building. I agree that there will be some impact because of the close proximity of the proposal to nos. 22 and 23 Riverside. However, the extension will be only 900mm above the height of the existing boundary wall and the

design of the roof would mean that the bulk is stepped away from the neighbours.

Part B, Class A of The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 is relevant to my argument in this respect and stipulates that for the enlargement, improvement or other alteration to a (detached) dwelling house, within a Conservation Area, planning permission will not be required provided that:

- It is not a side extension;
- Rear extensions are not of more than one storey;
- The maximum depth of a single-storey rear extension does not exceed 4m in depth (for a detached house);
- The maximum height of a single-storey rear extension does not exceed 4m;
- The maximum eaves height of an extension within 2m of the boundary does not exceed 3m.

Based on the above limitations, I consider that the proposed extension falls within all of the above limits, except for the fact that it is considered to be a side extension to the dwelling. If the applicant decided to reduce the width of the extension so that it does not project from the existing lean-to, the extension would become permitted development under these regulations and would not need planning permission.

The neighbours have raised a concern relating to loss of light. I accept that the gardens of nos.22 and 23 do not currently enjoy much sunlight, particularly during the winter months, however, I am not convinced that the proposed extension, if approved, will significantly reduce the level of light that is currently received because the height of it is not in itself significant and the bulk of the building is stepped away from the boundary with the neighbours who have objected.

- 8.9 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Third Party Representations

- 8.10 There are a few other issues that have been raised by nos. 22 and 23 Riverside which I shall explore in more detail here.

The neighbours have raised a concern relating to potential maintenance issues as the extension would be built so close to the boundary wall. Whilst I do not dispute that this might happen, if maintenance works are needed that required the applicant to access it via a third party, special permission would need to be granted by the third party and it is not within the planning remit to mediate how this should occur.

The neighbours raise concerns about some of the details contained within the Design and Access Statement and refers to the previous case officer's report and pre-application advice received. Whilst I have empathy with the concerns raised, they do not change my view that the proposal should be approved. The Design and Access Statement is an accompanying document which is helpful in assessing a proposal, however I consider that I have made a thorough assessment based upon the plans submitted and the extensive site visits that I made, not only to the site, but also from neighbouring properties.

9.0 CONCLUSION

- 9.1 In conclusion I consider that the proposed extension is acceptable and recommend that the application is approved.

10.0 RECOMMENDATION

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

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

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

Reasons for Approval

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

East of England plan 2008: ENV6 and ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/14, 4/11

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.

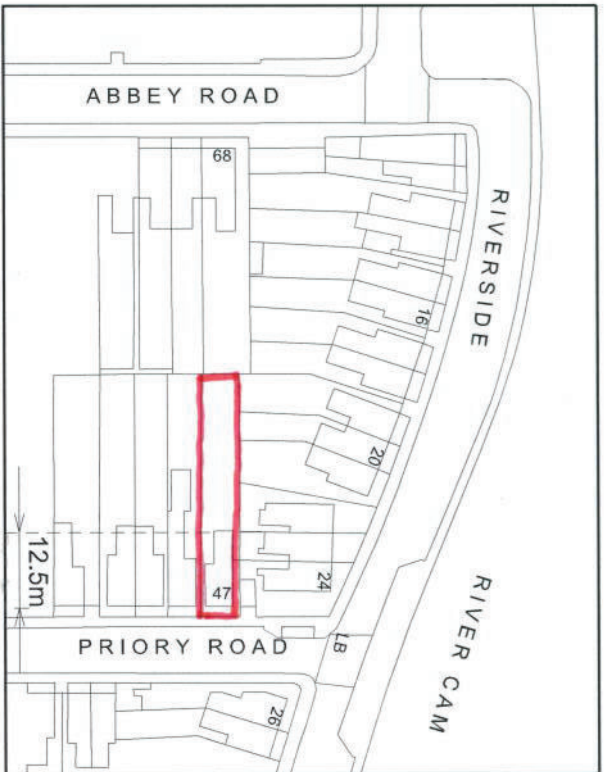
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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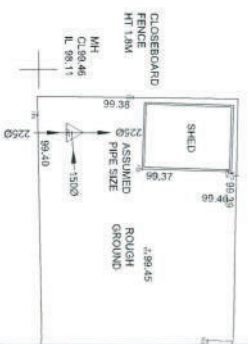
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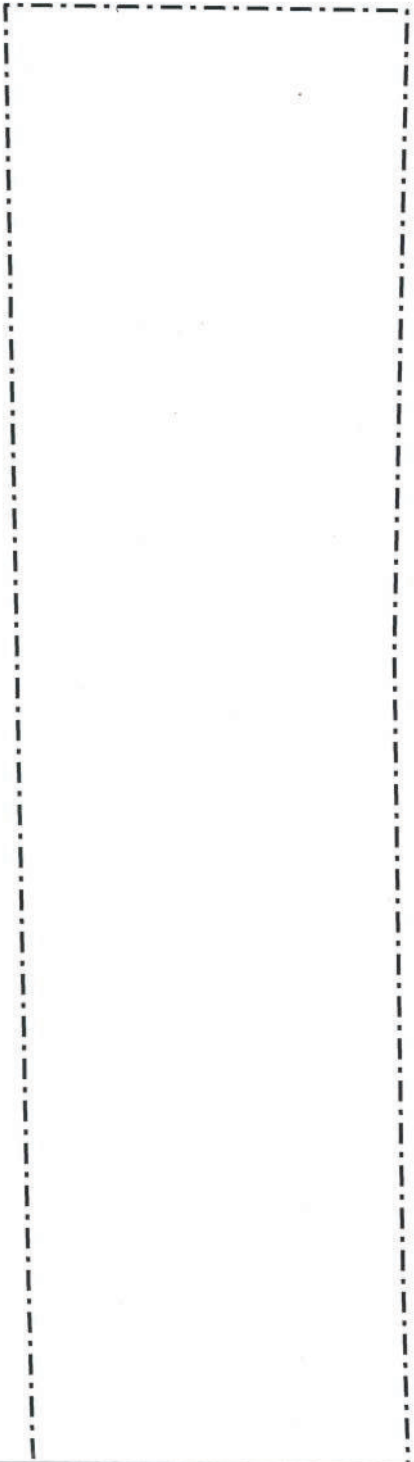
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SITE LOCATION PLAN 1:1250



SITE SURVEY



EXISTING ROOF PLAN 1:100

DOX

REVISIONS:

Date Revision

KEY:

1:100



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Application Number	12/0742/FUL	Agenda Item	
Date Received	7th June 2012	Officer	Mr Amit Patel
Target Date	2nd August 2012		
Ward	Coleridge		
Site	233 Lichfield Road Cambridge Cambridgeshire CB1 3SH		
Proposal	New first floor extension over existing garage to provide study/bedroom.		
Applicant	Mr Paul Welbourn 233 Lichfield Road Cambridge Cambridgeshire CB1 3SH		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>The proposed extension at first floor is out of context with the terrace and wider estate</p> <p>The depth and height adjacent to the common boundary with number 235 will have a detrimental impact upon the neighbouring occupier</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located towards the south of the City Centre on the eastern side of Lichfield Road. Number 233 is at the end of a terrace which contains a mixture of single and flatted dwellings. The area is residential in character, with two and three storey buildings.
- 1.2 The site is not allocated nor within a Conservation Area. There are no listed buildings and it is not within a Controlled Parking Zone.

2.0 THE PROPOSAL

2.1 The application seeks approval for a first floor extension over the existing garage and porch. The proposed extension measures 7m in depth and 4.7m wide at the widest point and 4.5m to the eaves. The roof ridge would be 5.6m above the ground closest to the house, but drops to 5.3m in its rear section.

2.2 The application is accompanied by the following supporting information:

1. Plans

2.3 The application is brought before Committee at the request of Councillor Benstead. The application is within the remit of local plan policy 3/14 Extending Buildings and Councillor Benstead would like area committee to take a view on this.

3.0 SITE HISTORY

Reference	Description	Outcome
C/76/0032	Erection of interview room	A/C

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 ENV7
Cambridge Local Plan 2006	3/1 3/4 3/14

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

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 The local highway authority have no comment to make on this application.

7.0 REPRESENTATIONS

7.1 Councillor Benstead has commented on this application. His comments are as follows: The application is within the remit of

local plan policy 3/14 Extending Buildings and I would like area committee to take a view on this.

- 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 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

Principle of Development

- 8.2 The proposal is for an extension to a existing building. Local Plan policy 3/14 is therefore relevant. Policy 3/14 states:

3/14 Extending Buildings

The extension of existing buildings will be permitted if they:

- a - reflect or successfully contrast with its form, use of materials and architectural detailing;**
- b - do not unreasonably overlook, overshadow or visually dominate neighbouring properties;**
- c - retain sufficient amenity space, bin storage, vehicular access and car and cycle parking; and**
- d - do not adversely affect listed buildings or their settings, the character or appearance of conservation areas, gardens of local interest, trees or important wildlife features.**

- 8.3 Although the general principle is acceptable the impact of such an extension needs to be considered. Part a and b are discussed more in detail below and as there are no changes being proposed to the bin storage, vehicle access, car and cycle parking or the amenity space part c and d do not apply in this instance.

- 8.4 Subject to further assessment below, the broad principle of extending the building is acceptable and in accordance with policy 3/14.

Context of site, design and external spaces

- 8.5 The area is residential in character. The application site is a end of row terrace house. The terrace lies between two blocks of flats which stand forward of the main building line of this terrace. The houses in this terrace have single storey garages, located within the front garden which are accessed off Lichfield Road. Other terraced dwellings on the estate have the same configuration and, so far as I can see, none has been extended in this way. The extension would be very prominent in Lichfield Road, and in my view would stand out as an anomaly, adversely affecting the appearance and character of this terrace and the area as a whole.
- 8.6 In my opinion the proposal is contrary to East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/14 part (a).

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 The proposal will have a large expanse of wall hard up against the boundary with number 235 at first floor level. The proposal sits north of number 235 and therefore I do not consider that there will be a significant impact in terms of loss of sunlight. There are no new windows being proposed in this elevation and therefore I do not consider that there will be any impact in terms of loss of privacy to number 235.
- 8.8 However, I do consider that due to the depth and height of the proposed extension hard up against this boundary. The large expanse of brick work will lead to a loss of out look and have an over bearing impact on that property which would significantly harm the residential amenity of the occupiers.
- 8.9 Number 231 sits forward of the application building and has the side wall running along the length of this common boundary and

as there are no windows in this side wall I do not consider that the proposal will have any significant impact upon this property.

- 8.10 In my opinion, due to the scale of the proposed extension and its relationship with number 235 it would have a harmful impact in terms of outlook and visual dominance on the residential amenity of its neighbour at number 235 and therefore responded poorly to the constraints of the site and I consider that it is contrary with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/14 part (b).

9.0 CONCLUSION

The proposal is for a first floor extension to the front of the house. The proposal will be highly visible and would be the first of its kind and therefore create an anomaly in the street where there is a strong character within the terrace and wider estate. In addition there would be a significant impact upon the neighbouring occupier due to the positioning and scale of the development. I therefore recommend REFUSAL.

10.0 RECOMMENDATION

REFUSE for the following reason/s:

1. The proposed front extension is unacceptable in that it would project forward of the street elevation of this terrace and would be an intrusive and visually dominant feature in the street scene that would be harmful to the quality of the local townscape, the character of the immediate area and the original design and layout of the estate. Thus the development does not respond to the site context and constraints and does not draw inspiration from key characteristics of the surroundings. It is poor design, which is detrimental to the local townscape and does not provide for good interrelationships between buildings, routes and spaces. The development is therefore contrary to policy ENV7 of the East of England Plan 2008, to policies 3/4 and 3/14 of the Cambridge Local Plan 2006 and to advice provided by National Planning Policy Framework (March 2011).

2. The proposed first floor rear extension because of its scale (its length and its height), and its siting, hard up to the common boundary with the neighbouring property, 235 Lichfield Road, would cause loss of outlook from that dwelling and its front garden area. It would furthermore unreasonably dominate 235, causing the occupiers of that dwelling to suffer an undue sense of enclosure, to the detriment of the level of amenity they should reasonably expect to enjoy. The development is therefore contrary to policy ENV7 of the East of England Plan 2008, to policies 3/4 and 314 of the Cambridge Local Plan 2006 and to advice provided by NPPF.

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.

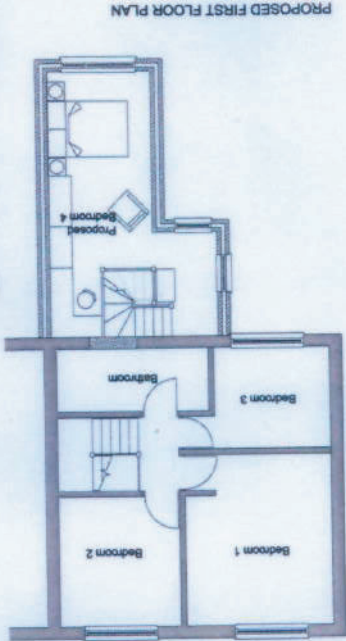
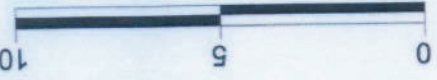
These papers may be inspected on the City Council website at:
www.cambridge.gov.uk/planningpublicaccess
or by visiting the Customer Service Centre at Mandela House.

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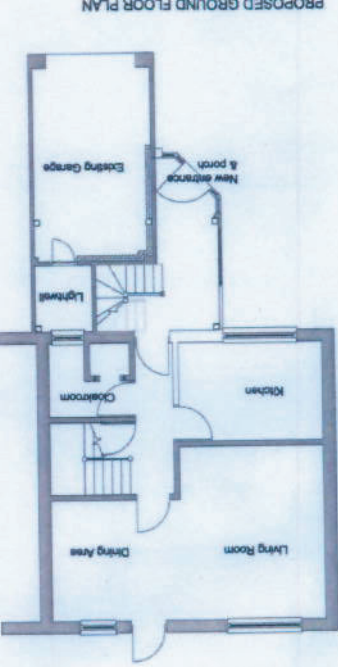
DATE	1/18/12	
PROJECT	PROPOSED WEST ELEVATION	
CLIENT	MR & MRS WILSON	
DESIGNER	DAVID M. WILSON ARCHITECTS	
SCALE	1/8" = 1'-0"	
DESCRIPTION	PROPOSED WEST ELEVATION	
REVISIONS		
NO.	DATE	DESCRIPTION
1	1/18/12	ISSUED FOR PERMIT



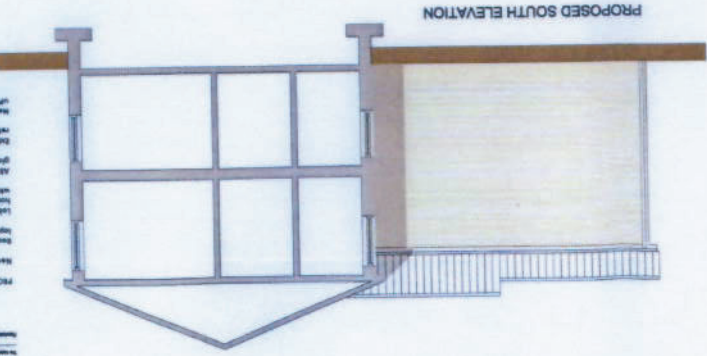
PROPOSED WEST ELEVATION



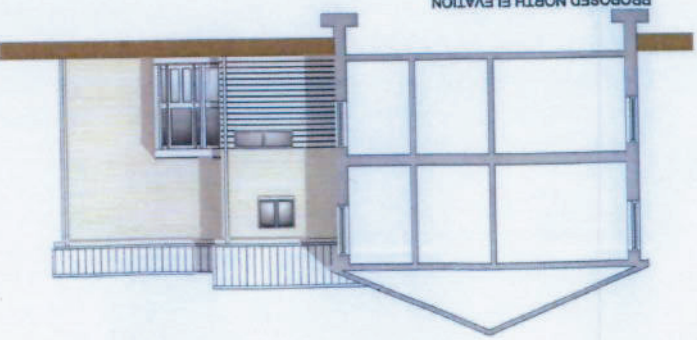
PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN

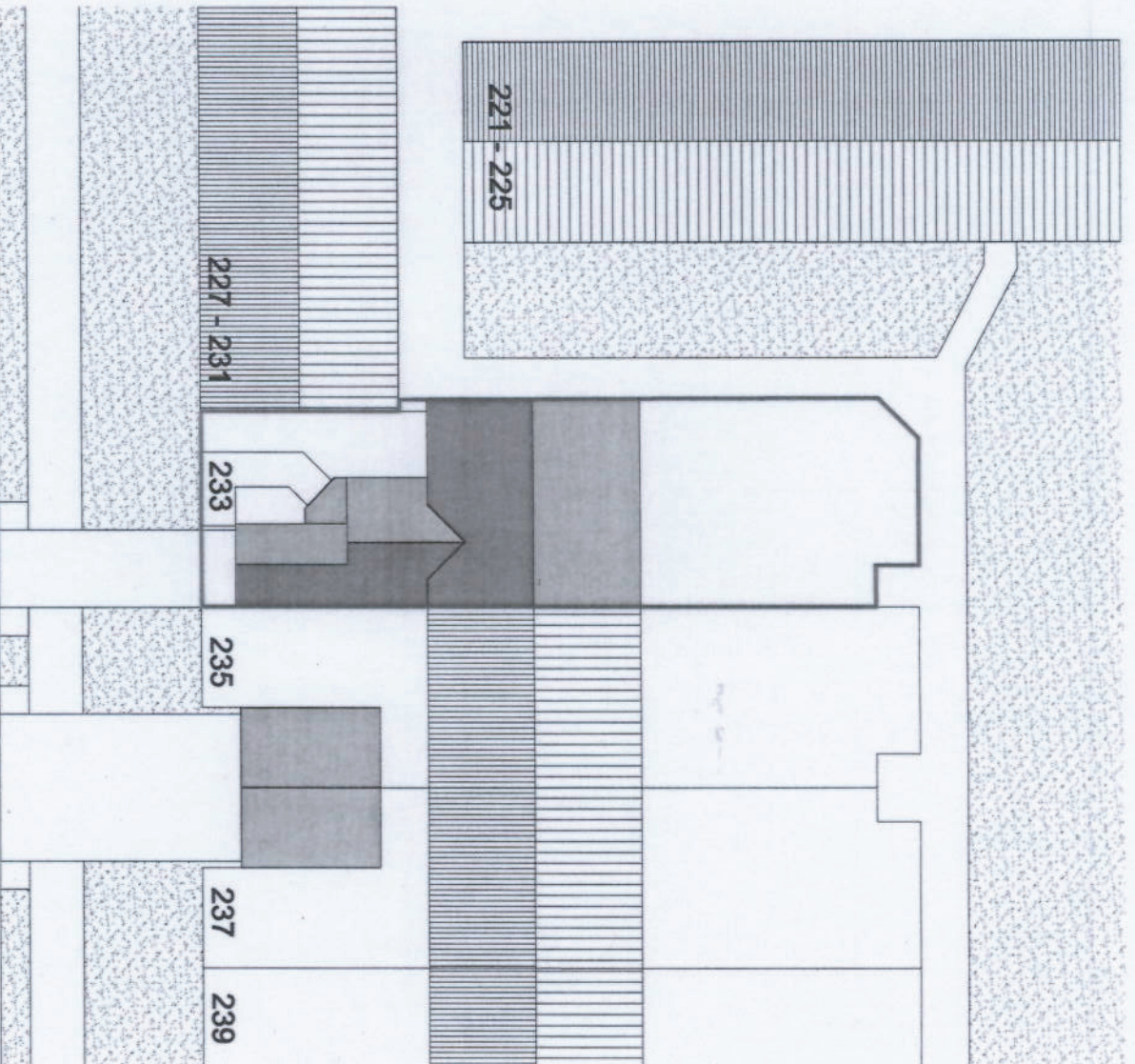


PROPOSED SOUTH ELEVATION



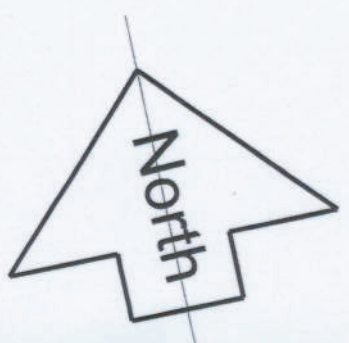
PROPOSED NORTH ELEVATION

PROPOSED MATERIALS
 New multi-panel sliding patio in north-south
 facing to the existing "single" patio, including edge
 lap concrete base to match existing
 Lumber of ground floor to be used in
 foundation 4 in. boards to match existing exterior
 walls.
 All new windows to be clear glass with double
 glazed windows with the white UPVC frames.
 Existing garage to remain with the light
 woodwork.
 New exterior gutters and downspouts to be black
 UPVC to match existing.

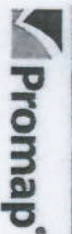
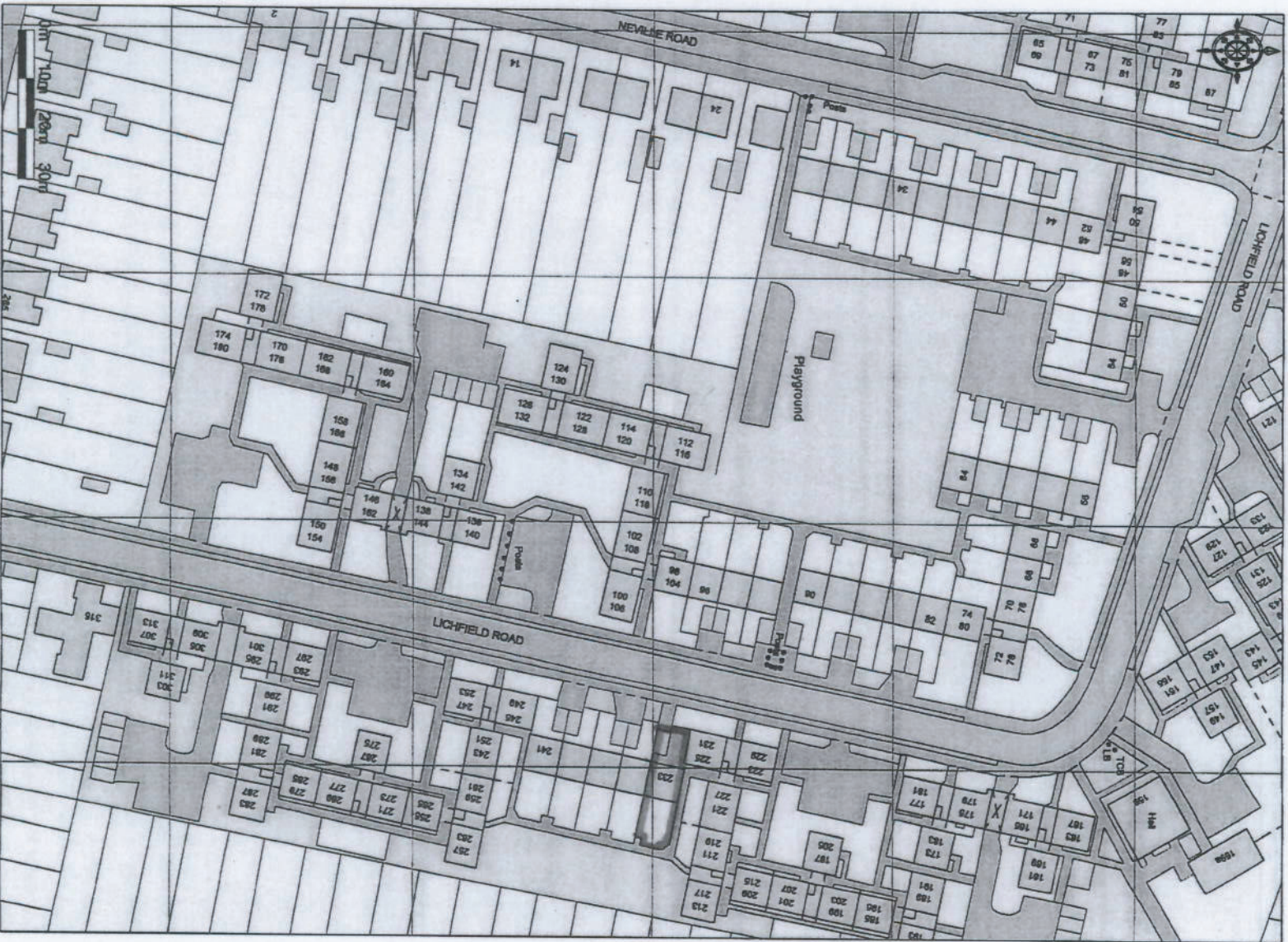


LICHFIELD ROAD

BLOCK PLAN scale: 1/250



PROPOSED EXTENTION - 233 LICHFIELD ROAD, CAMBRIDGE



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Licence number 100030449. Proportional Scale - 1:11250

SITE/LOCATION PLAN - 1/11250

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: East Area Committee

DATE: 06/09/12

WARD: Coleridge

PLANNING ENFORCEMENT CONTROL ENFORCEMENT NOTICE REPORT

86 Brooks Road, Cambridge

Unauthorised Development

1 INTRODUCTION

1.1 This report seeks the authority to serve an Enforcement Notice to address a breach of planning control.

Site: 86 Brooks Road, Cambridge.
See Appendix A for site plan.

Breach: Unauthorised Development: erection of an extension without planning permission.
See Appendix B for photographs.

2 BACKGROUND (Timeline of Enforcement Investigation)

2.1 On 13th December 2011 the Planning Enforcement Service received a complaint alleging that an extension that may require planning permission had been built to the rear of 86 Brooks Road, Cambridge. The complainant also contacted Building Control about possible building regulation contraventions.

2.2 The owner of 86 Brooks Road, Mrs Thi-Mynga, was not able to attend a site visit until 7th February 2012. The visit established that in 2011 two extensions had been built at the rear and side of the

property, these extensions had later been joined to create one extension. Mrs Thi-Mynga was advised that the extension would require planning permission due to both its size and the materials used (plasterboard and wood cladding).

- 2.3 On 13th February 2012 Mrs Thi-Mynga Ha was sent a letter requesting the submission of an application for planning permission for the unauthorised extension within 28 days.
- 2.4 On 29th February 2012 Mrs Thi-Mynga Ha visited the Guildhall to explain to officers that a partial brick extension was in place when she bought the house four years ago. Officers explained that as she had removed the wall of the previous extension she needed planning permission for the new extension.
- 2.5 On 14th March 2012 the Planning Enforcement Officer met Mrs Thi-Mynga Ha at 86 Brooks Road and confirmed the position of original house before any extensions were added.
- 2.6 On 15th March 2012 the Planning Enforcement Officer wrote to Mrs Thi-Mynga Ha to repeat the verbal advice given and request that she inform officers of her intentions within 14 days. Copies of this letter and the five other letters which have been sent to Mrs Thi-Mynga Ha regarding the breach of planning control can be found in Appendix C.
- 2.6 On 4th April 2012 Mrs Thi-Mynga Ha advised officers that she intended to put a door and window in the extension and then draw up plans and submit an application for planning permission. A letter was sent to Mrs Thi-Mynga Ha advising her again of the need to submit a planning application or remove the extension.
- 2.8 On 18th April 2012 officers from Planning Enforcement and Building Control met with Mrs Thi-Mynga Ha and her son. Mrs Thi-Mynga Ha provided a letter confirming that she had refused the services of a translator (see Appendix D). Mrs Thi-Mynga Ha confirmed her intention to scale back the side extension, rebuild a new exterior wall with a window and cover the area where the side extension currently is with a roof. Officers repeated the advice that planning permission would still be required and agreed to visit 86 Brooks Road one further time to explain where the extension needed to be scaled back to.
- 2.9 On 25th April 2012 officers from Planning Enforcement visited 86 Brooks Road, showed Mrs Thi-Mynga Ha the line of the original house and explained that the extension needed removal to that line.

Mrs Thi-Mynga Ha was advised that if she did not submit a an application for planning permission or remedy the breach within 28 days to the City Council would need to proceed with enforcement action.

- 2.11 On 26th April 2012 Mrs Thi-Mynga Ha attended the Guildhall and provided documents relating the sales details and size of the house when she bought 86 Brooks Road. Mrs Thi-Mynga Ha was advised that the need to remedy the breach of planning control had not changed and this was confirmed that in writing later that day. The letter requested the removal of the extension within 28 days and included photographs clearly indicating where to remove the extension to (see Appendix C).
- 2.12 On 14th May 2012 Mrs Thi-Mynga Ha requested a further two weeks to remove the unauthorised extension, the time extension was granted.
- 2.13 On 31st May 2012 Mrs Thi-Mynga Ha requested a meeting to discuss putting a door in the extension to create a porch, she confirmed that no alteration to the extension had taken place. Mrs Thi-Mynga Ha was advised that officers would now seek the authority to serve a Planning Contravention Notice as a pre requisite to formal enforcement action.
- 2.14 On 12th June 2012 a Planning Contravention Notice was served on Mrs Thi-Mynga Ha. The completed notice was returned on 19th June 2012. A copy of the Notice and a letter from Mrs Thi-Mynga can be found in Appendix D.

3 POLICY AND OTHER MATERIAL CONSIDERATIONS:

3.1 National Planning Policy Framework states:

‘Para 207. Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

- 3.2 Enforcement is a discretionary power. The Committee should take into account the planning history and the other relevant facts set out in this report. Officers only recommend the service of an Enforcement Notice when all attempts at negotiating a resolution to remedy the breach of planning control have failed.
- 3.3 The owner of the property was first made aware of the breach of planning control on 13th February 2012. Officers have sent six letters of explanation to the owner of 86 Brooks Road and met with her four times at the property and four times at the Guildhall and the unauthorised development remains in place. It is considered that the owner of the property has been given adequate time to remedy the breach of planning control and it is therefore considered expedient to issue the notice.
- 3.4 In order to issue an Enforcement Notice there must be sound planning reasons to justify taking such action. The extension at the side and rear of 86 Brooks Road extends beyond the permitted development limit of 3 metres from the original house and so requires express planning permission. The extension is unlikely to gain approval because the design and materials used is are contrary to policies 3/4 and 3/14 of the Local Plan which refer to Responding to Context and Extending Buildings.

4 RECOMMENDATIONS

- 4.1 It is recommended that the Head of Legal Services be authorised to commence enforcement proceedings under the provisions of Section 172 of the Town and Country Planning Act 1990 (as amended), for unauthorised operational development.
- 4.2 Steps to Comply:
1. Remove the extension at the side and rear of 86 Brooks Road, Cambridge to the line of the original house as shown in the photographs DJ1, DJ2, and DJ3 dated 25th April 2012.
- 4.3 Period for Compliance:
3 months from the date the notice comes into effect.
- 4.4 Statement of Reasons:

It appears to the Council that the breach of planning control has occurred within the last four years. The applicant has undertaken development without planning permission.

Mindful of the NPPF and to all other material considerations, the Council consider it expedient to serve enforcement notices in order to remedy the clear breach of planning control.

5 IMPLICATIONS

- (a) **Financial Implications** - None
- (b) **Staffing Implications** - None
- (c) **Equal Opportunities Implications** - None
- (d) **Environmental Implications** - None
- (e) **Community Safety** - None
- (f) **Human Rights** - Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that enforcement notices in this case would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies, which seek to restrict such forms or new residential development. The time for compliance will be set as to allow a reasonable period for compliance.

BACKGROUND PAPERS:

No background papers were used in the preparation of this report:

APPENDICES

Appendix A	Site plan
Appendix B	Photographs of unauthorised extension
Appendix C	Correspondence sent to Mrs Thi-Mynga Ha
Appendix D	Correspondence from Mrs Thi-Mynga Ha

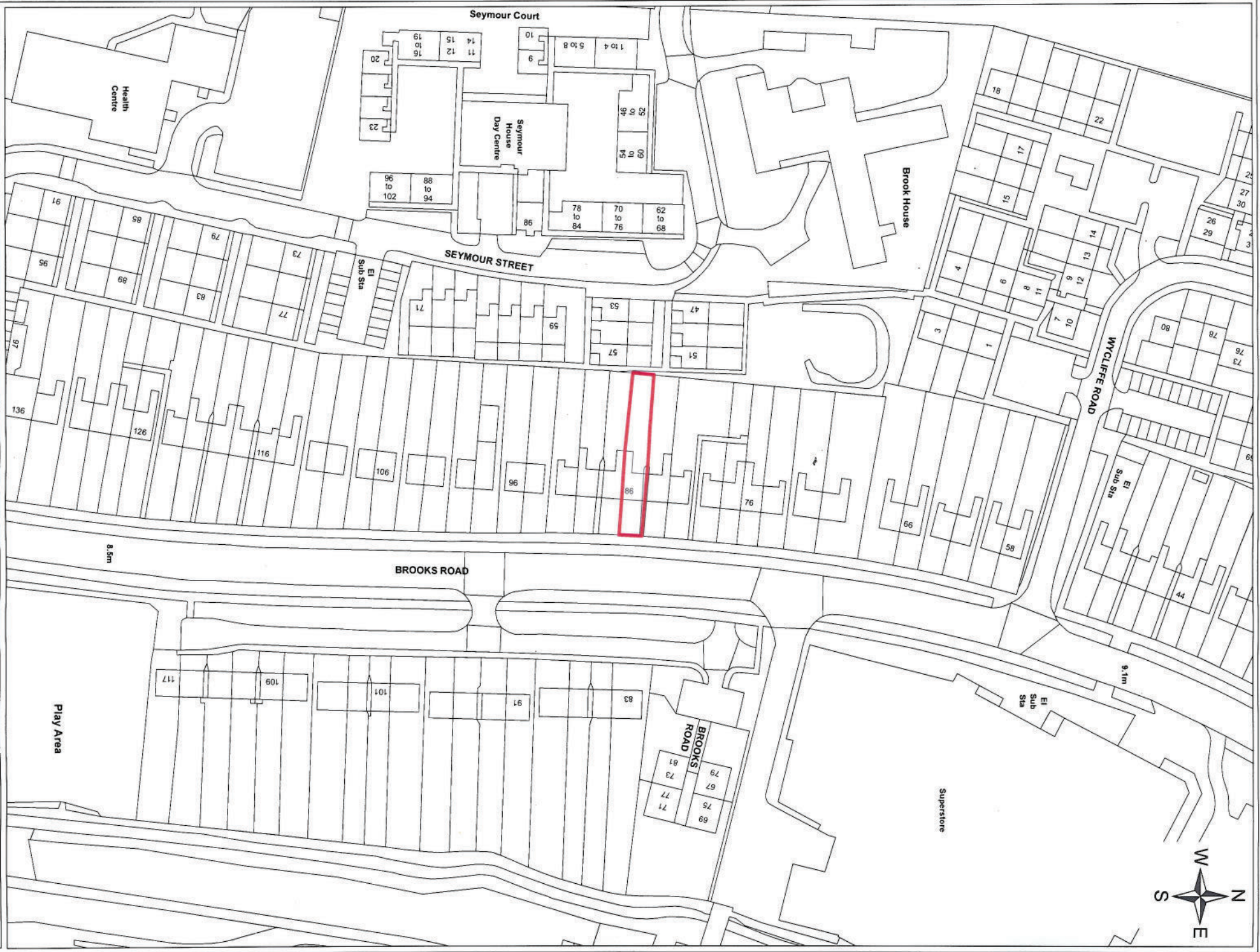
The author and contact officer for queries on the report is Deborah Jeakins on extension 7163.

Date originated: 03 August 12

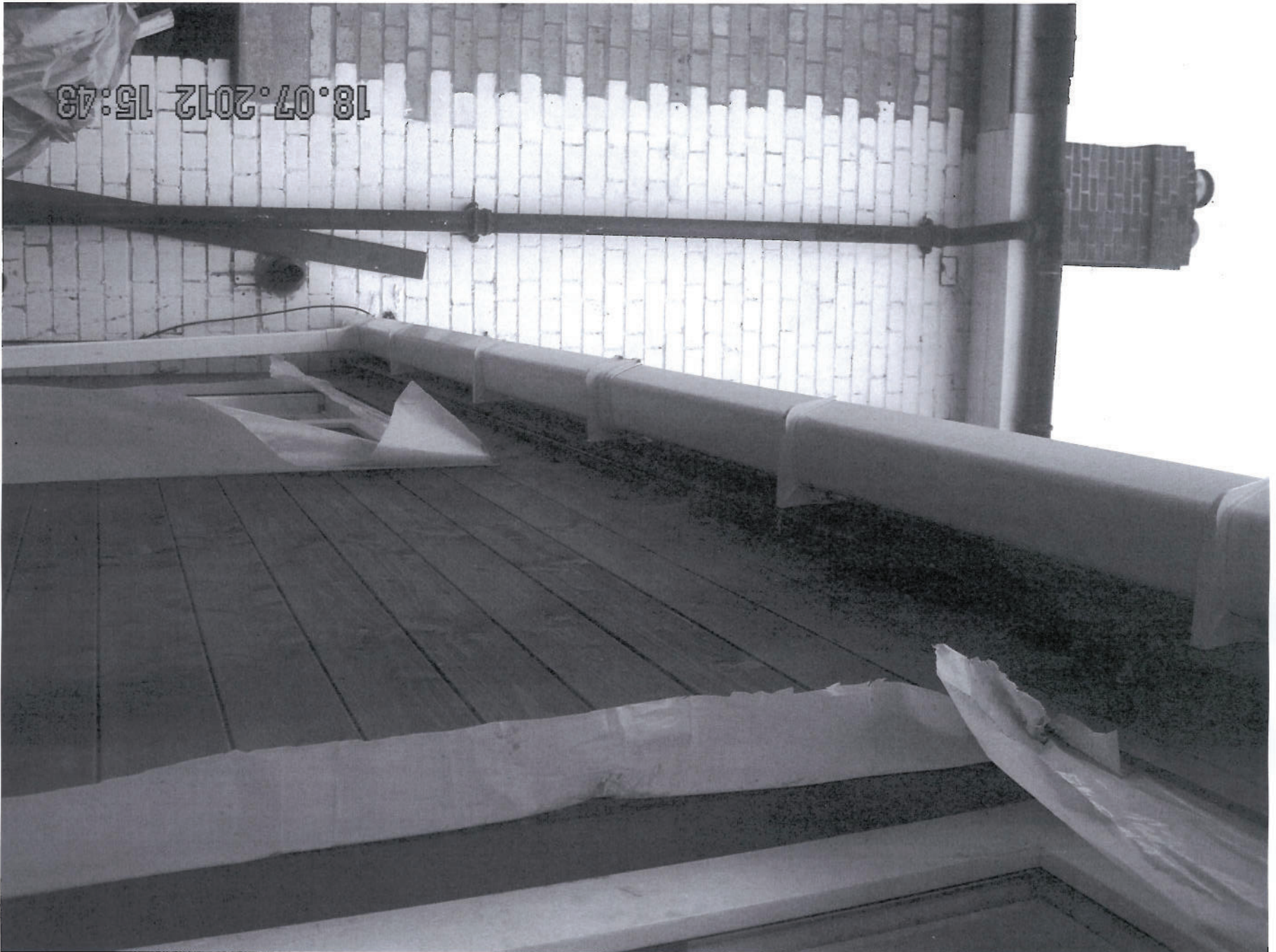
Date of last revision: 03 Aug 2012

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**86 Brooks Road,
Cambridge** @ 111

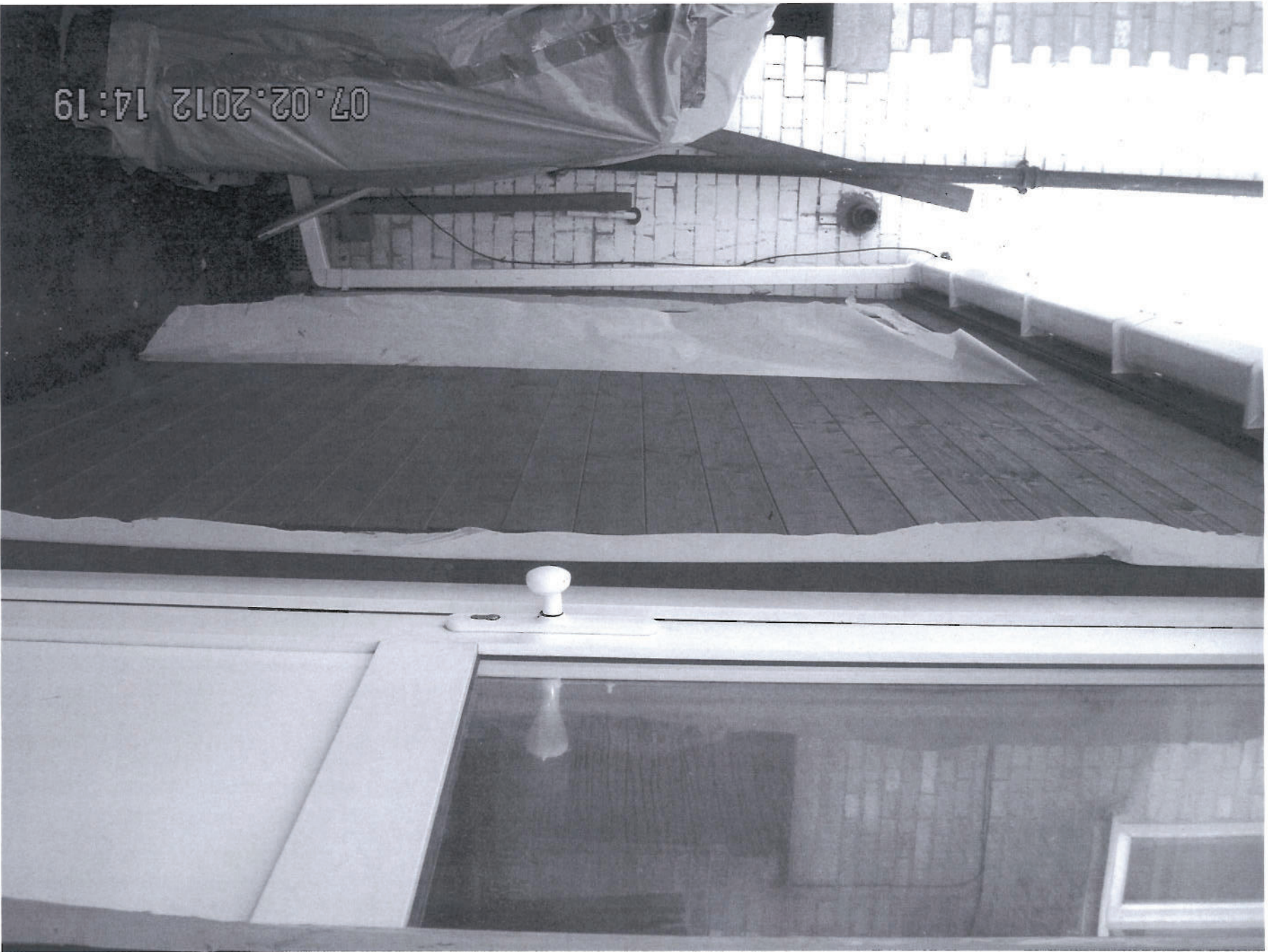


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In case of enquiry contact Deborah Jeakins
Telephone 01223 457163 Fax 457109
Email: Debs.Jeakins@cambridge.gov.uk



Mrs Thi-Mynga Ha
86 Brooks Road
Cambridge
CB1 3HR

26th April 2012

Dear Mrs Thi-Mynga Ha,

Reference: Unauthorised extension at 86 Brooks Road, Cambridge

Further to our meetings on 18th and 25th April 2012 and my letters of 15th March and 4th April 2012, I write to confirm that the Local Planning Authority requires you to remove the unauthorised extension at the rear of 86 Brooks Road within 28 days of the date of this letter.

I have noted the information from Chapman Lorimer Oakes regarding the size of the kitchen when you purchased the property and added it to my case file. The changes you made to the property removed some of the existing kitchen area, and once something has been removed, we are only able to assess what has been built to replace it. There is no planning history confirming an approved extension and so we must refer to and revert to the original size of the house when built.

The enclosed photographs clearly indicate the building line of the original house. You must remove all additions to the house beyond that line and create a wall of matching brick at the place shown in the photographs DJ1, DJ2 and DJ3.

I intend to arrange a site visit to your property on or soon after the 24th May 2012 and if the extension remains in place I will begin enforcement proceedings in respect of the ongoing breach of planning control.

As I have advised previously, I would urge you to speak to a solicitor or employ a planning agent to assist you with this matter. An architect or planning agent would also be able to assist you with the preparation of a planning application for a replacement extension.

I will contact you mid May to arrange a site visit. Please contact me if you would like this letter or any of my previous correspondence translated into Vietnamese or have any queries regarding the enforcement process.

Yours sincerely,

Deborah Jeakins
Planning Enforcement Officer

Cambridge City Council, Development Services, PO Box 700, Cambridge CB1 0JH

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In case of enquiry contact Deborah Jeakins
Telephone 01223 457163 Fax 457109
Email: Debs.Jeakins@cambridge.gov.uk



Mrs Thi-Mynga Ha
86 Brooks Road
Cambridge
CB1 3HR

15th March 2012

Dear Mrs Thi-Mynga Ha,

Reference: Extension at 86 Brooks Road, Cambridge

On 14th March 2012 I visited 86 Brooks Road with Alison Twyford, the Senior Planning Enforcement Officer to explain the need for planning permission for the extensions that you have built at the rear of the property.

Our site visit confirmed the position of the original house before any extensions were added and that the extensions you have created need planning permission.

I had previously visited the address on 7th February 2012, written to you on 13th February 2012 and met with you on 29th February 2012 to explain why you need to apply for planning permission for the extension.

The reason you need planning permission is because the size of the extension is outside permitted development limits (it is too big) and because the materials used do not match the existing house (it is not brick).

You have been advised that although the work which you have undertaken requires planning permission, it is very unlikely that permission will be granted because you have used plaster board and wood as your building materials.

Therefore the three options available to you are:

Remove the extension

If you intend to remove the extension(s) that you have built you will need to build a wall to replace the wall (and window) which had formed the exterior of the house.

When you built the extension you removed the outer wall. Once an outer wall has been removed any replacement would be new and so you would need to apply for planning permission.

Apply for planning permission for what you have built

It is very unlikely that such an application would be approved.

Build an extension using brickwork which matches the original house

This will require an application for planning permission.

If you do wish to apply for planning permission I would strongly advise you to employ a planning agent to advise you on the materials which are likely to be acceptable and to assist you in preparing an application.

You may also wish to contact the Citizens Advice Bureau, their local office is at 66 Devonshire Road, Cambridge and their Adviceline telephone number is 0844 848 7979.

Please contact me within fourteen days to let me know which of the three options listed above you have chosen to pursue so that we can agree a suitable timescale.

Regards

Deborah Jeakins
Planning Enforcement Officer

In case of enquiry contact Deborah Jeakins
Telephone 01223 457163 Fax 457109
Email: Debs.Jeakins@cambridge.gov.uk



Mrs Thi-Mynga Ha
86 Brooks Road
Cambridge
CB1 3HR

4th April 2012

Dear Mrs Thi-Mynga Ha,

Reference: Extension at 86 Brooks Road, Cambridge

On 15th March 2012 I sent you a letter confirming that you need to apply for planning permission for the extension at the rear of the 86 Brooks Road.

The letter listed the options that are available to you and explained that each option means you will need to apply for planning permission. I enclose a copy of the letter and have repeated the three options below for your reference:

1. Remove the extension
2. Apply for planning permission for what you have built
3. Build an extension using brickwork which matches the original house.

During our telephone conversation earlier today you advised me that you have spoken to Jotham Steed from Building Control and now intend to insert a new window and door within the extension to turn the extension into a self contained porch.

Mr Steed has confirmed that if you undertake the work you described to him it will mean that the extension will be exempt from Building Regulations.

I am obliged to repeat my advice that if you undertake this work you will still need to apply for planning permission and that permission is not likely to be granted for the extension due to the materials used.

In order to ensure that you fully understand the options and possible consequences of not being granted planning permission for the extension I have arranged a meeting between yourself, Planning Enforcement Officers and Mr Steed from Building Control.

The meeting will take place at The Guildhall, Market Square Cambridge on 18th April 2012 at 2.30pm.

I offered to arrange for a Vietnamese translator to attend the meeting and you refused and explained that you would be unwilling to attend a meeting with an independent translator, instead offering to bring a relative to the meeting to assist with translation.

Cambridge City Council, Development Services, PO Box 700, Cambridge CB1 0JH

I have asked you to confirm in writing that you are unwilling for the Council to arrange for an independent translator to be present during the meeting and requested that you send that letter in advance of our meeting.

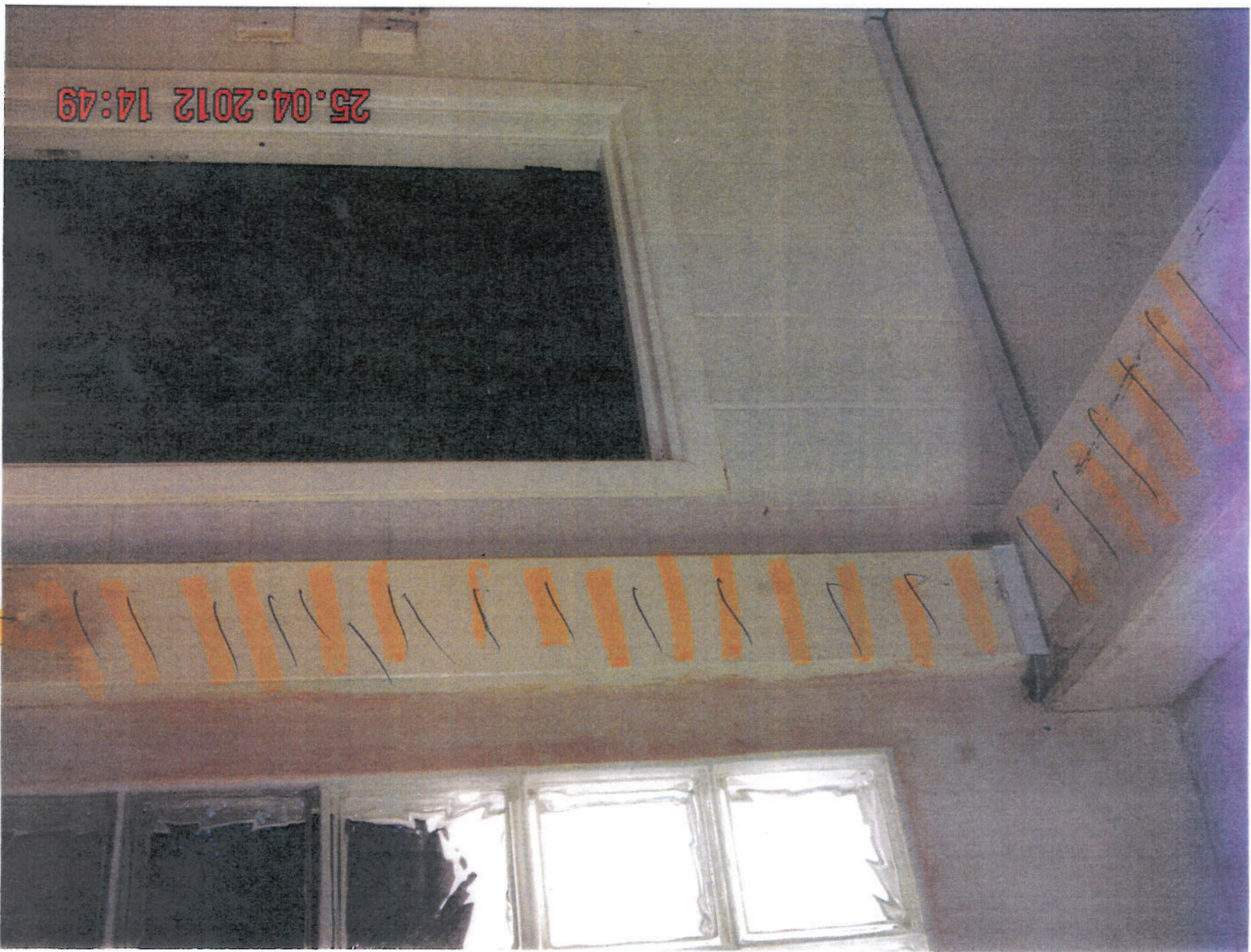
I would like to repeat that whichever option you choose to remedy the breach of planning control, you will be required to submit a planning application for the extension.

I would also like to remind you that if you need help with planning matters it would be in your interests to employ a planning agent / consultant and you may find it helpful to do so before our meeting. Contact details for local planning agents and consultants can be found in the Yellow Pages.

I look forward to seeing you on 18th April 2012, please contact me if you have any queries in the meantime.

Yours sincerely,

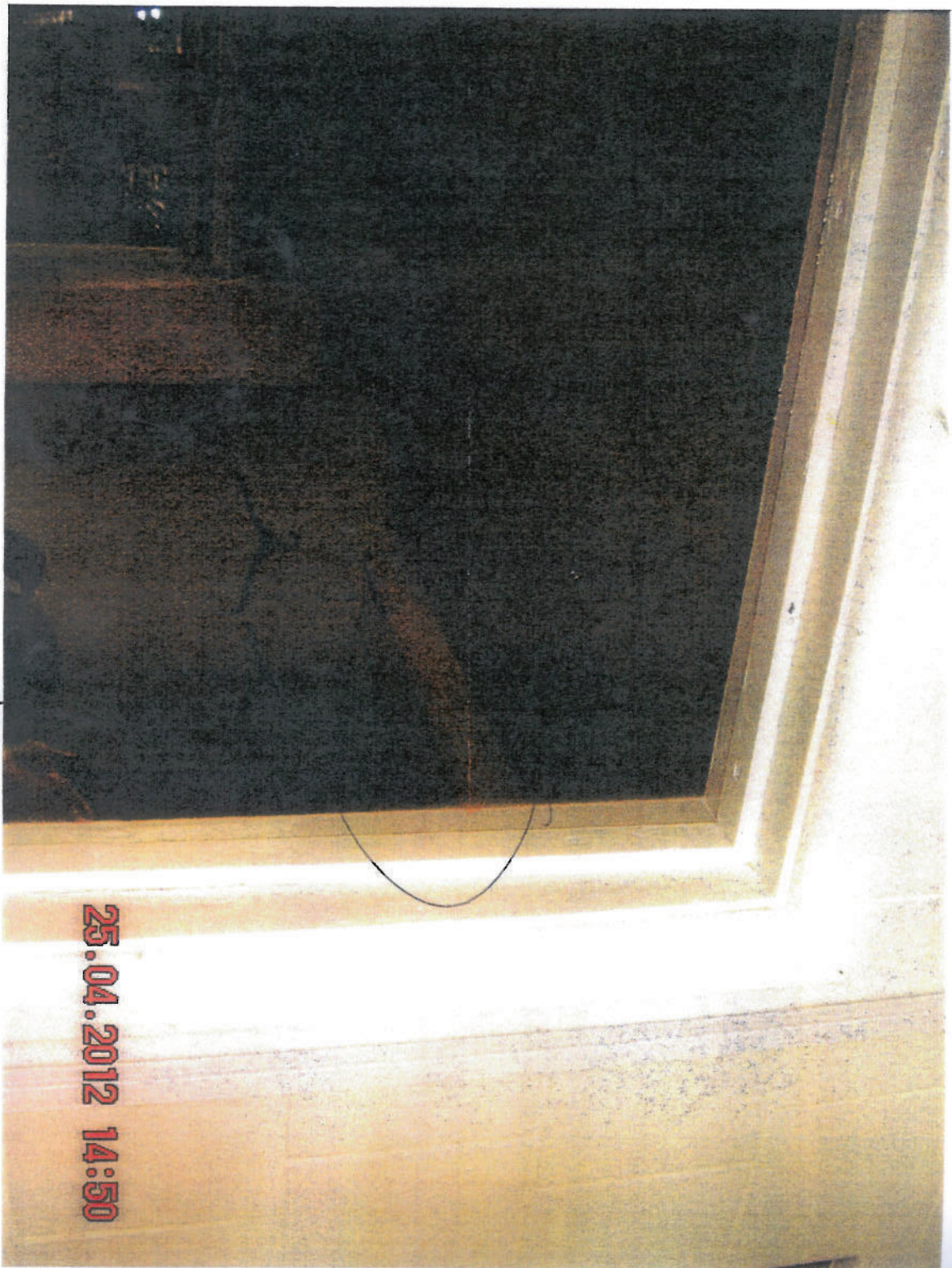
Deborah Jeakins
Planning Enforcement Officer



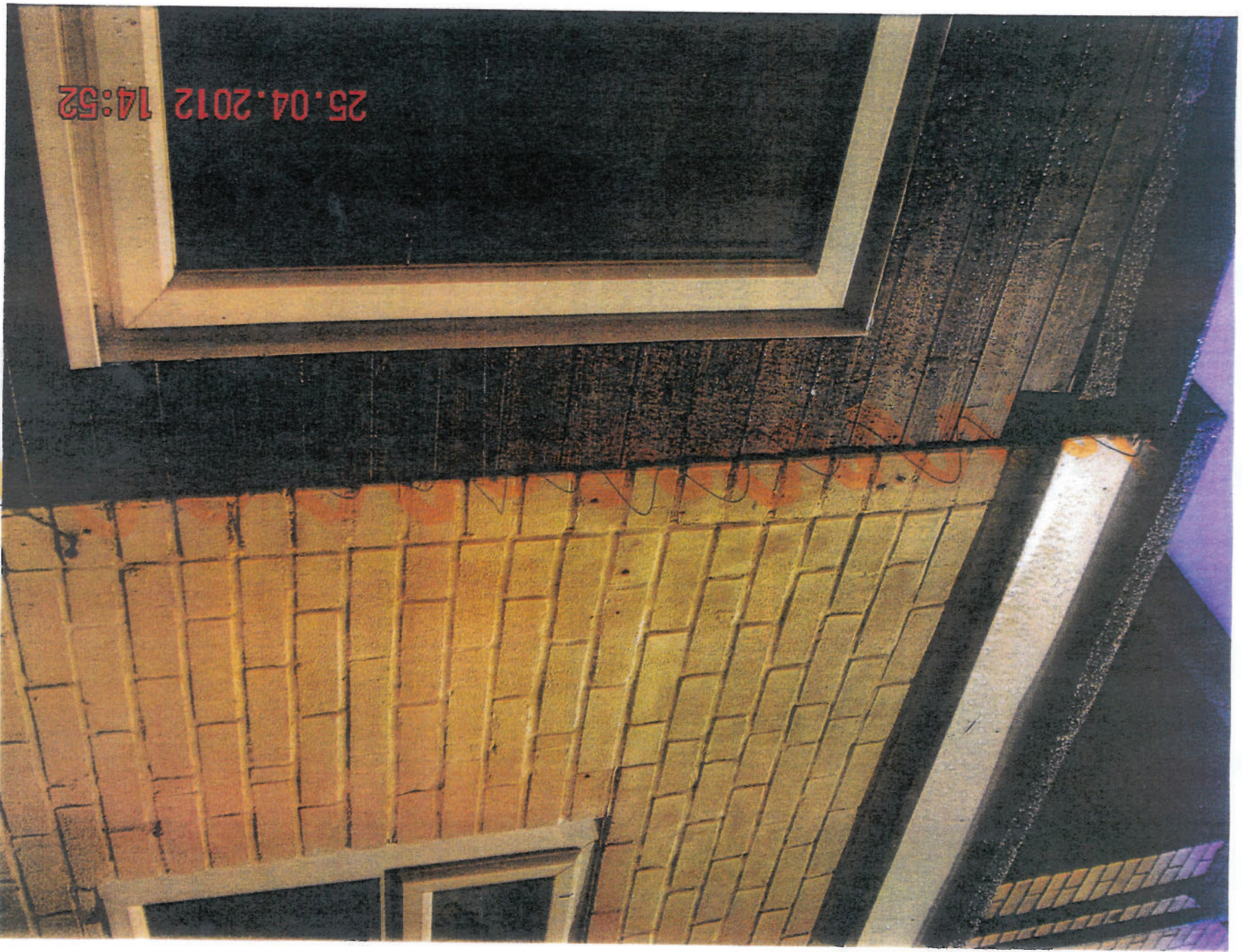
line of original house
Page 123

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line of original house



line of original house

In case of enquiry contact Deborah Jeakins
Telephone 01223 457163 Fax 457109
Email: Debs.Jeakins@cambridge.gov.uk



Mrs Thi-Mynga Ha
86 Brooks Road
Cambridge
CB1 3HR

9th July 2012

Dear Mrs Thi-Mynga Ha,

Reference: Unauthorised extension at 86 Brooks Road, Cambridge

Thank you for your letter of 4th July 2012. In your letter you ask if you can keep the timber porch that has been built at the rear of the property.

In answer to your query, the timber extension requires planning permission and as you have been advised previously, planning permission is very unlikely to be granted and therefore the porch must be removed.

My letter of 26th April 2012 advised that you must remove the unauthorised extension to the building line of the original house. The letter gave you 28 days to undertake the work. I repeated this advice when we met on 1st June 2012.

The timber porch you have built needs to be removed. You need to remove the extensions and reinstate the original outer wall of the house.

This matter has now been outstanding since December 2011. Therefore I now intend to prepare a report to members of the East Area Committee seeking authorisation to serve an Enforcement Notice which will compel you to remove the unauthorised extension.

Failure to comply with an Enforcement Notice is an offence for which you can be prosecuted.

I would like to inspect the works which have taken place at 4pm on Wednesday 18th July 2012, please let me know if this time and date are convenient for you.

Yours sincerely,

Deborah Jeakins
Planning Enforcement Officer

In case of enquiry contact Deborah Jeakins
Telephone 01223 457163 Fax 457109
Email: Debs.Jeakins@cambridge.gov.uk



Mrs Thi-Mynga Ha
86 Brooks Road
Cambridge
CB1 3HR

9th July 2012

Dear Mrs Thi-Mynga Ha,

Reference: Unauthorised extension at 86 Brooks Road, Cambridge

Thank you for your letter of 4th July 2012. In your letter you ask if you can keep the timber porch that has been built at the rear of the property.

In answer to your query, the timber extension requires planning permission and as you have been advised previously, planning permission is very unlikely to be granted and therefore the porch must be removed.

My letter of 26th April 2012 advised that you must remove the unauthorised extension to the building line of the original house. The letter gave you 28 days to undertake the work. I repeated this advice when we met on 1st June 2012.

The timber porch you have built needs to be removed. You need to remove the extensions and reinstate the original outer wall of the house.

This matter has now been outstanding since December 2011. Therefore I now intend to prepare a report to members of the East Area Committee seeking authorisation to serve an Enforcement Notice which will compel you to remove the unauthorised extension.

Failure to comply with an Enforcement Notice is an offence for which you can be prosecuted.

I would like to inspect the works which have taken place at 4pm on Wednesday 18th July 2012, please let me know if this time and date are convenient for you.

Yours sincerely,

Deborah Jeakins
Planning Enforcement Officer

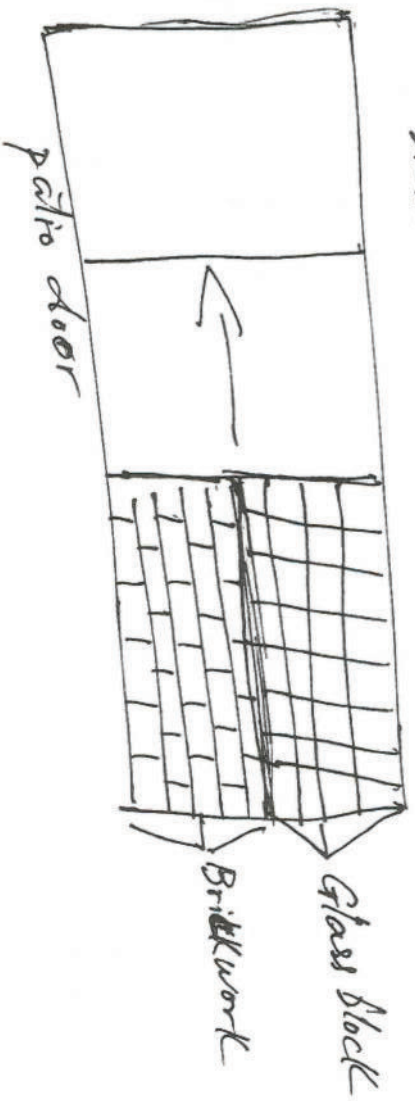
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NEARBY) 86 Brooks Road
CRAWBRIDGE
C31 3HR

Dear. Barbara Jenkins,

I am writing to let you know that I am put the patio door and some of Brick work back to where the original house were, the job already starting but the company fitted wait for the patio door. and after this I am not sure do I still have to apply for planning permission or not, but I think this will be finished it will not need for planning permission, please let me know what I have to do next.

and this is what I am doing, already
Start on 11th June



I hope this will Satisfied with your planning

yours Sincerely



THi Mynka Ha
18th June 2012

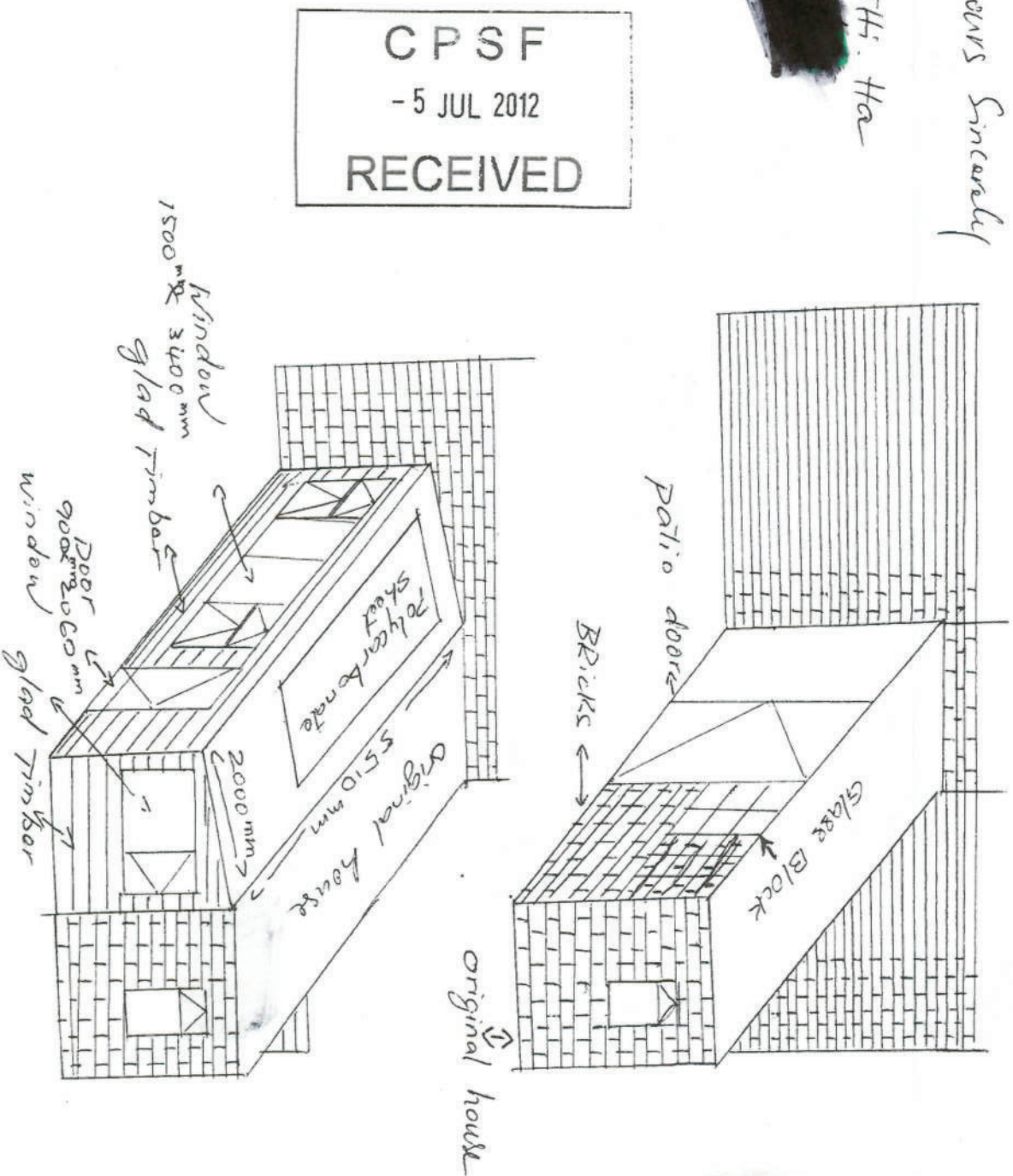
(17/07/12)

MRS. J. Ha
26 Brooks Road
CAMBRIDGE
CB1 3HR
4th Jul 2012

Dear Deborah Jenkins
I am writing to let you know that the wall where in original house has been completed, please see the drawing below and I would like to ask you can I keep the timber porch in the rear, but I will make the alteration look similar to conservatory please let me know if possible I am doing like that drawing below. I am looking forward to hearing from you

yours Sincerely

TH: Ha



CPSF
- 5 JUL 2012
RECEIVED

11/11/12)

111 HA
86 BROOKS ROAD
CAMBRIDGE
CB1 3HR

Dear Sir or Madam.

I am writing this letter on 18.4.12
I am being meeting with phrasing permission about
a bench a porch be side of my house. But I do not
want outside translate when I am meeting.

yours sincerely



11/11/12 18.04.12

