



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, 2 January 2013

Date: Thursday, 10 January 2013

Time: 7.00 pm

Venue: Dublin Suite - Cambridge United Football Club, R Costings Abbey Stadium, Newmarket Road, Cambridge, CB5 8LN

Contact: James Goddard **Direct Dial:** 01223 457013

Exhibition Item

Please note that East Area Committee will not be discussing Dog Control Orders as an agenda item. It will be a display / consultation only

1 **DOG CONTROL ORDERS**

The City Council is currently consulting on the proposals for the introduction of Dog Control Orders under the Clean Neighbourhoods and Environment Act 2005.

There will be a display which will shows specific proposals for the East Area.

Members of the public will have the opportunity to look at the proposals for the area, discuss them with Officers and provide comments before the final

proposals are formulated.

Main Agenda Items

2 APOLOGIES FOR ABSENCE

3 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

4 MINUTES

To confirm the minutes of the meeting held on 29 November 2012.

Minutes to follow.

5 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?Committeeld=147>

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

6 OPEN FORUM

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

Items For Decision / Discussion Including Public Input

7 EAST AREA CAPITAL GRANTS PROGRAMME (*Pages 1 - 14*)

8 MEETING DATES 2013/14 (*Pages 15 - 16*)

Intermission

Planning Items

9 PLANNING APPLICATIONS

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

9a 12/1395/FUL 19A Sturton Street (*Pages 29 - 40*)

9b 12/1169/FUL 2 Montreal Road (*Pages 41 - 56*)

9c 12/1203/FUL 5 Montreal Road (*Pages 57 - 80*)

This application has been withdrawn and therefore the Planning Officer recommends removing the item from the meeting agenda.

Enforcement Items

10a 142 Tenison Road (*Pages 81 - 88*)

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 8.00pm.

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,

The Council is committed to being open and transparent in

recording and photography 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.



Cambridge City Council

Item

To: Executive Councillor for Community
Development and Health

Report by: Head of Community Development

Relevant committee: East Area Committee 10/01/13

Wards affected: Romsey, Petersfield, Coleridge, Abbey

Community Development Capital Projects in the East Area Stanesfield Road Scout Hut and Cherry Trees Centre

1. Executive summary

- 1.1 This report gives the committee an update of the East Area Capital Grants Programme. It recommends that the committee approve (subject to Executive Councillor agreement) a contribution of £100,000 towards a new community facility on land off of Stanesfield Road, which will be leased to the 29th Cambridge Scout Group. It also asks the committee to consider a capital grant to Age UK towards improvements to the community facilities at the Cherry Trees Centre in St. Matthew's Street.
- 1.2 An update on the East Area Committee's Capital Grants Programme is shown at Appendix B.

2. Recommendations

- 2.1 The Area Committee is asked:
 - a) To recommend to the Executive Councillor for Community Development and Health that a contribution of £100,000 towards a new community facility at Stanesfield Road, be approved from the East Area Capital Grants Programme.
 - b) To agree whether to award a capital grant to Age UK for improvements to the Cherry Trees Centre and, if so;

- c) To agree how much the capital grant should be up to a maximum of £80,500 (see 5.4 below for suggested options) and to recommend to the Executive Councillor that any award from the existing East Area Capital Grants Programme is approved.

3. Background

- 3.1 In August 2010, following consideration by the East Area Committee, the Executive Councillor for Community Development and Health approved a Capital Grant Programme for the East of the City. The budget for the programme, which has come from S106 contributions from developers, was set at £800,000 with £400,000 being reserved for 5 named projects. The remainder of the funding was allocated to each ward in proportion to the contributions received as a result of developments in the four wards. All applications are subject to a project appraisal process before a recommendation is made. Appendix B gives an update on the programme.
- 3.2 The criteria used to assess potential schemes include:
Projects should -
- Increase and/or improve the quality and sustainability of community facilities serving the East of the City.
 - Demonstrate value for money.
 - Have no net adverse environmental impact and where possible have a positive impact on the causes and effects of climate change.
 - Be completed by 2013 or have established a clear implementation plan within an agreed timescale.
 - Should not normally require revenue funding from the City Council.
 - Have robust and sustainable management arrangements.
 - Have an equal opportunities policy in place.
 - Have developed a solid business plan.
 - Demonstrate the ability to raise additional funding in circumstances where the Council is not the sole or main funder.
- 3.3 Successful applicants are usually required to enter into a legal agreement with the Council that sets out the conditions

of the grant, before any money is released. This may not be the case for the Stanesfield Road project because the new building will be provided by the Council's Housing service, as part of a new small development, and then leased to the scouts. We anticipate that wider community use will be secured through the new lease.

4. Stanesfield Road Scout Hut

- 4.1 A proposal to refurbish or rebuild the scout hut on Council owned land off of Stanesfield Road was identified as one of the 5 'top sliced' projects in the original East Area Capital Grants Programme. An initial survey of the building showed that it was effectively beyond reasonable repair and that a new build solution should be sought. However, this meant that more funding would be needed than that available within the East Area programme.
- 4.2 Officers from Community Development and Housing and Abbey ward councillors have been in discussion with the scouts about the possible development of the site. This proposal has been progressed through scrutiny and it is now proposed that a small number of homes are built on the site together with a new community facility which the scouts will manage, use as their base and hire out to local groups and residents.
- 4.3 It is estimated that the new facility will cost £225k (excluding fees and external works) and be funded partly through the housing development and partly through the East Area Capital Grants Programme. At its meeting on 29th November 2012 East Area Committee agreed a provisional allocation of £100k from the East Area Capital Programme (£80,000 from the 'top sliced' pot and £20,000 from the Abbey ward budget). It is now recommended that this provisional allocation is confirmed so that the project can proceed.
- 4.4 The 29th Cambridge Scout Group are fully supportive of the project and are in discussions with the Council about relinquishing their existing lease in favour of a new lease for the new building. Both parties will need to reach agreement

on the terms of a new lease before the overall project commences.

- 4.5 A plan showing the indicative layout of the new facility is shown at Appendix A.

5. Cherry Trees Centre

- 5.1 Cherry Trees Centre is managed by Age UK and provides support and community space primarily for older people living in Cambridge. There is a long term ground lease with the City Council.
- 5.2 Age UK have ambitious plans including a major refurbishment of the Centre to make it more accessible. They also plan to increase their office space and broaden community use.
- 5.3 In December Age UK obtained quotations for their planned improvements. The overall cost is £225,000 including VAT and fees. The total cost of the 'community' element is £80,500 and covers the following works:

Community Works	Cost
New disabled toilets for community use	16,270
Improvements to the main hall	31,860
Moveable partition to divide the main hall	8,575
Kitchenette and storage to front of the main hall	5,957
New meeting room	5,550
3 small meeting rooms beside the hall for 1-2-1 meetings, community internet access etc.	12,285
Total cost for 'Community Facility' work	£80,497

- 5.4 It is recommended that East Area Committee consider one or more of the following:
- a) Allocating the remainder of the Petersfield ward budget from the East Area Capital Programme which is £36,598
 - b) Making an allocation from the devolved budget for developer contributions (Community Facilities = £125,000)

- c) Requesting the Executive Councillor for Community Development and Health to make a contribution from the central developer contributions budget (Community Facilities) when spending priorities are considered at Community Services Scrutiny Committee on 17th January.
- 5.5 Any allocation approved by East Area Committee and/or the Executive Councillor will need to be subject to Age UK completing the Council's Capital Grant Agreement.
- 5.6 Alongside the improvements to the Cherry Trees Centre, Age UK are in discussion with the City Council's Property Services about amending the current ground lease to broaden the permitted use of the Centre. Whilst their intention is to retain a strong focus on a facility for older people, a relaxation of the permitted use will allow Age UK to hire out the premises to other community groups when it is not being used by older people.
- 5.7 Representatives from Age UK will be attending the meeting with plans showing their proposals and they will be available to answer questions.
- 5.8 An appraisal of the project will be considered by the Council's Asset Management Group on 14th December and any comments will be reported verbally at the East Area Committee meeting.

6. Implications

- 6.1 There are no direct implications arising from this report that have not been covered in the body of the report. Capital grants are released on receipt of an architect's interim certificate and/or copy invoices from contractors. No grant money is released in advance of work being done. There are no revenue implications for the Council.
- 6.2 Meetings to discuss ward issues are taking place with Ward Councillors, as required.

5. Background papers

These background papers were used in the preparation of this report:

6. Appendices

- 6.1 Plan of the new Stanesfield Road facility showing an indicative layout.
- 6.2 Appendix B – Update on East Area Committee’s Capital Grant Programme

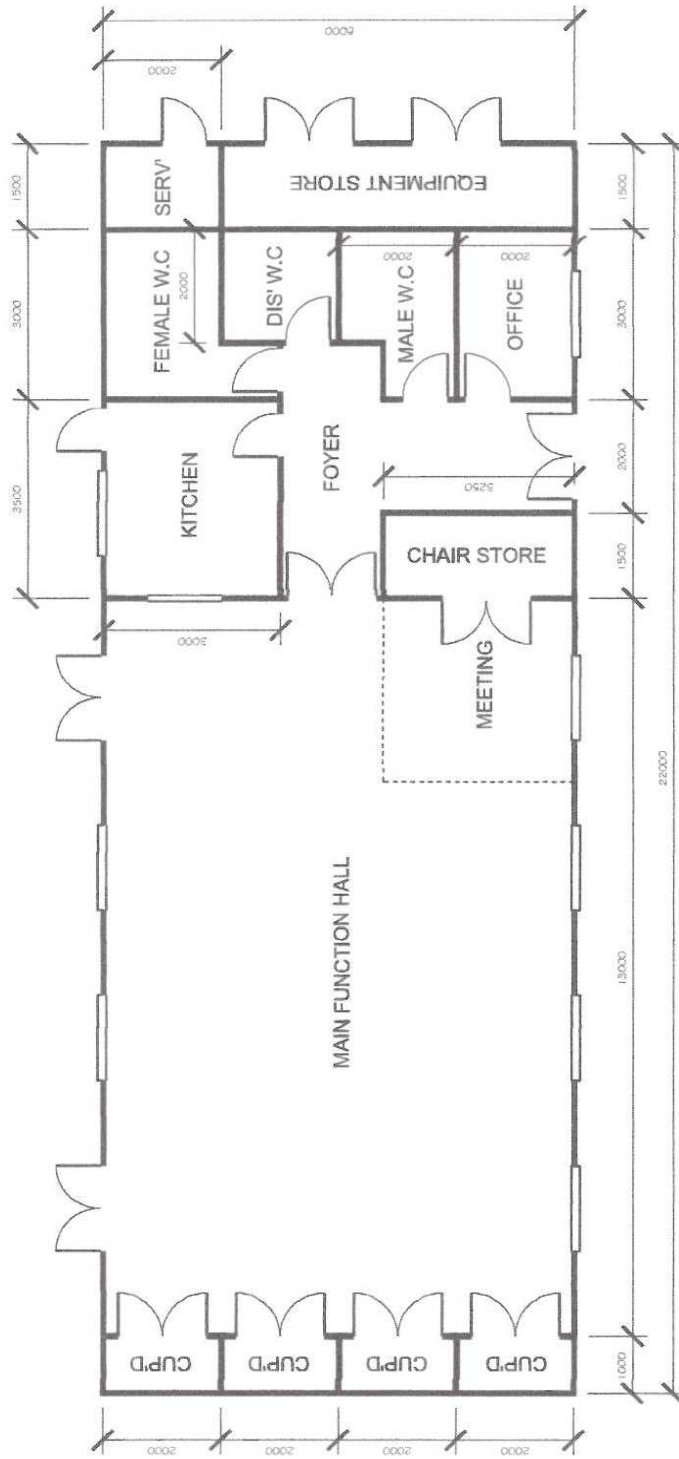
7. Inspection of papers

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

Author’s Name:	Trevor Woollams
Author’s Phone Number:	01223 457061.
Author’s Email:	Trevor.woollams@cambridge.gov.uk

Appendix A

STANESFIELD ROAD SCOUTS HUT - INDICATIVE LAYOUT



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East Area S106 Capital Programme Update 19 December 2012

1. Programme Update

1.1 £400,000 Top Slice Budget (£80,000 for each project) for the five nominated projects (see EAC Report 19.8.10)

Page 9

	Project	Ward	Progress	Funding	Notes
1	St Philips Church 185 Mill Road CB1 3AN	Romsey	Recommendation to EAC 10.2.11 APPROVED Exec Cllr Bick 17.3.11	£44,000	Work complete
			Recommendation to EAC 9.2.12 APPROVED Exec Cllr Bick 14.2.12	£78,000	Work complete
2	Flamsteed Rd Scout Hut CB1 3QU	Coleridge	Recommendation to EAC 14.4.11. APPROVED Exec Cllr Bick 15.4.11 New lease signed until 2022. Grant Agreement signed. Nov 2012 Anticipate work will start on site early in 2013.	£120,000	
3	St Martins Church Centre Suez Rd CB1 3QD	Coleridge	Recommendation to EAC 14.4.11. APPROVED Exec Cllr Bick 15.4.11	£120,000	Phase 1 works funded under this grant complete.

	Project	Ward	Progress	Funding	Notes
			<p>Recommendation to EAC 29.11.12 APPROVED by Exec Cllr Pitt To fund additional works to first floor including rear kitchen and community rooms plus some preparatory work towards a future Phase 2 which will provide new first floor community rooms.</p>	£115,000	An additional £80k taken from the top sliced budget and £35k taken from Coleridge ward budget.
4	Stanesfield Rd Scout Hut CB5 8HN	Abbey	<p>Scheme progressing as part of small Council housing development Recommendation to EAC 10.1.13</p> <p>Housing scheme on the green off Stanesfield Rd approved through CS Scrutiny Committee on 11 Oct 2012. Housing scheme will part fund a new community facility (estimated cost £250k) on the green which will be managed by the scouts on behalf of the community. EAC is being asked for a contribution of £100k.</p>	£100,000	Estimated start time is June 2013.
5	Emmanuel United Reformed Church, Cherry Hinton Road	Coleridge	<p>Unlikely to proceed Church Council has identified a need to take a strategic approach to the redevelopment of all their sites. Are unlikely to be in a position to progress a funding application in the foreseeable future.</p>		Suggest an alternative project(s) are identified in Coleridge.

1.2 £400,000 nominally allocated to wards (see EAC Report 19.8.10)

	Project	Ward	Progress	Funding	Notes
6	Squeaky Gate, Norfolk Street Enterprise Centre 47-51 Norfolk St CB1 2LD	Petersfield	Recommendation to EAC 14.4.11. APPROVED Exec Cllr Bick 15.4.11 Renovation of 1 st floor accommodation rented from Future Business (10 yr lease from City) to provide community recording studio, training room, main base for outreach.	£19,000	Works Complete
			Recommendation to EAC on 18.8.11 APPROVED Exec Cllr Bick on 23.8.11 an additional £7,602 to cover unforeseen costs which have arisen due to: <ul style="list-style-type: none"> • the removal of an unsafe chimney stack and subsequent reinstatement of brickwork • provision of additional support to the corridor ceiling • removal of unsafe and poorly constructed stud wall and door • additional support to brickwork to enable secure fitting of insulated walls 	£7,602	Works Complete
7	King's Church, 49-53 Tenison Road, CB1 2DG	Petersfield	Recommendation to EAC 18.8.11 APPROVED Exec Cllr Bick on 23.8.11 Redevelop facilities to provide a second floor for worship and multiple spaces on the ground floor for community use.	£100,000	Work substantially complete
8	Sturton Street Methodist Church 58 Sturton St CB1 2QA	Petersfield	Further information required. Redevelop to provide enhanced community facilities. More work required by applicant to firm up project and costs. Discussion held with applicant on 6.02.12		Awaiting proposals
9	Salvation Army 1 Tenison Rd CB1 2DG	Petersfield	Awaiting contact.		No information

	Project	Ward	Progress	Funding	Notes
10	East Barnwell Community Centre	Abbey	Further information required. Discussions taking place with County and managers to assess future development. County have employed a project worker (Oct 12) to take options forward in consultation with stakeholders and residents. County hoping for proposals to be ready for consideration by April 2013.		County looking to explore 'community hub'
11	Centre at St.Pauls	Trumpington / Petersfield	Recommendation to EAC 27.10.11 APPROVED Exec Cllr Bick on 12.1.12 Newtown Forum agreed a grant of £20k and are recommending a further £25k which was considered and agreed by CS Scrutiny Committee on October 11 th 2012.	£14,800	St.Pauls are seeking additional funding for a 3 rd phase to build a large reception area.
12	Rock Road Library	(Queen Ediths) Coleridge	Identified by County as part of a possible community hub project. HoCD met with Rep from Friends group in October 2011. HOCD meeting with Head of Library Service and County Director on 13.6.12 and 5.11.12. Unlikely to see any proposals coming forward in the near future.		Awaiting proposals
13	YMCA Gonville Place	Petersfield	Not proceeding Report to CS Scrutiny on 11 Oct 2012. Agreed that project was not viable as a possible city centre open access youth venue.		No further work
14	Cherry Trees Centre St.Matthew's Street	Petersfield	Recommendation to EAC 10.1.13 Major refurbishment and improvement to the Cherry Trees Centre which is managed by Age UK. Project includes improvements and upgrades to community facilities within the centre as well as works to improve office accommodation. Age UK are requesting a grant of £80,500 to cover the cost of the community element of a wider project with a total cost of £225,000		

The Petersfield Study

The study recommended exploring two facilities in particular – Sturton St Church and the YMCA. The Kings Church also expressed an interest in extending their facilities for community use. All premises have been visited by a surveyor. Updates are given in the table above.

Facilities in Coleridge

A meeting with ward councillors on 14th February 2011 concluded that the funding strategy within the ward would be to allocate ward based funds to nominated projects to maximise the value of investment.

1.3 Budget Summary Table

The additional value (£40k for Flamsteed Rd Scout hut and £75k for St,Martins Centre) of the 2 approved Coleridge projects is met from the Coleridge ward budget as per the above strategy.

The additional £42k for the approved Romsey project is met from the Romsey ward budget.

The summary table includes a provisional allocation of £100k for the Abbey project in Stanesfield Road and assumes £80k is met from the top-sliced pot and £20k is met from the Abbey ward budget.

Ward	Total Accrued Contributions £	Top Slice agreed by EAC Aug 10 £	Top Slice remaining £	% Ward split agreed by EAC Aug 10	Ward split £	Ward split remaining £
Abbey	130,000	(5x £80k) 400,000	0	16.25%	65,000	45,000
Coleridge	230,000			28.75%	115,000	0
Petersfield	356,000			44.50%	178,000	36,598
Romsey	84,000			10.50%	42,000	0
Total	800,000	400,000	0	100%	400,000	81,598

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CAMBRIDGE CITY COUNCIL

REPORT OF: James Goddard
Committee Manager

TO: East Area Committee

10/1/2013

WARDS: Abbey, Coleridge, Petersfield, Romsey

MEETING DATES 2013 TO 2014 – EAST AREA COMMITTEE

1 INTRODUCTION

The Civic Affairs meeting on 21 November 2012 approved meeting dates for the majority of committees and noted the indicative dates for Area Committees.

East Central Area Committee are asked to agree dates for the 2013/14 municipal year at the meeting on 10 January 2013.

2. RECOMMENDATIONS

The Committee is recommended to approve the dates of the East Area Committee meetings for the municipal year 2013 – 14.

Dates: 6 June 2013, 25 July 2013, 29 August 2013, 17 October 2013, 28 November 2013, 8 January 2014, 27 February 2014 and 10 April 2014.

3. Options

Alternative Dates: 13 or 20 June 2013, 16 April 2014

Please note:

- (i) There is an Outgoing Mayor's Dinner at Corpus Christi College 7:00 PM 13 June 2013, so the Committee may wish to avoid this date.
- (ii) West Central Area Committee have proposed 20 June 2013 as a meeting date, so the East Area Committee may wish to avoid this date.
- (iii) Maundy Thursday is 17 April 2014, so the Committee may prefer Wednesday 16 April or Thursday 10 April 2014 instead.

IMPLICATIONS

There are no direct implications arising from this report.

APPENDICES

None.

BACKGROUND PAPERS

The following are the background papers that were used in the preparation of this report:

Not applicable

Inspection of Papers

The author and contact officer for queries on the report is:

Author's Name:	James Goddard
Author's Phone Number:	01223 457015
Author's Email:	james.goddard@cambridge.gov.uk

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 2001 to 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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Agenda Item 9a

EAST AREA COMMITTEE

Date: 10th January 2013

Application Number	12/1395/FUL	Agenda Item	
Date Received	5th November 2012	Officer	Mr Amit Patel
Target Date	31st December 2012		
Ward	Petersfield		
Site	Smith UK Limited 19A Sturton Street Cambridge Cambridgeshire CB1 2QG		
Proposal	Change of use of first floor premises (with separate ground floor entrance) from Class B1 business use to Class D1 (non-residential institutions) use and then back to Class B1 business (in the alternative) for use as consulting rooms to see clients by appointment only on a one by one basis.		
Applicant	Miss R Hawes 17 Lovell Road Cambridge CB4 2QN		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>Office use falling within Use Class B1 (a) is not protected in the Local Plan.</p> <p>D1 uses are supported by local plan policy 5/12</p> <p>The use will be on appointment only basis; only one client will be seen at any one time, but there will be the very odd occasion that a small group of 4 maximum</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the western side of Sturton Street. Sturton Street is residential in character but this group of offices are located within this area.

1.2 The site falls within the Central Conservation Area.

2.0 THE PROPOSAL

2.1 The applicant has confirmed that the treatment will be consultation and different types of massage therapies.

2.2 Permission is sought for the change of use of the first floor from use class B1a to use classes D1 and B1a in the alternative.

2.3 The application is accompanied by the following supporting information:

1. Plans
2. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
12/1136/FUL	Change of use of ground floor unit from Class B1 business to Class D1 (non-residential institutions) use and then back to Class B1 business (in the alternative) for use as a therapy room.	A/C
C/02/0387	Conversion of existing garage to offices.	Refused
C/85/0327	Change of use from stores/workshop to offices	A/C
C/84/0531	Use of 1st floor of premises as offices. (amended by letter and plans received 2/11/84)	A/C

There seems to be some contradiction in the planning history for the site but the 2002 application refers to another building on site and not the application site as this already has permission for office use

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 ENV6 ENV7
Cambridge Local Plan 2006	3/1 3/4 3/7 4/11 5/11 5/12 7/3 8/2

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>

	<p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Area Guidelines:</u></p> <p>Conservation Area Appraisal:</p> <p>Mill Road Area</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No significant adverse impact upon the public highway.

Head of Environmental Services

6.2 Verbally agreed that the proposal is acceptable as well as the times as only one client will be present at any one time.

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:

- 18 Sturton Street

7.2 The representations can be summarised as follows:

- The premises should not be used on Sundays and bank holidays as the entrance faces on residential street;
- Will lead to unwarranted disturbance to residents;
- Accept opening hours 11-6 Mon to Fri and 9-5 on Saturday.

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 and impact on conservation area
3. Residential amenity
4. Third party representations

Principle of Development

8.2 B1a office uses are not protected by Local Plan policy 7/3. The proposed D1 uses are supported by local plan policy 5/12, new community facilities. The practice proposing to use this unit is already operating in the Petersfield area, serving a local need. A move to this unit is sought because the premises currently used do not meet the needs of the applicant. Uses falling within class D1 would be protected by local plan policy 5/11. The applicant would however be able to change between the two uses for a 10year period. This permission giving consent for the two alternative uses would override the restriction of policy 5/11 which prevents the loss of community facilities. While I note that existing community facilities are protected by local plan policy 5/11, there is currently no community facility within this office development. Were the premises subsequently to revert to office use, there would be no net loss of facilities available to the community. This proposal is not associated with any proposal involving loss of a community facility elsewhere. Given this context, and the advice in paragraph 21 of the Framework that supports the need for economic growth by being flexible and meeting the fast changing economic needs of business it is my view that the oscillation between the two uses applied for here is acceptable.

- 8.3 Another unit within the site was previously approved for the use proposed here, under planning reference 12/1136/FUL, but this unit is better suited to the potential applicants.
- 8.4 Use Class D1 covers a wide variety of uses. Some of these uses would have significantly different impacts, and some, such as use for a language school, for example, would be in conflict with local plan policy. In order to ensure that use of the premises is limited to that applied for here or other uses with broadly similar impacts, a condition is necessary. I consider that uses such as schools and places of worship which are also D1 use have a significantly different impact to the use proposed here and therefore limit the use to medical therapy or similar uses.
- 8.5 Subject to condition, in my opinion the proposal causes no conflict with Cambridge Local Plan (2006) policies 5/11 and 7/3.

Context of site, design and external spaces and impact on Conservation Area

- 8.6 There are no external changes proposed and therefore there will be no impact on the character or appearance of the Conservation Area.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 Comments have been received regarding the proposed opening hours having an impact upon the residential amenity of neighbours. This unit is currently in B1(a) use and the proposed use will be seeing clients on a one to one basis. I do not consider that the proposed use will increase the movements significantly beyond what is currently experienced and consider that the proposed hours of use (1100-1900 Mon-Fri, and 0900-1700 Sat, Sun and Bank Hol) are acceptable. Although I acknowledge that Sundays and bank holidays are outside normal office hours the impact of a single client at any one time is likely to be so slight that I do not consider it necessary to prohibit use at these times. I consider that the hours sought

should be the maximum and recommend a condition to this effect.

- 8.9 Subject to condition, 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 Third party representations have been addressed in the main body of the report.

9.0 CONCLUSION

The principle of development is acceptable and will not significantly affect the amenities of nearby residential properties. APPROVAL is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions and reasons for approval:

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

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

2. The opening hours shall be 11am to 7pm Monday to Friday and 9-5 on Saturdays, Sundays and Bank Holidays and shall be retained as such unless agreed in writing by the local planning authority.

Reason: In the interest of residential amenity. (Cambridge Local Plan (2006) policy 3/7)

3. The premises shall be used for therapy (including yoga and pilates therapy, reflexology, counselling, mentoring and massage therapy) or for other similar medical or therapeutic activities and for no other purpose (including any other purpose in Class D1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), except that within the scope of this permission, it may return to use within Class B1(a) within the specified period.

Reason: For the avoidance of doubt, and because use of the building for any other purpose would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/13 and 8/2)

Reasons for Approval

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

East of England plan 2008: SS1, ENV6 and ENV7

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

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

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

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

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

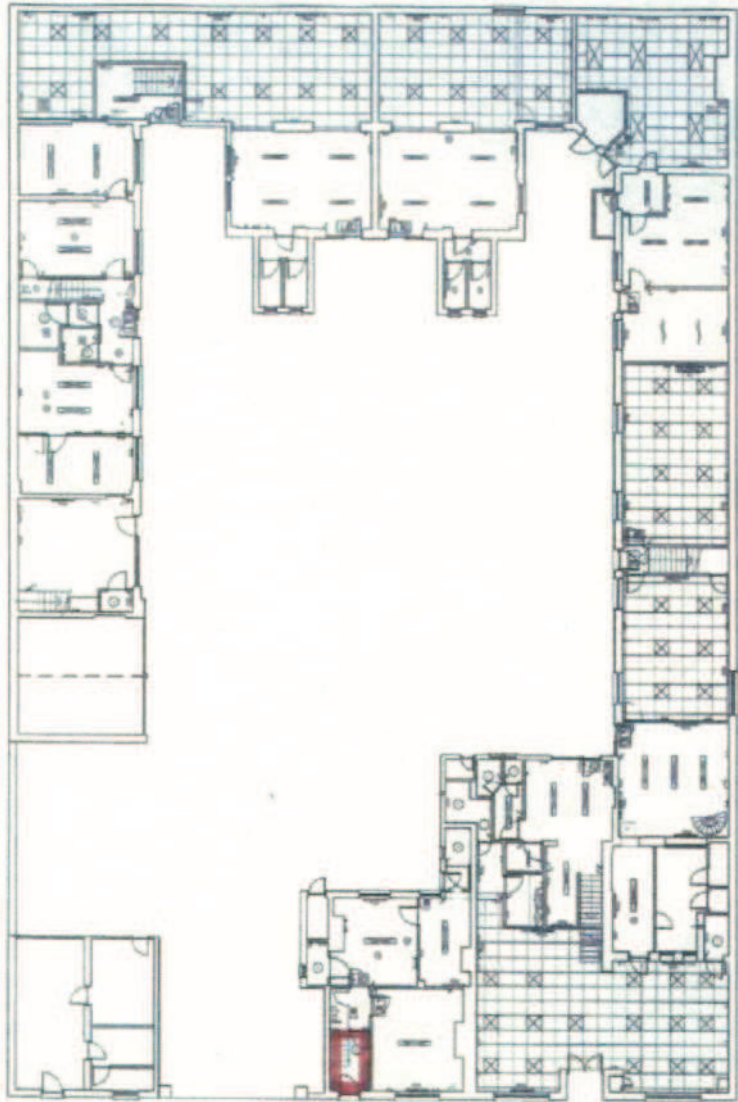
Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

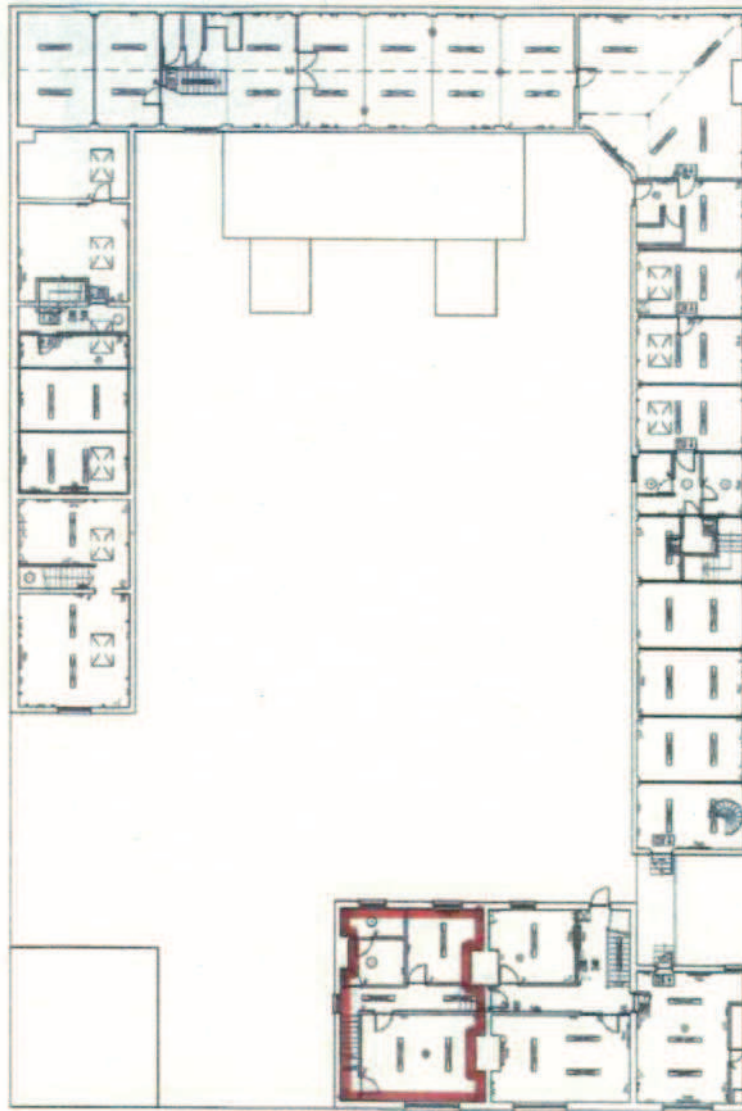
These papers may be inspected on the City Council website at: www.cambridge.gov.uk/planningpublicaccess or by visiting the Customer Service Centre at Mandela House.

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○ Ground Floor - Existing Ground Floor Plans
11-21 Sturton Street Cambridge



○ First Floor - Existing First Floor Plans
11-21 Sturton Street Cambridge

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client:
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As Built Office Layout
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Cambridge

file:
General Arrangement

project / drawing no:	100
date:	
drawn:	scale: date:
by:	1:100 A3 10/11/01
checked:	10/11/01
approved:	10/11/01

WE WARRANT THAT THE INFORMATION CONTAINED IN THIS DRAWING IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.
WE ACCEPT NO LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY THE USE OF THIS DRAWING.
WE WARRANT THAT THE INFORMATION CONTAINED IN THIS DRAWING IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF.

Application Number	12/1169/FUL	Agenda Item	
Date Received	12th September 2012	Officer	Mr Amit Patel
Target Date	7th November 2012		
Ward	Romsey		
Site	2 Montreal Road Cambridge Cambridgeshire CB1 3NP		
Proposal Applicant	The demolition and rebuild of two flats. Mr & Mrs Lindgren 2A Montreal Road Cambridge CB1 3NP		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>It is similar in size and scale to the existing dwelling</p> <p>The room numbers are not increasing</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 2 Montreal Road is a two storey detached building located on the east side of the road occupied by two flats. The street is a mix of residential buildings. To the north is neighbouring 1b Montreal Road, a relatively new two storey detached dwelling, set back slightly from the building line of 2 Montreal Road. To the south is 3 Montreal Road, an older Victorian building, the northern dwelling of a two storey semi-detached pair, This is forward of 2 Montreal Road. East of the site, to the rear, are the ends of the rear gardens to dwellings fronting Natal Road to the south, and Brookfields to the north.
- 1.2 The site does not fall within a Conservation Area but the boundary of the Conservation Area runs along the rear boundary of the gardens of properties facing Brookfields. The

site is outside of the Controlled Parking Zone (CPZ). There are no Protected Trees on, or adjacent to the application site that would be affected by the proposed development.

2.0 THE PROPOSAL

2.1 This is a revised proposal for a previous refused scheme. The previous scheme was refused on the following grounds:

The proposal due to its increased height and depth on the common boundary with number 3 Montreal Road will create a development that is likely to have a detrimental impact upon the adjoining neighbours in terms of over bearing and sense of enclosure and in addition to this, coming closer to the boundary with number 1b Brookfields with the mass, height and bulk, sited north of the site will lead to loss of light, over bearing and sense of enclosure to that neighbour above what they expect to enjoy and therefore contrary to policy ENV7 of the East of England Plan (2008), 3/4 and 3/12 of the Cambridge Local Plan (2006) and guidance provided in the National Planning Policy Framework (2012).

2.2 The revised scheme is similar in size and scale to the existing property.

2.3 The application is accompanied by the following supporting information:

1. Design Statement
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
11/1540/FUL	The demolition and rebuild of two flats.	REF

3.1 The decision notice for the previously refused application 11/1540/FUL is attached to this report as Appendix 1.

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 3/7 3/11 3/12 4/13 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for

	Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal will not have a significant impact upon the local highway subject to conditions relating to construction traffic management, encroachment onto the public highway and works within the highway.

Head of Environmental Services

- 6.2 The proposal is close to residential properties and therefore there is likely to be an impact on the residential amenities of adjoining occupiers. However, the Environmental Health officer considers that appropriate conditions relating to collection and deliveries, construction hours, waste and recycling and dust can mitigate the impact.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

3 Montreal Road

- 7.2 The representations can be summarised as follows:

- The new building will over shadow the gardens of neighbouring properties;
- Works will cause damage to the adjoining properties;
- Privacy to neighbouring occupiers will cause harm with new windows;
- Sewers will be damaged.

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

8.0 ASSESSMENT

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

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

Context of site, design and external spaces

8.2 Montreal Road comprises a varied mix of residential dwellings. There is no established building line, design or character in the street scene. The existing dwelling which is to be demolished has been extended to the rear by a long catslide extension. This is not particularly sympathetic to the original form of the dwelling as it is visible when standing in certain parts of the street, most obviously through the gaps between the application site and 3 Montreal Road to the south. In respect of visual amenity I do not consider the extended form of the existing particularly successful, attractive or respectful of the building it extends. However, the street displays a real mix of styles, designs and age of buildings. While adjacent to, it is not within the Central Conservation Area. The proposed replacement building will have a different height and mass to the existing building, but the change will be limited, and subject to the use of appropriate materials I consider that this will not have any

significant harmful visual impact. Therefore the proposal would be acceptable in design and context terms.

- 8.3 Subject to condition, In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.4 The proposal seeks to demolish the existing building and replace it with a similar building, the difference being that there will be an additional mass, coming closer to the common boundary with number 1b Montreal Road. This additional mass, which is sited south of 1b, will have a visual presence, and some impact on sunlight, but in my view, the impacts will be limited and are not unacceptable.
- 8.5 The first floor mass would extend beyond the existing rear elevation of 1b by 4m but it would still be set off the common boundary by 1.2m, and because of this distance, and the roof design, which is similar to the existing house, I do not consider that the revised design will have a detrimental impact upon the neighbouring occupier.
- 8.6 The previous (refused) application (11/1540) would have introduced significant new mass and height, close to number 3 Montreal Road. I consider that this revised design, which is similar to the existing form (with the exception of the introduction of a dormer in the catslide roof) is not likely to have a detrimental impact. Although there will still be a large expanse of blank brickwork on the common boundary with No.3, this would be very similar to the existing situation. In my opinion the revised design has sufficiently addressed the previous concern of enclosing and overbearing impact to the occupier and I now consider it acceptable.
- 8.7 There are no new windows being introduced in the elevation facing number 3 and therefore there will be no impact in terms of privacy and over looking to this neighbour. There are windows at first floor and ground floor level facing 1b but the proposed first floor side window in the new building will be close to the gable of 1b Montreal Road and therefore will have limited

out look. The proposed ground floor windows will be screened by the boundary fence. I do not consider that the proposed flats would have a significant impact on 1b Montreal Road in terms of over looking and privacy.

- 8.8 The rear elevation introduces a dormer but there are already first floor level windows in adjacent properties that afford views across the rear gardens here. The proposed situation would not be significantly different.
- 8.9 Comments have been received from Environmental Health regarding hours of construction and collection and deliveries. I agree with their advice and recommend conditions as well as informatives relating to dust.
- 8.10 Subject to conditions, in my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Highway Safety

- 8.11 The local highway authority have commented that the proposal will not have a significant impact upon the highway, subject to informatives relating to works to the highway which will need prior approval from the County Highway Department.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.13 No on-site car parking spaces are proposed. As the application proposes two flats to replace two flats, the car parking situation will be unaltered.
- 8.14 The plans show cycle storage for the flats. According to the Cycle Parking Standards there needs to be 1 space for every bedroom. The proposal is for two 2bed room flats and in accordance with the standards totals 4 spaces. The plans submitted do not provide clear details as to layout of the cycle storage but I consider that there is room on site to provide the

required numbers and in my view satisfactory provision can be ensured by the condition which I recommend.

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

Waste

- 8.16 The plans show a bin and bike storage area for the two individual flats proposed and show three bins per flat. This is in accordance with the waste strategy. I do not consider that any condition is necessary as there is room within the store area to accommodate the required bins.

- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 4/13

Third Party Representations

- 8.18 The third party comments have been addressed in the report above. The issue of damage to properties and sewers is not a planning consideration as this would be considered under Building Regulations and Party Wall Act.

Planning Obligation Strategy

- 8.19 The proposal is to replace 2 one bed flats with similar accommodation. No planning obligations arise.

9.0 CONCLUSION

The revised proposal to replace the existing house with a slightly larger house has addressed the previous reason for refusal and subject to conditions I recommend APPROVAL.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

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

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

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

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

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

3. Prior to the commencement of development no demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority in writing.

The principle areas of concern that should be addressed are:

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

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

4. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

5. 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)

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

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

7. No development shall commence until full details of facilities for the parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The agreed facilities shall be provided in accordance with the approved details before use of the development commences.

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

INFORMATIVE: The demolition of the flats may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from the section on dust pollution in the Council's Sustainable Design and Construction supplementary planning document <http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf> and the "Control of dust and emissions from construction and demolition", Best Practice Guidance produced by the London Councils http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

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

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

Reasons for Approval

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

East of England plan 2008: SS1 and ENV7

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

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

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

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

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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

www.cambridge.gov.uk/planningpublicaccess

or by visiting the Customer Service Centre at Mandela House.



2 Montreal Road Cambridge 1019:05

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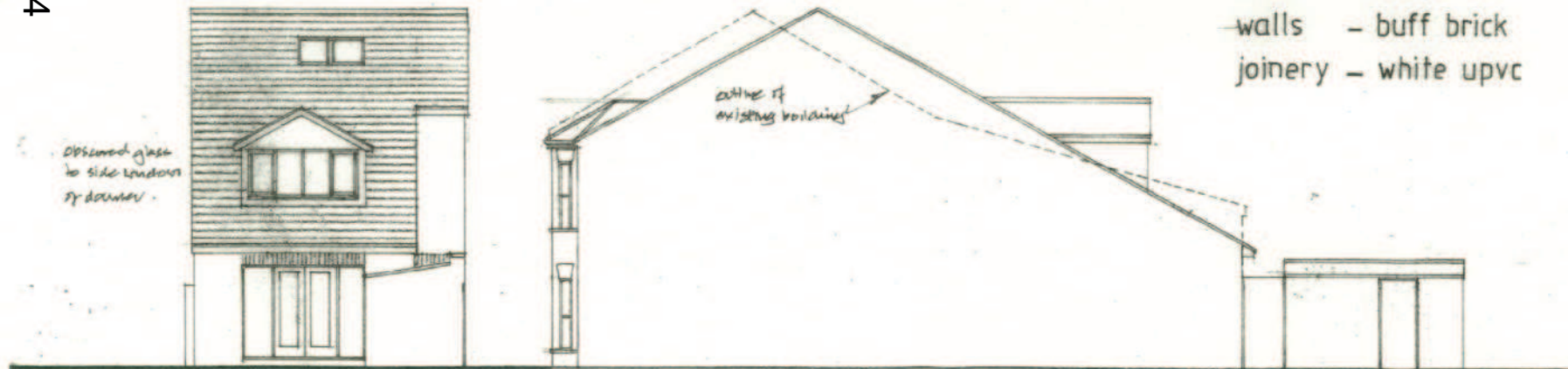
A3 24.8.11.



north elevation

west elevation

roofs - slate
 walls - buff brick
 joinery - white upvc



east elevation

south elevation

REVISIONS
 A. new roof line proposed 14.3.11
 B. bay window revised
 note on new window re
 obscure glass added 8.9.12

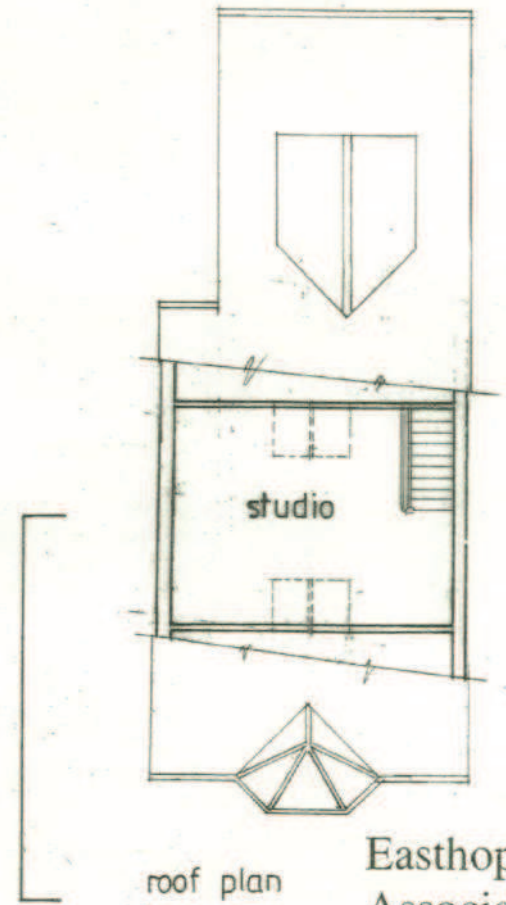
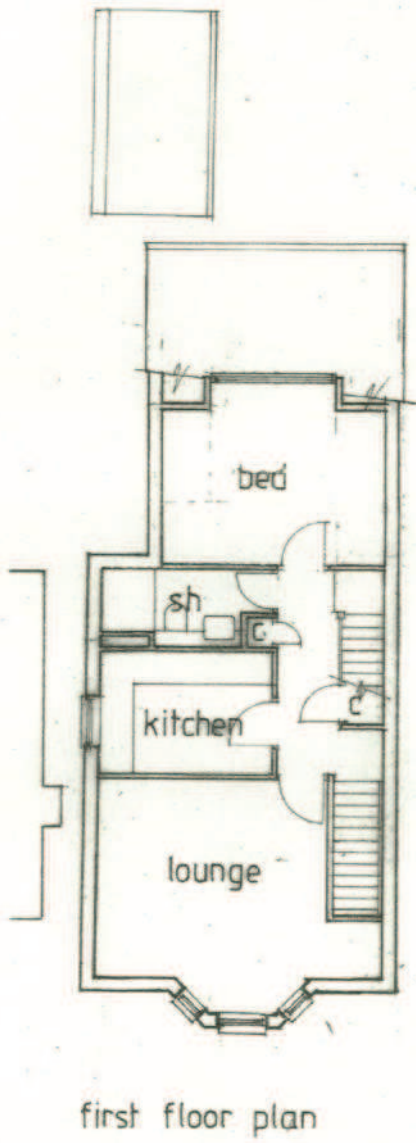
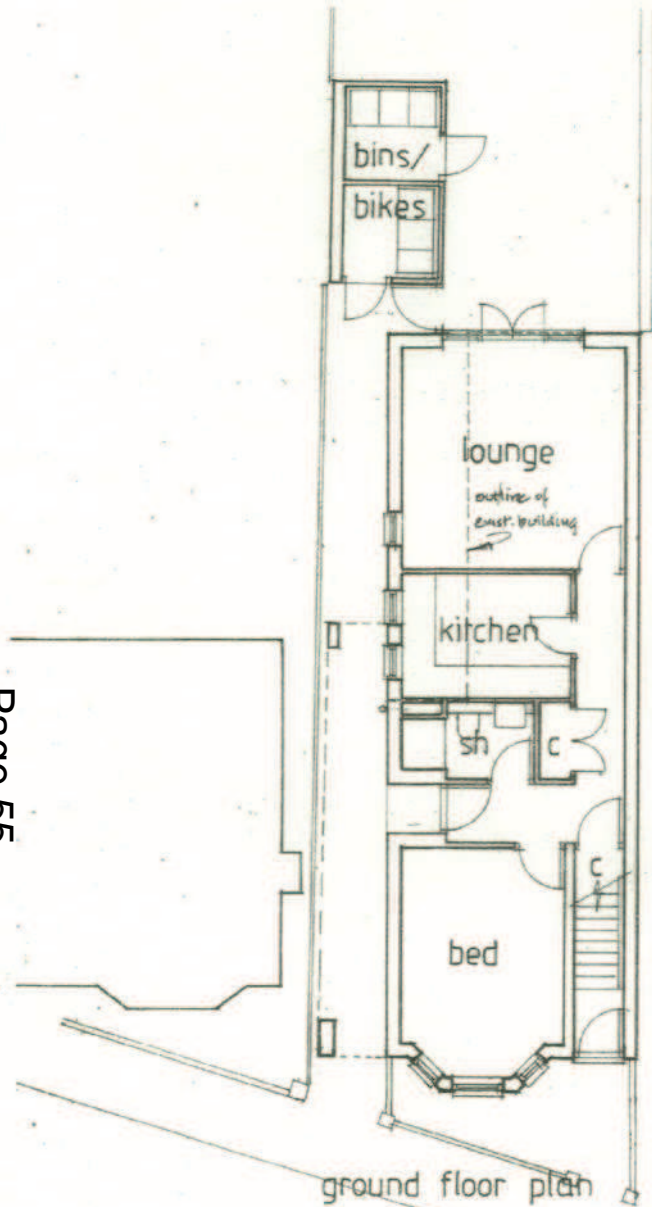
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2 Montreal Road Cambridge

1019:04B
1:100 at A3

REVISIONS
A. rear roof line located 14.3.16.
B. long window redesigned 09.12.



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1:100 at A3 24.5.11.

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Application Number	12/1203/FUL	Agenda Item	
Date Received	1st October 2012	Officer	Ms Lorna Gilbert
Target Date	26th November 2012		
Ward	Romsey		
Site	5 Montreal Road Cambridge Cambridgeshire CB1 3NP		
Proposal Applicant	Single dwelling house (1 bedroom). Mr Adam Cash 5 Montreal Road Cambridge Cambridgeshire CB1 3NP		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site contains a detached single storey timber shed and driveway. It is accessible from Natal Road. The site is bordered to the north by 5 Montreal Road, which is in the applicant's ownership. The site is bordered to the west by a single storey garage and carport and beyond these No.1 Natal Road. Directly to the east of the site is No.3 Natal Road, a two-storey semi-detached property.
- 1.2 The site is not within a conservation area and does not contain a listed building.

2.0 THE PROPOSAL

- 2.1 The proposal involves the construction of a part single and part two storey building of contemporary design with planted facades and roof. The building would form an annexe to No.3 Natal Road. The first floor front elevation would project 0.5m further than ground floor and the building line of No.3 Natal Road. The roof would be a combination of flat and sloped.
- 2.2 The front elevation would include bi-fold double glazed windows and translucent insulated panels. The first floor would have fixed timber louvres.

- 2.3 The proposal would provide additional accommodation to the main house of No.5 Montreal Road.
- 2.4 One on-site parking space would be provided. Water permeable paviers would be used in the driveway.
- 2.5 The front garden includes a covered bike and bin store. Storage for 3 wheelie bins and two bicycles.
- 2.6 The application is accompanied by the following supporting information:

- 1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/66/0199	<i>Land Adjoining 5 Montreal Road:</i> Erection of two houses-Land adjoining	Refused 20.5.1966
C/68/0538	<i>Land Adjoining 5 Montreal Road:</i> Residential development.	Granted 20.11.1968

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework (March 2012)

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.

Circular 11/95 – The Use of Conditions in Planning Permissions

Circular 05/2005 - Planning Obligations:

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.

5.2 **East of England Plan 2008**

SS1: Achieving Sustainable Development
ENV7: Quality in the Built Environment

5.4 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/8 Open space and recreation provision through new development
3/11 The design of external spaces
3/10 Subdivision of existing plots
3/12 The design of new buildings
4/2 Protection of open space
5/1 Housing provision
5/5 Meeting housing needs
5/14 Provision of community facilities through new development
8/2 Transport impact
8/6 Cycle parking
8/10 Off-street car parking
8/18 Water, sewerage and drainage infrastructure
10/1 Infrastructure improvements

5.5 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction:

Cambridge City Council (March 2010) – Planning Obligation Strategy

5.6 Material Considerations

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

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

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

Includes the following statement:

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

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

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

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

City Wide Guidance

Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The application removes the off-street parking for the existing residential property.
- 6.2 The demand for parking for the existing property is likely, therefore, to appear on-street in direct competition with nearby existing residential uses, increasing competition for available space.
- 6.3 Otherwise the proposal should have no significant impact on the public highway, should it gain the benefit of planning permission, subject to the incorporation of the conditions and informative requested.

Cambridge City Council (Environmental Services)

- 6.4 The application is for the construction of a single dwelling house. Due to the close proximity of surrounding properties, noise from construction has the potential to harm the local amenity if uncontrolled. I recommend the standard construction/delivery hours conditions.

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

7.0 REPRESENTATIONS

7.1 No representations have been received.

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. Sustainability
4. Residential amenity
5. Refuse arrangements
6. Highway safety and Car and cycle parking
7. Planning Obligation Strategy

Principle of Development

8.2 The applicant sought pre-application advice from the Council prior to submitting this planning application. The planning application proposes a new building adopting a contemporary design approach to provide additional accommodation to the main house of No.5 Montreal Road

8.3 Local Plan policy 3/10 relates to the sub-division of existing residential plots. The policy highlights the importance of gardens within urban areas and the important part they play to the character and visual amenity. The site is currently partly occupied by a wooden shed and concrete slabs. The applicant has referred to a static caravan previously being located on the site. The application site would occupy land currently used by No.5 Montreal Road but the proposal would retain a reasonable sized garden for the existing property. I consider that the piece of land fronting Natal Road located between an existing garage and No.3 Natal Street proposed for the new house is not garden land because of its existing and past use.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 3/10.

Context of site, design and external spaces

- 8.5 The proposed part single, part two-storey building would infill a gap between No.3 Natal Road and a garage to the west. The proposed development would have a contemporary design and the ground floor front elevation would follow the building line of No.3 Natal Road. There would be a first floor projection. The building would adjoin No.3 Natal Road which is a semi-detached brick house with a gable ended pitched roof that has a more traditional design. The building would have a green wall and roof. The roof would be planted with a sedum and wildflower mix.
- 8.6 There is a mixture of house types along Natal Road and Montreal Road. The proposed development would have a unique design in comparison to the surrounding properties but it would be of modest size, it incorporates a green roof and wall and glazing to help soften its impact when viewed along the street. The proposal is a combination of single and two storey. It is considered that it would not appear excessive in size or bulky along the street.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Sustainability

- 8.8 The proposed house has been designed to incorporate sustainable measures. Planting on the facades and roof are proposed. There would be south facing double glazing. Timber louvers provide shade to prevent overheating and provide privacy to the first floor bedroom. The building would have a timber frame and sustainably resourced softwoods would be obtained. There would be a planted facade, roof and store. Rainwater could permeate through the driveway. Grey water holding tanks would be located beneath the driveway and can be used to flush toilets and for the washing machine and irrigate the planted facades and roof.

- 8.9 In my opinion the applicant has suitably addressed the issue of sustainability and the proposal is in accordance with the Sustainable Design and Construction SPD 2007.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.10 The proposal includes a first floor flank window in the bedroom area. The proposed house would be located between 10m and 13m from the property of No.1 Natal Road. This neighbouring property has first floor windows that would face the proposed window. It is recommended that if the application were to be approved a condition is attached to ensure the window is obscure glazed to avoid a loss of privacy to this neighbouring property.
- 8.11 The proposed building would not lead to a loss of light to No.3 Natal Road as there are no flank windows on this proposal. The distance and orientation of No.1 Natal Road to the west of the proposed house would avoid this property from experiencing an unreasonable loss of light as a result of the proposal.
- 8.12 The first floor of the proposal projects beyond the building line of the neighbouring property of No.3 Natal Road by 0.5m. This glazed projection is located 1.3m from this neighbouring address. It is recommended that the glazing proposed on the flank wall facing this neighbouring property is obscure glazed to avoid overlooking this neighbouring address. This can be dealt with by condition.
- 8.13 I consider that the planted flank wall and the reduced height of the property at the rear would minimise the impact of the proposal and would avoid it causing harm to the outlook from neighbouring addresses. The glazing at the front of the property also reduces the bulk of the proposed property.
- 8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.15 The two-storey building provides additional accommodation, including a bedroom. The size of the accommodation is considered acceptable. The building would provide additional accommodation for No.5 Montreal Road according to the Design and Access Statement. There is a ground floor door that has access to the shared garden with the existing house at No.5 Montreal Road. The proposal would not have a separate garden. It is considered acceptable for the garden area to be shared between the existing house and its annexe. As the application has been assessed as supplementary accommodation for No.5 Montreal Road it is necessary that a condition be attached to ensure the unit is not used as an independent house.
- 8.16 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.17 Cambridge City Council's Refuse and Environment Service commented on the proposal. They raised no objection with the refuse and recycling arrangements. A covered bin store is located in the front garden. It would include planting on the facade and roof to help lessen its impact in the street scene.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety and Car and Cycle Parking

- 8.19 Cambridgeshire County Council Highways commented on the proposal. They recognised that the proposal removes the off street parking for the existing residential property and therefore it will add to on street demand. However, they have not objected to the proposal. They requested a number of conditions be included if the proposal were to be approved.
- 8.20 One parking space would be provided for the site of 5 Montreal Road. It could be argued that as the proposal is to provide

additional accommodation linked to the existing property of No.5 Montreal Road, the on street parking demands may be less than if it were a separate unit in its entirety. Although, it is accepted that an on-site provision for both the existing and proposed house would be more ideal, I consider the provision of one on-site parking space would not be so detrimental to warrant a refusal on this grounds.

- 8.21 The proposal shows a covered store in the front garden for two bicycles. This would satisfy the provision required for a one bedroom house in the Local Plan.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.

Planning Obligation Strategy

- 8.23 Since the application does not propose to create an independent dwelling or a new planning unit, planning obligation contributions are not required.

9.0 CONCLUSION

- 9.1 It is considered that the proposed annexe would not cause detrimental harm to neighbours' amenity and it would complement the appearance of the street scene and would not add significant pressures to the street to warrant the refusal of planning permission.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

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

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

3. The building hereby approved shall be occupied only in connection with, and ancillary to, the house at 5 Montreal Road. It shall not be separately occupied or let.

Reason: Because an independent dwelling to this design would not provide an appropriate standard of residential amenity, and would not provide open space, community facilities, or waste storage provision for future occupiers. (Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12 and 5/14)

4. 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 residential amenity of neighbours. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

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

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

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

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

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

Reason: To safeguard highway safety. (Cambridge Local Plan 2006 policy 8/2)

8. The forecourt shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

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

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

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

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

11. All windows in the side elevations of the building hereby approved shall be obscure glazed, and shall be maintained in that state.

Reason: To protect the residential amenity of neighbouring occupiers. (Cambridge Local Plan policy 3/4)

12. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an offence to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicants responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.
No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.
13. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

Reasons for Approval

1. This development has been approved, 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: policy ENV7

Cambridge Local Plan (2006): policies 3/4, 3/7 and 3/12

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

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

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

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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.



VIEW OF HIGH HEDGES FROM JUNCTION OF MONTREAL ROAD AND NATAL ROAD



VIEW ALONG NATAL RD TOWARDS PROPOSED SITE WITH HIGH HEDGES



VIEW OF PROPOSED SITE FROM NATAL ROAD

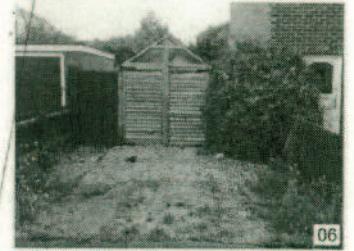
VIEW OF GARDEN FROM S MONTREAL ROAD



VIEW OF INHABITED, STATIC CARAVAN ON PROPOSED SITE (RECENTLY REPLACED)



VIEW OF OUTBUILDINGS (RECENTLY BUILT) FROM DRIVEWAY TO NATAL ROAD



VIEW OF PROPOSED SITE FROM BOTTOM END OF NATAL ROAD



① SITE LOCATION PLAN - SCALE: 1:500 @ A3
SITE PLAN ANALYSIS



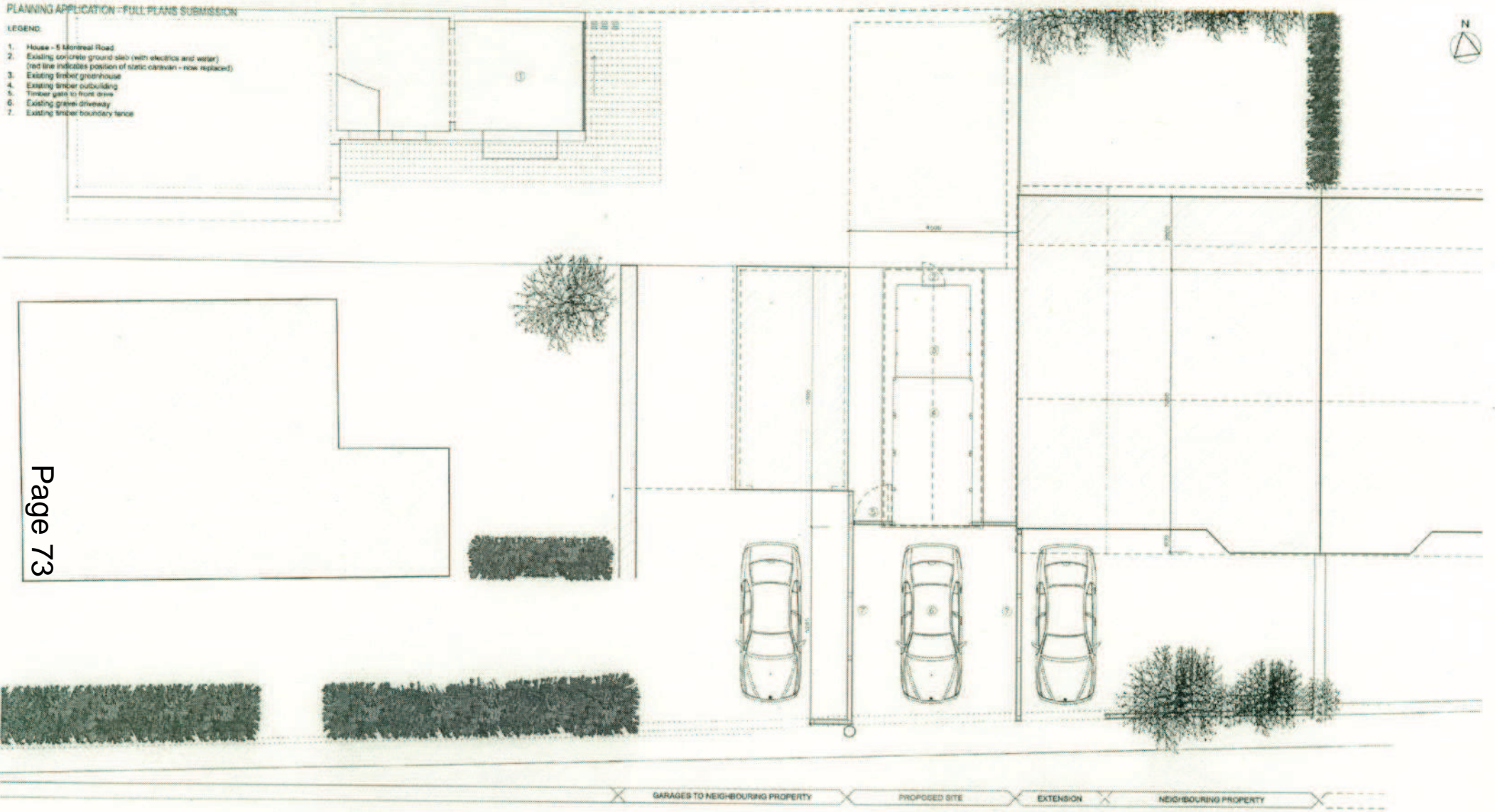
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A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

PROJECT	MONTREAL RD - STUDIO/ LIVING SPACE	DATE	JULY 2012
SCALE	1:1500 @ A3	DRAWING No.	PLC01
DRAWING TITLE	FULL PLANS PLANNING APPLICATION: SITE PLAN/ ANALYSIS	REV	A

PLANNING APPLICATION - FULL PLANS SUBMISSION

LEGEND

- 1. House - 6 Montreal Road
- 2. Existing concrete ground slab (with electric and water) (red line indicates position of static caravan - now replaced)
- 3. Existing timber greenhouse
- 4. Existing timber outbuilding
- 5. Timber gate to front drive
- 6. Existing gravel driveway
- 7. Existing timber boundary fence



Page 73

1 EXISTING SITE PLAN - SCALE: 1:100 @ A3
LEVEL: 0.00

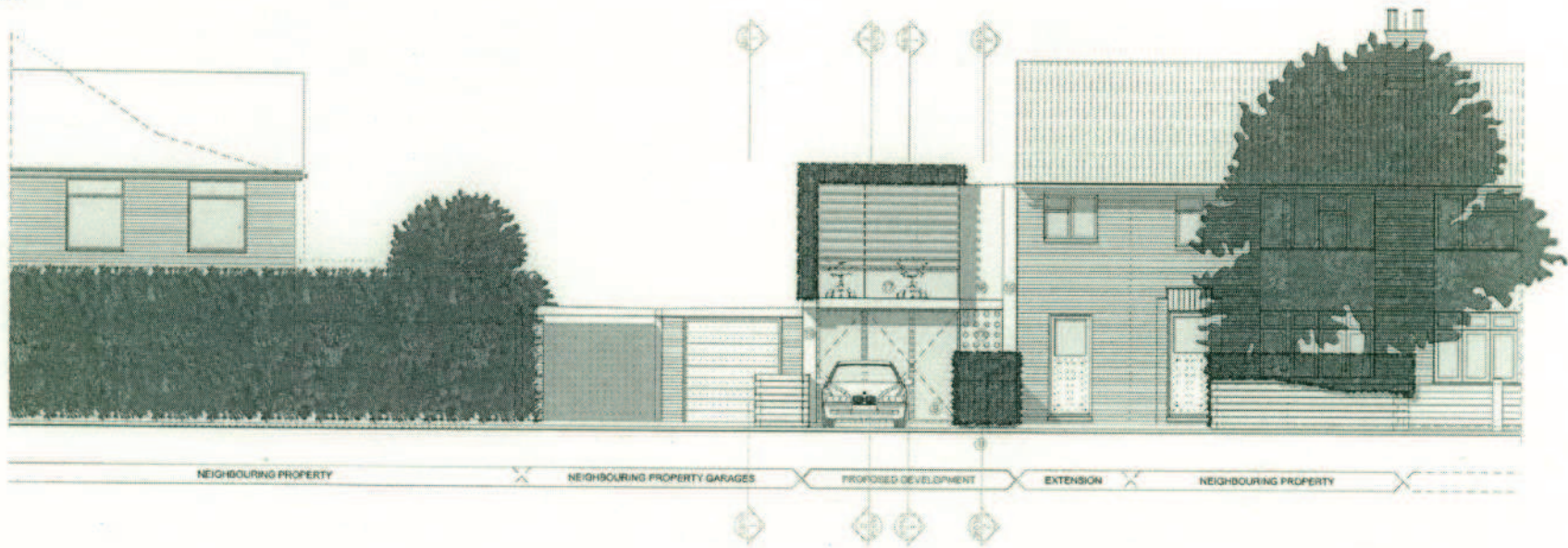


No.	Date	Description	By	Check	App.
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

PROJECT MONTREAL RD - STUDIO/ LIVING SPACE		DATE JULY 2012
DRAWING TITLE FULL PLANS PLANNING APPLICATION: EXISTING SITE PLAN		SCALE 1:100 @ A3
DRAWING NO. PLD02	REV. A	

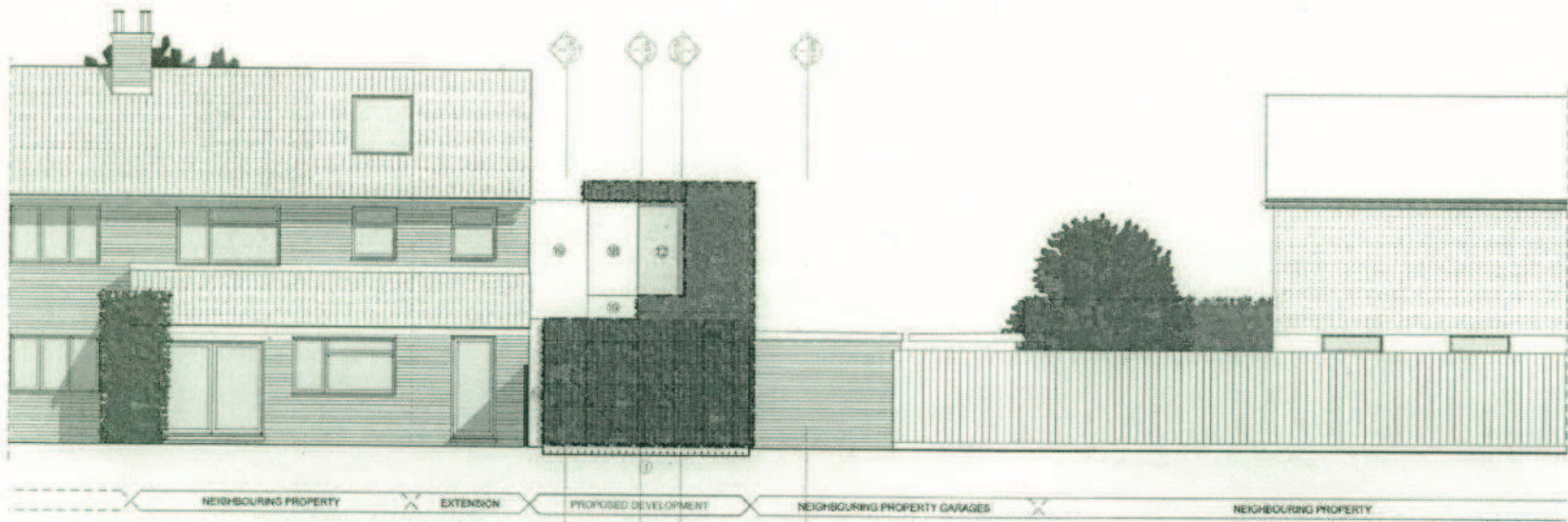
PLANNING APPLICATION - FULL PLANS SUBMISSION

+7500.00
 +7250.00
 +5000.00
 +2100.00
 +0.00



① FRONT ELEVATION - SCALE: 1:100 @ A3
 NATAL ROAD

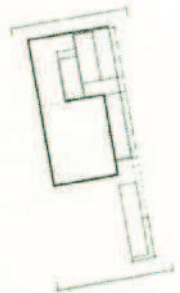
Page 74



② REAR ELEVATION - SCALE: 1:100 @ A3

LEGEND:

1. Existing vegetation patch
2. Planted roof / painted facade
3. Door to garden
4. Dining area
5. Kitchen
6. Living area
7. Main entrance
8. Staircase/ storage unit
9. Bifold doors
10. Meier cupboards/ Post bar set into wall
11. Covered bike/ Bin store
12. Glazed roof light
13. Bathroom
14. Landing
15. Storage
16. Bedroom
17. Day window/ Deck
18. Clueck, translucent insulated panels
19. Cladding panels in colour to match traditional "Cambridge bricks" bricks.



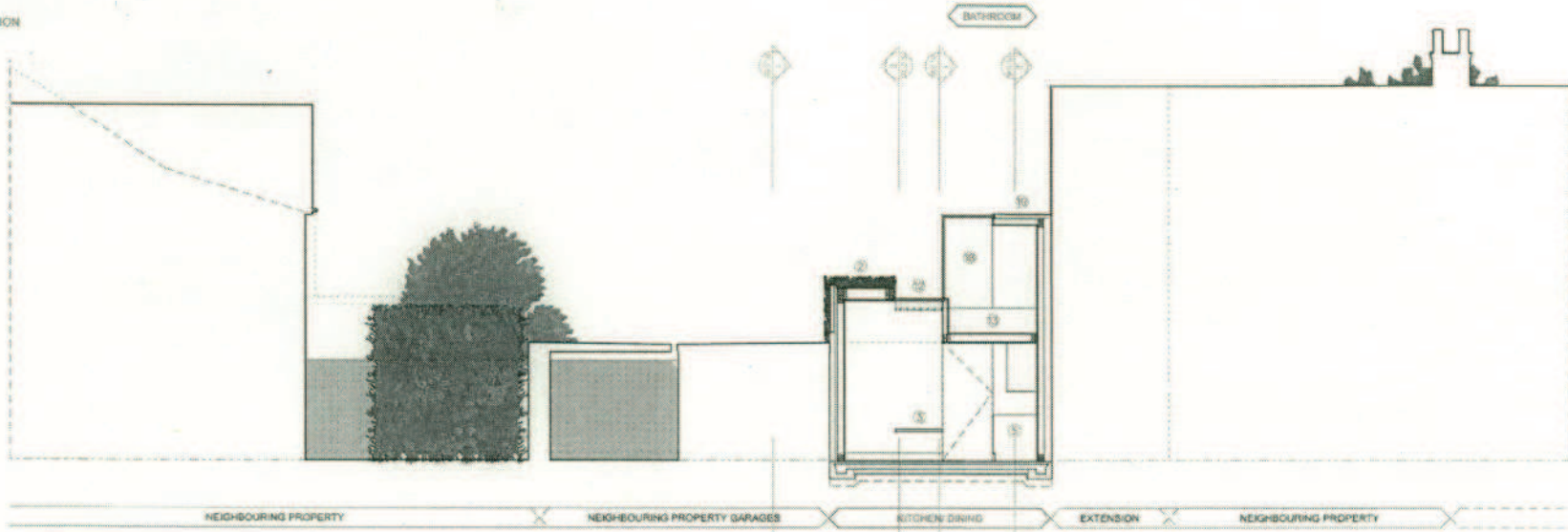
Rev.	Date	Description	By	Chk.	App.
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

PROJECT: MONTREAL RD - STUDIO/ LIVING SPACE	DATE: JULY 2012
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DRAWING No: PL013	REV: A

A3

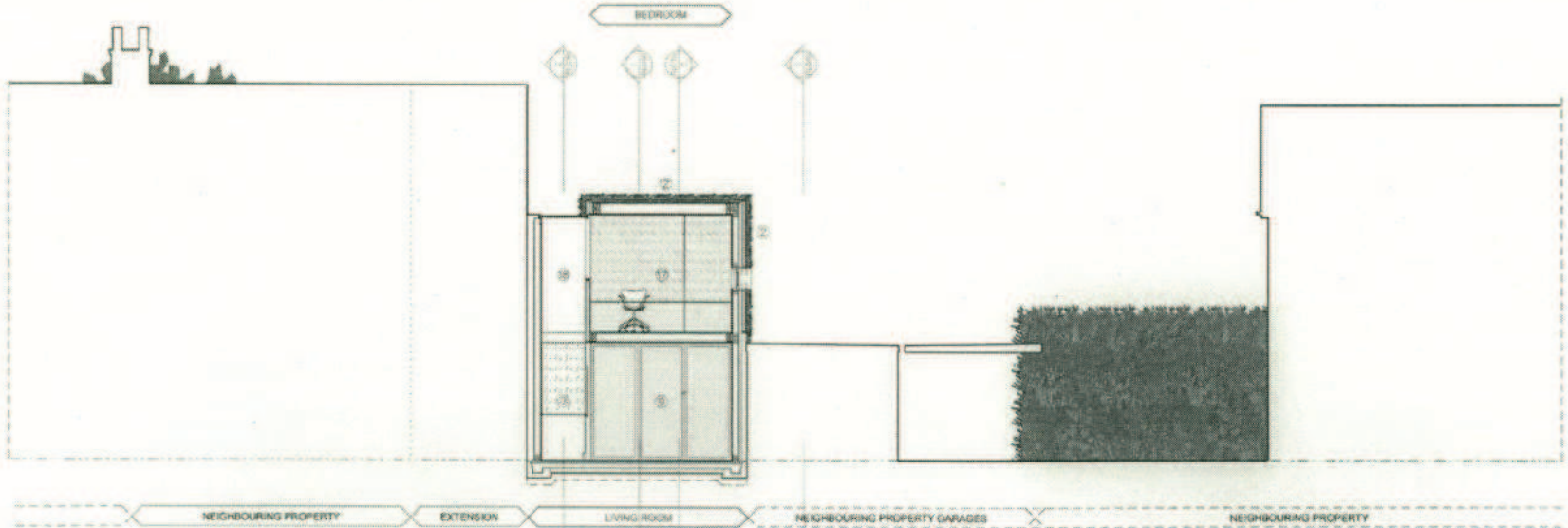
PLANNING APPLICATION - FULL PLANS SUBMISSION

+2850.00
 +2200.00
 +5300.00
 +3100.00
 +0.00



① CROSS SECTION 1-1 - SCALE: 1:100 @ A3

Page 75



② CROSS SECTION 2-2 - SCALE: 1:100 @ A3

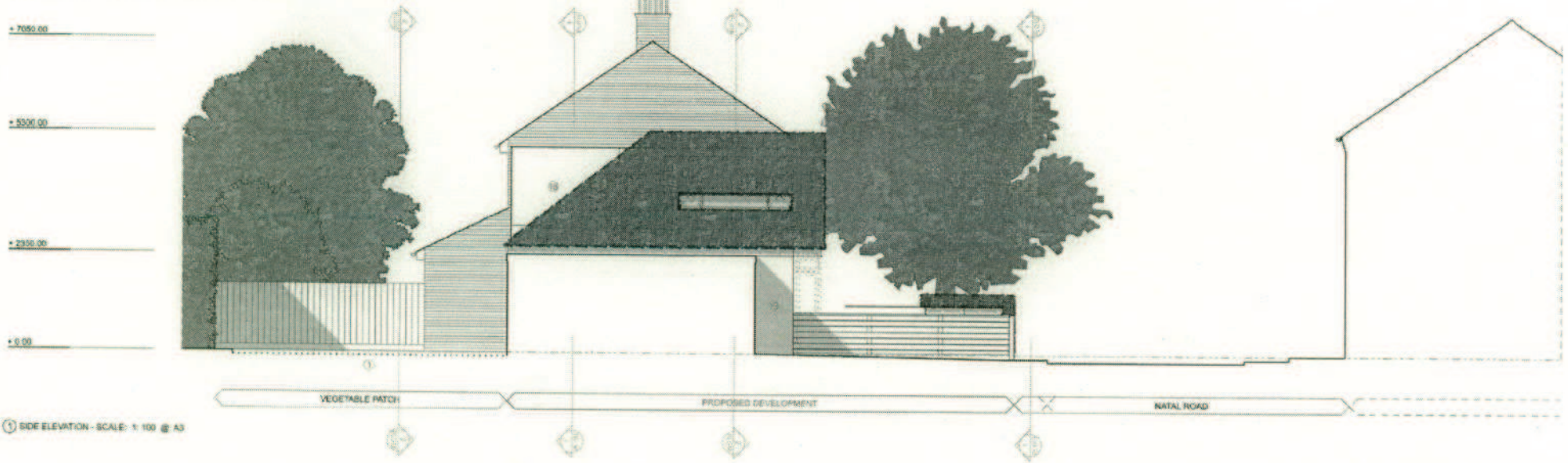
Rev.	Date	Description	By	Check	App.
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

- LEGEND:
- Existing vegetable patch
 - Planted roof / planted facade
 - Door to garden
 - Dining area
 - Kitchen
 - Living area
 - Main entrance
 - Staircase/ storage unit
 - Bifold doors
 - Meter cupboards/ Post box set into wall
 - Covered bike/ Bin store
 - Glassed roof light
 - Bathroom
 - Landing
 - Storage
 - Bedroom
 - Ray window/ light
 - Chalk, translucent insulated panels
 - Cledding panels in colour to match traditional 'Cambridge whites' bricks



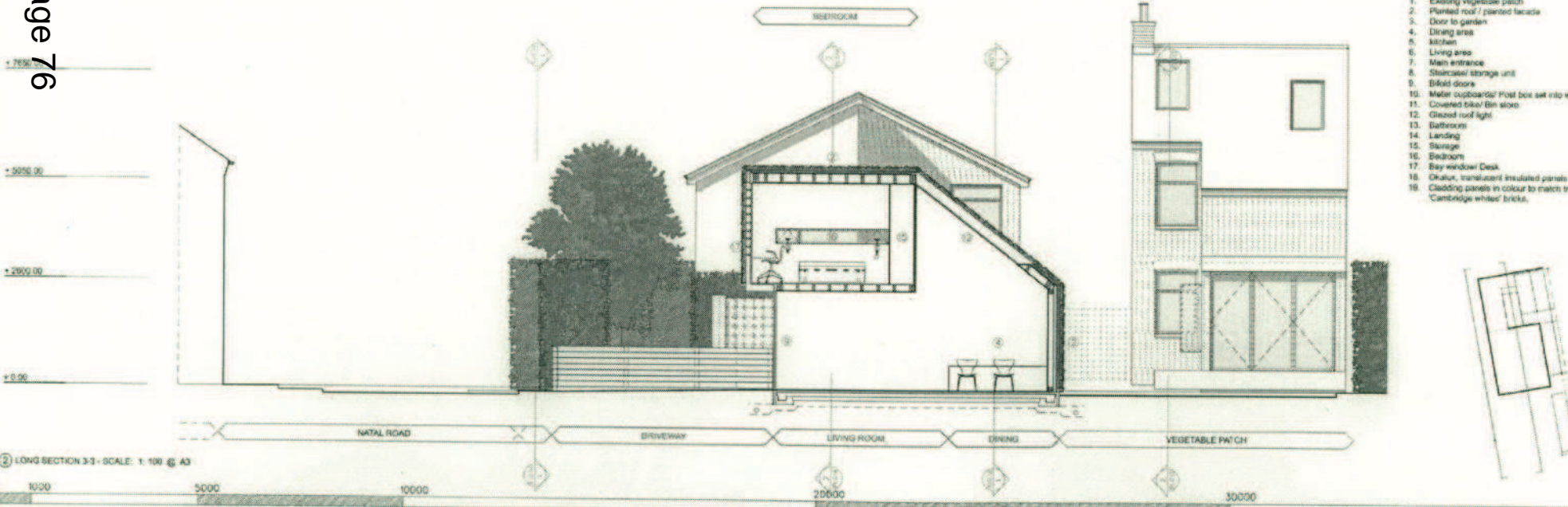
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PROJECT MONTREAL RD - STUDIO/ LIVING SPACE	DATE JULY 2012
DRAWING TITLE FULL PLANS PLANNING APPLICATION PROPOSED SECTIONS 1-1 & 2-2	SCALE 1:100 @ A3
	PLANNING NO. FL04
	REV. A



1 SIDE ELEVATION - SCALE: 1:100 @ A3

Page 76



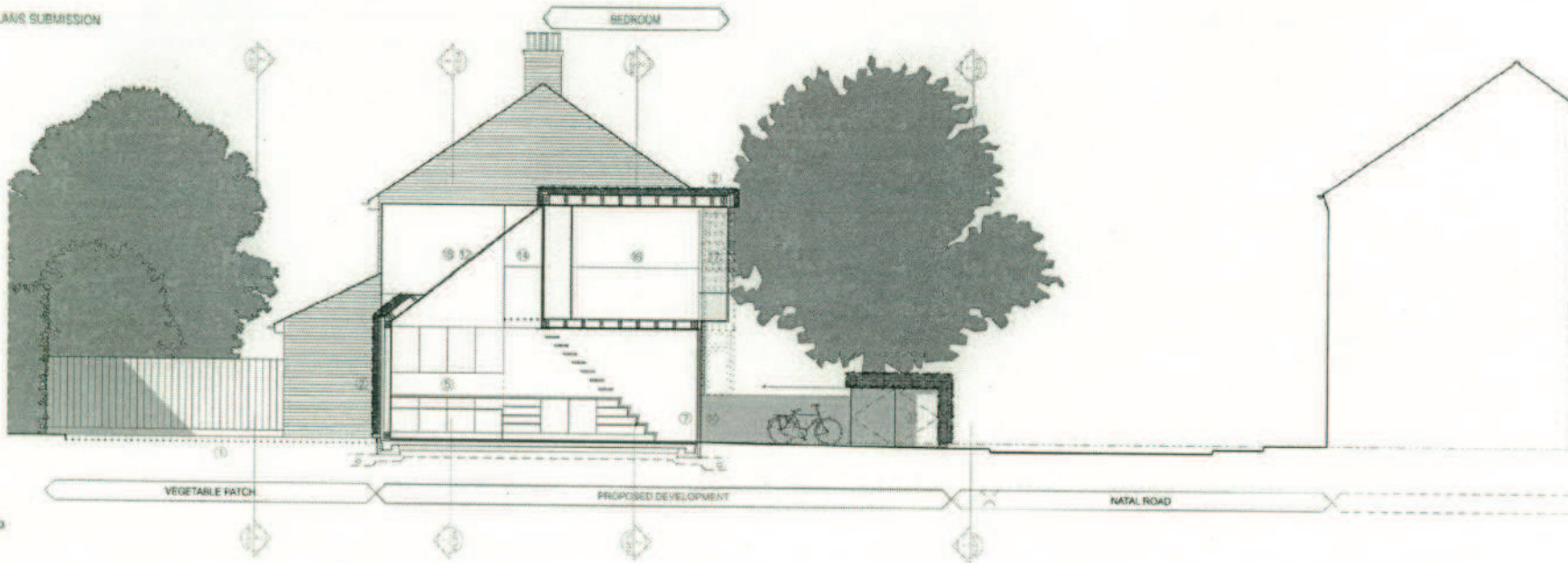
- LEGEND:**
1. Existing vegetable patch
 2. Planted roof / painted facade
 3. Door to garden
 4. Dining area
 5. Kitchen
 6. Living area
 7. Main entrance
 8. Staircase/ storage unit
 9. Bi-fold doors
 10. Meter cupboard/ Post box set into wall
 11. Covered bike/ Bin store
 12. Glass roof light
 13. Bathroom
 14. Landing
 15. Storage
 16. Bedroom
 17. Bay window/ Desk
 18. Onions, hand-painted insulated panels
 19. Cladding panels in colour to match traditional 'Cambridge white' bricks.

2 LONG SECTION 3-3 - SCALE: 1:100 @ A3

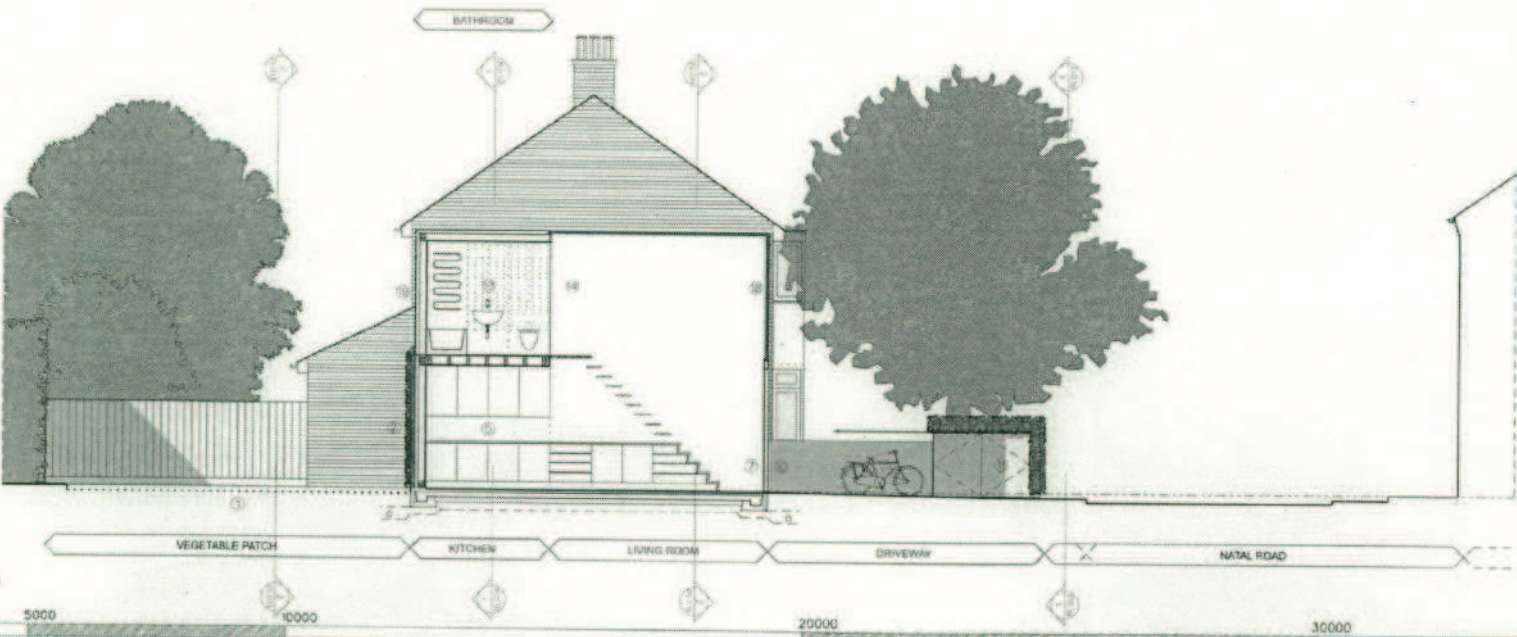


No.	Date	Description	By	Checked	App.
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

PROJECT: MONTREAL RD - STUDIO/ LIVING SPACE
 DATE: JULY 2012
 SCALE: 1:100 @ A3
 DRAWING TITLE: FULL PLANS PLANNING APPLICATION - PROPOSED LONG ELEVATION 1-1 & LONG SECTION 2-2
 DRAWING NO.: PLD15
 REV: A



① LONG SECTION - SCALE: 1:100 @ A3
3-3



① LONG SECTION - SCALE: 1:100 @ A1
4-4

LEGEND:

- 1. Existing vegetable patch
- 2. Planked roof / painted boards
- 3. Door to garden
- 4. Drying area
- 5. Kitchen
- 6. Living area
- 7. Main entrance
- 8. Staircase/ storage unit
- 9. Bi-fold doors
- 10. Motor outboards/ Post box set into wall
- 11. Covered bike/ bin store
- 12. Glazed roof light
- 13. Bathroom
- 14. Landing
- 15. Storage
- 16. Bedroom
- 17. Bay window/ Deck
- 18. Okolon, translucent insulated panels
- 19. Cladding panels in colour to match traditional 'Cambridge white' bricks.

Page 77



No.	Date	Description	By	CHK	APP
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

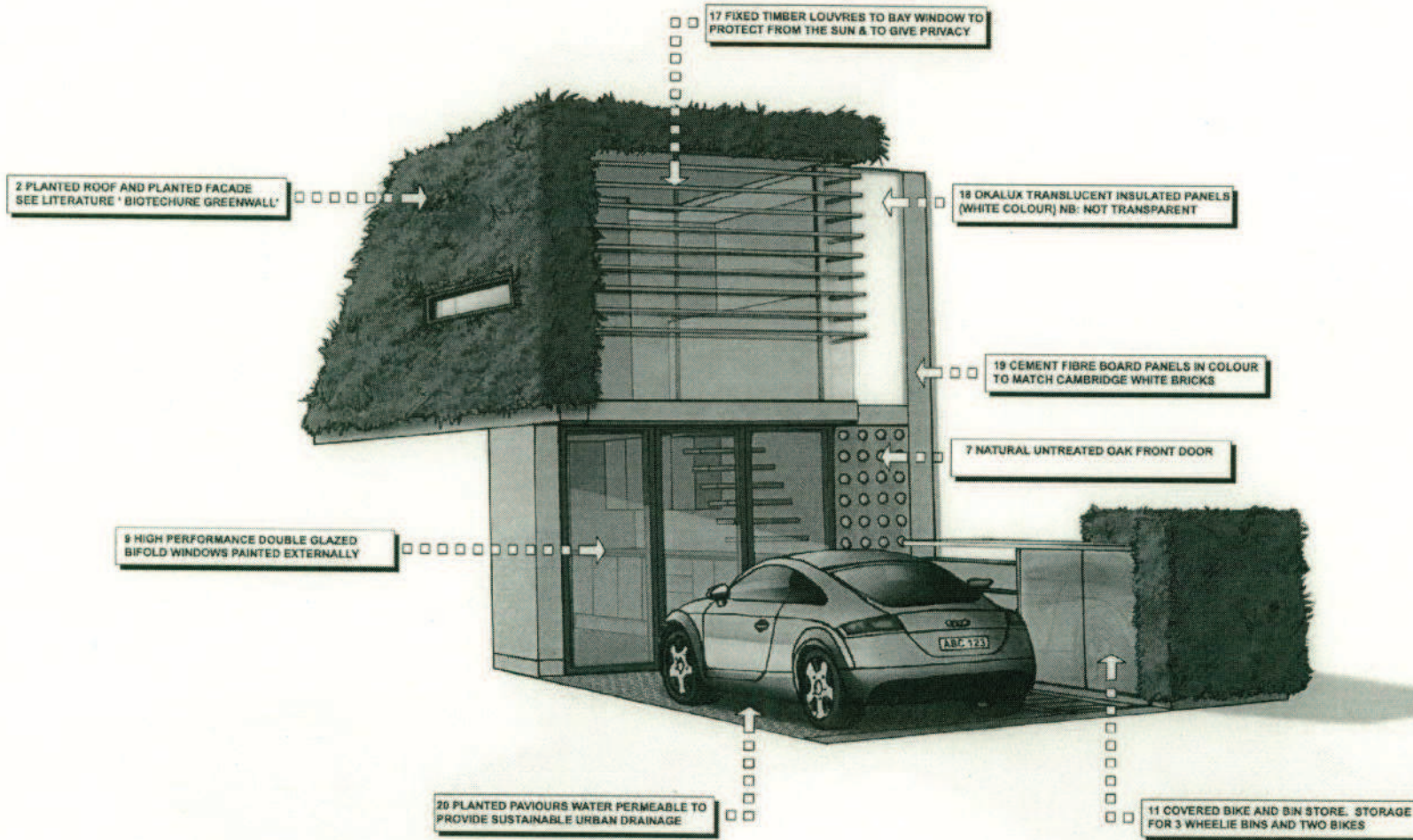
PROJECT		DATE
MONTREAL RD - STUDIO/ LIVING SPACE		JULY 2012
DRAWING TITLE		SCALE
FULL PLANS PLANNING APPLICATION - PROPOSED LONG SECTIONS 4-4 & 5-5		1:100 @ A3
DRAWING NO.	REV.	



3D PROJECTION - N.E.S. PRINT © A3

Rev	Date	Description	By	Appr
A	12.09.12	FULL PLANS APPLICATION SUBMISSION		

PROJECT	MONTREAL RD - STUDIO/LIVING SPACE	DATE	JULY 2012
DRAWING TITLE	FULL PLANS PLANNING APPLICATION PROPOSED 3D VISUALISATION	SCALE	N.T.S @ A3
		DRAWING No	PL017
		REV	A



- LEGEND:
1. Existing vegetable patch
 2. Planted roof / planted facade
 3. Door to garden
 4. Dining area
 5. Kitchen
 6. Living area
 7. Main entrance
 8. Storage/ storage unit
 9. Bifold doors
 10. Meter cupboard/ Post box set into wall
 11. Covered bike/ Bin store
 12. Glazed roof light
 13. Bathroom
 14. Landing
 15. Storage
 16. Bedroom
 17. Bay window/ Desk
 18. Okalux translucent insulation panels
 19. Cladding panels in colour to match traditional 'Cambridge white' bricks



1 3D PROJECTION - N.T.S. PRINT @ A3

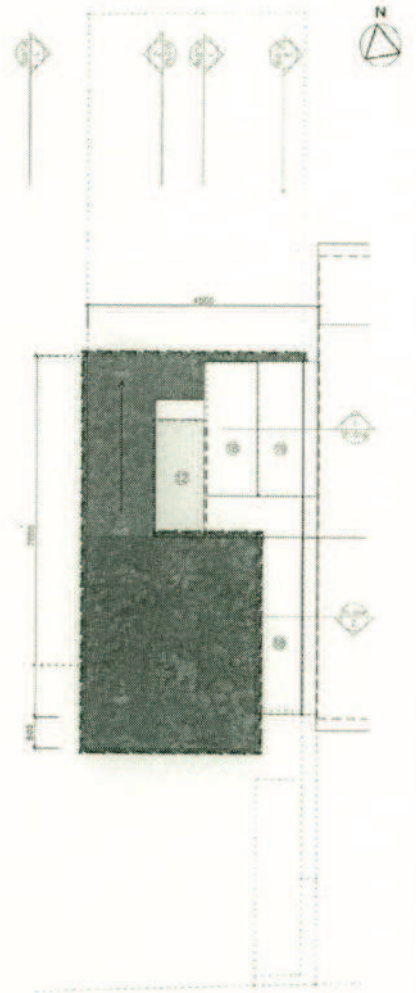
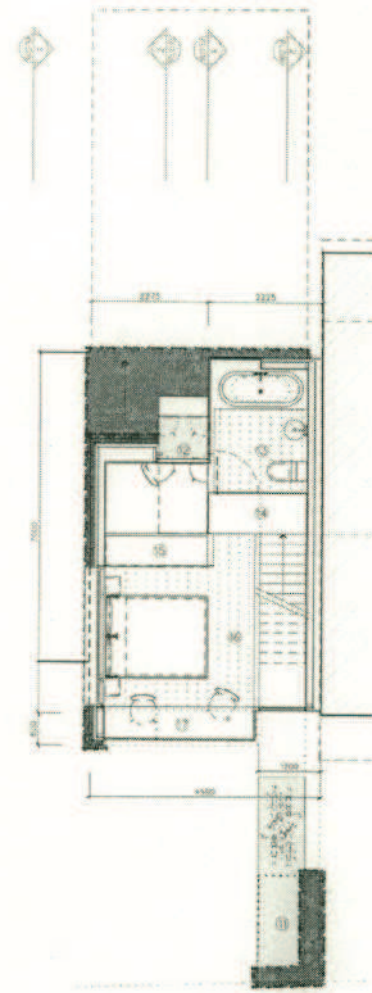
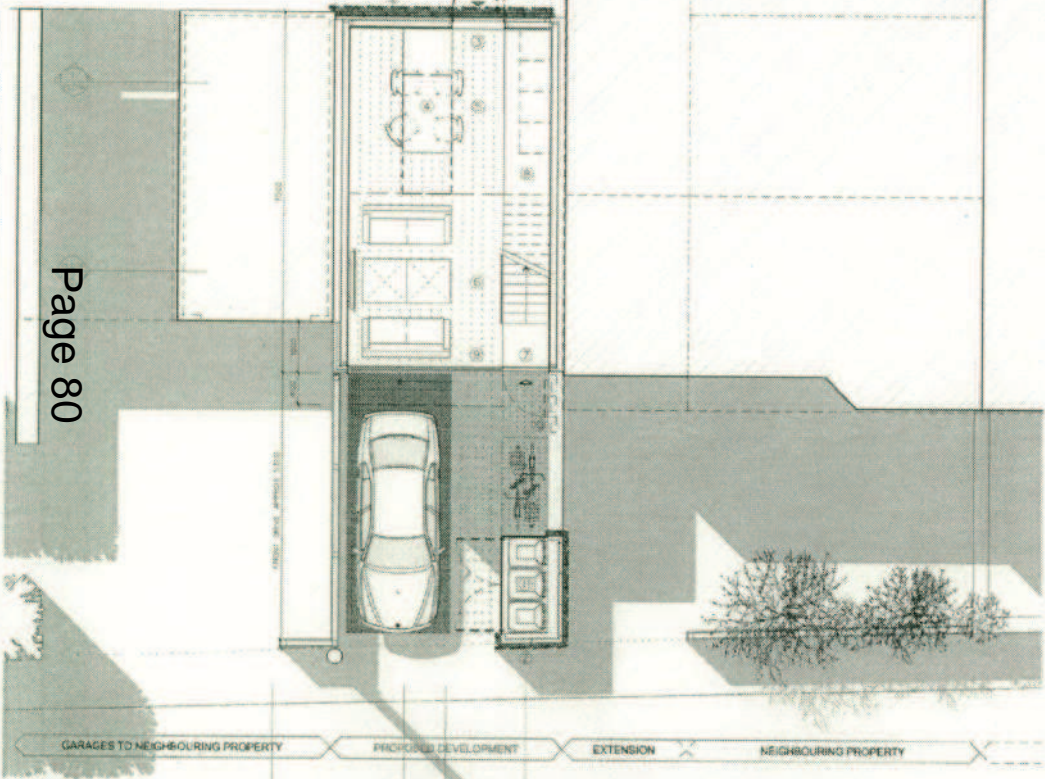
No.	Date	Description	By	Drawn	App.
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

PROJECT: MONTREAL RD - STUDIO / LIVING SPACE		DATE: JULY 2012
DRAWING TITLE: FULL PLANS PLANNING APPLICATION PROPOSED 3D VISUALISATION		SCALE: N.T.S. @ A3
DRAWING NO: PLO19	REV: A	

PLANNING APPLICATION - FULL PLANS SUBMISSION

LEGEND:

- 1. Existing vegetable patch
- 2. Planted roof / planted facade
- 3. Door to garden
- 4. Dining area
- 5. Kitchen
- 6. Living area
- 7. Main entrance
- 8. Staircase/ storage unit
- 9. Spiral down
- 10. Meter cupboard/ Post box set into wall
- 11. Covered bike/ Bin store
- 12. Glazed roof light
- 13. Bathroom
- 14. Landing
- 15. Storage
- 16. Bedroom
- 17. Bay window/ Deck
- 18. Okalux, translucent insulated panels
- 19. Cladding panels in colour to match tradition's 'Cambridge whites' bricks.



Page 80

No.	Date	Description	By	Chk	App
A	17.09.12	FULL PLANS APPLICATION SUBMISSION			

DRAWING NOT TO BE SCALE FROM THIS DRAWING EXCEPT AS NOTED OTHERWISE OR UNLESS OTHERWISE SPECIFIED BY THE DRAWER.	
PROJECT MONTREAL RD - STUDIO/ LIVING SPACE	DATE JULY 2012
DRAWING TITLE FULL PLANS PLANNING APPLICATION PROPOSED FLOOR AND ROOF PLANS	SCALE 1/100 @ A3
	DRAWING NO. PLO12
	REV A

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: East Area Committee

DATE: 10/01/13

WARD: Petersfield

PLANNING ENFORCEMENT CONTROL ENFORCEMENT NOTICE REPORT

142 Tenison Road, Cambridge

Unauthorised change of use from a House in Multiple Occupation (sui generis) to C1 Hotel accommodation

1. INTRODUCTION

- 1.1 This report seeks the authority to serve an Enforcement Notice to address a breach of planning control, namely the unauthorised use of a House in Multiple Occupation as C1 hotel accommodation.

Site: 142 Tenison Road, Cambridge.

See Appendix A for site plan

Breach: Unauthorised change of use of a House in Multiple Occupation (sui generis)

2. PLANNING HISTORY

- 2.1 The breach of planning control at 142 Tenison Road is occurring in connection with the C1 Hotel use of Fenner's Hotel, 144 –146 Tenison Road. The planning history detailed in the table below relates to all three properties.

Ref	Site	Description	Outcome
78/0671	146	2-storey extension to dwelling	Refused
80/0417	146	2 nd floor extension to B&B	Refused
83/0395	142	1 st floor extension	Approved with conditions
83/0737	146	Use as guest house	Approved with conditions

83/0738	142	Change of use from residential with bed sitting accommodation to bed sitting accommodation	Approved with conditions
83/0739	144	Change of use from residential unit to residential with lodging accommodation	Refused
85/3381	146	Illuminated pole sign	Refused
88/0251	144	Change of use from dwelling to hotel	Refused Appeal allowed
95/0759	146	Single storey extension at side and two pitched roofs at 2 nd floor level	Approved with conditions
95/0770	146	Demolition of dormers to allow pitched roofs at 2 nd floor level	Approved with conditions
02/0261	142	2-storey rear extension	Refused
03/0811	146	2-storey rear extension, single-storey rear extension and two dormers to guest house	Refused Appeal Dismissed
03/0812	142	Single-storey rear extension and 2 nd floor dormer to HMO	Refused Appeal Dismissed
08/1207	146	Extension to form laundry and kitchen	Approved with conditions
08/1208	146	Demolition of timber structure	Withdrawn
10/0530	142	Retrospective change of use from residential to bed and breakfast accommodation in conjunction with no 144 and 146 Tenison Road.	Refused
12/0162/ CLUED	142	Use of No 142 as a Hotel in Use Class C1	Certificate Not granted

3. BACKGROUND

- 3.1 In 2008 officers investigated the alleged unauthorised planning use of 142 Tenison Road as additional guest accommodation associated with the adjoining Fenners Hotel. The investigation was closed when officers could not find conclusive evidence of a change of use.
- 3.2 In 2010 officers again investigated the alleged change of use of 142 Tenison Road to additional hotel space and as a result of the investigation a retrospective planning application for change of use was submitted.

On 7th February 2011 planning permission reference 10/0530/FUL for 'Retrospective change of use from residential to bed and breakfast accommodation in conjunction with no 144 and 146 Tenison Road' was refused. The reason for refusal was:

'The proposal involves the loss of residential accommodation without any counterbalancing benefit, without strengthening or diversifying the range of short-stay visitor accommodation available in the locality or the city, and without retaining an acceptable unit of permanent residential accommodation on the site. It is therefore contrary to policies 3/7, 5/4 and 6/3 of the Cambridge Local Plan 2006.'

- 3.3 On 23rd May 2011 a letter was sent to the owner of 142 Tenison Road, in the letter officers asked the owner of the property to confirm the intended use of the property in the light of the recent refusal of planning permission. The owner of 142 Tenison Road did not respond to the letter.
- 3.4 On 6th July 2011 officers visited 142 Tenison Road and confirmed that the unauthorised use as additional hotel / bed and breakfast accommodation was continuing.
- 3.5 On 18th July 2011 a Planning Contravention Notice was served on the owner of 142 Tenison Road. The Notice was returned on 12th August 2011. The completed Notice contained an assertion by the owner of the property that 142 Tenison Road had been operating as a Bed and Breakfast since 1977.
- 3.6 A further Planning Contravention Notice was served on 20th October 2011. The Notice sought clarification on when the unauthorised change of use of the C3 dwellinghouse at 142 Tenison Road had begun. The completed Notice, which was returned on 17th November 2011, indicated that the owner of 142 Tenison Road intended to submit evidence proving that the property had been used as bed and breakfast accommodation for 11 years.
- 3.7 On 9th December 2011 an Application for a Certificate of Lawfulness for 'Use of No 142 as a Hotel in Use Class C1' (reference 12/0162/CLUED) was submitted.

On 30th August 2012 the application was refused, the reason given for the refusal was:

It appears to the Local Planning Authority that insufficient evidence has been submitted to demonstrate that the premises has been used as hotel in use class C1 for a continuous 10 year period.

- 3.8 On 23rd October 2012 officers were advised that the owner of 142 Tenison Road intended to appeal the refusal of the Certificate of Lawfulness. There is no time limit for the submission of an appeal of a Certificate to the Planning Inspectorate. No appeal has been submitted to date and the unauthorised use of 142 Tenison Road as additional C1 hotel accommodation continues. Once an Enforcement Notice is served and in force then an appeal against the refusal of the Certificate cannot be made to the Planning Inspectorate.

4. POLICY AND OTHER MATERIAL CONSIDERATIONS:

- 4.1 The material change of use of 142 Tenison Road, Cambridge from C3 dwellinghouse to C1 hotel accommodation requires planning permission. Planning permission has been applied for and refused.

The unauthorised development, namely the change from the lawful planning use took place less than ten years ago and therefore is not immune from enforcement action.

4.2 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.'

4.3 Enforcement is a discretionary power. The Committee should take into account the planning history and the other relevant facts set out in this report.

In order to issue an Enforcement Notice there must be sound planning reasons to justify taking such action.

The use of the property as C1 hotel accommodation involves the loss of residential accommodation without any counterbalancing benefit, without strengthening or diversifying the range of short-stay visitor accommodation available in the locality or the city, and without retaining an acceptable unit of permanent residential accommodation on the site and is therefore contrary to policies 3/7, 5/4 and 6/3 of the Cambridge Local Plan 2006

4.4 Under part 4A of Cambridge City Council's scheme of delegations officers have the delegated authority to serve an Enforcement Notice following the refusal of a retrospective planning application however due to the length of time which has elapsed since the refusal of the planning application officers are referring this matter to members for their approval.

4.5 Having taken into account the Development plan and all other material considerations it is considered expedient to issue an Enforcement Notice.

5. RECOMMENDATIONS

5.1 It is recommended that the Head of Legal Services be authorised to issue an enforcement notice under the provisions of S172 of the Town and Country Planning Act 1990 (as amended), for Material Change of Use from a C3 dwellinghouse to C1 hotel accommodation. Currently, it is expected that the enforcement notice would contain the wording set out in paragraphs 5.2 to 5.4 of this report (with such amendments as may later be requested by the Head of Legal Services).

5.2 Steps to Comply:

1. Cease the unauthorised use of 142 Tension Road, Cambridge as C1 hotel accommodation and / or bed and breakfast accommodation.
2. Revert the planning use of 142 Tenison Road, Cambridge to its lawful planning use as a C3 dwelling house.

5.3 Period for Compliance:
6 months from the date the notice comes into effect.

5.4 Statement of Reasons:

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

Mindful of the NPPF, the development plan policies mentioned in paragraph 4.3 and to all other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the clear breach of planning control.

Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that enforcement notices in this case would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies, which seek to restrict such forms or new residential development. The time for compliance will be set as to allow a reasonable period for compliance.

6. IMPLICATIONS

- (a) **Financial Implications** - None
- (b) **Staffing Implications** - None
- (c) **Equal Opportunities Implications** - None
- (d) **Environmental Implications** - None
- (e) **Community Safety** - None

BACKGROUND PAPERS:

The following background papers were used in the preparation of this report:

Officers reports on planning application 10/0530/FUL and application for Certificate of Lawfulness reference 12/0162/CLUED.

APPENDICES

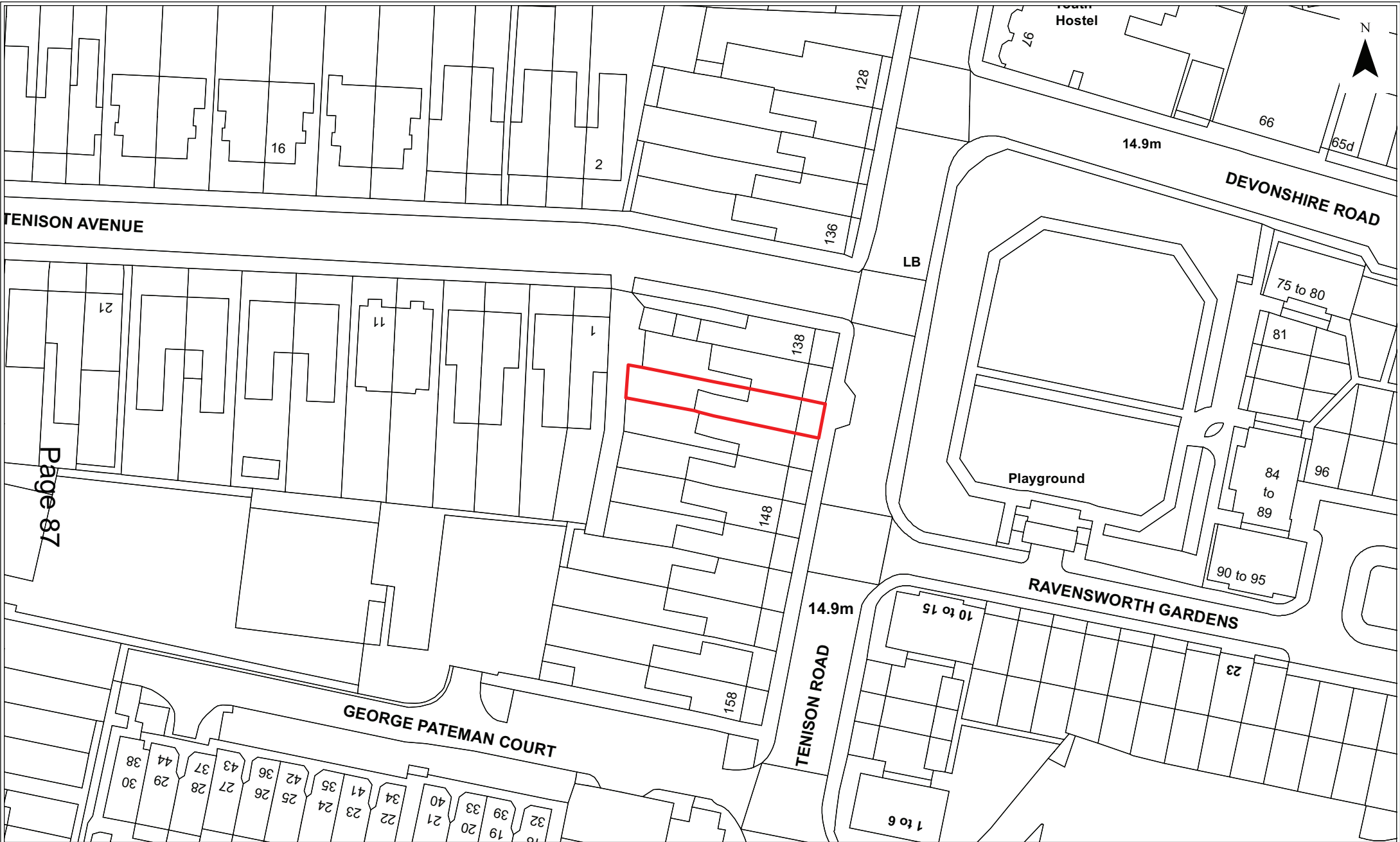
Appendix A Site plan

To inspect these documents contact Deborah Jeakins on extension 7163

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

Report file: N:\Development Control\Planning\Enforcement\Committee reports\142
Tenison Road 2013.doc

Date originated: 13 Nov 2012 Date of last revision: 13 Nov 2012



142 Tenison Road



Date:	6th December 2012
Produced by:	GIS Team
Section/Department:	Information Systems, Environment Dept
Scale:	1:750 @ A4

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