



NORTH AREA COMMITTEE



AGENDA

To: City Councillors: Ward (Vice-Chair), Abbott, Boyce, Bird, Brierley, Gawthrop, Kerr, O'Reilly, Pitt, Price, Todd-Jones and Tunnacliffe

County Councillors: Manning, Pellew, Sales and Wilkins

Dispatched: Wednesday, 18 July 2012

Date: Thursday, 26 July 2012

Time: 6.30 pm

Venue: Shirley Primary School, Nuffield Road, Cambridge CB4 1TF

Contact: Glenn Burgess **Direct Dial:** 01223 457169

PLANNING ITEMS

1 APPOINTMENT OF CHAIR AND VICE CHAIR

2 APOLOGIES FOR ABSENCE

3 MINUTES OF THE LAST MEETING

To approve the minutes of the meeting held on 17 May 2012. *(Pages 1 - 6)*

4 DECLARATIONS OF INTEREST (PLANNING)

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

5 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.

- 5a 12/0428/CAC - Penny Ferry, 110 Water Street (*Pages 7 - 26*)
- 5b 12/0604/FUL - 75 Histon Road Planning Officer (*Pages 27 - 50*)
- 5c 12/0381/FUL - 19 Alpha Road Planning Officer (*Pages 51 - 66*)
- 5d 12/0674/FUL - 74 Alex Wood Road (*Pages 67 - 76*)

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)

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

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

Historic open space guidance.

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

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

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

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

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

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

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

INFORMATION FOR THE PUBLIC

Public speaking rules relating to planning applications: 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 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 or on-line:

<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 items, enforcement items and tree items.

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

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

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

REPRESENTATIONS ON PLANNING APPLICATIONS

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

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

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

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

GENERAL INFORMATION FOR MEMBERS OF THE PUBLIC

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

Facilities for disabled people: All committee venues are accessible for people with mobility difficulties.

A loop system is available in the committee room.

Meeting papers are available in large print and other formats on request.

Filming, recording and photography

Filming, recording and photography: The Council is committed to being open and transparent in the way it conducts its decision making. Recording is permitted at council meetings which are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded.

The Chair of the meeting will facilitate by ensuring that any such request not to be recorded is respected by those doing the recording.

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

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

The Democratic Services Manager can be contacted on 01223 457013 or democratic.services@cambridge.gov.uk.

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

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

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NORTH AREA COMMITTEE

17 May 2012

6.30 - 7.24 pm

Present: Councillors Nimmo-Smith (Chair), Ward (Vice-Chair), Abbott, Boyce, Bird, Brierley, Gawthrope, Pitt, Price, Todd-Jones and Tunnacliffe

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

FOR THE INFORMATION OF THE COUNCIL**12/30/NAC Apologies for Absence**

Apologies were received from City Councillors Kerr and O'Reilly and County Councillor Sales.

12/31/NAC Minutes of the last meeting

The minutes of the 22 March meeting were approved and signed as a correct record.

12/32/NAC Declarations of Interest

Councillor	Item	Interest
Todd-Jones	12/33a/NAC	Personal: Knows the applicant
Price	12/33a/NAC	Personal: Had met and held discussions with the applicant
Pitt	12/33b/NAC	Personal: Trustee of Arbury Community Association
Todd-Jones	12/33b/NAC	Personal: Member of Arbury Community Association and knows representatives from the Sikh Community.
Ward	12/33b/NAC	Personal: Has been undertaking Planning Policy work on preserving pubs through his role as Executive Councillor.

Councillors Gawthrop and Abbott confirmed that, as they had not yet received planning training, they would not vote on the applications. They would however reserve the right to make comment.

12/33/NAC Planning Applications

12/33a/NAC 12/0368/FUL - 49 St Albans Road, Cambridge

The committee received an application for full planning permission.

The application sought approval for a two-storey side extension.

Mr Donnelly (Applicant) addressed the committee in support of the application.

The Committee:

Resolved (by 0 votes to 7) to reject the officer recommendation to refuse the application.

Resolved (by 7 votes to 0) to approve the application contrary to the officer recommendations subject to the following conditions:

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

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

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

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

for the following reasons:

1. This development has been approved, conditionally, because subject to those requirements it is considered adequately to respond to the context of the site, and to conform to the Development Plan as a whole,

particularly East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/14;

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

12/33b/NAC 11/1501/FUL - The Grove, Arbury Court, Cambridge

The committee received an application for full planning permission.

The application sought approval for change of use from Public House (A4) to Community Centre and Place of Worship (D1) and alterations to car-parking area.

The committee received a representation in objection to the application from the following:

- Mr Alan Soer

The representation covered the following issues:

- i. A community centre should be open and accessible to all, regardless of faith.
- ii. This centre should be the focus of the whole community and not limited to holding events, which abide by the Sikh faith.
- iii. A single faith group taking ownership of community centre would adversely affect community cohesion.

Dr Srai (Applicant's Representative) addressed the committee in support of the application.

Resolved (by 7 votes to 0) to accept the officer recommendation to approve planning permission subject to the following amendment to condition 2 (as per the officers report):

The wording of condition 2 should be as follows:

The approved use shall only be open between the hours of 07:00 hrs and 23:00 hrs Monday to Friday, Saturdays, Sundays and Bank Holidays unless prior agreement is sought from the local planning authority.

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

And following additional condition and informative:

Condition:

The change of use hereby permitted shall not take place until a detailed layout of the car parking area, showing exact dimensions of the parking spaces for disabled users, including the hatched areas for access, have been submitted to, and approved in writing by, the local planning authority, and those parking spaces have been laid out on site, and marked for disabled use, in accordance with the approved details.

Reason: To ensure satisfactory car parking provision for disabled users. (Cambridge Local Plan 2006, policy 8/10).

Informative:

The applicant is advised that the Council is concerned that both the position and the inward-opening configuration of the toilet for disabled users may not be satisfactory. The applicant is advised to contact the Council's Access Officer, Mark Taylor, on 01223 457075, for further advice on this matter.

For the following reasons:

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: T9, T14, ENV7 and WM6
Cambridge Local Plan (2006): 3/4,3/7,4/13,5/12,8/2,8/6,8/10

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

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

www.cambridge.gov.uk/planningpublicaccess

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

The meeting ended at 7.24 pm

CHAIR

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Agenda Item 5a

NORTH AREA COMMITTEE

Date: 26th July 2012

Application Number	12/0428/CAC	Agenda Item	
Date Received	3rd April 2012	Officer	Mr John Evans
Target Date	29th May 2012		
Ward	East Chesterton		
Site	Penny Ferry 110 Water Street Cambridge Cambridgeshire CB4 1PA		
Proposal	Demolition of the Penny Ferry public house and clearance of site.		
Applicant	Mr RS Covell/ Ms C Macdonald C/o King And Co 238 High Street Cottenham Cambs CB24 8RZ		

SUMMARY	The development accords with the Development Plan for the following reasons: 1) The principle of redeveloping the site has already been established through application 09/1200/FUL, which was allowed at appeal. 2) I do not consider the adoption of the NPPF or the inclusion of the site within the extended Central Conservation Area, to materially affect the conclusions of the Inspector in allowing the appeal. 3) The demolition of the Penny Ferry will not in my view be harmful to the character, appearance or the riverside setting of the Conservation Area.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site lies between Water Street and the River Cam and comprises a 0.185 hectare parcel of land that currently accommodates a vacant former public house known as 'The Penny Ferry'. The site has a 78 metre frontage and tapers in depth from 34 metres on the western boundary to 12 metres on its eastern boundary. The public house dates from the mid-nineteenth century. It is a two-storey building of simple design fronting onto Water Street. The building has been extended with a substantial single storey rear conservatory wing.
- 1.2 To the west of the site are allotments, whilst to the immediate east lies a public car park. Across Water Street to the north is housing of mixed character and design. To the south lies the River Cam with open common land known as Stourbridge Common beyond.
- 1.3 The site lies within the Flood Plain as designated within the Cambridge Local Plan (2006) and has a number of mature trees fronting the river that are the subject of Tree Preservation Orders. The site falls outside the controlled parking zone and is not within a designated district or local centre. To the South, Stourbridge Common is within the Cambridge Green Belt and is a designated Local Nature Reserve.
- 1.4 The site has recently been included within the Central Conservation Area, within the Riverside and Stourbridge Common Area.

2.0 THE PROPOSAL

- 2.1 This application seeks Conservation Area Consent for the demolition of The Penny Ferry public house and clearance of the site.
- 2.2 Planning permission is not sought for the redevelopment of the site, which was approved under application 09/1200/FUL in 2009. This application for Conservation Area Consent follows the recent inclusion of the site within the Riverside and Stourbridge Common extension to the Central Conservation Area.

2.3 The application is accompanied by the following supporting information:

1. Legal Advice on Conservation Area Consent application.

3.0 SITE HISTORY

Reference	Description	Outcome
09/1200/FUL	Erection of five 4-bed houses (following demolition of former public house).	Approved (Allowed on appeal)
C/86/0766	Single storey extension	Approved

The decision of the Planning Inspector in the appeal on the previous application **12/1200/FUL** is attached to this report as **Appendix A**.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6
Cambridge Local Plan	4/10 4/11

2006	
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5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Area Guidelines:</u> Riverside and Stourbridge Common Conservation Area Appraisal 2012.

6.0 CONSULTATIONS

English Heritage

- 6.1 The Riverside and Stourbridge Common Conservation Area Appraisal maps do not specifically identify this pub as a building of local interest or a building important to the character, but the boundary of the extended conservation area specifically steps north to include this pub (whereas the boundary elsewhere is formed by the north bank of the river) and the map also includes an 'important view' looking straight at the pub from the south bank of the river. Therefore, I conclude this building is of some importance in the conservation area and as such there should be an expectation for its retention.

Paragraph 16 (of the appeal statement) is particularly revealing in the weight the Inspector gives to the site to be included in a future Conservation Area. Such anomalies should be removed once CAC is incorporated into Planning Permissions, which I

note is included within the provisions of the 'Enterprise and Regulatory Reform Bill' published last week.

Historic Environment Manager

- 6.2 With some careful amendments, and appropriate detailing and materials, the approved scheme could make a positive contribution to the character and appearance of the conservation area. However, until these amendments are submitted and approved, the proposal for demolition cannot be supported as the approved scheme does not adhere to policy 4/11.

Head of Environmental Services

- 6.3 No objection in principle but in order to protect the amenity of neighbouring occupiers during the demolition and construction phases of the development please attach the following standard conditions: noise and vibration impact assessment; concrete crushing; piling; demolition/construction; collections/deliveries; and dust suppression.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

County Councillor Ian Manning has commented on this application. I have set out his comments below:

Given the changing nature of the planning landscape, and the major change this will bring to the area, the decision should be made at planning Committee rather than a delegated decision.

- 7.1 The owners/occupiers of the following addresses have made representations: 11 Misty Meadows, 29 Alpha Road, 17 Evergreens, 22 Church Street, 1 Barrow Close, 81 Thornton Road, 15 Riverside, 25 Izaak Walton Way, 7, 12, 17, 46, 48, 78, 157a Water Street, 173 Water Street, 10 Inverness Close, 219 High Street, 11 Bradmore Court, 6 Enniskillen Road, 1 Pearson Court, Milton.

7.2 The representations can be summarised as follows:

Objections in Principle

- The Pike and Eel has long been a special feature of Water Street, with charm and character.
- There is an interesting history behind the building, popular with visitors and walkers.
- The premises was on the site of a ferry crossing to the popular Stourbridge Fare.
- The pub is a landmark.
- The pub was highly successful until very recently.
- The premises was deliberately run down.
- Regarded with great affection by undergraduates past and present.
- Demolishing the building would completely change the character of the area.
- The pub should remain a place for local people to meet and encourage community spirit.
- Its loss would represent a sad diminution of shared semi-public space with splendid views across the river.
- Losing the pub would go against the spirit of the NPPF.
- The tests of policy 4/10 have not been met, the building is structurally sound, the advent of Chesterton Station will make a lovely riverside pub, there are no public benefits from redevelopment.
- There is only 1 pub left in Chesterton.
- The number of riverside pubs is at a critically low level.
- Ugly poor quality housing has replaced public resources in Chesterton, turning it into a soulless dormitory.

Design concerns

- The addition of yet more mediocre upmarket housing is degradation rather than preservation of the Conservation Area.
- There are no buildings taller than 2 storeys in this location.
- The view from the other side of the river will be degraded.
- The long views of Stourbridge Common will be spoilt as the new high rise development overlooking Midsummer Common bears witness.
- The Riverside and Stourbridge Conservation Area Appraisal notes the need for visual improvements to boundaries and other areas to preserve and enhance the setting of the common.

Amenity issues

- Loss of privacy for those living opposite the development.

Traffic related issues

- Increase in traffic on surrounding roads.
- Parking in the area is at saturation.

Cambridge Past, Present and Future

- Object. Lack of design and access statement or historic assessment is inappropriate. The validity of the application is therefore questioned.
- The former public house should be preserved.
- In the right hands this could be a successful business and community asset.
- Loss of important landmark and feature of historic interest along the river corridor.
- The building is worthy of a least locally listing.
- The current proposal does not complement the riverside setting.
- Under the Localism Act it is suggested that the pub be added to 'List of Assets of Community Value'.
- Creation of mixed use neighbourhoods is supported by the NPPF.
- The proposed replacement buildings are too domineering.

Old Chesterton Residents Association

- Object. There have been significant changes in planning policy and the site has recently been included within the Riverside Conservation Area.
- The proposed replacement buildings are a gross overdevelopment of the site.
- The loss of the pub should be reviewed in light of the NPPF.
- The application gives the Planning Committee a unique opportunity to think again and address an erroneous decision that has a great impact on future generations.
- The advent of the new station will bring new life to this part of the village and the Penny Ferry will lie close to the primary cycle access route to the station.
- The intensification of residential development is leading to parts of Cambridge becoming dormitories for commuters.

Friends of Stourbridge Common

- Object. Deeply regret the building is to be demolished for housing.
- The pub contributes positively to the visual landscape.
- The case for its retention is strong for a number of reasons.
- Support comments from OCRA that there is a need to preserve community services.
- The advent of Chesterton Station and new cycle routes might help to start a ‘virtuous chain’.
- The Riverside and Stourbridge Common Conservation Area Appraisal calls for visual improvements to the boundaries and other areas to preserve and enhance the setting of the Common.

Campaign for Real Ale (CAMRA)

- Object. The Penny Ferry remains a distinguished and historic building which makes a positive contribution to the visual appearance of the Conservation Area.
- It is potentially a valuable community facility.
- Chesterton has only one pub left and deserves greater choice.

Cambridge Save Our Green Spaces

- The case is strong for retaining the building.
- The demolition of the Penny Ferry would change the vista, especially if replaced by large scale higher buildings.
- The building contributes positive to the character and appearance of the Conservation Area.
- The approved plans will be overbearing and dominant.

An online petition has been received with 426 submissions of support. The petition states the following:

- 7.3 The Penny Ferry public house and site have been included in the Riverside and Stourbridge Common Conservation because of their importance along the river frontage and the view across the river from Stourbridge Common. Loss of this historic landmark site will change significantly the nature of the Conservation Area at this point and must be rejected.

Chesterton has only one pub serving 7000 homes. With the advent of Chesterton Station, this pub and its location will be

highly sought after and viable once some renovation or refurbishment work is carried out.

The National Planning Policy Framework is now in force and clearly states that Local Authorities must guard against the loss of community assets, including pubs. The Penny Ferry pub and site are regarded by the local and wider community as a community asset.

The development proposals to replace the building are not of a high enough quality to merit the demolition of the pub building and the loss of the site.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Third party representations

Principle of Development

- 8.2 The key issue for consideration is the impact of the loss of the building on the character and appearance of the Conservation Area. I explain below the relevant changes in policy context, and the weight I consider should be placed on those changes, since express planning permission for the redevelopment of the site was allowed on appeal, (09/1200/FUL).

Character and Appearance of the Conservation Area

- 8.3 When considering applications for demolition of buildings within a Conservation Area which contribute positively to its character, the same tests are applied when considering applications for the demolition of a Listed Building set out within Local Plan policy 4/10. Given the extant permission for redevelopment of the site and the rigorous assessment of the demolition of the

Penny Ferry given by the Inspector, I do not consider that criteria a to c of policy 4/10 should be applied. It is only buildings which are considered to positively contribute to the character of a Conservation Area, which are subject to the same tests for demolition as a Listed Building within policy 4/10. The previous appeal decision establishes the clear position that the building itself is not of such merit as to constrain redevelopment of the site.

- 8.4 The Inspector concludes that the value of the site relates to the contribution of the mature trees and the open garden between the building and the river bank to the river scene and Stourbridge Common, rather than the building itself. The view of the Conservation Team is that the building is not of sufficient quality to merit it being identified as a building of local interest and the Inspector agreed with this position.
- 8.5 Inclusion of the building within the Stourbridge Common and Riverside Conservation Area, does not in itself indicate the Council's wish to retain all buildings within it. The Conservation Area Appraisal does not describe the Penny Ferry as having a positive contribution to the river setting. The NPPF sets out in paragraph 138 that 'not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance'. Given the extensive alterations to the ground floor of the premises and the extent of the hard surfaced car park area, the building does not in my view present a positive frontage which enhances the riverscape. The Inspector's decision specifically considers the proposed redevelopment of the site in light of its forthcoming inclusion within the extended Conservation Area.
- 8.6 Paragraph 138 states that the loss of a building which makes a positive contribution to the significance of a Conservation Area should be treated as either substantial harm under paragraph 133 or less than substantial harm under paragraph 134 as appropriate. Paragraphs 133 and 134 detail a series of criteria based on viable alternatives for the heritage asset and the public benefits of the proposal. However, in light of the Inspectors decision, and the Riverside and Stourbridge Common Conservation Area Appraisal, it has been established that the building does not have a positive contribution to the riverside setting. On this basis I do not consider that paragraphs 133 or 134 of the NPPF should be applied.

Reuse and Viability

- 8.7 The National Planning Policy Framework (NPPF) was Adopted in March 2012, which after the previous appeal decision. It advises that Local Planning Authorities should guard against the unnecessary loss of community facilities, which includes public houses. Since the previous approval in 2011, concerns have risen with the rate of loss of public houses in Cambridge. The Council has commissioned a public house study with the view to adopting Interim Planning Policy Guidance. The Penny Ferry was not included within the list of safeguarded riverside pubs providing an important tourist and economic function, because planning permission has been granted for its redevelopment. At this time the document is in draft form only and therefore carries limited weight for decision making.
- 8.8 I do not consider the applicant is required to demonstrate the premises are no longer viable as a public house. While I recognise that there is a considerable strength of opinion locally that the building should be retained as a public house and as community facility, the previous appeal decision has already considered this issue. At the time of the appeal Planning Policy Statement 4 (PPS4) required Local Planning Authorities to protect existing facilities that meet peoples day to day needs in local centres. Paragraphs 69 and 70 of the NPPF contain a similar framework to PPS4 which it supersedes. The Inspector concludes that there is another pub, the Green Dragon to the east and gives greater weight to policies 3/1 and 5/1, which supports the redevelopment of the site for housing.

Design and Appearance of the Approved Scheme

- 8.9 I note the detailed design comments of the Council's Conservation Officer in relation to the previously approved scheme. However the design of the approved scheme is not within the remit of this application for Conservation Area Consent. The Inspector concluded that the massing of the development would be reduced by gaps in the proposed dwellings, which would introduce glimpses of the trees at the rear of the site and the openness of Stourbridge Common beyond, onto the street scene. The Inspector noted the eaves height of the appeal proposal would be similar in height to eaves of the main 2 storey part of the public house, but the roof ridges of the proposed houses would be 1m taller. The

increase in height was not considered to be so significant as to be out of keeping with the surrounding locality.

8.10 Given that the acceptability of the redevelopment scheme has been established at appeal and that the Inspector specifically considered the immediate inclusion of the site in the Conservation Area, I do not consider that alleged shortcomings of the design of the approved scheme can provide any basis for the refusal of Conservation Area Consent.

8.11 In my opinion, the demolition of the Penny Ferry will not detract from the character of the Conservation Area, which has already been established by the previous appeal decision 09/1200/FUL. This application for Conservation Area Consent is therefore compliant with Cambridge Local Plan policy 4/11 and guidance contained within the NPPF paragraph 138.

Third Party Representations

8.12 The representations received have been addressed in the above report. The following issues have also been raised:

Lack of design and access statement or historic assessment is inappropriate. The validity of the application is therefore questioned.

The submission of a design and access statement is not mandatory for an application for Conservation Area Consent. The application is valid for determination.

Under the Localism Act it is suggested that the pub be added to 'List of Assets of Community Value'.

Under the Localism Act 2011, land and buildings can be nominated for inclusion on a List of Assets of Community Value. If the asset comes up for sale, community groups will be able to trigger a pause of up to six months in order to raise capital to purchase the asset. The Council has begun work on the internal procedures for managing a List of Assets of Community Value, but this process is not enacted until 12 October 2012.

The Pike and Eel has long been a special feature of Water Street, with charm and character.

There is an interesting history behind the building, popular with visitors and walkers.

The premises was on the site of a ferry crossing to the popular Stourbridge Fare.

I recognise that there is historic value attached to the public house, which is highlighted within the representation of Cambridge Past Present and Future. This notwithstanding, it has been established through the previous appeal decision that its loss is acceptable. The Riverside and Stourbridge Conservation Area Appraisal does not highlight the building as making a positive contribution to the significance of the Conservation Area. A record of the building can be taken prior to demolition through the imposition of a suitable planning condition.

The loss of the Penny Ferry would represent a sad diminution of shared semi-public space with splendid views across the river.

As noted within the Inspectors decision, when the public house was open, patrons had access to the river bank, however, the site was and continues to be private land with no public right of access.

The approved plans will be overbearing and dominant.

The design of the approved scheme has already been established as acceptable through the previous application decision. It is not possible to revisit detailed design matters through the assessment of this application for Conservation Area Consent.

The advent of the new station will bring new life to this part of the village and the Penny Ferry will lie close to the primary cycle access route to the station.

The possible development of Chesterton Station does not reduce the need for housing set out in Local Plan Policy 5/1, to which the Inspector gave greater weight in allowing the appeal 09/1200/FUL.

Parking in the area is at saturation.

Car parking and access was deemed acceptable through the appeal decision 09/1200/FUL. This cannot be revisited through this application for Conservation Area Consent.

9.0 CONCLUSION

- 9.1 Notwithstanding the adoption of the NPPF and the inclusion of the site within the extended Central Conservation Area, the Inspector's decision in my view has already established that the redevelopment of this site is acceptable with a design that has been approved. Since the appeal Inspector concurred with the Council's own view that the building itself does not make any positive contribution to the character of the Conservation Area, I do not consider it would be reasonable for the Council to withhold Conservation Area Consent for the demolition of the existing building. APPROVAL is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. No development shall take place until a full photographic record and survey by measured drawing and salvage of samples has been made depicting the exterior and interior of the building (including any parts to be demolished) and a copy deposited with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority. The precise number and nature of the photographs, drawings and samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed with the local planning authority before the deposit is made.

Reason: To ensure proper recording of any aspects of the buildings special interest which are to be lost. (Cambridge Local Plan 2006, policy 4/11)

3. 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)

Reasons for Approval

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

East of England plan 2008: ENV6

Cambridge Local Plan (2006): 4/11

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

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

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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.

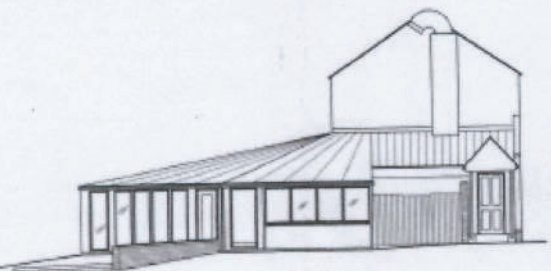


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Penny Ferry 110 Water Street Cambridge

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WEST ELEVATION



SOUTH (FRONT) ELEVATION



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Application Number	12/0604/FUL	Agenda Item	
Date Received	14th May 2012	Officer	Mr Amit Patel
Target Date	9th July 2012		
Ward	Arbury		
Site	75 Histon Road Cambridge Cambridgeshire CB4 3JD		
Proposal	Demolition of existing garage. Erection of 1 and a half storey 1 bedroom with studio house, with access from North Street along with car parking, and bins/cycle store.		
Applicant	Mr Pascal Edme 75 Histon Road Cambridge Cambridgeshire CB4 3JD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The design, size and form have already been accepted in planning reference 11/0365/FUL;</p> <p>The proposal will add to the housing stock of Cambridge;</p> <p>There are other similar developments along this street.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site is the rear garden of 75 Histon Road with a road frontage onto North Street. It currently accommodates a small single storey sectional garage and provides a rear access into the garden of 75 Histon Road. The garage is set back from the pavement, by 2 metres. There are other garages and hard standings provided for parking for those houses fronting Histon

Road along this part of the street, including directly to the south at the rear of 73 and 71 where there are two flat roofed garages of a similar size. Further to the south is a one and a half storey dwelling at the rear of 69/69a Histon Road,. This chalet bungalow is finished in stock brick and slate with timber sash windows and provides parking to the front, as it is set back from the road by approximately 5.2 metres.

- 1.2 The site is within a recently extended Castle and Victoria Street Conservation Area and there are no listed buildings, Buildings of Local Interest or protected trees in the vicinity. North Street is within a controlled parking zone with double yellow lines on the Histon Road side of the road and residents parking bays on the other.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the erection of a one and a half storey, 1 bed, unit. The building is 5.8 metres in width, stretching across the width of the plot and 7.6m deep, and is 6.5 metres in height to the ridge, 4.2 metres to the eaves. The proposal incorporates two front dormers with velux windows incorporated into the front and rear roof slopes, facing towards the Histon Road properties. On the ground floor there is a small lean-to element which has a cat slide roof, with a footprint measuring 2.5m x 4.7m.
- 2.2 At ground level the property is set back 5m from North Street allowing an off street car parking space to the front of the proposed dwelling. The downstairs incorporates a W/C and a kitchen/living space, which extends into the single storey lean-to element. The bedroom is within the roof space on the first floor. Access is maintained to the rear garden of 75 Histon Road via covered passage way which runs under the first floor bedroom alongside the boundary with 73 Histon Road.
- 2.3 The application is identical in scale and massing, and very similar in design, to a previous application for an annexe that was approved in November 2011. This application, however, is for a separate dwelling rather than an annexe.
- 2.4 The application is accompanied by the following supporting information:

1. Design Statement
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
C/63/0248	Erection of one detached bungalow or dwellinghouse	REF
C/65/0161	Erection of garage	APP
C/80/0425	Erection of bungalow	REF
06/0499/FUL	One and a half storey annexe	APP
11/0365/FUL	Demolition of existing garage and erection of a self-contained annex along with car parking, bins and cycle store.	A/C

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework (March 2012)

The National Planning Policy Framework 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 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 SS2 T1 T14 ENV6 ENV7 WAT2 WAT4 WM6
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/8 3/10 3/11 3/12 4/13 5/14 8/2 8/3 8/4 8/5 8/6 8/7 8/10 8/18

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	Sustainable Design and Construction

Planning Documents	Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cambridge and Milton Surface Water Management Plan
	<u>Area Guidelines:</u> Conservation Area Appraisal: Central Conservation Area Castle and Victoria Road Appraisal (2012)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal will not have a significant impact upon highway safety. The proposed dwelling will not qualify for residents parking except for visitors parking, and conditions relating to materials for hard standing to the front and over hanging on public highway the proposal is acceptable.

Head of Environmental Services

- 6.2 No objection in principle, conditions recommended in relation to construction hours, deliveries during the construction stage and on-site waste storage and informatives regarding dust suppression, potential asbestos and other standard informatives.

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.

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

7.0 REPRESENTATIONS

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

85 Histon Road (Council employee)
2 x 83 Histon Road

7.2 The representations can be summarised as follows:

This is garden grabbing and poor quality due to design;
The drainage system cannot cope with additional dwellings;
No sufficient parking available on North Street;
The road is not adequate in width to take extra traffic;
This is quiet road and additional of dwellings changes the context of the road;
There has been flooding previously due to the sewers over filling.

7.3 A petition has also been submitted with 14 signatures which states objection to the application but does not state any grounds.

7.4 Neighbours at number 75 Histon Road have commented that they do not object to the application but the plans are inaccurate from what is on site.

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 The NPPF allows for development in sustainable locations. Histon Road has good public transport, walking and cycling routes and the proposed site is therefore considered appropriate and the NPPF states that developments of this type should be favoured. The Local Plan is still valid and the policies stated below conform with the NPPF.
- 8.3 Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below.
- 8.4 Policy 3/10 allows for proposals for the sub-division of existing plots in the garden area or curtilage of existing dwellings. Development of this nature will not be permitted however, if it will have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, light or an overbearing sense of enclosure; provide inadequate amenity space, or detract from the prevailing character and appearance of the area. An analysis of these issues is provided in the design and amenity sub sections below.
- 8.5 Comments have been received regarding 'garden grabbing'. However there is already a substantial single-storey garage on the site, which the proposed dwelling would replace. In this context, although the proposed dwelling is higher and set further back than the garage, I do not consider that the openness of the area would be significantly altered. The amount of garden space which would be lost to the proposal is limited (approximately 18 square metres) and I do not consider that this would be significantly harmful.

- 8.6 In my opinion, subject to the evaluation below, and the addition of conditions and informatives, the principle of the development is acceptable.

Context of site, design and external spaces

- 8.7 The acceptability of this scheme in relation to the surrounding context. was agreed in the previous application (11/0365/FUL). The present proposal is identical in size, massing and position within the plot, and has only minor differences in design.
- 8.8 The sub-divided plot benefits from 2 frontages along Histon Road and North Street, which, in combination with its logical rectangular dimensions, lends itself well to subdivision. The form and proportions of the sub-divided plot would not in my view detract from the character and appearance of the area as development of a similar type has occurred along North Street.
- 8.9 I consider that the proposed dwelling has been sensitively designed to respond to the back lane character of North Street. Local Plan policy 3/12 requires new buildings to have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views. Most significantly the building links in with the existing similar developments on North Street as the proposal is set back on the same building line as the dwelling at 33 North Street. The building is slightly lower in height, at 6.5 m to ridge compared with 6.8m at number 33 and the proposed stock brick and slate roof will be in keeping with the materials of properties along Histon Road as well as North Street. The finish and detailing of the proposal can be addressed by condition. I do not consider that this proposal will adversely alter the character of the street. Although development may be incremental, in this instance I do not consider it will cause any harm. Subsequent applications will be judged on their merits.
- 8.10 In my opinion the proposal is compliant with East of England Plan 2008 policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 The proposed accommodation will not have a significant impact on the amenities of occupiers of surrounding properties. Such impacts were previously assessed in planning reference 11/0365/FUL and considered acceptable. The proposed building sits in line with the dwelling at No.33 but is separated by two single storey garages and is some 8 metres further north. As the development is at the end of the garden the proposal would not result in any significant overshadowing or loss of light to neighbouring properties. I therefore consider that the application is acceptable in terms of its proximity to surrounding gardens and properties.
- 8.12 The front facing windows of the building look out towards the street where there is no immediate dwelling opposite. The rear has a ground floor set of doors facing towards Histon Road. At ground floor, a 1.8m boundary fence on either side of the garden restricts views into the rear of neighbouring properties. The first floor has two velux windows that face towards no.75 Histon Road and which serve a bedroom. Although oblique views would be possible into neighbouring gardens, these windows are not primary windows for the first floor bedroom and given that the back-to-back distance between properties is just shy of 20m, I consider the distance between the velux windows and nearby habitable rooms to be acceptable.
- 8.13 However, I note the close proximity of the velux windows to the rear gardens of no. 75a and other nearby gardens, and the perception of overlooking that those affected residents would experience. I therefore recommend that any permission be subject to a condition requiring the lower edge of the rooflights to be a minimum height of 1.7m above the first floor level.
- 8.14 Colleagues in Environment Health have commented that the proposal is acceptable subject to conditions and informatives. Because of the residential character of the area the hours of construction and deliveries should be controlled by condition, which I recommend. I also recommend informatives relating to demolition and dust control and asbestos handling.
- 8.15 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

- 8.16 The development provides for additional accommodation to meet the needs of the applicant in a way that does not compromise the site context or the level of amenity currently enjoyed by nearby residents.
- 8.17 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

- 8.18 The proposal shows an area for bin storage. The waste officer has recommended conditions relating to waste but I do not consider that this is appropriate as the plans show adequate space for the existing and proposed house for 3 bin storage.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.20 The proposal had already been agreed with the car parking layout in the same position and the Highway Authority has raised no objection on the grounds of highway safety. Concerns have been raised by neighbours. However the parking/access situation is improved over the existing arrangements because the building is set back allowing a full sized car to be positioned clear of the pavement.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.22 The development is for separate accommodation therefore there is need for additional car or cycle parking provision. The site is located within a controlled parking zone, and parking restrictions in the form of double yellow lines exist on street where there are not residents bays. There is one car parking

space shown on the plans for use by the future occupiers of the proposed dwelling. Future residents will not benefit from a Residents Parking Permit. Given the controlled surroundings, the parking of cars on street will remain unchanged from the present situation, and therefore the proposal is considered acceptable subject to conditions relating to materials and encroachment onto highway land.

- 8.23 Provision is made for cycle parking in the rear garden of the proposed dwelling. The application shows room for a single parking space in a secure area accessed via the passageway, but I do not consider that the stand meets the Cycle Parking Standards in new residential developments. There is room on site to accommodate the required cycle parking and I consider that a condition is sufficient to secure appropriate provision.
- 8.24 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Water Management

- 8.25 Comments have been received in relation to flooding and surface water drainage not being adequate. The Sustainable Drainage Engineer has commented that the site is not considered a risk of flooding in accordance with the NPPF. The Cambridge and Milton Surface Water Management Plan does not indicate that this specific site is at risk, but there is a general risk in the area but this can be mitigated by a condition which I recommend.
- 8.26 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/18.

Third Party Representations

- 8.27 I have dealt with most of the concerns raised above. Surface water drainage issues not addressed by the recommended condition, and deficiencies in the provision of sewage facilities are matters for the water authority and Building Control.
- 8.28 Third party comments have been received in relation to inaccurate plans being submitted and the forms being wrong. This is a land ownership issue and cannot be the basis for refusing an application.

Planning Obligation Strategy

Planning Obligations

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

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

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

Open Space

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

8.31 The application proposes the erection of 1 one-bedroom house. The net total of additional residential units is 1. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

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

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

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

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

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

Community Development

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

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

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

Waste

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

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

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

Monitoring

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

Planning Obligations Conclusion

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

9.0 CONCLUSION

The proposal is similar to the approved scheme (11/0365/FUL), with the only difference being that this application is for a separate dwelling house rather than an annex. Having looked at the area there are other similar approved schemes and therefore I consider this application appropriate and recommend APPROVAL.

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. 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)

4. Except with the prior written agreement of the local planning authority in writing no deliveries or collections in connection with the construction work or demolition shall be carried out or plant operated other than between the following hours: 0700 hours to 1900 hours Monday to 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)

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

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

6. The car parking space laid out within the site in accordance with the approved plans shall be retained and shall not be used for any purpose other than the parking of vehicles.

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

7. 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)

8. 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)

9. Prior to the first occupation of the development hereby permitted, the two velux windows, which serve the first floor bedroom as approved on drawing 11/1295:010, shall be located so that no part of the windows are lower than 1.7 m from finished first floor level. These windows shall not thereafter be altered in size and position.

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

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the Technical Guidance to the National Planning Policy Framework, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
include a timetable for its implementation; and
provide a management and maintenance plan for the lifetime of the development.

Reason: To control surface water management. (East of England Plan (2008) policies WAT2 and WAT4 and Cambridge Local Plan (2006) policy 8/18).

INFORMATIVE: The Local Highway Authority has advised that following development occupants of neither the existing nor the future residential units will qualify for residents' parking permits within the residential parking schemes operating in the local area.

INFORMATIVE: The demolition of the workshop/garages may give rise to dust and therefore the applicant/developer is advised to ensure that appropriate measures to minimise the spread of airborne dust from the site are employed. Further guidance can be obtained from the Section on dust pollution in the Councils Sustainable Design and Construction supplementary planning document.

INFORMATIVE: Asbestos containing materials (cement sheeting) may be present at the site. An informative is recommended advising that the agent/applicant should ensure that these materials are dismantled and disposed of in the appropriate manner to a licensed disposal site.

INFORMATIVE: The Housing Act 2004 introduces the HHSRS as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact The Housing Standard Team of the Refuse and Environment Service at Cambridge City Council on telephone number (01223) 457890 for further information.

Reasons for Approval

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

East of England plan 2008: SS1, SS2, T1, T14, ENV7, WAT2, WAT4 and WM6

Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9

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

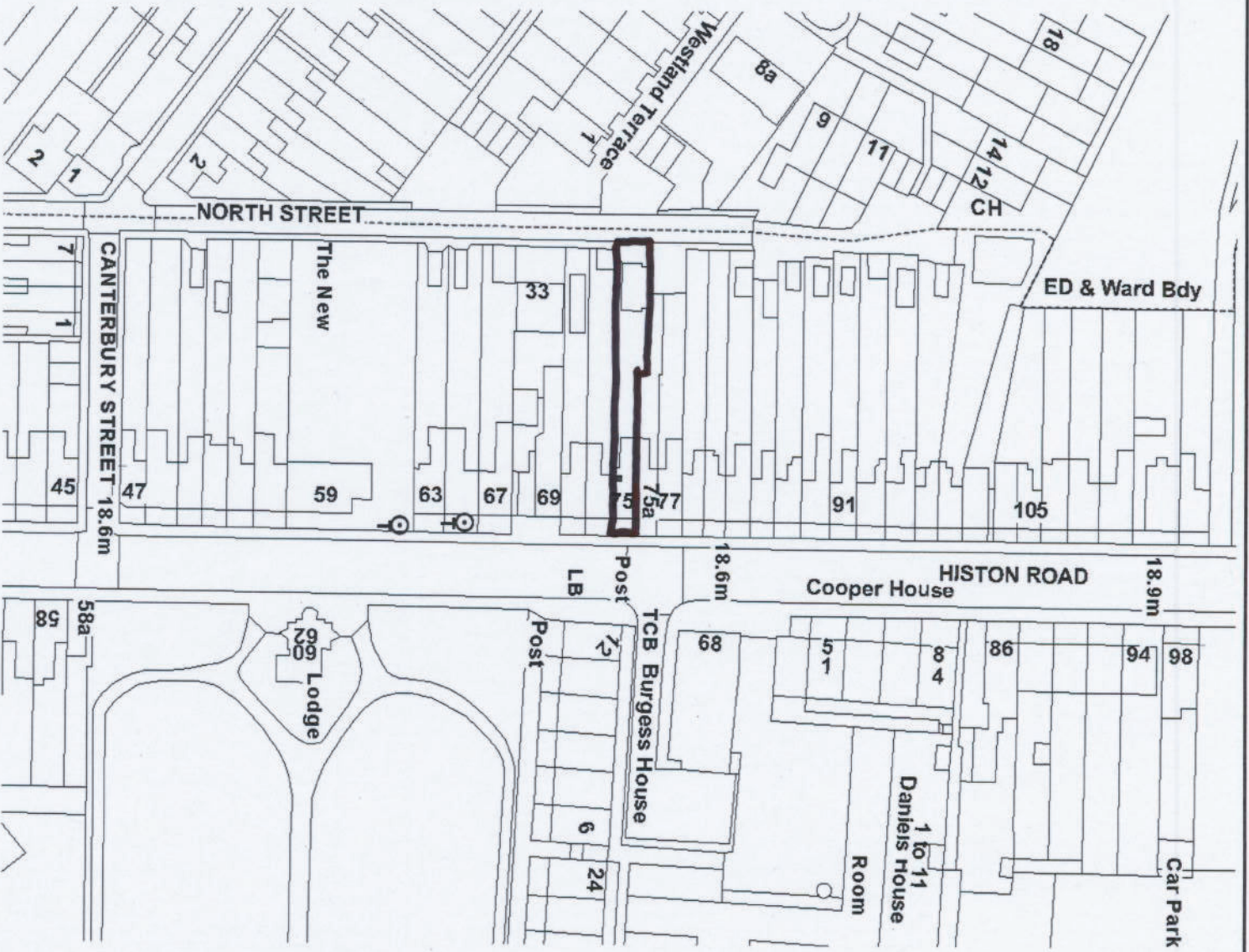
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1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to 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.

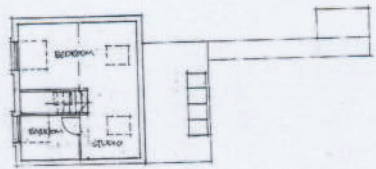


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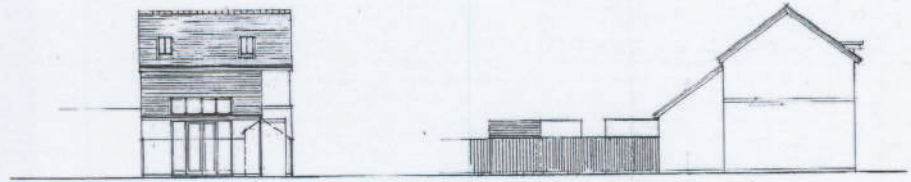
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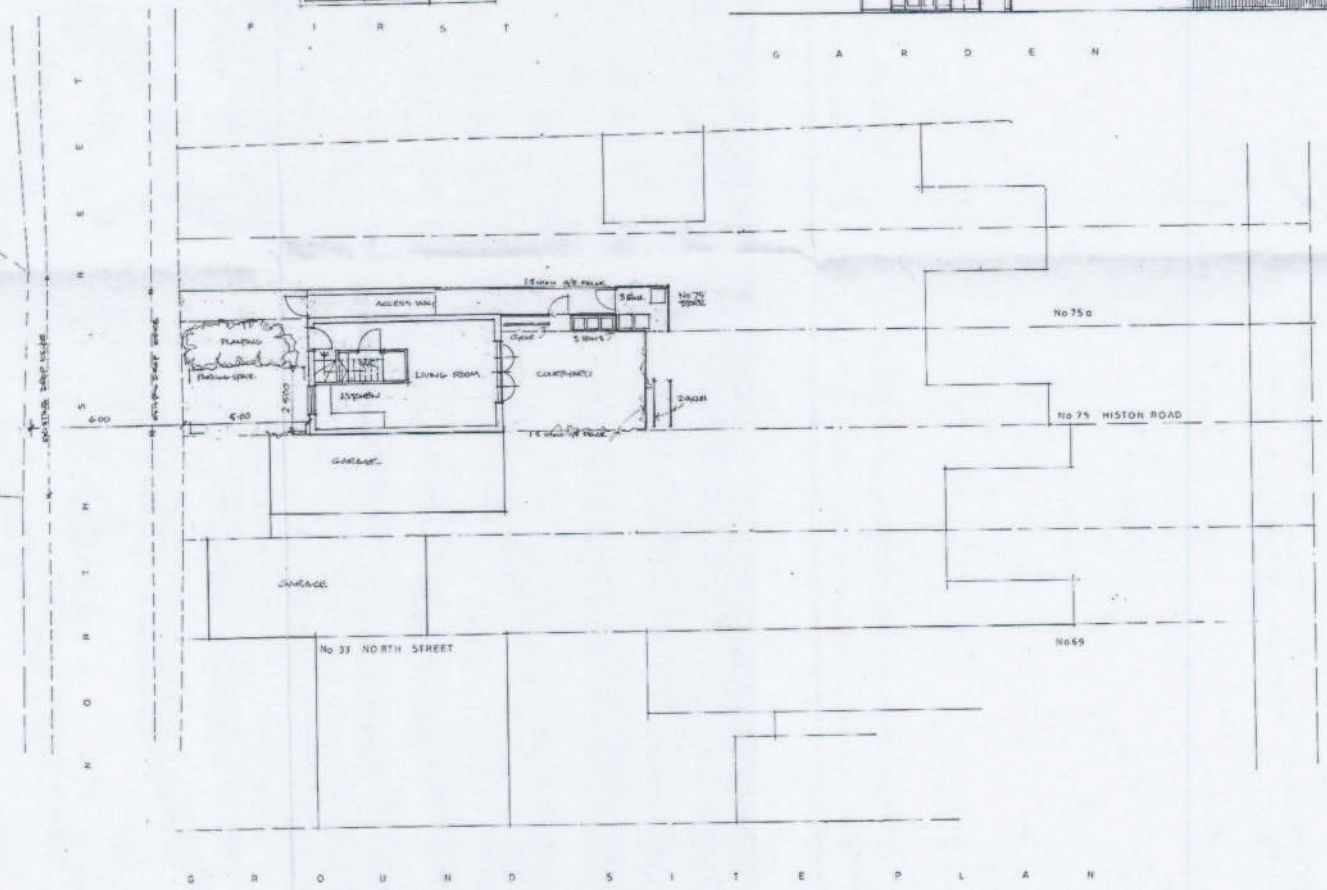


F I R S T



G A R D E N N O R T H

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G R O U N D S I T E P L A N



NN ASSOCIATES THE TRAM SHED, East Road, Cambridge CB1 1BG Tel: 01223 354777 Fax: 01223 354777 Email: nn@nnarchitects.co.uk

Client MF PASCAL EDME Date 2012
 Project 75 HISTON ROAD Scale 1 : 100
 Drawing PROPOSAL NEW HOUSE Dwg. No 11/1295 1 010

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Application Number	12/0381/FUL	Agenda Item	
Date Received	27th March 2012	Officer	Mr Amit Patel
Target Date	22nd May 2012		
Ward	Arbury		
Site	19 Alpha Road Cambridge Cambridgeshire CB4 3DQ		
Proposal	Change of use from C3 Dwelling House to House in Multiple Occupation (Sui Generis) (seven bedrooms).		
Applicant	Mr And Mrs D Jacklin Clare Cottage Main Street Caldecote Cambridge CB23 7NU		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal will be for a HMO that occupies 1 more person than the permitted development allowance;</p> <p>The proposal will be part of the mix in the area providing varied accommodation;</p> <p>There are other similar developments along this street.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site comprises a two-storey mid terraced dwelling and its associated front and rear garden zones being situated to the south western side of Alpha Road, close to its junction with East Hertford Street. The property is finished in buff brick and slate. The area is residential in character containing predominantly terraced two-storey dwellings.

1.2 The application dwelling has been recently renovated and has an out-building and extension to the rear. The rear extension and roof extension were approved under planning reference 09/0125/FUL.

2.0 THE PROPOSAL

2.1 This is a resubmission of a previously withdrawn application and now seeks planning permission for a change of use from C3 Dwelling House to House in Multiple Occupation (Sui Generis) (seven bedrooms). It does not include the outbuilding as part of the habitable space but there is no information on what the proposed use of the outbuilding is to be.

2.2 The application is accompanied by the following supporting information:

1. Design Statement
2. Plans

3.0 SITE HISTORY

Reference	Description	Outcome
11/1558/FUL	Change of use from C3 dwelling house to house in multiple occupation (sui generis)	WDN
09/0125/FUL	Erection of front and rear dormers and single storey rear extension.	A/C
06/0947/FUL	Erection of front and rear roof dormers and single storey rear extension.	A/C

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework (March 2012)

The National Planning Policy Framework 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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 ENV7
Cambridge Local Plan 2006	3/1 3/4 4/13 5/7

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>

	<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>
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6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposal will not qualify for Residents Permits (other than visitors) and subject to this the proposal will not have a significant impact upon the highway.

Head of Environmental Services

- 6.2 Both the Housing Standards and Waste Strategy have commented. Housing Standards are aware of the HMO and a licence is being processed and the Waste Strategy officer has commented that the proposal needs to show adequate space on site for waste and recycling and subject to this, the proposal is acceptable.

Additional Comments

- 6.3 At the time of writing the memo there were no complaints against the property, the first correspondence received was on 12th March 2012 but we have not witnessed or established noise nuisance from this property. Should noise arise there are provisions in the Environment Protection Act and HMO Management Regulation to mitigate against this.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

10 Alpha Road

12 Alpha Road
15 Alpha road
16 Alpha Road
18 Alpha Road
20 Alpha Road
22 Alpha Road
26 Alpha Road
27 Alpha Road
29 Alpha Road
4 Hertford Street
8 Hertford Street
12 Hertford Street

7.2 The representations can be summarised as follows:

Noise from the property causing disturbance and nuisance
Character of the area is degraded as the limit of HMO has already been reached
Design and Access statement is inaccurate as there is a noise issue with the premises
Over development of the property
Outbuilding still a concern
Loss of privacy due to the concentrated use of the premises
Bikes being parked on the public highway, blocks the pavement and causes conflict with other users.

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

8.0 ASSESSMENT

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

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

Principle of Development

- 8.2 The proposal seeks to convert an existing house into a House in Multiple Occupation. Policy 5/7 of the Cambridge Local Plan (2006) is relevant. The policy states such proposals will be permitted subject to:
- a. The potential impact on the residential amenity of the local area;
 - b. Suitability of the building or site;
 - c. Proximity of bus stop and pedestrian and cycle routes, shops and local services.
- 8.3 Part (a) of the above is discussed in depth later but parts b and c are considered acceptable. In relation to part b, this is a three storey building and Housing Standards have commented that the site is acceptable. I consider there is room to accommodate the bins and cycle parking in the rear yard area, as well as in the outbuilding.
- 8.4 In relation to part (c) the site is close to Chesterton Road. There is good provision for public transport as well as pedestrian and cycle routes along Chesterton Road. The local highway authority have commented that as this is a Residents Parking area the conversion will mean that the residents will not have any rights for on-street car parking, except for visitors. The site is close Mitcham's Corner which has a variety of shops and other local services in the area.
- 8.5 Subject to the assessment in terms of residential amenity, in my opinion, the principle of the development is acceptable and in accordance with policy 5/7.

Context of site, design and external spaces

- 8.6 Comments have been received that the proposal is not acceptable as it will not be in keeping with the residential nature of the street. I do not consider that this is the case. There are already other well established Houses in Multiple Occupation in the area. There are no changes to the external appearance of the dwelling. A House in Multiple Occupation in this location would form part of the mix and range of housing in the street. Appendix 1 shows the number of licensed and unlicensed HMO's in the immediate area.

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

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 Concerns have been received regarding the noise nuisance that the existing HMO creates. The Environmental Health officer has commented that the first noise complaint was received on 12th March 2012. I appreciate that a House in Multiple Occupation has the potential to be used more intensively than a single-family residence. I am also mindful that the applicants could convert the existing dwelling into a 6 person HMO without the need for planning permission.
- 8.9 The occupants are likely to have a different day-to-day regime to other family residences but I do not consider that the increase in potentially one more single occupation (7 instead of 6) would result in significant additional harm. Many HMO's do exist in such circumstances without undue harm in terms of noise and disturbance. The Environmental Health team have commented that the statutory noise nuisance legislation is adequate to mitigate against noise concerns, which in many cases is attributable to the nature of the individual occupants, which can be managed appropriately by a responsible landlord.
- 8.10 There have been comments raised in relation to the being awoken at night due to parties and loud noise. I note that other comments state that this has subdued recently. I consider that the restriction to 7 occupiers by proposed condition 2 will limit the impact.
- 8.11 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 4/13 and 5/7 part (a).

Refuse Arrangements

- 8.12 The Waste Strategy Officer has commented that the proposal has not shown any space for waste and recycling. I consider

that there is room on site to accommodate the bins and therefore impose a condition to provide further details.

- 8.13 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.14 Comments have also been received about cycles being left on the public highway, I do not consider it reasonable to refuse the application on these grounds as the highway authority have not raised this concern and this is a public highway where anyone can park a bike if they so wished. Proper provision on site should help alleviate this problem. (Condition 4).

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

Car and Cycle Parking

- 8.16 The local highway authority have commented that the proposal if allowed will lose its residents parking rights for on street car parking except those for visitors. This will relieve pressure on parking in an area or town where parking spaces are sought after.

- 8.17 There are no plans showing the cycle parking on site. I consider that there is room on site to the rear to accommodate the necessary spaces. In accordance with the Cycle Parking Standards 7 spaces for cycle parking are required.

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

Third Party Representations

- 8.19 The comments received have been addressed above.

9.0 CONCLUSION

The proposal is for the conversion of a dwelling house to a HMO with 7 bedrooms. The applicant can convert this property to a 6 person HMO without planning permission. I do not consider that the increase in one occupier over and above what

is possible without permission will give rise to significant additional impact to warrant a refusal and I therefore recommend APPROVAL.

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. The proposed House in Multiple Occupation (19 Alpha Road) shall not be occupied by more than 7 persons at any one time.

Reason: In the interest of residential amenity. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 4/13 and 5/7).

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

Reason To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 4/13 and 5/7).

4. No development shall commence until details of facilities for the covered, secure parking of 7 number bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

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

5. The existing outbuilding to the rear shall only be used for storage purposes and not for habitable accommodation.

Reason: To protect the amenity of the neighbouring occupiers. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policy 5/7).

INFORMATIVE: The applicant is reminded that the property will not benefit from on street Resident Parking except for visitor parking.

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, 4/13 and 5/7

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.

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12/0381/FUL
19 Alpha Road Cambridge

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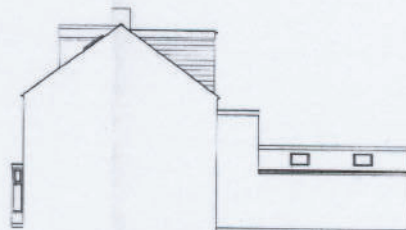
Existing Front Elevation



Existing Side Elevation



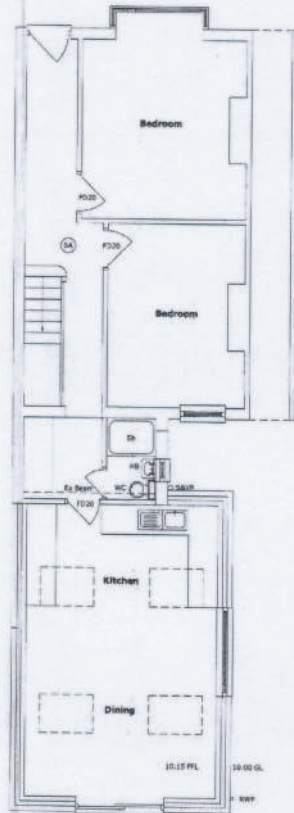
Existing Rear Elevation



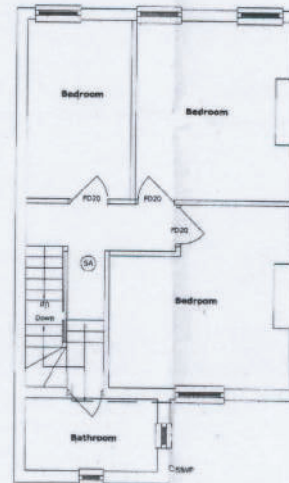
Existing Side Elevation



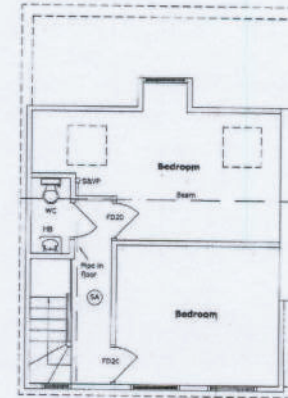
Roof Plan



Existing Ground Floor



Existing First Floor



Existing Second Floor

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Michael Bullivant Associates
 2A Golding Road
 Cambridge CB1 3RP
 01223 242491

Proposed Change of Use to HMO at
 19 Alpha Road, Cambridge
 For Mr & Mrs D Jacklin

Scale	1:50 & 100	Drg. No.	5783
Date	Dec 2011	Revised	15/03/12

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Application Number	12/0674/FUL	Agenda Item	
Date Received	28th May 2012	Officer	Natalie Westgate
Target Date	23rd July 2012		
Ward	Arbury		
Site	74 Alex Wood Road Cambridge CB4 2EH		
Proposal	Erection of a PVCU White Conservatory with double glazed window sealed units		
Applicant	Mr & Mrs White 74 Alex Wood Road Cambridge CB4 2EH		

SUMMARY	The development accords with the Development Plan for the following reasons: Proximity to the neighbouring properties Good design
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises a two-storey semi-detached dwelling located on the northern side of Alex Wood Road. The area is residential in character containing a mixture of terraced and semi-detached dwellings. The application dwelling itself is finished in a mix of red/brown bricks and tiled roof.

- 1.2 The site does not fall within a conservation area, is not a listed building and there are no tree preservation orders on the site. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The conservatory would be 4m deep and 5m wide at the rear of the dwelling, leaving a gap of about 0.6m between the common boundary with No.76 Alex Wood Road.
- 2.2 The application is accompanied by the following supporting information:

1. Application form
2. Site location plan
3. Block plan
4. Existing ground floorplan, side and rear elevations and section
5. Proposed ground floorplan, side and rear elevations and section
6. Photograph of rear elevation

2.3 The application is brought before North Area Committee because both the applicants work at Cambridge City Council.

3.0 SITE HISTORY

Reference	Description	Outcome
None		

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV7
Cambridge Local Plan	3/4, 3/14

2006	
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5.3 Relevant Central Government Guidance and Supplementary Planning Documents

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comment.

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

7.0 REPRESENTATIONS

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

Context of site, design and external spaces

8.2 The proposed single storey conservatory will be on the rear elevation, however given the gap between Nos.70 and 74 Alex Wood Road the conservatory will be partly visible in the street scene. There are other single storey extensions in the area. If

granted approval, the brick plinth for the conservatory will be conditioned to be constructed in matching bricks to the existing dwelling. There will be 10m of adequate rear garden space remaining.

- 8.3 In my view, the proposed conservatory is harmonious and this development does accord with the East of England Plan (2008) policy ENV7 and the Cambridge Local Plan (2006) policies 3/4 and 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.4 The conservatory would be situated away from No.76 Alex Wood Road by 0.6m. The single storey conservatory with a hipped roof design and situated off the common boundary, therefore the conservatory will have limited impact upon the amenity of the neighbouring property at No.76 Alex Wood Road.
- 8.5 The conservatory would be situated away from the dwelling of No.70 Alex Wood Road by 10.5m so the conservatory will have limited impact upon the amenity of the neighbouring property at No.70 Alex Wood Road.
- 8.6 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 the East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policy 3/4.

9.0 CONCLUSION

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

10.0 RECOMMENDATION

APPROVE for the following reasons:

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

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

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

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

Reasons for Approval

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

East of England plan 2008: ENV7

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

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

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

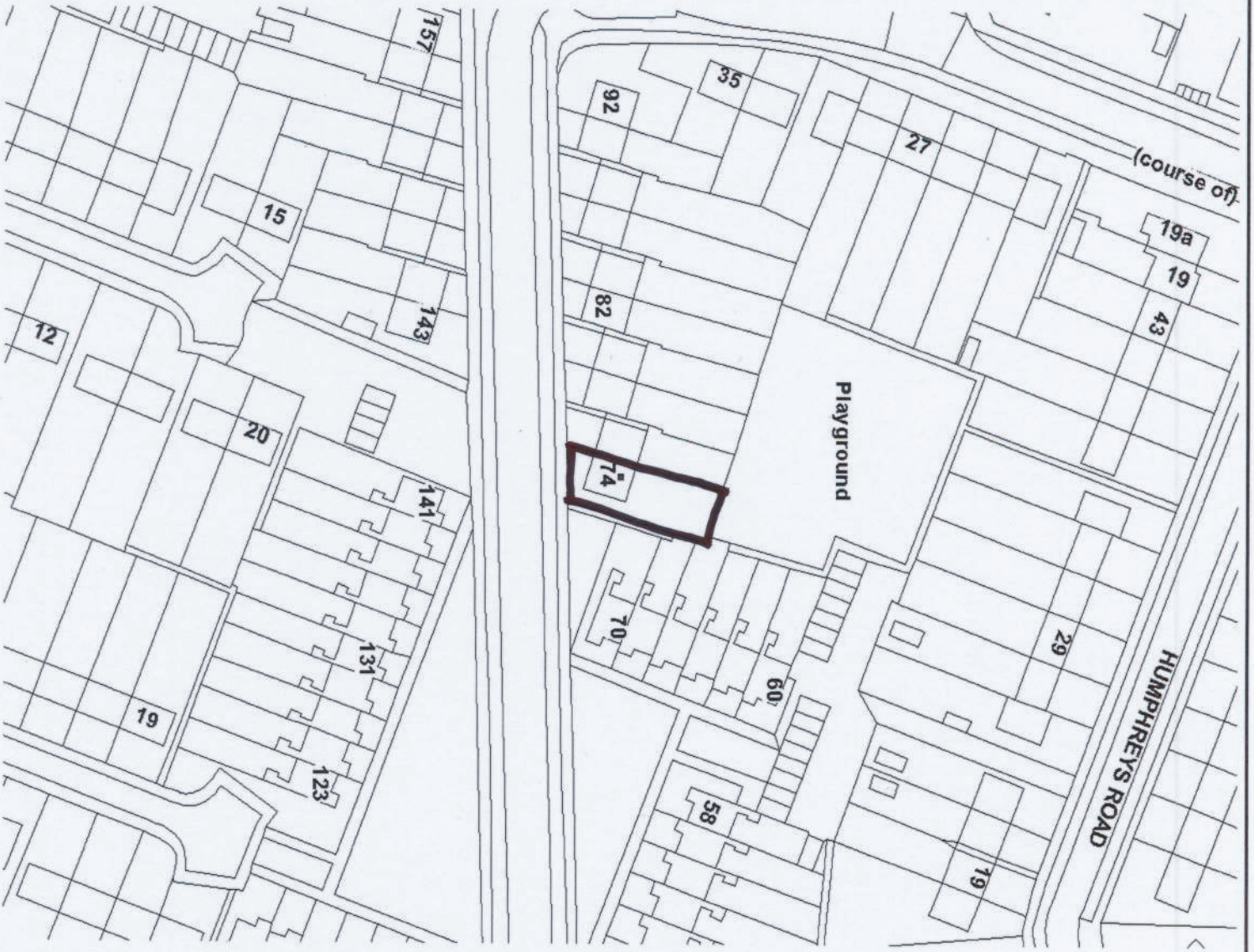
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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;

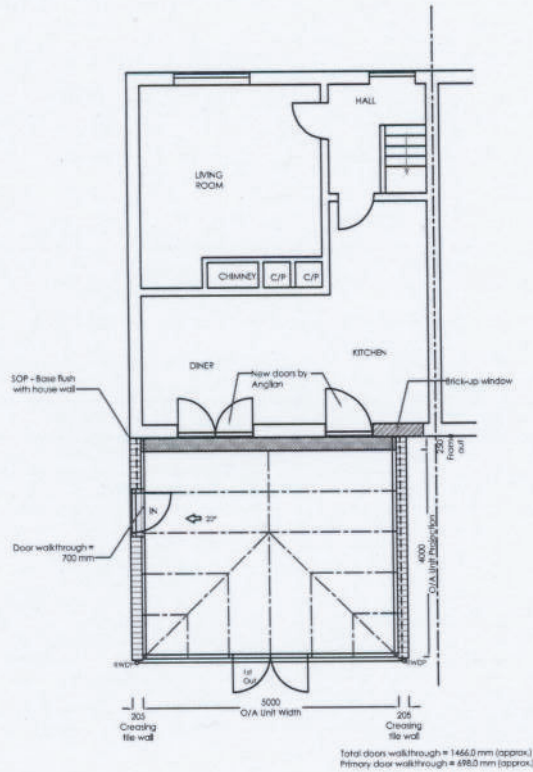
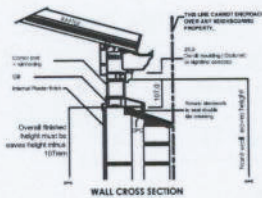
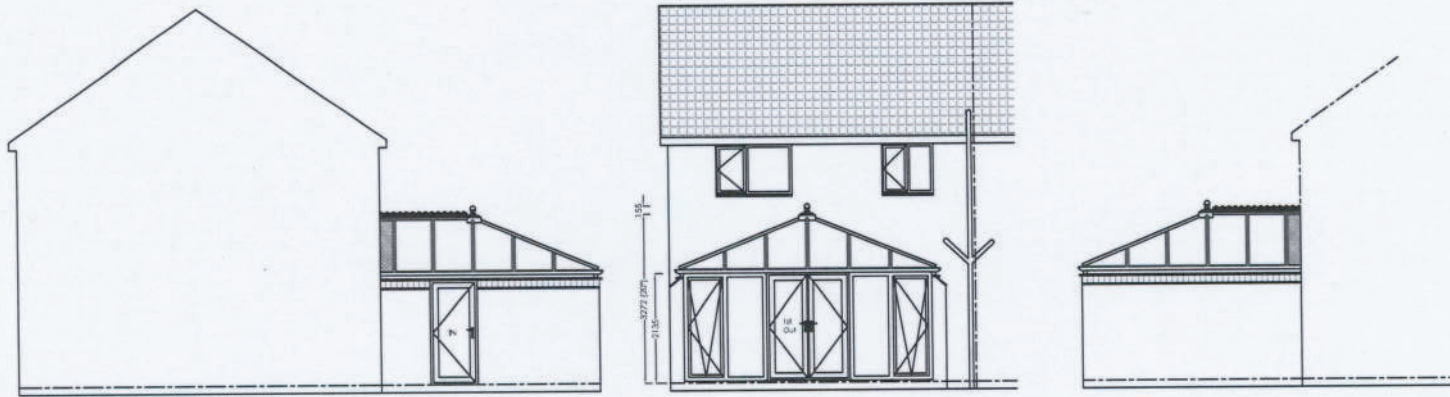
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12/0674/FUL
74 Alex Wood Road Cambridge

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All dimensions are in millimetres (mm) unless noted otherwise.

Do not use for base laying purposes.

Full height tilt & turn vents are not to be used as doors.

REVISIONS:	



Drawing title: PROPOSED ELEVATIONS		
CONTRACT No.:	099/73408	Revision: Page No: 1
Proposed at:	PVCu WHITE KNIGHT CONSERVATORY 74 ALEX WOOD ROAD CAMBRIDGE CAMBRIDGESHIRE CB4 2EH	
For:	MR & MRS WHITE	
Drawers Initials:	DSG	Scale: 1:100 Date: 21.05.2012

