



## Public Document Pack

### WEST / CENTRAL AREA COMMITTEE

Chair : Councillor Simon Kightley



## AGENDA

**To:** Councillors Kightley (Chair), Bick (Vice-Chair), Cantrill, Dixon, Hipkin, Reid, Rosenstiel, Smith and Zmura

**Co-opted non-voting members:**

**County Councillors:** Brooks-Gordon (Castle), Nethsingha (Newnham) and Whitebread (Market)

*Dispatched: Monday 29 March 2010*

**Date:** Thursday, 8 April 2010

**Time:** 7.30 pm

**Venue:** Castle End Mission, St Peters Street, Cambridge

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

## INFORMATION FOR THE PUBLIC

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

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

**Public speaking rules relating to planning applications:**

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

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

## AGENDA

### 1 APOLOGIES

### 2 MINUTES *(Pages 1 - 8)*

To confirm the minutes of the meeting held on 4 February 2010 *(Pages 1 - 8)*

### 3 MATTERS AND ACTIONS ARISING FROM THE MINUTES

### 4 OPEN FORUM

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

### 5 MEETING DATES 2010/11 *(Pages 9 - 10)*

### 6 YOUTH SUMMIT 2009 - OUTCOME AND ACTIONS *(Pages 11 - 18)*

*(Contact: Cathryn Raffan 01223 457828) (Pages 11 - 18)*

### 7 SAFER NEIGHBOURHOODS *(Pages 19 - 34)*

*(Contact: Alastair Roberts 01223 457836)  
(Pages 19 - 34)*

### 8 S30 DISPERSAL ORDER *(Pages 35 - 40)*

*(Contact: Alastair Roberts 01223 457836) (Pages 35 - 40)*

### 9 ENVIRONMENTAL IMPROVEMENT PROGRAMME - TO FOLLOW

*(Pages 41 - 52)*

*(Contact: Dinah Foley-Norman 01223 457134) (Pages 41 - 52)*

### 10 PLANNING APPLICATIONS

10a 09/1198/FUL - Cambridge Post Office, 9 - 11 St Andrews Street, Cambridge *(Pages 53 - 66)*

10b 09/1128/FUL - Jesus Green Victoria Avenue Cambridge *(Pages 67 - 78)*

## REPRESENTATIONS ON PLANNING APPLICATIONS

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

**Submission of late information** after the officer's report has been published is to be avoided. A written representation submitted to the Environment and Planning Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

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

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

### **To all members of the Public**

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

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

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## West/Central Area Committee

### MINUTES

<b>Date:</b>	<b>Thursday 4 February 2010</b>
<b>Time:</b>	<b>7:30pm – 10.01pm</b>
<b>Place:</b>	<b>The Pavilion, University Running Track, Wilberforce Road, Cambridge</b>

**Committee Manager:** Glenn Burgess      **Telephone:** 01223 457169  
**email:** [glenn.burgess@cambridge.gov.uk](mailto:glenn.burgess@cambridge.gov.uk) or **write to:** Committee Services,  
Room 11, The Guildhall,  
Cambridge CB2 3QJ

#### **Council Members Present:**

##### **City Councillors for:**

**Castle** (John Hipkin, Simon Kightley and Tania Zmura)

**Market** Mike Dixon, Colin Rosenstiel, Tim Bick)

**Newnham** (Rod Cantrill, Sian Reid and Julie Smith)

##### **Also present:**

Ian Nimmo-Smith: Leader of the Council

##### **Co-opted non-voting members:**

**County Councillors:** Brooks-Gordon (Castle), Nethsingha (Newnham) and Whitebread (Market)

#### **Council Officers Present:**

##### **Cambridge City Council:**

Glenn Burgess – Committee Manager

Alastair Roberts – Safer Communities Manager

Andrew Preston – Environmental Projects Manager

##### **Cambridge County Council:**

John Preston – Head of Network Management

**10/01 APOLOGIES for ABSENCE**

None.

**10/02 MINUTES**

The minutes of the meeting held on 10 December were approved as a correct record and signed by the Chair.

**10/03 MATTERS and ACTIONS ARISING from MINUTES**

09/63 Open Forum: Senate House Passage

The Chair confirmed that Councillors had visited Senate House Passage and were sufficiently satisfied that the paving was being replaced 'like for like' where possible.

09/63 Open Forum: Council policy on riven York stone

The Chair confirmed that he had held discussions with the Head of Network Management regarding this issue. The County Council had no set policy relating to the replacement of riven York Stone, and decisions would be made depending on price and availability of materials. Other surfaces would always be considered if appropriate to a particular area.

The Chair also stated that sawn York stone had been well received by some disability groups as it provided a smoother surface than riven York stone.

09/63 Open Forum: Emmanuel Road speeding

The Police Inspector informed members that a meeting had been held in the last week between the Superintendent and local partners. The outcomes would be available in the next few days and it was agreed that details be circulated to members as soon as possible.

09/63 Open Forum: Cycling ASB

The Chair confirmed that, in response to these issues, the Police and City Council officers were conducting a further campaign on cycling ASB.

**10/04 DECLARATIONS of INTEREST**

None.

**Q) John Lawton: Mooring fee consultation – The consultants report states that fees are on the low side. Why is the level of fees not included as part of the consultation and why is there no Community Charge?**

A) The Executive Councillor for Arts and Recreation stated that this decision had been taken prior to her becoming Executive Councillor. The fees were set to be in line with Council Tax levels, and as yet public opinion had not indicated that this should be revised. As the moorings were not fixed, standard Council Tax could not be charged.

**Q) Anthony Bowen: Builders compound near to the bus station – what action has been taken on this since this was raised at the last meeting?**

A) The Head of Network Management confirmed that the developers had not yet signed up to the legal agreement. However, the County Council had stated that if the developers had not begun repaving within two weeks, they would remove the compound and make the site safe.

**Q) Richard Taylor: Mooring consultation – was it residents, colleges or councillors that prompted the review, and did the Executive Councillor look at the consultation paper before it was sent out?**

**Also, why do people have to use the set questions in the consultation paper to formulate their response? The questions are leading and the Council should agree to accept any form of response.**

A) The Executive Councillor for Arts and Recreation confirmed that she had seen the text of the consultation document but not the specific graphic designs that were included. She agreed to view these and if the proposals were unsatisfactory they would not be adopted.

It was confirmed that it was an open consultation and all views would be taken on board, regardless of which method they were submitted in.

**Q) John Lawton: Gritting and public safety – can the Council offer more leadership and assistance to enable citizens to clear snow and ice from paths and pavements e.g by purchasing and distributing grit storage bins?**

A) The Leader of the Council confirmed that a meeting had been held between himself, the Executive Councillor for Environmental and Health Services, the Cabinet Member for Highways and Access and the Head of Network Management to discuss the legal situation and the provision of grit bins around the city. There were legal issues around liability to be considered but preparations for next winter were already being looked into.

It was noted that Suffolk County Council operated a system of registered accredited volunteers that could aid with gritting and this was being looked at as a possible way forward for Cambridge.

**Q) John Lawton – accredited volunteers is a laughable solution. All that is needed is grit bins, so that residents can clear their own paths. We need clear processes in place for this year, as we may get more bad weather.**

A) This is not just a problem for Cambridge and we have to protect the public against legal action. This is the worst weather in 30 years and the answer is not to provide fully stocked grit bins that may only be used once per year.

**Q) Anthony Bowen: Speeding in Emmanuel Road – what action is being taken by the Police, the City Council and the County Council?**

A) The Police Inspector confirmed that a joint meeting had taken place in the last week and the outcomes would be circulated to members as soon as possible.

In response to a question regarding taxi responders, the Police Inspector agreed to check that this issue had also been covered at the meeting.



**10/06 PRESENTATION: CAMBRIDGESHIRE POLICE AUTHORITY –  
‘YOUR POLICE FORCE’**

A Police Authority Representative presented on the recent consultation being undertaken by the Police Authority. The issues covered included:

- Number of officers and staff
- Priorities
- The tight financial picture
- The future outlook

**Questions from Members of the Committee:**

**Q) It would seem more logical that resources are allocated on the number of incidents and calls per area, and not just on population figures?**

A) The Police Authority representative confirmed that the national funding formula did take into account incidents and call rates when allocating funding.

**Q) What do you class as extremism and how do you detect it?**

A) The Police Inspector stated it would be classed as anyone that had an extreme view that could be seen as being detrimental to their community. If extremism was not dealt with appropriately, it could develop into terrorism. The Police worked with these groups to ensure they are not drawn into terrorism.

The Police Authority representative agreed that more information on this could be brought back to a future meeting.

**Q) For normal residents, counter-terrorism, extremism and ‘changing communities’ would not be their first priority in terms of policing. Do central government or local people set these?**

A) The Police Inspector confirmed that the Force were having to look at ‘changing communities’ locally in terms of the significant changes in the demographics of neighbourhoods i.e the increase of eastern Europeans. The Police had to tailor their services to take into account these changes .

It was confirmed that the Policing Plan, including priorities for the next 5 years, were set centrally. However, local and neighbourhood priorities were put forward and agreed with the input of local residents.

**Q) Is there an urban/rural issue with more officers needed to cover some of the large rural areas?**

A) The Police Inspector stated that due to levels of crime, the majority of the resources were targeted in the city. Rural areas were however allocated resource when required.

**Q) How much resource is spent on increasing 'public confidence' in the Police?**

A) The Police Inspector stated that the root to public confidence was good policing. Some work was undertaken with the media to ensure that good news stories got reported, but the key to public confidence was a good core service and speedy results. A survey of victims of crime was used to measure public satisfaction with the Police.

**Q) How is the Police Authority held accountable for the money used from local Council Tax?**

A) The Police Authority representative confirmed that the money was subject to capping and inspection and audit regimes were in place.

**Questions from members of the public:**

**Q) Richard Taylor – there is a need for more independent and Council representatives on the Police Authority. The PACE Code needs to be followed in Cambridge and not only treated as guidance. The taser issue also needs to be looked at strategically by the Police Authority.**

A) The Police Authority representative stated that there were currently 9 Councillors and 8 independent members on the Authority. The other comments were noted.

**10/07 PROPOSED S30 DISPERSAL ORDER (HISTORIC CITY CENTRE)**

The Safer Communities Manager introduced the report to members and gave some background on the issues.

The Police Inspector confirmed that the views of the West/Central Area Committee were being sought on the possible implementation of the S30 Order to establish if it was an appropriate course of action.

Members raised the following:

- Concern over the lack of qualitative and quantitative evidence in the report.
- Concern that the issues were based on perceptions and not evidence.
- Concern that the problem would just be moved to another area.
- The need for other agencies to be involved to gather wider views.
- The possibility of certain groups being targeting unfairly.
- That ASB, as a result of the nighttime activity, was of greater concern.

The Police Inspector confirmed that the data and evidence was still being collated, and members were simply being asked for an initial view of the suggested approach and that the experience of individuals would provide useful information for the final report

Members stated that that they were unable to give a view on the proposal without being presented with more data. It was agreed that this issue would be brought back to the meeting on 8 April for further discussion.

## **10/08 ENVIRONMENTAL IMPROVEMENTS PROGRAMME 2009/10**

The Environmental Projects Manager gave an update on the following approved schemes as highlighted in the report:

- Manor Street/King Street cycle parking
- Lammas Land pavilion
- Tree planting on Midsummer Common, Jesus Green and New Square
- Mud Lane lighting
- Grantchester Road traffic calming features

Mud Lane: Safer City funding may have been identified by the Leader of the Council to help progress this scheme. The issue of land ownership was however still a potential problem.

County Councillor Whitebread agreed to discuss the issue further with the relevant Cabinet Member.

The Environmental Projects Manager introduced the following schemes requiring decision as highlighted in the report:

### Gough Way – Cranmer Road Footpath: Fencing Renewal

Members questioned whether the EIP budget was the correct funding source for this project. It was agreed that the Environmental Improvements Manager would investigate alternative funding sources and report his findings back to the Chair and the Executive Councillor for Climate Change and Growth.

**Decision: AGREED (unanimously)** to implement the works at an estimated cost of £8,300 - subject to the investigation of alternative funding sources and further discussion with the Chair and the Executive Councillor for Climate Change and Growth.

#### Fitzroy/Burleigh Street Refurbishment

The Environmental Improvements Manager confirmed that the repairing of street surfaces (noted on page 5 of the report) would be funded by the County Council and not the City Council.

**Decision: AGREED (unanimously)** to consultation costs of up to £2,000

#### Mount Pleasant Mobility Crossing

The Environmental Improvements Manager distributed diagrams of the previously approved crossing and the proposed crossing.

**Decision: AGREED (by 8 votes to 0)** to abandon the proposals on safety grounds

#### **10/09      DATE OF NEXT MEETING**

The next Meeting was confirmed for 8 April 2010

Meeting finished at 10.01pm

#### **Chair**

Additional information for public:

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## Meeting Dates 2010/11

**The proposed 2010/11 meeting dates are:**

**Thursday 24 June 2010**

**Thursday 26 August 2010**

**Thursday 28 October 2010**

**Wednesday 22 December 2010**

**Thursday 24 February 2011**

**Thursday 28 April 2011**

All meetings will start at 7.30pm

Suggested venues are:

- Castle End Mission and
- Wesley Methodist Church

Contact Officer: Glenn Burgess 01223 457169

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To: Area Committees  
Report by: Children and Young People's Participation Service  
Manager  
Relevant Area  
committee:  
Wards affected: All Wards

## Youth Summit 2009 – Outcome and Actions

### 1. Executive summary

1.1 A Summit meeting was held with children, young people and Council members on 28<sup>th</sup> November 2009. The Summit was organised to gather information on neighbourhood issues and on ideas for improving leisure opportunities for young people across the city. £5000 has been allocated to each Area Committee from the Community Development budget to enable Area Committee members to respond to suggestions arising from the event. Issues highlighted by children and young people, during the Summit, included concerns about being “moved on” by the police; tackling anti social behaviour; improvements to parks and open spaces and widening opportunities to leisure activities. The purpose of this report is to seek Area Committee members’ approval of actions arising from the Youth Summit.

### 2. Recommendations

The Area Committee is recommended to approve:

- 1) A request to the police to organise, with the City and County Councils, a meeting with young people to discuss their concerns about community safety.
- 2) The allocation of £5,000 to be spent on improving access to leisure opportunities for children and young people from the West / Central area, subject to further discussions with children and young people on a fair and equitable method of distributing the funding and opportunities. The funding, subject to agreement of a carry forward, to be spent by the end of the Easter school holiday, 2010.

- £3000 to be spent on multi activity days in the Easter holidays. These days will be promoted via schools to all children in the West / Central area.
  - £2000 to be spent on a pilot project that will involve the roll out of the Cambridge Card to all children in years 7 & 8.
- 3) To discuss with relevant officers how to provide regular information on planned improvements to facilities on recreation grounds, play areas etc. using methods of communication preferred by children and young people.
- 4) To consider, with relevant officers, improvements to the marketing of social, sports, arts and entertainment activities organised by the City Council to ensure that all children and young people have access to information about and opportunities to participate in good quality leisure provision.

### **3. Background**

- 3.1 The City Council's Children and Young People's Participation Service (ChYpPS) the County Council Children and Youth Services and the voluntary sector, in the city, have been working together to create opportunities to help children and young people get more involved in community life and in the democratic processes that make decisions about the services they receive and about the quality of the neighbourhoods in which they live. The participation of children and young people in these issues is a principle underpinning the implementation of the Big Plan, the countywide strategy for children and young peoples' services, and of the national Every Child Matters agenda. Area Committees, because of their focus on the local environment, neighbourhoods and services, have the potential to provide opportunities for children and young people to engage with members on these issues. The Youth Summit is a first step by local authority and voluntary sector partners to promote joint work between Area Committees and children and young people on improvements to services and opportunities and on extending children and young people's knowledge of and engagement in local government.
- 3.2 In the period leading up to the Summit, children and young people from North, South, East and West areas of the city set up Summit action groups. These 4 action groups were made up of children aged 9-13 years old and young people aged 13 –16 years old, and were run by Cambridge City Council Children and Young People's Participation Service and Cambridgeshire County Council Youth Service. During their meetings the Summit action groups identified issues in their neighbourhoods and also consulted their local peers to find out if these issues were widespread.



- 3.3 Thirty -three children and young people from most wards of the city took part in the Summit. Two hundred and eighty young people were consulted before the Summit using questionnaires designed by young people. Participants were asked to record issues they felt needed to be addressed in their areas, what they liked/disliked about their areas, and if they felt safe or unsafe in the area they live.
- 3.4 At the Summit, which was attended by six City Councillors and one County Councillor, together with representatives from City and County youth participation services and the voluntary sector, children and young people were asked to feed back on their consultation and to identify how the total £20,000 Area Committee funding could be allocated to deliver positive experiences for children and young people in wards and city-wide.

## **4 Main Issues Arising from the Consultation**

### **4.1 Older Young People Aged 13+**

- Nowhere to hang out-need equipment aimed at older young people in parks.
- Being moved on from leisure centres, outside areas, parks, shopping centres.
- Transport expensive- need reduced fares on buses.

### **4.2 Children and Young People Under 13**

- Need parks to be improved to include better equipment and more bins.
- Feeling safer on parks – park wardens mentioned.
- Reduce anti-social behaviour.
- More activities for young people - Abbey ward highlighted.

### **4.3 Area Committee Funding**

Many children and young people felt that the funding should be used to improve access to leisure facilities and opportunities by increasing the range and choice available to them and by reducing the costs.

The Ice Rink, which was at that time a temporary facility on Parkers Piece, was highlighted as a destination where discounted tickets would be welcomed. Other options highlighted were access to sport facilities, and reduced cinema or bowling tickets.

The issues of improved lighting on parks and open spaces, or of the provision of youth shelters on open spaces were also raised.

## 5 Responses to the Summit

- 5.1 Members are asked to comment on, consider and some cases approve the following responses to the Summit:

### **Being Moved On - Feeling Safe – Tackling Anti Social Behaviour**

a) A meeting should be organised with the police to explore the issues raised by young people and to consider the use of and implications arising from Section 30 Dispersal Orders. (See Recommendation 2 (a) above)

A more ambitious approach could involve implementing a “Shared Places” project to address the issue of different members of the community sharing spaces in local areas and in the city centre. The aim of the project would be to identify what “being moved on” means to children and young people, to clarify the rules and regulations regarding “hanging out” and to develop some work addressing anti-social behaviour and also attitudes to and perceptions of children and young expressed by adults and the media. The project would involve younger children, teenagers, the police, local communities and local businesses. An intended outcome of this project would be to raise awareness of children and young people’s lives with the PCSO’s and to look at ways that young people can share spaces with adults.

The feasibility of undertaking a Shared Places project will be dependent on the outcome of service and budget planning processes now under way within both the city and county councils. Account should also be taken of the outcome of research into “Children and Young People Living in Deprivation and at risk of Alienation” being carried out on behalf of the City and County Councils which is due to completed by the Spring of this year.

The Cambridge Leisure Park was identified as an important destination for young people but also one where they experienced being ‘moved on’ on a regular basis. Partnership work with the Junction, including a capital grant to extend the cafe area to enable greater engagement with young people, is already underway, and the new Dec will begin Friday evening sessions in March. It is likely that the Leisure Park will provide a good focal point for the Shared Spaces project.

## **Equipment in Parks**

b) The Council does consult children and young people and has involved them in the development of its plans to improve equipment on parks and open spaces. An extensive programme of refurbishments is planned and being implemented. Given the concerns raised at the Summit, officers should review their arrangements for involving and regularly updating children and young people in their planning processes.

Given the timescales involved in the consultation, planning and implementation of capital schemes, it is possible that children and young people have insufficient access to information about plans for their play areas and parks and that better communication and sustained feedback from consultation could improve their knowledge and understanding of what is being proposed and when it will be implemented.

Officers should review the methods used to communicate the outcomes of consultation and the plans and timescales for the implementation of improvements. Children and young people should be consulted on their preferred method(s) of communication. (See Recommendation 3 above)

## **Access to Leisure Opportunities**

c) Further work should be done in conjunction with children and young people, the County Council, voluntary organisations and leisure providers to develop a fair and balanced package of social and leisure opportunities for children and young people in neighbourhoods and city-wide, and one which provides for equal access for the widest range of children and young people. The programme, using the funding allocated to Area Committees for this purpose, should be implemented by the end of the Easter school holidays in 2010. (See Recommendation 2 (above).

A further option under consideration is enhanced use of the Cambridge Card, which is a partnership between the City Council and Local Secrets. Working in partnership with Local Secrets and children and young people to develop a dedicated children and young people's web page could help inform of opportunities for children and young people.

An upgrade from the Local Secrets card to the Cambridge Card could also open up a range of free or discounted sport and leisure opportunities including swimming, events at the Corn Exchange,

sports development service city sports activities and Cambridge On Ice. A scheme to use some of the money available (£2000 from each area) to offer this upgraded card to all children and young people in Years 7 and 8 (in the region of 1500 children and young people) in the six city secondary schools is under discussion. Year 7 and 8 young people were chosen as those starting to use independent travel to access sport and leisure opportunities.

The multi activity days in the Easter holidays will involve a range of activities (sports, arts, music) and be based at a range of venues across the south of the city including parks and open spaces and indoor community centres. These multi activity days will be targeted at school children across the south of the city. They will be open access and free at the point of delivery. Age specific activities may be offered but the intention is to provide something for children aged 5 – 13.

The City Council provides an extensive programme of social, sports and arts activities, as well as entertainment, for children and young people. Officers should review the marketing of these activities and arrangements for user and customer feedback to ensure that the programme is both attractive and accessible to all children and young people in the city. (See Recommendation 4 above)

### **Transport Costs**

d) The cost of public transport regularly features in consultations with young people over access to leisure opportunities and services. There is little the City Council can do directly to mitigate the impact of these costs. Effective action would require intervention at a strategic level. Consequently, the Children and Young People's Area Partnership will be informed that once again this issue has been highlighted as a major problem.

## **6. Implications**

- 6.1 **Financial:** Officers will request permission to carry forward the money allocated to Area Committees. This will ensure that there is sufficient time to discuss an "Access to Leisure" programme with providers, to involve children and young people in the process and to develop a balanced and accessible package.

As well as the local authorities, Access to Leisure providers will be drawn from both the private and voluntary sectors and are likely to include e.g. cinemas, the Junction etc.

- 6.2 **Equal Opportunities:** Proposals arising from this initiative will require an equalities impact assessment.
- 6.3 **Staffing:** Staff from the County, City Councils and the voluntary sector, particularly Romsey Mill, are involved in this initiative. Members should be aware that all sectors are operating in a difficult financial environment in which the capacity and ability to take forward projects and new pieces of work could be constrained.

## **7. Background papers**

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

Questionnaire for Children and Young People  
Feedback from Questionnaires

## **6. Appendices**

Questionnaire for Children and Young People  
Feedback from Questionnaires (Graphs)  
Anti-social Behaviour Act 2003 Part4 Dispersal: Dealing with Intimidating  
Groups (Sections 30-36)

## **7. Inspection of papers**

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

Author's Name: Lisa Pollitt  
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Author's Email: [Lisa.pollitt@cambridge.gov.uk](mailto:Lisa.pollitt@cambridge.gov.uk)

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# Policing and Safer Neighbourhood Report Cambridge City West Neighbourhood

April 2010



**Steve Kerridge,  
Neighbourhood Policing  
Inspector**

**Paul Griffin, Strategy  
Officer (Community  
Safety), Cambridge City  
Council**



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### **1. Introduction**

#### **Aim**

The aim of the Neighbourhood profile update is to provide an overview of action taken since the last reporting period, identify ongoing and emerging crime and disorder issues, and provide recommendations for future priorities and activity in order to facilitate effective policing and partnership working in the area.

The document should be used to inform Area Committee meetings, multi-agency neighbourhood action groups and neighbourhood policing teams, so that issues can be identified, effectively prioritised and partnership problem solving activity undertaken.

#### **Methodology**

This document was produced using the following data sources:

- Crime and Incident data, from November 09 – February 10 and as a comparison data from July 09 – October 09, and November 08 – February 09.
- Information from the Neighbourhood Policing teams, March 2010
- Cambridge City Council, City Services data, November 09 – February 2010 and as a comparison data from the same period during 08/09.



## 2. Previous Priorities & Engagement Activity

### Previous Priorities

At the Area Committee on 10<sup>th</sup> December 2010, the following issues were adopted as priorities. The tables below summarise action taken and the current situation regarding the priorities which were set:

<b>1. Anti-social congregation in public spaces – Market Ward.</b>	
<b>Objective</b>	<ol style="list-style-type: none"> <li>1. Identify current hotspot areas for problematic congregation in public spaces.</li> <li>2. Increase police presence in those areas to identify and respond effectively to criminal offences.</li> <li>3. Make use of powers under Section 30 to disperse individuals where lawful, proportionate and necessary to offer immediate respite to those disproportionately affected by such congregation.</li> <li>4. Engage with residents, traders and their representatives to gather a qualitative picture of impact and gather community intelligence to seek to effectively tackle problems identified.</li> </ol>
<b>Action Taken</b>	<p>At the commencement of the plan hotspots were identified at:</p> <ul style="list-style-type: none"> <li>• Burleigh Street, Fitzroy Street and Grafton area</li> <li>• Sidney Street, Sussex Street and locale</li> </ul> <p>During the period focused patrols in these areas resulted in 11 arrests for mainly drunken and public order offences. Dispersal powers were used on 33 occasions in those areas designated under the existing dispersal order, with 1 arrest for returning to the location within the stated dispersal time.</p> <p>In addition, Section 27 was used 3 times outside of the designated dispersal area to manage persons who were drunk and acting anti-socially.</p> <p>These interactions were almost exclusively with members of the Streetlife community and there was little evidence of problematic congregation by others.</p>

	<p>Consideration has been given by the Police and the City Council as to whether there is an evidence base to support the introduction of a further Section 30 area in locations away from the existing dispersal zone to which some problematic individuals have moved. It has been concluded that, at this time, there is insufficient evidence to justify an order. This will be discussed at the Committee meeting.</p> <p>A City Council Licensing Committee decision not to grant an alcohol license to Tesco's new store in East Road was passed based on police and public evidence of the likely negative community impact of granting one. Following an unsuccessful appeal concerning their Mill Road store, Tesco have elected not to appeal the Committee's decision on the East Road store to Magistrates.</p>
<p><b>Current Situation</b></p>	<p>Reports and feedback suggest that a reduction in problematic congregation in the Burleigh Street, Fitzroy Street and Grafton area following focused enforcement, has resulted in displacement of some individuals to Midsummer Common, parts of the Fair Street and its vicinity. These are now receiving attention.</p> <p>There has also been a reduction in congregation in the historic city centre at previous hotspot areas of Sidney Street, Sussex Street and locale but some presence remains.</p> <p>Clearly some engagement has been very positive and has provided immediate respite for persons in the vicinity of hotspot locations, but the challenges of relocation by determined individuals who then continue to engage in unacceptable behaviour that disproportionately affects others remains.</p>
<p><b>Continue or Discharge?</b></p>	<p><b>Suggest continue</b> - particularly given anticipated improvements in weather conditions making congregation in public spaces more attractive.</p>

**2. Anti-social use of vehicles – Market Ward.**

<p><b>Objective</b></p>	<p>1. Gather and present information back to the committee concerning the findings of Police patrols at the specific locations</p>
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	<p>identified.</p> <p>2. Seek where appropriate to take enforcement action and educate offenders as to the issues raised by the Area Committee.</p> <p>3. Work closely with Taxi operators in the city</p>
<p><b>Action Taken</b></p>	<p>During the period 38 penalty notices have been issued for a variety of offences in the Market Ward. 2 drivers have been reported for using vehicles without insurance and one case was resulted where a taxi driver challenged the issue of a ticket, but Magistrates upheld the case as one of guilt on the part of the driver.</p> <p>The particular areas of note remains over-ranking at St Andrew's Street by taxis and community feedback concerning Magdalene Street, where an accident occurred during the period where a pedestrian was struck by a bus. The environmental issue of the limited space and dense flow of traffic at this point is noted.</p> <p>Patrols have largely drawn together the themes of both anti-social use of vehicles and cycles (see below).</p> <p>A safer city grant has been made available to host a Taxi Driver Crime prevention event, this is currently being organised.</p>
<p><b>Current Situation</b></p>	<p>There remains no one key issue or offence type in the City Centre relating to the use of vehicles, but officers continue to engage with and challenge numerous drivers during the course of patrols.</p> <p>Whilst enforcement efforts are successful in causing some to think hard about their actions and not repeat them, there will always be occasions in any City where vehicles are used anti-socially.</p>
<p><b>Continue or Discharge?</b></p>	<p><b>Suggest continue.</b></p>

**3. Anti-social use of cycles – Market Ward.**

<b>Objective</b>	To raise awareness of the dangers of cycling without lights after dark (as a priority) and other cycling offences.
<b>Action Taken</b>	<p>Following on from a specific week of action in October on this issue further evening events were held in January.</p> <p>During the week commencing the 18<sup>th</sup> January Police, City Council (City Rangers, Enforcement Team and Safer Communities) and the County Council 'Bikeability' Officer ran illegal cycling enforcement and education evenings.</p> <p>The focus was on the issue of cycling without lights where offending cyclists were issued with fixed penalty notices for cycling with no lights. Lights were provided to those receiving fines. Although other offences such as cycling on the footpath and cycling the wrong way round the one way system were also dealt with. An additional action evening was held in early February. Six evenings in total were held in January and February. Many cyclists were spoken to about safe cycling in the city.</p> <p>The project was heavily publicised to make it clear why the work was being carried out, interviews took place on Star and Heart FM, with local student papers and with the Cambridge Evening News to ensure the message to cycle safely and legally was spread as widely as possible.</p> <p>The Rangers committed time to provide words of advice to individuals cycling illegally in the city centre. Approximately 1,816 incidents of anti-social cycling occurred between November 2009 and February 2010, compared with approximately 1,015 during the same period the previous year. Particular hotspots during the 09/10 period were Sidney Street (350, compared with 224 during the 08/09 period), Trinity Street (340, compared with 214 during the 08/09 period), Bridge Street (316, compared with 176 during the 08/09 period), Market Street (247, compared with 149 during the 08/09 period) and Petty Cury (206, compared with 109 during the 08/09 period).</p> <p>Routine police patrols in the city centre looked at this issue.</p>
<b>Current Situation</b>	The lighter evenings approaching will reduce the impact of the cycling without lights issue, however, illegal cycling remains an ongoing issue all year round.

<b>Continue or Discharge?</b>	<b>Suggest discharge</b> – a campaign will be run again after the summer

### Engagement Activity

Engagement events permitting members of the public to meet the City West Neighbourhood Policing Team and discuss matters in a relaxed environment are listed on the Constabulary's website.

They include:

- Monthly evening surgeries at Co-Op, Histon Road
- Regular surgeries at the Central Library, Grand Arcade and the mobile library sited in the Market Square
- Surgeries at the Newnham Croft School

For further details please visit [www.cambs.police.uk](http://www.cambs.police.uk) and look for the "My Neighbourhood" link or call 0345 456 456 4.

For more private matters, officers will be happy to arrange a meeting at your convenience or discuss matters via telephone.

Cambridge Sex Workers Advisory Network (SWAN) – the most recent meeting to set up an advisory network for sex workers in Cambridge was held in January. The meeting was very well attended by voluntary and statutory agencies with a responsibility for working with and assisting sex workers in Cambridge. Full working practices are at the final stage of being signed off and work is progressing to set up a drop in surgery to work with sex workers in Cambridge.

### 3. Emerging Issues

#### Neighbourhood trends

Total crime in City West has seen a large reduction in comparison to both the previous period and the same period last year. Total crime figures may have been affected by the extreme weather in December 2009 and January 2010.

There have been large decreases in violent crime and cycle theft offences. Dwelling burglaries and vehicle crime have seen a reduction. Anti-social behaviour (ASB) incidents have also decreased compared to the previous period and the same period last year.

#### Newnham

- Total crime in Newnham has seen a reduction compared to both the previous period and the same period last year.
- There were 10 dwelling burglaries in this period compared to 5 offences in the previous period and 14 offences in the same period last year. There don't appear to be any patterns or trends in the offences as different MOs were used and offences occurred at different times of the day and night.
- Violent crime offences have decreased by almost three quarters compared to the previous period (8 offences vs. 31 offences). This is also a decrease compared to the same period last year (20 offences). In two of the offences female students have been working in their room at a desk and have seen a male exposing himself outside their windows.
- Theft from vehicle offences have remained stable compared to the previous period (17 offences vs. 15 offences). During December, 5 vehicles were broken into in the area around the University Rugby ground, some had windows smashed others had their locks tampered with.
- Cycle theft offences have decreased compared to the previous period (27 offences vs. 37 offences) but remained stable compared to the same period last year. Sixteen of the offences occurred at one of the colleges in Newnham Ward.
- ASB incidents have decreased from 54 offences in the previous period to 31 offences in this period. This is also a decrease compared to the same period last year when there were 44 offences. There were no patterns and trends in the ASB incidents which occurred during this 4 month period.

- Between November and February 09/10 there were 6 reports of abandoned vehicles in the ward, compared with 9 during the same period the previous year. This included 2 vehicles, which were not on site following inspection and 3 CLE26 notices, which were issued to offenders on behalf of the DVLA for not displaying road tax on a public highway. These will result in fines issued by the DVLA. Another vehicle was impounded on behalf of the DVLA for not having valid road tax and the vehicle was subsequently released after a fine was paid to the DVLA. There were no hotspots during either period.
- Between November and February 09/10 and during the same period 08/09 there were 16 reports of flytipping within the ward. All were removed within 24 hours and there was sufficient evidence to issue one domestic offender with a warning letter. In addition waste transfer documentation was requested from two trade offenders. Lammas Land (5, compared with 6 the previous year) was a hotspot during this period. Granchester Meadows (3) was also a hotspot during the 08/09 period.
- Between November and February 09/10, 19 derelict cycles were dealt with compared with 15 during the same period the previous year. Lammas Land (3) was a hotspot in 09/10 whereas Madingley Road Park & Ride was a hotspot during the same period the previous year (5).
- Between November and February 09/10, 3 needles were reported compared with 0 during the same period the previous year. There were no specific hotspots.
- 7 items of graffiti were removed by the City Rangers between November and February 09/10, compared with 11 during the same period the previous year. Fen Causeway (5) was a hotspot during the 09/10 period whereas Granchester Meadows (4) and the Paradise Nature Reserve (3) were hotspots during the same period the previous year.

## Castle

- Total crime in Castle ward has decreased compared to both the previous period (102 offences vs. 167 offences) and the same period last year (177 offences). This decrease was mainly due to decreases in 'burglary other' offences, 'theft from vehicle' offences, cycle theft offences and criminal damage offences.
- Dwelling burglary offences have remained stable compared to the previous period (18 offences vs. 19 offences) and compared to the same period last year (19 offences). Three of the offences occurred at Trinity College in

November, two on the same date. An offender has been arrested and charged for both offences.

- 'Theft from vehicle' offences have halved in this four month period compared to the previous 4 month period (9 offences vs. 18 offences). Three of these offences occurred on Pound Hill on the same evening in November. A window had been smashed in all three vehicles and items such as cash, credit cards and digital cameras were stolen.
- Cycle theft offences have decreased from 49 offences in the previous period to 35 offences in this period. Common locations for cycle theft offences were New Hall on Huntingdon Road, Trinity Hall on Trinity Lane and Trinity College on Trinity Street.
- ASB incidents have decreased compared to both the previous period (39 incidents vs. 74 incidents) and the same period last year (81 incidents). The area around Castle Street was a hotspot for incidents, most of which were rowdy and inconsiderate behaviour.
- Between November and February 09/10 there were 11 reports of abandoned vehicles in the ward, compared with 9 during the same period the previous year. This included two vehicles, which were not on site following inspection and 2 CLE26 notices, which were issued to offenders on behalf of the DVLA for not displaying road tax on a public highway. These will result in fines issued by the DVLA. Three vehicles were also impounded on behalf of the DVLA for not having valid road tax and these vehicles were subsequently released after a fine was paid to the DVLA. A further 2 cases have been referred to the police. There were no hotspots during 09/10, but Oxford Road (3) was a hotspot during the 08/09 period.
- Between November and February 09/10 there were 9 reports of flytipping within the ward, compared with 13 during the same period the previous year. All were removed within 24 hours and there was sufficient evidence to issue a warning letter to a domestic offender. One case is currently pending further investigation. There were no specific hotspots during either period.
- Between November and February 09/10, 16 derelict cycles were dealt with compared with 26 during the same period the previous year. Marion Close (4) was a hotspot in 09/10 compared with the following during the same period in 08/09: Castle Street and Haymarket Road (both 4), Storey's Way and Whymans Lane (each with 3).



- Between November and February, 3 needles were reported over 2 occasions, compared with 17 needles over 2 occasions during the same period the previous year. There were no hotspots in 09/10, but 15 needles were removed from near a bin cupboard at Honey Hill in the 08/09 period.
- 3 items of graffiti were removed by the City Rangers between November and February 09/10, compared with 0 during the same period the previous year. There were no specific hotspots.

## **Market**

- Total crime in Market Ward has decreased compared to the previous period (1224 offences vs. 1336 offences) and compared to the same period last year (1352). This decrease is mainly due to a large decrease in cycle theft offences.
- Burglary other offences have almost halved compared to the previous period (17 offences vs. 30 offences). In 3 of these offences which all occurred on Trumpington Street in January an offender has been arrested and charged.
- Violent crime offences have decreased compared to the previous period (234 offences vs. 252 offences) but increased compared to the same period last year. Saturdays (62) and Sundays (42) were the most common days for offences to occur. An offender has been arrested and charged in 119 of all the violent crime offences.
- There were 10 robbery offences in this period compared to 8 offences in the previous period and 23 offences in the same period last year. Two of the robberies occurred on or close to Parkers Piece in the early hours of the morning. The victim was pushed to the ground and had his money stolen in both offences.
- Theft from vehicle offences have decreased compared to the previous period (16 offences vs. 24 offences). There does not appear to be any patterns or trends in these offences.
- Cycle theft offences have decreased from 265 offences in the previous period to 190 offences in this period. This is an increase compared to the same period last year when there were 173 offences. Common locations for cycle theft offences were Parkside (14), Trumpington Street (13), Regent Street (12), Jesus Lane (9) and St Andrew Street (8).

- There were 253 theft from shop offences in this period compared to 243 offences in the previous period and 333 offences in the same period last year. In 184 offences an offender has been arrested and charged. Common locations for theft from shop offences are Debenhams in The Grafton Centre (28), Sainsburys on Sidney Street and Boots on Sidney Street. The theft from shop offences tended to occur between 14:00 – 17:00.
- Other crime offences have increased compared to the previous period (419 offences vs. 405 offences) but decreased compared to the same period last year (460 offences). Forty-nine of these offences were possession of a controlled drug 939 of which were cannabis). Twenty-four of the offences were fraud by false representation offences and an offender has been arrested and charged in 6 of these offences.
- ASB incident levels have decreased compared to the previous period (560 incidents vs. 619 incidents) and compared to the same period last year (626 incidents). The incidents were mainly rowdy and inconsiderate behaviour (439 incidents), 79 of which were alcohol related. Sixty of the offences involved fights, whilst another 46 incidents involved shouting and swearing.
- Between November and February 09/10 there were 3 reports of abandoned vehicles in the ward, compared with 11 during the same period the previous year. This included 1 vehicle, which was not on site following inspection and another ,which was impounded and the offender issued with a fixed penalty notice. There were no hotspots during the 09/10 period, but Adam & Eve Street (3) was a hotspot during the same period the previous year.
- Between November and February 09/10 there were 129 reports of flytipping within the ward, compared with 198 during the same period the previous year. All were removed within 24 hours and there was sufficient evidence to issue 8 warning letters to domestic offenders and another with a Section 46 notice. In addition, 2 verbal warnings were given. A warning letter was also sent to a trade offender and waste transfer documentation was also requested from a further 8 trade offenders. Hotspots during the 09/10 period included Market Street (14), City Road (11), St John's Street (9) and Adam & Eve Street (6). Hotspots in the 08/09 period included Kings Parade (17), Trumpington Street (13), Market Square (11) and Regent Terrace (9) and Corn Exchange Street (8).

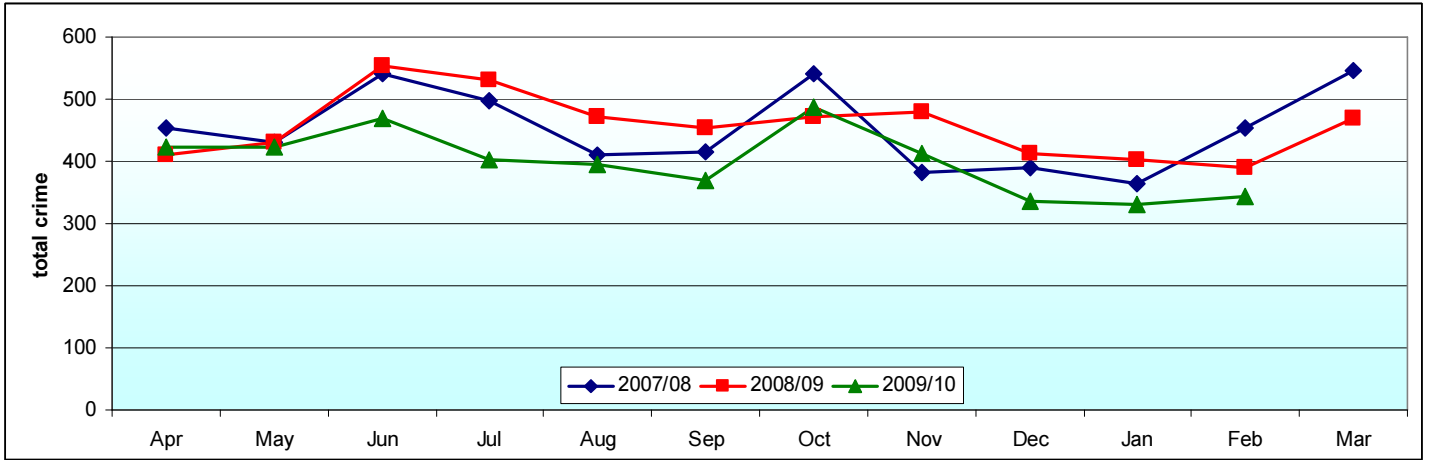
- Between November and February 09/10, 137 derelict cycles were dealt with compared with 299 during the same period the previous year. Derelict cycles are removed by the City Rangers and it should be noted that the reduction in cycles dealt with reflects changing demands in workload and is therefore not indicative of an overall decline. Hotspots included Sidney Street (19), Downing Street (17), Guildhall Street (15) and Drummer Street (10). Hotspots during the same period in 08/09 included: St Mary's Passage (24), Sidney Street (23), Peas Hill, Bridge Street and Trinity Street (15) and Trumpington Street (11).
- Between November and February 09/10, 150 needles were reported. 150 needles were also reported during the same period the previous year. Hotspots during the 09/10 period were in the Adam & Eve Street Car Park (33, with 15 unused, over 2 occasions compared with 79 over 1 occasion during the previous year), Fair Street (6 needles over 4 occasions compared with 24 needles over 6 occasions the previous year), Grafton West Car Park (40 needles over 12 occasions compared with 22 over 2 occasions during the previous year), Salmon Lane (39 needles, with 6 unused, over 5 occasions) and King Street (15 needles over 5 occasions). Park Parade (15 needles over 1 occasion) was a hotspot in the 08/09 period.
- 9 items of graffiti were removed by the City Rangers between November and February 09/10, compared with 8 during the same period the previous year. Clarendon Street (3) was a hotspot during the 09/10 period whereas Kings Street (3) was a hotspot during the same period the previous year.

#### **4. Recommendations**

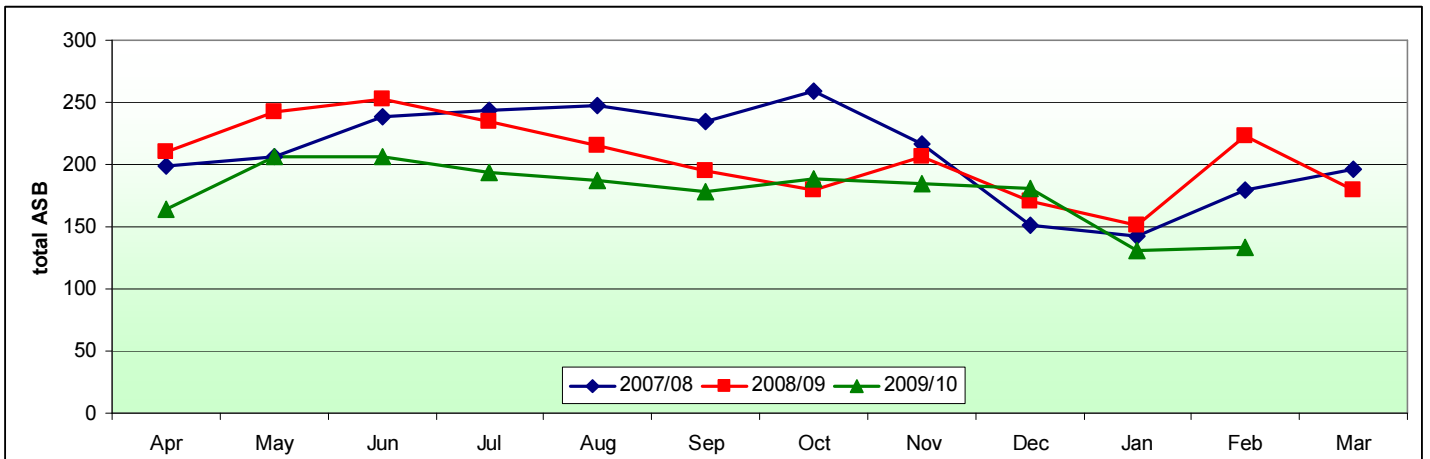
- Continuation of anti-social congregation in public spaces – Market Ward.
- Continuation of anti-social use of vehicles – Market Ward.

### 5. Current Crime and Incident Levels

#### Total Crime



#### Total ASB



### Current Crime and Incident Levels in Neighbourhood, by Ward

			Dwell. Burg.	Other Burg.	Violent Crime	Robbery	Theft of Vehicle	Theft from Veh.	Cycle Theft	Theft from Shop	Criminal Damage	Other Crime	TOTAL CRIME	TOTAL ASB
Nho	City West	Nov 09 – Feb 10	32	29	248	11	2	42	252	256	133	417	1422	630
		Jul 09 – Oct 09	37	59	291	11	5	57	351	248	126	466	1651	747
		Nov 08 – Feb 09	46	48	251	38	6	50	248	334	94	569	1684	751
Wards	Newnham	Nov 09 – Feb 10	10	6	8	0	1	17	27	1	6	20	96	31
		Jul 09 – Oct 09	5	10	31	1	1	15	37	2	13	33	148	54
		Nov 08 – Feb 09	14	14	20	10	0	13	27	0	17	40	155	44
	Castle	Nov 09 – Feb 10	18	6	6	1	0	9	35	2	8	17	102	39
		Jul 09 – Oct 09	19	19	8	2	0	18	49	3	21	28	167	74
		Nov 08 – Feb 09	19	14	15	5	2	17	48	1	26	30	177	81
	Market	Nov 09 – Feb 10	4	17	234	10	1	16	190	253	80	419	1224	560
		Jul 09 – Oct 09	13	30	252	8	4	24	265	243	92	405	1336	619
		Nov 08 – Feb 09	13	20	216	23	4	20	173	333	90	460	1352	626

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To: West/Central Area Committee  
8<sup>th</sup> April 2010

Report by: The Director of Community Services

Wards affected: Market ward

Subject: s. 30 Dispersal Order to cover the Historic Centre of the City.

## 1. Executive summary

- 1.1 This report follows that submitted to the West/Central Area Committee in 4<sup>th</sup> February 2010 on the possible implementation of a Dispersal Order under section 30 of the Anti-social Behaviour Act 2003 to cover the historic centre of the City.
- 1.2 The report is a summary of the analysis received from Cambridgeshire Constabulary and submitted to the Leader of the City Council in which they conclude there is insufficient evidence to justify making a request to the Leader to approve a section 30 Order at this time.

## 2. Recommendations

- 2.1 The Committee is requested to note the content and recommendations being presented to the Leader that support the case for not implementing a Section 30 Order at this time and to comment accordingly (police analytical document already provided to members). The report highlights that the current levels of anti-social behaviour exhibited by the streetlife community will be better addressed at this time by:
- 2.2 ASB related to streetlife activity remaining as a Neighbourhood Priority as the spring and the better weather approaches.
- 2.3 The police give the historic City Centre local priority status to ensure the area receives regular patrols and an increased police presence in the area.
- 2.4 Requesting Streetscene to carry out, on a trial bases, a greater level of litter picking/street cleansing in the areas most affected.
- 2.5 Requesting residents and members of the retail trade to report all incidents of ASB to the police on 03454564564 and request to be given an incident number.

2.6 That the police and City Council monitor the situation closely in readiness for 'fast tracking' the implementation of a s.30 Dispersal Order if the current situation deteriorates.

### 3. Background

3.1 A Dispersal Order is implemented under section 30 of the Anti-Social Behaviour Act 2003. A Dispersal Order provides the police with powers, in a designated area, to disperse groups of two or more where their presence or behaviour has resulted, or is likely to result, in members of the public being harassed, intimidated, alarmed or distressed.

3.2 The Leader of the Council can give approval to an Order but any approval must be reported to the next available meeting of the Strategy & Resources Scrutiny Committee.

3.3 A Dispersal Order was in place in the City Centre from 8<sup>th</sup> October 2007 until 6<sup>th</sup> April 2008. This Order covered the Market Hill, Sidney Street and the King's Parade locality. It was in place primarily to address the issues of behaviour of the streetlife community. S. 30 is seen as a short-term measure to tackle symptoms and not underlying causes of a problem.

3.4 Such was the success of the Order in reducing the drink related problems that there was no evidence to justify its renewal thereafter. It was also felt that any residual issues could be dealt with under other legislation such as the Violent Crime Reduction Act 2006 and the Public Order Acts.

3.5 However, complaints of anti-social behaviour associated with the streetlife community in the City centre increased during the summer of 2009 and into the autumn.

3.6 The view that the situation was becoming a serious concern resulted in a survey of the business community followed by meetings with interested parties to establish the exact extent of the problem. However, it was acknowledged that complaints did not always turn into reported and recorded incidents and this is not unusual.

3.7 ASB associated with the street life community was raised at the West Central Area Committee in December 2009 when it was reported that research and analysis was taking place with a view to considering making the area the subject of a Dispersal Order. In the meantime the



reported behaviours were made a local neighbourhood priority to be addressed through existing powers.

- 3.8 In early January 2010 a new Dispersal Order came into effect covering the area of Parker's Piece, Christ's Pieces and the Grafton and the streets in between. This will be subject to ongoing review.
- 3.9 Research and analysis of data and information became available on 11<sup>th</sup> March 2010. This shows that street life ASB incidents in the Market ward equate to 4 per week (206/52, February 2009 – January 2010). Comparatively, this is significantly lower than baseline findings in areas where s.30 legislation has been applied before in the City.
- 3.10 The incidents that have been reported highlight Sidney Street, Sussex Street and parts of the Market Square as problem areas. However, there has been no increase since the summer and this is predictable in view of the season and particularly harsh weather conditions.
- 3.11 CCTV Operators and the Street Outreach team have not noticed an increase in ASB during the period in question.
- 3.12 Other information considered has been the survey of businesses in the City centre, which was sent out at the height of concerns last autumn attracting 88 respondents. In addition the Cambridge Evening News also ran a survey during January 2010, which attracted 46 respondents. A significant proportion of business respondents felt that ASB in the City related to the street life community was getting worse.
- 3.13 Additionally, an open consultation process followed the CEN survey where telephone and e-mail opportunities were provided to which there were no responses.

#### 4. Considerations

- 4.1 The power to require people to leave a public place under a s. 30 Dispersal Order is a significant one which has the potential to challenge deeply-held beliefs about individual liberties and the rights of the citizen. In order to observe these rights certain tests need to be applied.
- 4.2 There are three parts to the test:
  - 4.2.1 Is it necessary? (This is a test based on evidence both factual and anecdotal)

4.2.2 Is it proportionate? (This is a test as to whether the imposition of an Order is proportionate to the problem being experienced).

4.2.3 N.B. These tests are important because the Order can impose restrictions on the rights of individuals under the European Convention on Human Rights. Such rights include the right to liberty and security, the right to respect for private and family life, the right to freedom of association and the right of children to play.

4.3.4 Is it appropriate? (This is a test of whether an Order will actually contribute to reducing anti-social behaviour, that is, are there alternative, effective measures that could be taken which would have a lesser impact on personal liberty?)

#### 4.3 **Application of the above tests:**

4.3.1 Is a s.30 Order Necessary? There is clear evidence both factual and anecdotal that there is an issue of anti-social behaviour caused by members of the street life community in the defined area of the historic core of the City centre. However, an upward trend in street life incidents since the summer cannot be seen in the data. The number of street life anti-social behaviour incidents for the last year was only 4 per week (206/52, Feb 2009 to Jan 2010).

4.3.2 Is a s.30 Order Proportionate? CCTV operators at Cambridge City Council have not noticed an increase in anti-social behaviour over the last six months or so, and their perception is that levels of street life ASB have not changed. Their statistics show a slight decrease in ASB incidents. However, it is not possible to differentiate between streetlife related ASB and other types. The Street Outreach Team have also not noticed an increase in anti-social behaviour, and if anything, feel that the situation may have improved due to several problematic individuals no longer being around. Nonetheless, public perception is that the situation is getting worse.

4.3.4 Is a s.30 Order Appropriate? There has been a street drinking presence in the historic centre for many years, to varying degrees, and a Section 30 Dispersal Order was in place for approximately six months in 2007/08. It was withdrawn upon review, generally noting a significant and lasting reduction in intimidating association in that area based in part of the successful use of dispersal powers. Other powers are now available to the police.

4.4 Whilst the powers conferred under the legislation can be extremely useful as part of a suite of options to tackle the specific problem identified, agreement to its use in this geographical area is considered

not to be necessary, appropriate or proportionate at this moment in time.

- 4.5 Members are asked to note that an Operational Guidance document detailing the use of s.30 and future consultation process is about to be issued.

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**Report by:** Head of Policy and Projects

**To:** West/Central Area Committee 08 April 2010

**Wards:** Castle, Newnham and Market

## Environmental Improvements Programme

### 1. **DECISIONS TO BE MADE: -**

- **Environmental Improvement Schemes for 2010/2011**

*Decision: To agree to officers investigating the potential projects and return to committee with further information for formal adoption.*

- **Gough Way – Seat**

*Decision: Adopt the proposal and agree to the installation of a seat at an estimated cost of £2,500 following a supportive consultation.*

- **Fitzroy/Burleigh Street Refurbishment**

*Decision: Agree to allow City officers to work with Cambridgeshire Highways to work up details of the project and return with costs.*

### 2. **BUDGET and DELIVERY PROGRAMME (See over)**



**WEST CENTRAL AREA COMMITTEE**
**Environmental Improvements Programme 2009-2011**

<b>ADOPTED PROJECTS</b>					
	<b>COMPLETE</b>	<b>Approved Budget £</b>	<b>Total Spend previous years £</b>	<b>Forecast Spend 2009/10 £</b>	<b>Forecast Spend 2010/11 £</b>
Round Church Grounds	✓	7,800	0	4,334	0
Oxford Road & Windsor Road 20MPH Zone	✓	10,500	0	4,849	0
Canterbury Street 20 MPH Zone	✓	8,500	933	4,320	0
Fitzroy/Burleigh Street Phase 3 Refurbishment		100,000	0	0	100,000
Holy Trinity War Memorial		9,000	0	0	9,000
Grantchester Road Traffic Calming		15,000	0	385	10,000
Gough Way to Cranmer Road Timber Fence Replacement	✓	8,300	0	8,300	0
Tree Planting Midsummer Common, Jesus Green, New Sq		50,000	0	0	50,000
Riverside Conflict Reduction Scheme		61,000	0	0	61,000
Auckland St Parsonage St retaining wall	✓	22,000	19,350	430	0
Histon Rd Recreation Ground Planting	✓	4,500	2,450	524	0
Eltisley Avenue/Marlowe Rd (remaining spend)	✓	1,100	325	550	0
sub-totals		297,700	23,058	23,692	230,000
Total adopted projects					<b>253,692</b>
<b>Uncommitted Budget</b>					<b>114,709</b>
<b>SCHEMES UNDER DEVELOPMENT*</b>					
		<b>Estimated Cost £</b>	<b>Total Spend to Date £</b>	<b>Forecast Spend 2009/10 £</b>	<b>Forecast Spend 2010/11 £</b>
Lammas Land Pavilion rebuild		20,000	0	0	20,000
Mud Lane Lighting		5,000	0	0	5,000
Wall Adjacent to Union Society Building, Park Street		15,000	0	0	15,000
Manor Street Cycle Racks		12,000	0	0	12,000
sub-totals		52,000	0	0	52,000
total projects in development					52,000
<b>Uncommitted Budget</b>					<b>62,709</b>

\*Projects agreed by Cttee to be investigated, but no budget committed. Costs shown are estimated and will depend on detailed design and site investigation. N.B. The estimated costs shown above are merely given as a rough guide until the projects can be designed and costed.

### 3.0 DELIVERY PROGRAMME

ID	Task Name	Duration	Start	Finish	% Complete	Scheme Category	Lead Cllr	Project Manager
1	<b>WEST/CENTRAL AREA COMMITTEE EIP PROGRAMME 2009/11</b>	410 days	Mon 06/04/09	Thu 11/11/10	50%			
2								
3	<b>WEST/CENTRAL AREA COMMITTEE MEETING DATES</b>	156 days	Thu 20/08/09	Thu 08/04/10	0%			
4	August Committee	0 days	Thu 20/08/09	Thu 20/08/09	100%			
5	October Committee	0 days	Thu 15/10/09	Thu 15/10/09	100%			
6	December Committee	0 days	Thu 10/12/09	Thu 10/12/09	100%			
7	February Committee	0 days	Thu 04/02/10	Thu 04/02/10	100%			
8	April Committee	0 days	Thu 08/04/10	Thu 08/04/10	0%			
9								
10	<b>WEST/CENTRAL AREA COMMITTEE PROJECTS</b>	410 days	Mon 06/04/09	Thu 11/11/10	50%			
11	Canterbury Street [Introduction of a 20mph speed limit]	154 days	Mon 06/04/09	Thu 05/11/09	100%	Minor		Jlsh
22								
23	Oxford Road [Traffic Calming]	155 days	Mon 06/04/09	Fri 06/11/09	100%	Medium	J.Hipkin	Jlsh
33								
34	Lammas Land [Replacement of Pavilion]	335 days	Mon 06/04/09	Thu 29/07/10	26%	Major	J.Smith	DFN
48								
49	Round Church grounds [Repairs to wall & cobble surfacing]	103 days	Mon 06/04/09	Wed 26/08/09	100%	Minor	C.Rosenstiel	DFN
53								
54	Contribution toward Burleigh/Fitzroy Phase 3 refurbishment [Refurbishment of street furniture/tree pits/lighting etc]	372 days	Mon 06/04/09	Mon 20/09/10	63%	Medium	T.Bick	DFN
64								
65	Manor Street/King Street [Cycle Parking Facilities]	322 days	Mon 06/04/09	Mon 12/07/10	36%	Major	T.Bick	DFN
78								
79	Grantchester Rd [Traffic Calming]	324 days	Mon 06/04/09	Wed 14/07/10	54%	Medium	S.Reid	Jlsh
83								
94	Gough Way to Cranmer Rd [Timber Fence Replacement]	212 days	Mon 06/04/09	Mon 08/02/10	100%	Medium	S.Reid	Jlsh
106								
107	Tree Planting Open Spaces [Jesus Green, Midsummer Common & New Square]	410 days	Mon 06/04/09	Thu 11/11/10	10%	Major		DFN



### **3.0 APPROVED SCHEMES – PROGRESS**

#### **3.1 Manor Street / King Street Cycle Parking**

Following initial consultation with property owners, the draft proposals and draft tripartite agreement has been sent to the landowner Jesus College and building owner King Street Housing for consideration.

#### **3.2 Lammas Land pavilion**

This scheme is being led by Active Community Officers who are currently offering the project for an additional funding contribution from Section 106 monies. Officers propose to return to West/Central Area Committee once further funding has been secured.

#### **3.3 Tree Planting on Midsummer Common, Jesus Green and New Square**

Work is being undertaken to develop a consultation/workshop strategy to be organised by Active Communities in order to discuss the current approaches to tree management and planting with residents and other interested parties. A solution to the progression of this work is currently being discussed with Active Communities.

#### **3.4 Mud Lane Lighting**

Work is continuing in a bid to secure funding for the maintenance of this lighting.

#### **3.5 Grantchester Road traffic calming features**

The Highway Authority have rejected the current proposals on safety grounds. We are looking at alternative proposals to resolve the issues.

#### **3.6 Gough Way – Cranmer Road Footpath : Fencing Renewal**

The works of renewing the fencing between the path and the grazing land from the footbridge to Cranmer Road has been completed.

### **4.0 EXISTING SCHEMES REQUIRING DECISIONS**

#### **4.1 Environmental Improvement Schemes for 2010/2011**

West/Central Area Committee are asked to review the list of potential projects for 2010/2011 appended (4) to this report and agree that they should be investigated by officers and brought back to Committee with further information for formal adoption.

***Recommendation*** : *West/Central Area Committee to agree to officers investigating the potential projects and return to committee with further information.*

**Decision:** *To agree to officers investigating the potential projects and return to committee with further information for formal adoption.*

#### **4.2 Gough Way – Seat**

A local resident has requested that a seat be installed on Gough Way for bus passengers to wait. The location of the seat would be on Highways land. Highways have been consulted and have agreed to the location. Officers would intend to carry out a small local consultation and if supportive would install a seat in the location shown on the attached appended drawing.

**Recommendation :** *Officers recommend that the West/Central Area Committee formally adopt the proposal and agree to the installation of a seat at an estimated cost of £2,500. Installation would be carried out only following a supportive consultation.*

**Decision:** *Adopt the proposal and agree to the installation of a seat at an estimated cost of £2,500 following a supportive consultation.*

#### **4.3 Fitzroy/Burleigh Street Refurbishment**

The draft proposals for the refurbishment of Fitzroy/Burleigh Street have been put to public consultation between 10 and 24 March 2010. The consultation summary/analysis is appended to this report. The analysis shows overwhelming support for the works to be implemented.

The scheme has been designed in consultation with Cambridgeshire Highways who would now progress the proposals, with City officers, should West/Central Area Committee wish to proceed. West/Central Area Committee has already provisionally agreed £100,000 for this project and further funds have been secured through S.106 (£72,295) and the Environmental Safety Fund (£12,000). The project has been approved by Environment Scrutiny Committee.

**Recommendation :** *Officers recommend that the West/Central Area Committee agree to allow City officers to work with Cambridgeshire Highways to work up details of the project and return to Ctte in the summer with firm costs for agreement to implement.*

**Decision:** *Agree to allow City officers to work with Cambridgeshire Highways to work up details of the project and return with costs.*

#### **5.0 BACKGROUND PAPERS**

See appendices.

## 7. IMPLICATIONS

- a) **Equal Opportunities Implications:** These are taken into account on individual schemes.
- b) **Environmental Implications:** All of the projects seek to bring about an improvement in the local environment.
- c) **Community Safety:** This has been included as one of the assessment criteria agreed by Committee and is considered on each project.

## 8. INSPECTION OF PAPERS

To inspect or query the background paperwork or report, please contact,

Andrew Preston

Environmental Projects Manager

Telephone: 01223 457271

Email: [andrew.preston@cambridge.gov.uk](mailto:andrew.preston@cambridge.gov.uk)

## APPENDIX 1

### **ELIGIBILITY CRITERIA - as agreed by Executive Councillor (Environment) on 18 March 2003 with amendments agreed 22 March 2005**

The essential criteria for consideration of funding of Environmental Improvement works are:

- Schemes should have a direct, lasting and noticeable improvement to the appearance of a street or area.
- Schemes should be publicly visible and accessible.
- Schemes must have the owners consent if on private land – unless there are exceptional circumstances by which Area Committee may wish to act unilaterally and with full knowledge and responsibility for the implication of such action.
- Schemes must account for future maintenance costs.

Desirable criteria – potential schemes should be able to demonstrate some level of:

- Active involvement of local people.
- Benefit for a large number of people.
- 'Partnership' funding.
- Potential for inclusion of employment training opportunities.
- Ease and simplicity of implementation.
- Potential for meeting key policy objectives (e.g. improving community safety or contributing to equal opportunities).

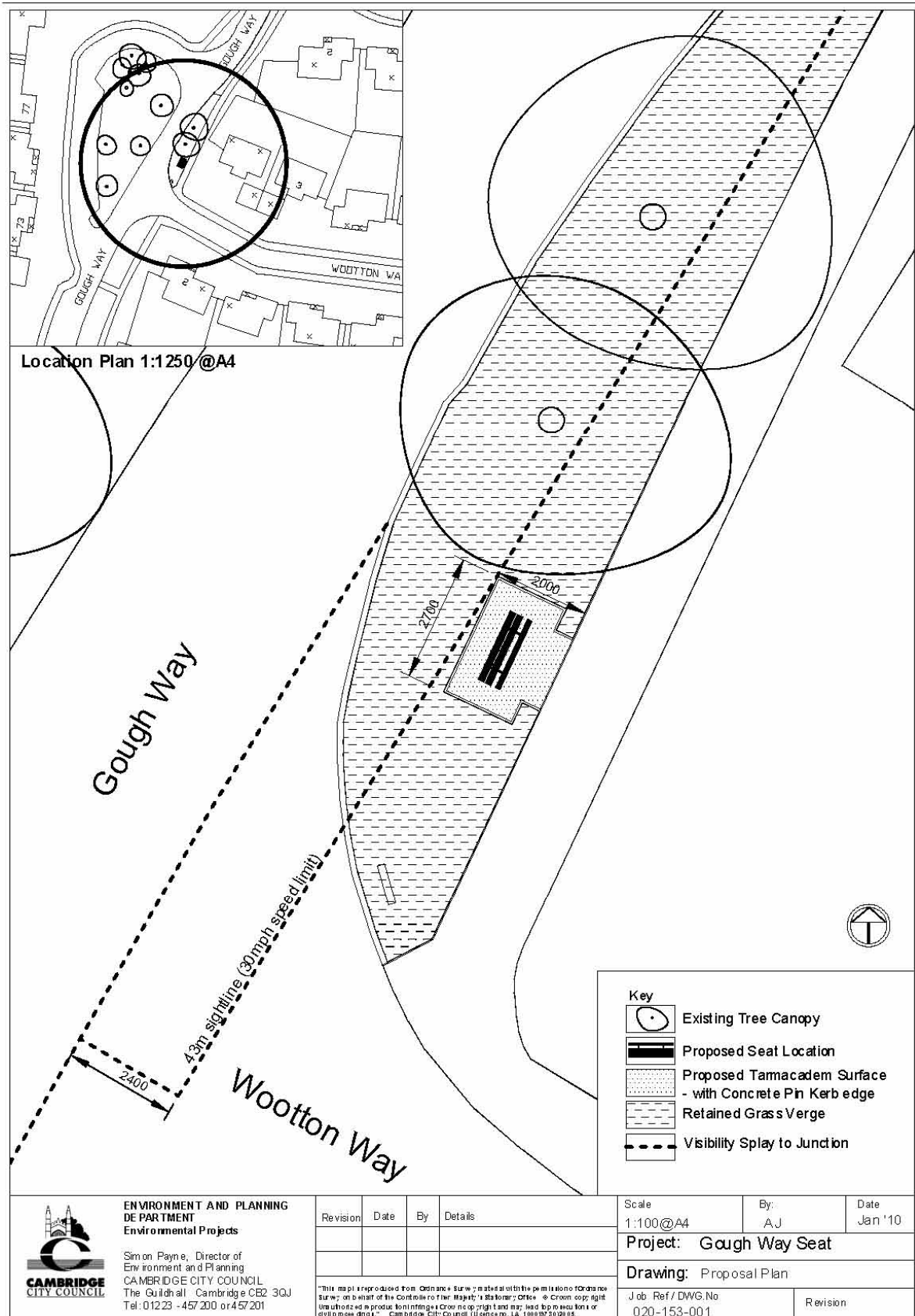
Categories of scheme ineligible for funding:

- Where a readily available alternative source of funding is available.
- Revenue projects.
- Schemes that have already received Council funding (unless it can be clearly demonstrated that this would not be 'top up' funding).
- Works that the City or County Council are under an immediate obligation to carry out (e.g. repair of dangerous footways)
- Play areas (as there are other more appropriate sources of funding including S106 monies)

The following categories of work were agreed as being eligible for funding by the Area Committees:

- Works in areas of predominately council owned housing
- Works to construct lay-bys where a comprehensive scheme can be carried out which not only relieves parking problems but achieves environmental improvements.

# APPENDIX 2 : Gough Way Seat



## APPENDIX 3

### FITZROY and BURLEIGH STREET REFURBISHMENT CONSULTATION

#### SUMMARY OF CONSULTATION

Period in which residents could respond: 10 March – 24 March 2010.

#### Consultation Questionnaire Responses

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Number of consultation documents manually delivered was 2098. The consultation website was viewed 719 times, by 537 people, 95 of whom emailed a response.

Number of consultation reply slips returned together with the emailed responses was 357. This equates to a 16.5% response rate.

The results of the consultation were analysed as follows;

	YES	NO
Do you support the principle of refurbishing Fitzroy/Burleigh Streets	283	19
Do you support the replacement of street furniture	238	27
Do you support the replacement of lighting columns in Fitzroy Street to match Burleigh Street	233	51
Do you support the removal of all but one phone box (to be relocated)	252	43
Do you support the repairing of street surfaces	290	11
Do you support the installation of tree surrounds to remove trip hazards	261	36
Do you support the planting of four new trees	282	19
Would you like to see the cycling restriction lifted and shared access permitted	129	167

**A summary of most consistent comments are as follows:**

24 x support for tree planting

8 x waste of money

4 x support for keeping more than one phone box

**Majority of comments relate to cycling as follows:**

- 50 x Cyclists a hazard to pedestrians
- 29 x Current restriction needs enforcing
- 16 x Extend period of restriction/total ban
- 15 x Marked cycle lane should be provided
- 11 x Improve restriction signage

n.b. It should be noted that consultation on lifting the cycling restriction is being dealt with as a separate issue to the refurbishment of Fitzroy and Burleigh Streets. There no firm proposals to alter the cycling restriction.

# APPENDIX 4 : Environmental Improvement Scheme – current and to be investigated.

WEST/CENTRAL AREA COMMITTEE PROJECT REVIEW AND ADOPTION Spring 2010						
No. Projects Title	Project Detail	Project promoter/ Lead Cllr.	Ward	Category <sup>1</sup>	Estimated Value <sup>2</sup>	Comments
<b>Current Projects being undertaken or completed this year as at 1 March 2010</b>						
	Mud Lane	Cllr. Rosensteil	Market		£5,000	
	Lammas Land	Cllr Reid	Newnham	1	£20,000	
	Round Church Grounds	Cllr Rosensteil	Market	2	£4,334	complete
	Oxford Road & Windsor Road 20MPH Zone	All	Castle	2	£4,703	complete
	Manor Street	Cllr Bick	Market	1	£12,000	
	Rouch Church Street	Cllr. Rosensteil	Market		£15,000	
	Canterbury Street 20 MPH Zone	All	Castle	2	£4,188	complete
	Fitzroy/Burleigh Street Phase 3. Refurbishment.	Cllr Bick	Market	1+	£100,000	
	Holy Trinity War Memorial	All	Market	3	£9,000	complete
	Grantchester Road Traffic Calming	Cllr Reid	Newnham	1	£15,000	
	Gough Way to Cranmer Road Timber Fence Replacement	Cllr Reid	Newnham	2	£8,300	complete
	Tree Planting Midsummer Common, Jesus Green, New Sq	All	W/C	1	£50,000	
	Riverside Conflict Reduction Scheme	All	East	1	£61,000	
	Auckland Road path	Cllr. Kightley	Market	1	£19,350	complete
	Histon Road recreation grid	Cllr Zmura	Castle	2	£2,450	complete
	Ellisley Avenue	Cllr. Reid	Newnham	2	£875	complete
<b>Newly suggested, deferred from previous suggestions and/or unadopted projects</b>						
	Whyman's Lane bollard replacement.	Cllr Kightley	Castle	3	£2,000	
	Gough Way	Cllr Reid	Newnham	3	£2,500	
	City Centre	Cllr Bick	Market	2	£6,000	
	Prospect Row and surrounding area	Cllr Bick/ Rosensteil	Market	1	£10,000	
	Fisher Square	Cleaner City	Market	2	£4,500	
	Huntingdon Road	Cllr. Kightley	Castle	2	£3,000	
	Fisher Square	Cleaner City	Market	2	£4,500	
	Belmore Close	Cllr. Kightley	Castle	3	£2,000	
	Histon Road shops	Cllr. Hipkin	Castle	2	£3-10,000	
	Huntingdon Road	Cllr. Kightley/Hipkin	Castle			Refer to County Council
	* <b>Category definition</b> : Category 1 Projects to the value of between £10-£75K - Major Projects one major project per area to be investigated or implemented at any one time by the EIP team.					
	* <b>Category 2</b> Projects to the value of between £3-£10K - Medium Projects. one medium projects per area being investigated or implemented at any one time by the EIP team.					
	* <b>Category 3</b> Projects to the value up to £3K - Minor Projects. two minor projects per area being investigated or implemented at any one time by the EIP team.					
	? Note that the <b>Cost Estimate</b> is a guide cost given at concept stage of a project. Following project investigation and design, this estimate may change significantly. When considering projects, please note the current budget sheet within the EIP committee reports.					



<b>Application Number</b>	09/1198/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th December 2009	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	18th February 2010		
<b>Ward</b>	Market		
<b>Site</b>	Cambridge Post Office 9 - 11 St Andrews Street Cambridge Cambridgeshire CB2 3AA		
<b>Proposal</b>	Change of use from Class A1 (shops) to Class A2 (financial and professional services).		
<b>Applicant</b>	1 Church Place London E14 5HP		

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### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 This application relates to the existing Cambridge central post office, a 5 storey terraced property situated on the western side of St Andrews Street.
- 1.2 The building is constructed of red and grey brick, with a distinctive stone facade to the ground floor, which contains 3 prominent arched windows. It has a floor area of approximately 800 sq m. To the south, the premises abuts the old Cambridge Magistrates Court Building. To the north is a relatively narrow, 2 storey, Art Deco style building currently occupied by Thomas Cook travel agents.
- 1.3 The premises falls within the City Centre boundary and the Primary Shopping frontage.
- 1.4 The building is a Building of Local Interest (BLI) and falls within the City of Cambridge (Central) Conservation Area.

### 2.0 THE PROPOSAL

- 2.1 This application seeks consent for the change of use of the building to Use Class A2, (financial and professional services).

If the application is successful the building is intended to be occupied by a new branch of Barclays Bank.

- 2.2 The applicant has submitted floor plans for the new layout, although the application seeks permission for the change of use only and internal works do not require planning permission. A further planning application and application for advertisement consent is likely to be needed for alterations to the shopfront and fascia.
- 2.3 As an integral part of what is proposed, the existing post office is to move premises to a unit currently occupied by one of the Barclays branches in the City centre, at number 57/58 St Andrews Street. This premises has a floor area of approximately 270 sq m.
- 2.4 Barclays currently occupies 2 other premises in the City centre at 15/16 Benet Street and at 30 Market Hill. These premises are to relocate to the new flagship premises at 9 – 11 St Andrews Street. The future use of these respective premises is not currently known or related to this planning application.
- 2.5 The application is accompanied by the following supporting information:

1. Application supporting Statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/0471/FUL	Change of use from A1 (retail) to A2 financial and procession services	Withdrawn

The previous submission was withdrawn to allow further legal negotiations, to find a mechanism for facilitating the 'use swap'.

### 4.0 PUBLICITY

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

## 5.0 POLICY

### 5.1 Central Government Advice

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

5.3 **Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009):** sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.

5.4 **Planning Policy Guidance 15: Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary,

relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

## 5.6 **East of England Plan 2008**

ENV6 The historic environment

ENV7 Quality in the built environment

## 5.7 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/15 Shopfronts and signage

4/11 Conservation Areas

4/12 Buildings of Local Interest

6/6 Change of use in the City Centre

## 5.8 **Material Considerations**

**Cambridge Historic Core – Conservation Area Appraisal (2005):** Provides an appraisal of the Historic Core of Cambridge.

**Shopfront Design Guide (1997) :** It aims to help designers ensure that new shopfronts and refurbished shopfronts fit into their contexts.

## 6.0 **CONSULTATIONS**

### **Historic Environment Manager**

- 6.1 Object. Whilst the use as a bank branch is not dissimilar to that of a post office branch and much of the ground floor interior has been repeatedly altered, there is one extremely worrying statement in the “Flagship Design Concept” where the agents refer to ‘shopfronts with clear views into the branch’. This inevitably means an attempt to destroy the fine facade and replace it with a very poor quality ‘modern’ [ie : large plate glass] shopfront that would remove much of the character and quality of this BLI.

- 6.2 An associated problem is that the existing post office branch is clearly too small yet this 'swap' seems to be propelling it into an inappropriate alternative.

### **Head of Legal Services**

- 6.3 In agreement with the independent legal advice that was sought, that the best way to proceed is by way of a Grampian condition. There is no 100% guarantee of the status quo of the new post office but the A1 use would be the new use for the premises 57-58 St Andrews Street.

### **Cambridgeshire County Council (Transport)**

- 6.4 No objections.

### **Head of Environmental Services**

- 6.5 No objections in principle, subject to noise conditions relating to plant facilities.

### **Cambridge City Council Access Officer**

- 6.6 The internal alcove seating is too tight.
- 6.7 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 of the following address have made representations:

*98 Balsham Road*

The following points are made:

- Resiting the post office would be completely inappropriate as it needs its current size.
- The new post office would not be suitable for the disabled.
- Too many banks in that area already.
- Barclays already have enough space in their Market Street branch.

*Universities Superannuation Scheme (USS) who is a major investor in the Grand Arcade Shopping Centre.*

7.2 The representations can be summarised as follows:

- Strong objection to the loss of the retail unit.
- It is important that the streets leading to the Grand Arcade maintain a high level of footfall.
- The bank frontage could break up visitor movement along St Andrews Street, which may result in a reduction in visitor numbers to this area.
- The application is located in the Secondary Shopping Frontage which states that A1 uses should not fall below 60%.
- If the application were allowed this would result in the frontage falling to 58% which is contrary to policy.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Disabled access
4. Refuse arrangements
5. Cycle parking
6. Third party representations

### **Principle of Development**

8.2 The key issue relates to the impact of the proposal on vitality and viability of the City centre.

8.3 Local Plan policy 6/6 states that the change of use from A1 to A2, A3, A4 or A5 at ground level will only be permitted in primary frontages where the proposal would not harm the contribution the frontage makes to the vitality and viability of the

City centre. The existing post office is a prominent A1 retail unit within the City centre, and its loss to an A2 use would generally be resisted.

- 8.4 However, the proposal will retain the balance of A1 units on St Andrews Street and within the primary shopping frontage by ensuring the loss of the A1 unit is replaced. The 'use swap' will be facilitated by way of a Grampian condition attached to any consent granted which directs that number 57 St Andrews Street be occupied with an A1 retail unit before the development takes place.
- 8.5 Independent legal advice was sought by the applicant on the reasonableness and appropriateness of the suggested Grampian condition and its compliance with Circular 11/95. This legal view concurs with officers views that there is a case for the condition based on necessity and that it is consistent with Circular 11/95. It manages or mitigates the effect of the development, whereby the change of use would otherwise be harmful to the vitality and viability of the City centre.
- 8.6 The Council's Legal Team are satisfied with the robustness of the Grampian condition and while there is no absolute guarantee it will be the 'post office' that occupies 57-58 St Andrews Street, the balance of A1 units in the City Centre will be retained.
- 8.7 I recognise that the new A1 unit at 57-58 St Andrews Street is smaller in size than the current post office at 9-11 St Andrews Street. There will therefore be an overall loss of some 500 sq m of overall retail floorspace. However, in my view the kind of business and service which the new Barclays would operate has a significant draw in terms of footfall and general contribution to the City Centre. I do not feel that the use of the premises for banking would harm the contribution the frontage makes to the vitality and viability of the City Centre, especially given that the balance of individual retail units will be retained.
- 8.8 The concerns of USS are noted, but it is in my view difficult to attribute any harm from this proposal to the wider vitality of the City Centre. Policy generally aims to retain retail uses, which will be achieved here, and I believe that a bank is a wholly appropriate use in the City Centre which will generate significant footfall in its own right. The agents acting on behalf

of the Grand Arcade incorrectly identify the premises as falling within the Secondary Shopping Frontage, which has different policy implications. This premises does in fact fall within the Primary Shopping Frontage as does 57-58 St Andrews Street.

- 8.9 In my opinion, the principle of the development is acceptable and in accordance with policy 6/6.

### **Context of site, design and external spaces**

- 8.10 The key design issue relates to the impact of the physical alterations to the frontage of the building on the character and appearance of the Conservation Area.

- 8.11 The application as submitted contains only a description of the nature of the changes which will be required to the shopfront itself. Whilst the Council's Conservation officer has strong concerns regarding the typical design and layout format for what will be a 'flagship' Barclays branch, approval of these details does not form a part of the application.

- 8.12 The applicant is aware that the detailed design of the shopfront will need to be sympathetic to the building and that standard, corporate formats are unlikely to be acceptable in the Conservation Area. The distinctive stone facade will need to be retained and any signage should comply with the principles of the 'Shopfronts Design Guide'. Any future proposals which seek to remove this facade will be strongly resisted.

### **Disabled access**

- 8.13 The Council's Access Officer has considered this scheme and does not object to the internal layout subject to fixtures and fittings. Concerns over internal seating will be brought to the applicants attention. While I note that third party objections have been raised with regard to access to the new post office for the disabled, the Post Office are confident that queuing can be adequately managed and that the needs of disabled people will be met. The new post office will be refurbished internally in an inclusive, accessible manner.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.



## **Refuse Arrangements**

- 8.15 Refuse storage arrangements will remain essentially unchanged from the post office use, with bins located to the rear of the building. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/4.

## **Bicycle Parking**

- 8.16 The position of the site in the City Centre means that cycle parking for customers is not practicable. In addition, there is no available space to the rear to provide staff cycle parking which would be unchanged from the existing situation. However, given the close proximity of the Grand Arcade bicycle park and the very similar bicycle parking requirements of A1 and A2 uses, the provision of addition spaces is not considered mandatory.

## **Third Party Representations**

- 8.17 The comments received have been adequately covered in the above report.

## **9.0 CONCLUSION**

- 9.1 The proposed change of use will retain the balance of A1 retail units in the City Centre and will not in my view harm the contribution the frontage makes to the vitality and viability of the City Centre. The design implications of any shop front alterations that will be needed will be scrutinised under a separate application. Approval is recommended.

## **10.0 RECOMMENDATION**

### **APPROVE and subject to the following conditions:**

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

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

2. No part of the development hereby permitted shall take place until a use within Class A1 of the Planning Use Classes Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) has been implemented at 57/58 St Andrews Street, Cambridge.

Reason: To ensure that the development does not lead to a loss of Class A1 use in the City in accordance with Cambridge Local Plan 2006 policy 6/6.

**INFORMATIVE:** This permission relates to the change of use of the premises only and not to any physical external alterations to the shopfront or signage.

### **Reasons for Approval**

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

East of England plan 2008: ENV6, ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/15, 4/11, 4/12 and 6/6

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

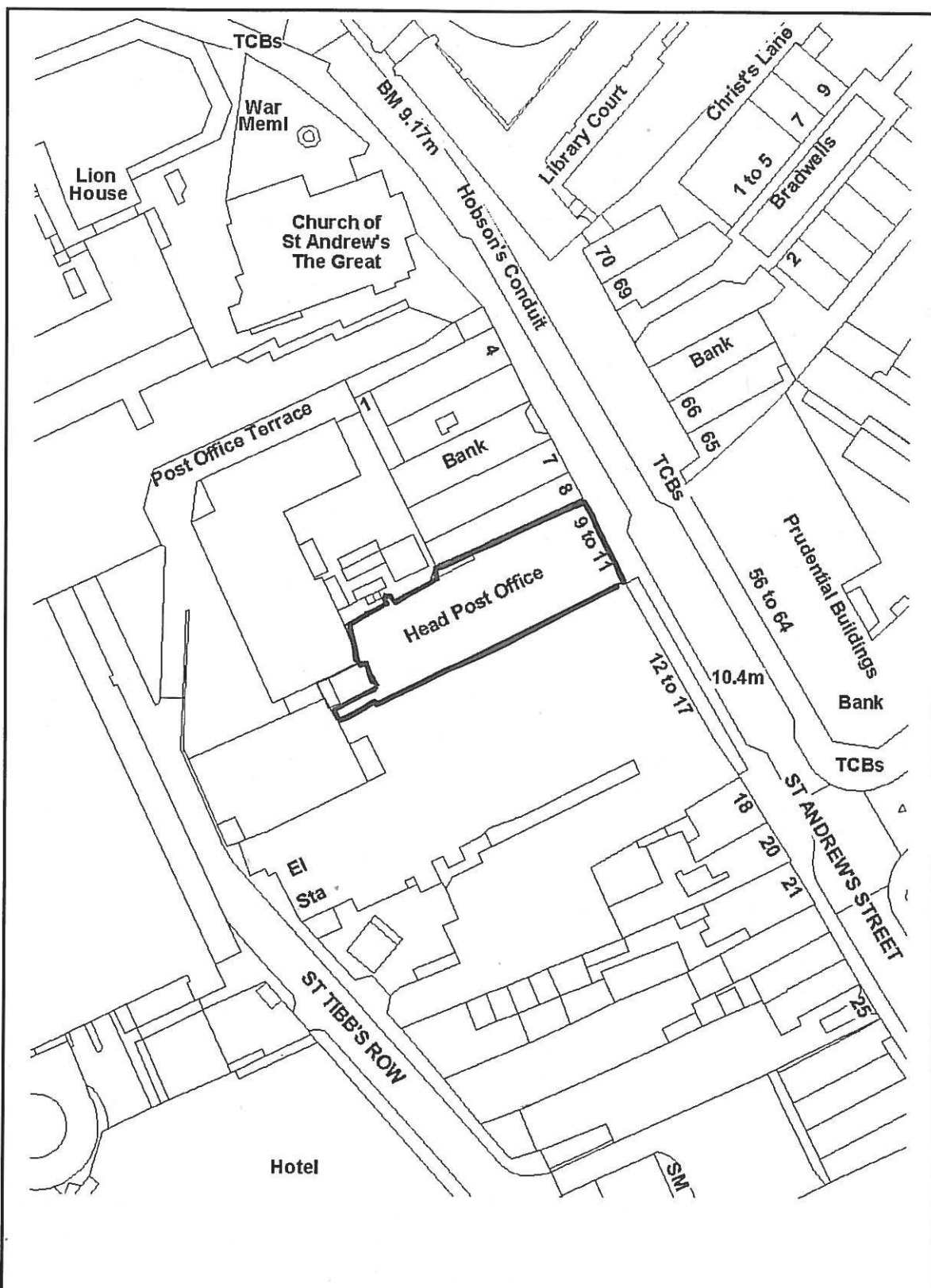
## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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

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

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

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**09/1198/FUL**  
**Cambridge Post Office 9 - 11 St Andrews Street Cambridge**  
**Cambridgeshire**

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<b>Application Number</b>	09/1128/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st December 2009	<b>Officer</b>	Mr Tony Collins
<b>Target Date</b>	15th February 2010		
<b>Ward</b>	Market		
<b>Site</b>	Jesus Green Victoria Avenue Cambridge Cambridgeshire		
<b>Proposal</b>	Permission for existing skateboard facility (following approved application 05/1164/S73).		
<b>Applicant</b>	Mr Declan O'Halloran Recreation Services Active Communities Hobson House 44 St Andrews Street Cambridge Cambridgeshire CB2 3AS		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The skateboard park was originally approved on 7<sup>th</sup> January 2003 on a temporary basis, which was subsequently renewed. It lies to the south-east of the Jesus Green swimming pool, from which it is screened by a row of tall conifers. Residential properties in Park Parade are 65m to the south-west, student accommodation in Jesus College is 50m to the south, beyond a substantial tree belt along Jesus Ditch, and houses on the north side of the river, on Chesterton Road are 40m to the north-west.
- 1.2 The site is classified as Protected Open Space in the Cambridge Local Plan (2006), and falls within the Historic Core section of the City of Cambridge Conservation Area No.1 (Central).

## **2.0 THE PROPOSAL**

- 2.1 The application seeks permanent permission for the existing skateboard facility, which consists of a 1.5m high quarter pipe, a 1.5m high flat bank, a 1m high driveway and a 650mm high grind

block. The equipment is grouped in a rectangular area measuring 15m by 25m.

2.2 The application is accompanied by the following supporting information:

1. Design and access statement
2. Flood risk assessment

### 3.0 SITE HISTORY

3.1

Reference	Description	Outcome
02/0982	Skate park – temporary for two years	Approved with conditions
05/0628	Extension of permission for skate park for a further two years	Never made valid
05/1164	Extension of permission for skate park for a further two years	Approved with conditions

3.2 The above list shows skateboard-related applications only. There have been many other applications on the Green, but they are not of relevance to this application.

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system,



and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

**5.3 Planning Policy Guidance 15: Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

**5.4 Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (2002):** This guidance states that well-designed provision for sport and recreation can help to deliver social inclusion and community cohesion, health and well-being, and sustainable development. It provides guidance on enhancing existing recreational facilities, and provides a typology illustrating the range of open areas which may be of public value.

**5.5 Planning Policy Statement 25: Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.

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

**5.7 East of England Plan 2008**

SS1 Achieving sustainable development  
ENV6 The historic environment

**5.8 Cambridge Local Plan 2006**

3/1 Sustainable development  
3/4 Responding to context

3/7 Creating successful places  
3/11 The design of external spaces  
4/2 Protection of open space  
4/4 Trees  
4/11 Conservation Areas  
4/16 Development and flooding  
6/2 New leisure facilities

## 5.9 Material considerations

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

**Cambridge Historic Core – Conservation Area Appraisal (2005):** Provides an appraisal of the Historic Core of Cambridge.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Engineering)**

6.1 No comment.

#### **Head of Environmental Services**

6.2 No adverse comment.

#### **Historic Environment Manager**

6.3 No objection to continuing use, but should remain temporary.

#### **Principal Landscape Officer**

6.4 Questions whether this is the best location.

#### **Environment Agency**

6.5 Flood risk assessment details are acceptable to the Agency. Responsibility for safe occupancy remains with the City Council.

## **Cambridgeshire Constabulary (Architectural Liaison Officer)**

- 6.6 No objection, but space beneath ramps encourages anti-social behaviour, and should be bricked in.
- 6.7 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 in support of, or not objecting to, the application:

49 De Freville Avenue  
65 De Freville Avenue  
5 Park Parade  
7 Park Parade  
23 Portugal Street

- 7.2 Representations in support have also been received from the Jesus Green Association.

- 7.3 Issues raised in these representations can be summarised as follows:

repairs needed  
spaces beneath ramps trap litter and encourage anti-social behaviour  
drainage needs improving  
entrance to the Green from Victoria Avenue needs improving  
skaters should be encouraged to use litter bins

- 7.4 The owners/occupiers of the following addresses have made representations objecting to the application:

85 Chesterton Road  
3 Hale Avenue  
15 Riverside

7.5 The representations can be summarised as follows:

ugly  
noisy  
has eroded the grassed area of the Green  
council should not use planning system as avenue for public  
comment on its proposals

7.6 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. Crime and anti-social behaviour
5. Flood risk
6. Third party representations

### **Principle of Development**

8.2 Paragraph 18 of PPG17 suggests that local authorities should seek opportunities to increase the value of existing sports and recreation facilities. It also states that local authorities should promote better use of the facilities by the use of good design to reduce crime. Paragraph 2 of the Annex lists, as one of the types of facility which can be of public value, provision for children and teenagers, including skateboard parks. In my view, granting permanent permission is in accordance with this guidance, and with policy 6/2 of the Cambridge Local Plan (2006). It will encourage good maintenance of, and investment in, the facility. I note the view of the Historic Environment Manager that the permission should remain temporary in case skateboarding becomes unfashionable. I do not consider that this is necessary, and in my view it would fail the tests for planning conditions set in Circular 11/97.

- 8.3 Paragraph 20 of PPG17 urges that local authorities should promote accessibility by walking cycling and public transport, avoid any significant loss of amenity to residents, and enhance the range and quality of existing facilities. This is a sustainable location, and, as I indicate below, I do not consider that the facility involves any significant loss of amenity to neighbouring residents.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 3/4, 4/2, 4/11 and 6/2 of the Cambridge Local Plan (2006), and with government guidance in PPG17.

### **Context of site, design and external spaces, and impact on the conservation area**

- 8.5 The position of the skateboard park is such that, in my view, the angular shapes of the equipment are not particularly noticeable against the background of the Green. Two representations cite the ugliness of the ramps and railings as a reason for refusal. The Principal Landscape Architect questions whether this is the ideal location, but does not oppose the proposal, and the Historic Environment Manager suggests that there is merit in the facility being grouped closely with the nearby pool, and that the ramps are now an 'accepted' feature of the landscape. In my view, the visual impact of the skateboard park is very limited, and it does not have any significant detrimental impact on the character of the conservation area.
- 8.6 Representations raise a number of issues about the maintenance of the facility and the area around it. In my view, these are not a reason for refusal, but rather issues which are more likely to be addressed if permanent permission is granted. I recommend an informative which alerts the applicant to public concerns on these issues.
- 8.7 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, and 4/11.

### **Residential Amenity**

- 8.8 The application site is at a considerable distance from any residential uses. Only one of the representations received makes any reference to the creation of noise, and the Head of Environmental Services has no concerns on this issue. I do not

consider that permanent planning permission would pose any threat to the residential amenity of neighbours, and I consider that the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Crime and anti-social behaviour**

- 8.9 No firm evidence has been put forward to link the existence of the skateboard facility with crime. However, it seems that the space beneath the ramps, as well as accumulating litter, may on occasion provide a venue for drug dealing and rough sleepers. The police do not oppose the application, but urge that the spaces beneath the ramps be bricked in. I am not convinced that brick enclosures are necessarily the best solution; I propose that a satisfactory enclosure of the spaces beneath the ramps be secured by condition.

### **Flood risk**

- 8.10 The Environment Agency is satisfied with the applicants' flood risk assessment. I accept the agency's advice on this matter. In my view, the proposal is in accordance with policy 4/16 of the Cambridge Local Plan (2006).

### **Third Party Representations**

- 8.11 I have addressed all the issues raised other than that concerning the Council's strategy for communicating with the public, and the transparency of its decision-making. This is a general issue about the democratic process in the City, and is not, in my view, of specific relevance to this application. The planning process has been properly complied with in respect of this application, in my view.

## **9.0 RECOMMENDATION**

### **APPROVE subject to the following conditions:**

1. Within three months of this approval, a satisfactory scheme for the effective enclosure of the spaces beneath the ramps shall be submitted to the local planning authority for approval. Implementation of an approved scheme for enclosure shall take place within 12 months of this approval.

Reason: To ensure that the development does not give rise to environmental problems, or foster anti-social behaviour. (Cambridge Local Plan 2006, policies 3/4 and 4/11)

**INFORMATIVE:** The applicant is advised that the local planning authority considers it important that high standards of maintenance are applied to the facility hereby approved and the surrounding area of the Green.

### **Reasons for Approval**

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

East of England plan 2008: policies ENV6 and ENV7

Cambridge Local Plan (2006): policies 3/4, 3/7, 3/11, 4/2, 4/11, 4/16 and 6/2

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

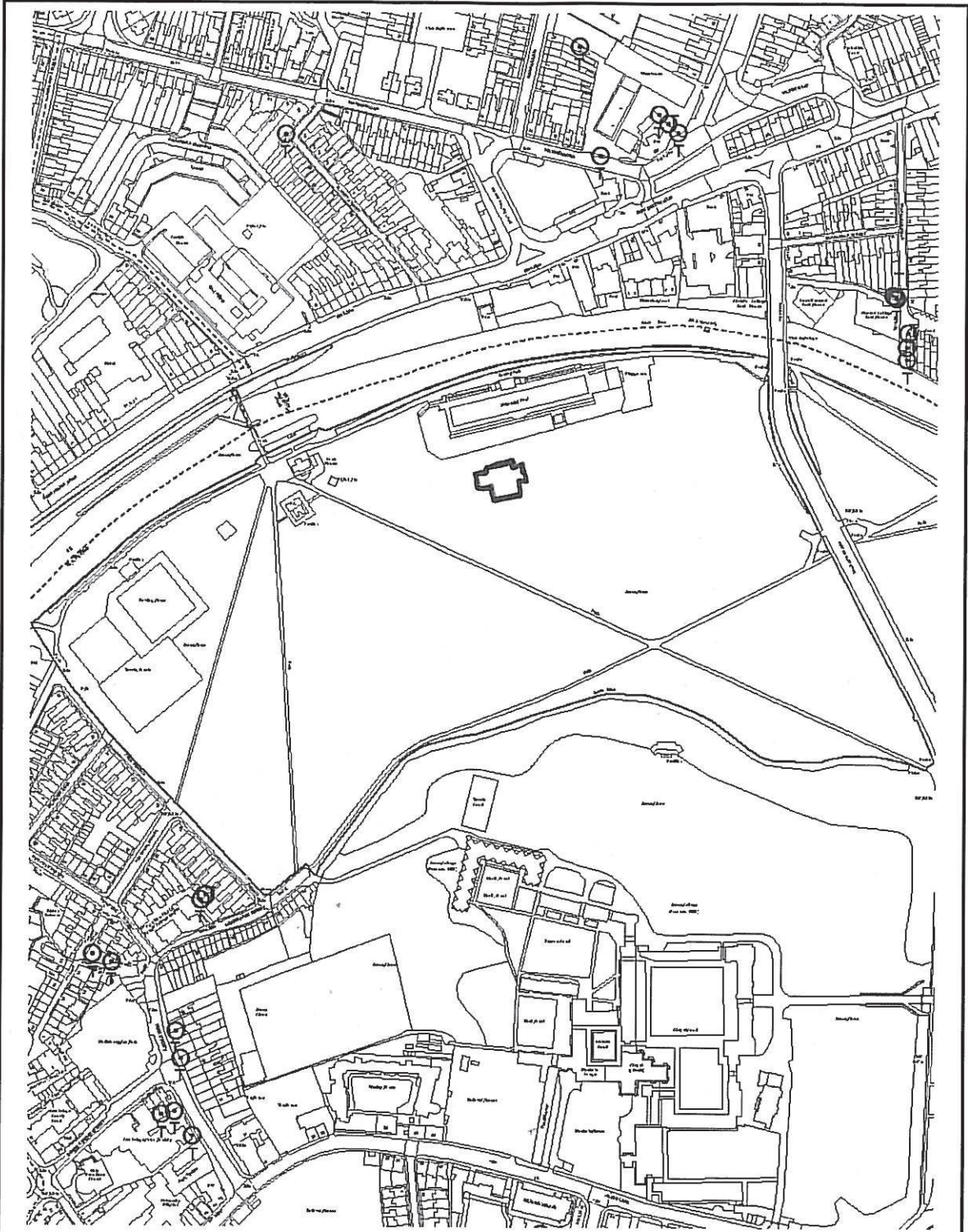
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**09/1128/FUL**

**Jesus Green Victoria Avenue Cambridge Cambridgeshire**

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<b>Application Number</b>	09/1171/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	17th December 2009	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	17th February 2010		
<b>Ward</b>	Market		
<b>Site</b>	Guildhall Chambers 7 Guildhall Place Cambridge Cambridgeshire CB2 3QQ		
<b>Proposal</b>	Proposed third floor alterations to Guildhall Chambers.		
<b>Applicant</b>	Mr J V Gredley Maple House Old Bury Road Lackford IP28 6HR		

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### **1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 Guildhall Chambers lies within City of Cambridge Conservation Area 1 (Central) and is not listed. The surrounding area is predominantly commercial in character, with the Lion Yard Shopping Centre to the north, the Guildhall to the west, the Corn Exchange to the south, and the Grand Arcade to the east. However, there are also residential properties in close proximity such as the Catholic Chaplaincy, Fisher House, which is approximately 5-10m away, and in direct line of sight.

### **2.0 THE PROPOSAL**

2.1 This application seeks planning permission for alterations to the third floor of Guildhall Chambers, to create a roof terrace for the Soul Tree nightclub.

2.2 The proposal includes partial demolition of the third floor, and the provision of a glazed screen around the perimeter of the roof terrace.

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Noise Assessment

### 3.0 SITE HISTORY

The following applications relate to the Cow Public House, which adjoins Guildhall Chambers, but they are directly relevant to this application.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
07/1158/FUL	Erection of an external smoking enclosure on roof terrace	REF
07/1300/LBC	Erection of an external smoking enclosure on roof terrace	REF
08/0290/LBC	Erection of an external smoking enclosure	A/C
08/0291/FUL	Erection of an external smoking enclosure	A/C

The relationship between Guildhall Chambers and Fisher House is a complex one, and therefore it is felt that this application should be determined by Committee.

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

5.2 **Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system,

and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

**5.3 Planning Policy Guidance 24: Planning and Noise:** Provides guidance on the use of their planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise. It explains the concept of noise exposure categories for residential development and recommends appropriate levels for exposure to different sources of noise. It also advises on the use of conditions to minimise the impact of noise. Six annexes contain noise exposure categories for dwellings, explain noise levels, give detailed guidance on the assessment of noise from different sources, gives examples of planning conditions, specify noise limits, and advise on insulation of buildings against external noise.

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

#### **5.5 East of England Plan 2008**

SS1 Achieving sustainable development  
ENV6 The historic environment  
ENV7 Quality in the built environment

#### **5.6 Cambridge Local Plan 2006**

3/1 Sustainable development  
3/4 Responding to context  
3/14 Extending buildings  
4/11 Conservation Areas  
4/13 Pollution and amenity

## 5.7 **Material Considerations**

**Cambridge Historic Core – Conservation Area Appraisal (2005):** Provides an appraisal of the Historic Core of Cambridge.

## 6.0 **CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

6.1 No Objection: No significant adverse effect on the public highway should result from this proposal should it gain the benefit of planning permission.

### **Head of Environmental Services**

6.2 No objection: Subject to conditions relating to the details of the screen, exclusion of amplified music, exclusion of 'live' music, lobby access to the roof terrace, stewarding, furniture, noise insulation, fume filtration, construction hours, waste storage, and lighting. Their comments are attached to the report as Appendix 1.

### **Historic Environment Manager**

6.3 No objection: The proposal will have a neutral effect on the character and appearance of the Conservation Area.

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:

Cambridge University Catholic Association

7.2 The representations can be summarised as follows:

The proposal will add to the already high volume of noise in the area at night;

The submitted noise report states that the windows of Fisher House are double glazed – they are not;

The roof terrace would overlook Fisher House;

The residents of Fisher House would be subjected to passive smoking, as smoking would be permitted on the roof terrace.

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

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces, and impact on the surrounding Conservation Area
2. Residential amenity
3. Third party representations

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

8.2 The proposal is for alterations to the third floor of this modern property, including partial demolition of the existing structure in order to create the external roof terrace area. The height of the building will not be increased from what it is currently, and instead there will be a perceived reduction of scale due to the perimeter glazed screen having a less solid appearance. The retained internal areas are then proposed to be extended out over the existing side balconies to provide additional internal floor area.

8.3 The Historic Core Conservation Area Appraisal notes this building as a site of potential redevelopment as the building is not considered one that enhances the character or appearance of the Conservation Area. While the proposed changes will also not enhance the area, they are not considered to have a negative impact and, therefore, the City Council's Conservation Officers do not object to the proposal.

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

## Residential Amenity

- 8.5 The Cambridge University Catholic Association, the occupiers of Fisher House are concerned that the proposed roof terrace would lead to an increase in the noise and disturbance experienced by the residents of Fisher House. The bedrooms of Fisher House are in direct line of sight from the roof of Guildhall Chambers; many (if not all) of the windows are single glazed; and due to the age of Fisher House it is unlikely to have good acoustic insulation properties. Whilst I fully appreciate the concerns raised by the residents of Fisher House, on balance I am of the view that the proposed roof terrace could well result in an improvement to the disturbance experienced by residents, as long as the noise barrier provided is effective and efficient. The City Council's Environmental Health Officers are satisfied that this is achievable, subject to the imposition of a number of conditions.
- 8.6 The Soul Tree nightclub does not currently have an area that complies with the requirements of the Health Act 2006, which prevents people from smoking inside a public building. This means that currently smokers leave the premises to smoke in Fisher Square. This situation creates a number of problems for the operators of the nightclub, which have a knock on effect on residential amenity. As the smokers are no longer on the premises they are not under the control of Security Staff. I understand from the occupiers of Fisher House that this activity creates significant noise and anti-social behaviour at the present time.
- 8.7 Having a smoking area within the premises would prevent the need for smokers to leave the building, allowing better control of who is leaving and entering the building, and enable Security Staff to better control the behaviour of nightclub patrons.
- 8.8 In order to act as an effective noise barrier the screens around the roof terrace must be free from gaps and have sufficient surface details, but this can be secured by a planning condition (condition 3). Also, in order to prevent patrons shouting down to people in Fisher Square or having views into Fisher House, the screens must not be transparent. This again is achievable by condition (condition 3).



- 8.9 In order to prevent noise breakout from the bar area to the roof terrace, the roof terrace must be accessed via a lobby with two sets of doors – one from the bar into the lobby and a second from the lobby onto the roof terrace. The applicant has agreed to provide such a lobby. The doors of the lobby must be on self-closures and signage must be provided to ensure that the doors remain closed. This can be secured by conditions (condition 6).
- 8.10 Amplified music increases the volume of conversation as voices would need to be raised to overcome it. Amplified music here would also carry over a wider area, as there are fewer buildings at the height of the roof terrace to block the travel of noise. Therefore, there should be no amplified or ‘live’ music on the roof terrace (conditions 4 and 5). To control noise from noisy patrons between 21:00 and 09:00 hours, I would recommend that the terrace is stewarded between these times. This can be secured by condition (condition 7). To prevent the noise of furniture scrapping on the floor, all furniture on the roof terrace must have soft feet (condition 8).
- 8.11 In my opinion, subject to the discharge of the planning conditions that I have recommended, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Third Party Representations**

- 8.12 The majority of the issues raised in the representation received have been discussed under the headings above. What has not yet been discussed is the concern about passive smoking. Whilst I understand this concern about public health, the planning system cannot control it.

## **9.0 CONCLUSION**

- 9.1 On balance, I am of the view that, subject to the imposition of the conditions recommended, the proposal is likely to result in an improvement to the disturbance experienced by residents. Therefore, this application is recommended for 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. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

3. Prior to the commencement of development full details of the screen surrounding the roof terrace including height, appearance and acoustic details shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the roof terrace, and shall be retained thereafter.

Reason: To ensure that the screen does not have a detrimental impact on the appearance and character of the Conservation Area, and to ensure that the screen is an effective noise barrier. (Cambridge Local Plan 2006, policies 4/11 and 4/13)

4. There shall be no speakers or amplified music or vocals on the roof terrace at any time.

Reason: To minimise the impact on residential amenity. (Cambridge Local Plan 2006, policy 4/13)

5. There shall be no live entertainment on the roof terrace at any time.

Reason: To minimise the impact on residential amenity. (Cambridge Local Plan 2006, policy 4/13)

6. Between the hours of 21:00 and 09:00 access to the roof terrace shall only be via a double-doored lobby, full details of which shall be submitted to and approved in writing by the Local Planning Authority. The doors shall be kept closed, unless in use, fitted with overhead automatic closures approved by the Local Planning Authority, and signs shall be displayed to require that the doors are closed when not in use

Reason: To minimise the impact on residential amenity.  
(Cambridge Local Plan 2006, policy 4/13)

7. Use of the roof terrace between the hours of 21:00 and 9:00 by patrons of the nightclub shall be supervised by nightclub staff at all times when such people are present on the roof terrace.

Reason: To minimise the impact on residential amenity.  
(Cambridge Local Plan 2006, policy 4/13)

8. All furniture shall have plastic, rubber or similar feet to reduce the impact of noise associated with the movement of furniture.

Reason: To minimise the impact on residential amenity.  
(Cambridge Local Plan 2006, policy 4/13)

9. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

10. Before the roof terrace hereby permitted is commenced, a scheme for the lighting of the roof terrace shall be submitted to and approved in writing by the Local Planning Authority. Any lighting of the roof terrace shall be carried out strictly in accordance with the approved details.

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

**INFORMATIVE:** To satisfy standard condition C62 (Noise Insulation), the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) (i.e. the rating level of the plant needs to match the existing background level). This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

**INFORMATIVE:** As the premises is intended to provide alcohol or regulated entertainment it may require a Premise Licence under the Licensing Act 2003. The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 for further information.

### **Reasons for Approval**

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

East of England plan 2008: ENV6, ENV7

Cambridge Local Plan (2006): 3/4, 4/11, 4/13

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.

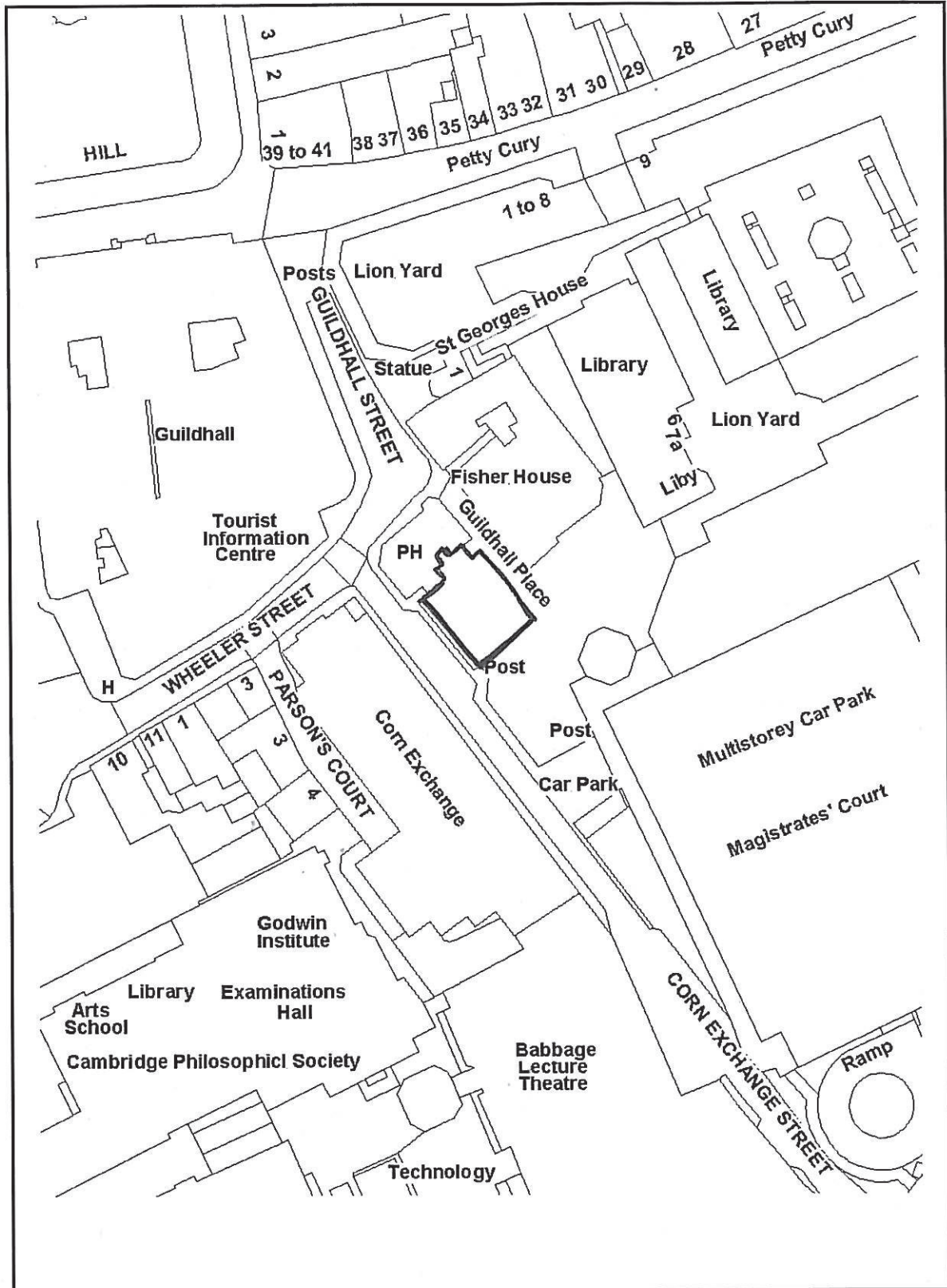
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09/1171/FUL  
 Guildhall Chambers 7 Guildhall Place Cambridge  
 Cambridgeshire

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# CAMBRIDGE CITY COUNCIL MEMO

**To:** Catherine Linford      **Dept:** Planning

**Building:** The Guildhall      **Room:**

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**From:** Daniel Bayles      **Dept:** Environmental Services

**Phone:** 01223 457895      **Room:** Mandela House

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**Date:** 11 March 2010

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**Subject:** **Proposed Third Floor Alterations To Guildhall  
Chambers, Cambridge**

**Guildhall Chambers, Guildhall Place, CB2 3QQ**

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**My Ref:** WK/200914403

**Your Ref:** 09/1171/FUL

**Copies:**

Thank you for your email received on 12 January 2010.

Please note this memo replaces my draft dated 1 February 2010 and is amended in light of the amended drawings showing a lobby on to the proposed roof terrace and the amended noise report dated 8 March 2010.

## **COMMENTS**

### **Location**

Fisher Square and the surrounding area, is bordered by a number of licensed premises the largest being the applicants property, The Soul Tree.

Fisher House, the Catholic Chaplaincy, is a residential property, immediately opposite The Soul Tree.

## **Smoke Free**

As the Soul Tree has no area that complies with the requirements of The Health Act 2006, the act that introduced Smoke Free, smokers have to leave the premises and smoke in Fisher Square and the surrounding area. This creates problems of controlling people exiting and returning to the premises. Also as the smokers are not on the premises they are not under the control of the Security Staff, so they cannot control any anti social behaviour (ASB). Patrons are also free to mix with people who have not entered the premises and collect or give items to people who have not entered the premises. I understand from the occupiers of Fisher House that this activity currently creates considerable noise and at times ASB.

Having a smoking area within the premises would prevent the need to frequently leave the building allowing better control of who is entering and leaving the premises. When inside the premises the security staff can control the behaviour of its patrons such as request they reduce their volume.

As a result of the Smoke Free legislation a similar problem occurred outside the nearby Revolution Bar on Downing Street, where there was the risk of patrons, mainly smokers, being hit by passing vehicles. In 2009 Revolution applied for Planning Permission to increase the use of their Roof Terrace, which was granted with a number of conditions to prevent noise, similar to those proposed below. Since Revolution was granted planning permission subjectively the number of people outside the bar has decreased making an accident less likely and improving the appearance of the area. I am also unaware of any noise complaints being made.

I therefore foresee this roof terrace as having a similar improvement on the night time anti social behaviour in and around Fisher Square. It could therefore improve the amenity.

## Noise

Despite the advantage of the application the amenity of the residents of Fisher House must be protected from noise of the patrons on the roof terrace. It must also be noted that Downing Street is a noisier environment than Fisher Square.

Miss Catherine Linford, Planning Officer and I undertook a site visit to both the Soul Tree and Fisher House on Friday 29 January 2010. During this visit we observed that bedrooms of Fisher House are in direct line of sight to the proposed roof terrace. I also noted that the windows of some bedrooms are single glazed and that the building's structure is medieval in style so it will not have good acoustic insulation properties.

Due to the increase in height of the roof terrace there was the possibility of noise from the roof terrace disturbing those in Fisher House. I therefore studied the acoustic report from Richard Vivian of Big Sky Acoustics dated 4 December 2009, reference 09120336, in detail. I have since requested and received additional information, in the second noise report dated 8 March 2010 reference 1003047, which I have also studied and made my own calculations on. I have also compared the noise levels measured by Big Sky to other surveys in the area and found them comparable. My conclusion therefore is

**Providing other sources of noise such as amplified music are prevented. Even in the early hours of the morning the noise of voices from people on the proposed roof terrace at the windows of Fisher House will be below the background noise level and the windows will further reduce the noise inside the bedrooms. Outside Fisher House the noise of the people on the roof terrace will be audible, if listened for, but will not be at a volume that will be clearly noticeable and will not be at a level at which noise can be used as a reason for the refusal of planning permission.**

This is based on the understandings that the barrier will be sufficiently well designed and constructed and that there will be no other noise such as amplified music, conditions are therefore needed to ensure these understandings can be enforced.

In order to act as an effective noise barrier the screens around the roof terrace must be free from gaps and have sufficient surface density, but the exact details can be agreed as a condition. Also in order to prevent patrons shouting down at people in Fisher Square the screen should also not be transparent. This will also protect the privacy of those in Fisher House.

In order to prevent noise breakout from the bar areas access to the roof terrace must be via a lobby with two sets of doors between the internal areas and the roof terrace. This has now been agreed to and the design has now been amended to incorporate this. The doors of the lobby must be on self-closures and shall be signed stating they must be kept closed.

The current design has a sliding door opening directly from the internal bar on to the roof terrace. To prevent unacceptable noise breakout affecting the amenity of those in the area these doors must be closed between 21:00 and 09:00 hours. During this time access to the roof terrace must only be via the lobby.

To control noise from noisy patrons between 21:00 and 09:00 hours the terrace bar shall be stewarded. The stewards must remind rowdy patrons of the need to reduce their volume.

To prevent the noise of furniture scrapping on the floor all furniture and chairs must have soft feet such as plastic rubber or similar.

Background music will increase the volume of conversation, as voices will have to be raised to overcome it. Amplified music will also carry over a wide area, as there are fewer buildings at the height of the roof terrace to prevent its travel. There must therefore be no music on the roof terrace.

### **Licensing Act 2003**

If approved prior to use this development will also require a variation to the existing Premises License issued by the Council, as the Licensing Authority under the Licensing Act 2003. However, it is only an objective of that Act, "To prevent Public Nuisance." The Planning Process deals with the more stringent standard of amenity. It is not the function of either the Licensing Act 2003 or the noise nuisance provisions of the Environmental Protection Act 1990 (as amended) to protect the amenity, this is for the planning process alone. Therefore, as recently noted by the Planning Inspector when dismissing an appeal at another licensed premises within the City, the application should be assessed against the standard of amenity, if necessary additional conditions imposed to protect the amenity or if the application cannot be approved without unacceptable harm to the amenity it should be refused. A good planning decision should protect the amenity and as a result prevent the occurrence of a nuisance.

I advise that the applicant seeks to have the Premises License varied before starting any works in order to reduce cost in the event that the Licensing process requires the structure to be varied.

The standard Licensing Informative is required.

### **Plant Noise and Odour**

I understand that the plant including the kitchen extraction system will be moved. This will therefore require the normal plant noise insulation condition and odour control conditions.

### **Waste and Recycling**

To prevent harm to the amenity from odour, vermin or litter details of waste and recycling storage need to be agreed.

### **Lighting**

Due to the size of the area needing to be lit the lighting needs to be managed in order to ensure it is adequate for health and safety, but does not cause problem from light pollution. Lighting therefore needs to be agreed as a condition.

## **RECOMMENDATION**

APPROVE with Conditions

## **CONDITIONS**

### **1. Details of Screen to be Agreed**

Prior to the commencement of development the detail of the screen surrounding the roof terrace including height, appearance and acoustic details shall be agreed with the LPA and implement in accordance with the agreed details prior to the commence of the development/use hereby permitted

### **2. Exclusion of Amplified Music**

There shall be no speakers or amplified music or vocals on the roof terrace.

### **3. Exclusion of Regulated Entertainment**

There shall be no regulated entertainment on the roof terrace.

### **4. Access to Bar Terrace via a lobby**

Between the hours of 21:00 and 09:00 access / egress to the roof terrace shall only be via a double-doored lobby. The doors shall be kept closed, fitted with overhead closures and signed that the must be kept closed.

### **5. Close all doors and windows**

All doors and windows apart from the lobby described above shall be kept closed between the hours of 21:00 and 09:00.

### **6. Stewarding**

Between the hours of 21:00 and 09:00 when members of the public are present the roof terrace shall be stewarded at all times. The stewards shall remind noisy patrons of the need to keep noise to a reasonable level.

### **7. Furniture**

All furniture shall have plastic, rubber or similar feet to prevent the noise of scrapping.

### **8. Noise Insulation (Plant)**

**C62**

Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use permitted is commenced.

## **9. Fume Filtration/Extraction**

**C60**

Before the development/use hereby permitted is commenced, details of equipment for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced.

## **10. Construction Hours**

**C63**

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.

## **11. Waste and Recycling**

**WC1**

Prior to the commencement of development, full details of the on-site storage facilities for trade 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, paladins 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.

## **12. Lighting**

Before the development/use hereby permitted is commenced, a scheme for the lighting of the development/use shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use permitted is commenced.

## **INFORMATIVE**

### **1. C62 Noise insulation Informative**

To satisfy standard condition C62 (Noise Insulation), the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level ( $L_{90}$ ) by more than 3 dB(A) (*i.e. the rating level of the plant needs to match the existing background level*). This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

### **2. Licensing**

As the premises is intended to provide alcohol or regulated entertainment it may require a Premise Licence under the Licensing Act 2003. The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 for further information.

Regards

Mr Daniel Bayles  
Environmental Health Officer

## APPENDIX 1

### Comments On The Acoustic Report From Richard Vivian Of Big Sky Acoustics Dated 4 December 2009 Reference 09120336

#### COMMENTS

Section 3.5, "Extensive double glazing at Fisher House", the bedroom Miss Linford and I saw with direct line of sight to the proposed roof terrace was single glazed. Double-glazing may not be possible as the building is likely to be listed. However, secondary glazing may be a possibility.

Section 3.5, "Guest rooms are not used as permanent bedrooms." During the site visit the room in Fisher House observed had just been vacated and we were informed there are regular guest staying at Fisher House. There is also the possibility of longer stays such as by students. All of these resident require a suitable noise level for sleep. The amenity of these rooms should still be protected, as it is not in the control of the applicant how these rooms are occupied.

Section 6.6, "Windows of Fisher House are not line of sight to the terrace area." From the bedroom Miss Linford and I had direct line of sight to the proposed roof terrace.

Section 5.4 I am more used to night time measurements being taken over a five minute periods. The readings presented are  $L_{Aeq(15\text{ min})}$  or  $L_{Aeq(1\text{ min})}$  the lowest ambient noise is given as  $L_{Aeq(15\text{ min})}$  48 dB. However, the graph in figure 4 (section 5.4) shows the lowest  $L_{Aeq(1\text{ min})}$  45 dB. I would also expect to see the background noise level  $L_{A90(5\text{ min})}$ . For comparison a recent noise report over 3 days for plant on Lion Yard gives the lowest readings as  $L_{Aeq(15\text{ min})}$  45 dB and  $L_{A90(15\text{ min})}$  44 dB.

5.6 The table shows readings until 01:44, but the premise has a licence until 04:00. The data therefore does not go the latest time the application is for.

6.4 The assessment of a sound pressure level of 77 dB(A) at 1 metre is a steady state noise. Conversation overtime will vary with short high volume instances such as laughter. This steady state figure averages out these short high volume instances, which will be disturbing such as to the residents of Fisher House. Some calculation of the maximum noise i.e. the  $L_{A(max)}$  are need.

A recent noise report of a nearby similar application reported the noise from a table of 5 at 3 metres as  $L_{Aeq}$  65 dB and  $L_{A(max)}$  78 dB. Based on these figures it gave the flowing for a 100 people at 3 metres  $L_{Aeq}$  78 dB and  $L_{A(max)}$  78 dB. Although I would expect  $L_{A(max)}$  81 dB to be more likely. For comparison  $L_{Aeq}$  78 dB at 3 metres equates to  $L_{Aeq}$  88 dB at 1 meter, 11 dB higher than the estimate used in the report.

Section 6.7 For distance attenuation a distance of 30 metres is given but where at Fisher House is not stated this conflicts with section 5.1 states the closest façade is 6 metres away.



Barrier attenuation can be calculated in a number of ways so the calculations need to be provided so they can be verified. The report only gives the final figures not how they were calculated. I also note the incorrect assumption section 6.6 which may alter this calculation.

Section 7.5 "PPG 24 states that the sound insulation provided by an open window when partially open will be in the region of 10-15dBA." Agreed, but looking at the construction of the window in the bedroom observed this is more likely to be the lower end of the range i.e. 10dB.

Section 8.7 I agree see my main comments.

## APPENDIX 2

### Comments On The Acoustic Report From Richard Vivian Of Big Sky Acoustics Dated 8 March 2010 Reference 10030347

#### COMMENTS

The amended report contains calculations of the reduction the noise barrier will achieve.

The calculations used the Maekewa method with the A weighted figure being taken from table 9 of the Calculation of Road traffic Noise (CRTN) 1988.

I have not measured the 23 metres from the roof terrace to the windows of Fisher House or the height of the terrace or the window but having visited the site I have no reason to doubt these distances.

The report uses a maximum noise level of a person with a raised voice of 60 dB(A) at 1 metre and calculates for 50 people a total SPL of 77 dB(A). Table 7 of BS 8233 gives a level 2 dB higher of 62 dB(A) at 1 metre this equates to 79 dB(A) at 1 metre for a group of 50 people.

The report only gives a calculation for a noise source at 1 metre from the barrier. This is an optimum location as a barrier is most effective close to the receiver or the source. I have therefore calculated at distances 1- 7 metres in 1 metre intervals from the barrier. At 3 metres from the barrier there is a 1dB increase in the noise at Fisher House compared to at 1 metre but at 4 metres distance attenuation more than accounts for the decreased attenuation of the barrier.

The worst case I calculated the noise at Fisher House from patrons on the roof terrace would be  $L_{Aeq (time)}$  41 dB and this compares to the lowest recorded  $L_{A90 (time)}$  49 dB at 4 am. A difference of 8dB, assuming the minimum noise reduction of 10 dB for a opened window stated in PPG 24 the noise level in the nearest room from patrons on the roof terrace would be  $L_{Aeq (time)}$  31 dB, below the level recommended in PPG 24. Noise from the patrons will therefore not be detrimental to the amenity.

The noise levels measured are comparable to levels measured recently in other noise reports in the area.