



EAST AREA COMMITTEE



AGENDA

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

County Councillors: Bourke, Kavanagh, Walsh and Whitehead

Dispatched: Wednesday, 17 July 2013

Date: Thursday, 25 July 2013

Time: 7.00 pm

Venue: Dublin Suite - Cambridge United Football Club

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

Exhibition Item

Please note that East Area Committee will not be discussing the European Funded Bike Friendly Cities Project as an agenda item. It will be a display item only.

1 **EUROPEAN FUNDED BIKE FRIENDLY CITIES PROJECT**

As part of the European Funded Bike Friendly Cities Project Cambridgeshire County Council are proposing to install a Cycling Barometer on Gonville Place at the edge of Parker's Piece close to the toucan crossing. The barometer will count the number of cyclists who have passed that day and accumulatively through the year and show this on an electronic display. The purpose of the barometer is to both highlight the number of cyclists in Cambridge - cyclists can have fun watching the numbers increase as they cycle by - and to encourage more passers by to think about taking up cycling. The display will be on both sides and so will also be seen by car drivers particularly those waiting in traffic jams at rush

hour and is similar in shape and size to the signage boards in the city centre, one of which is nearby. The barometer will be funded both through the Bike Friendly Cities project and sponsorship from Marshalls. Cycling Barometers have been used in other countries and in some cities in the UK to promote cycling and have proved popular with residents.

Main Agenda Items

2 APOLOGIES FOR ABSENCE

3 DECLARATIONS OF INTEREST

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

Minutes And Matters Arising

4 MINUTES (*Pages 9 - 20*)

To confirm the minutes of the meeting held on 6 June 2013. (*Pages 9 - 20*)

5 MATTERS & ACTIONS ARISING FROM THE MINUTES

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

General agenda information can be accessed using the following hyperlink:

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

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

6 OPEN FORUM

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

Items For Decision / Discussion Including Public Input

- 7 **POLICING AND SAFER NEIGHBOURHOODS** Safer Communities Manager (*Pages 21 - 32*)
- 8 **SAFER CITY GRANT SCHEME 2013/14: CONSIDERATION OF APPLICATIONS** (*Pages 33 - 40*)
- 9 **EAST AREA COMMUNITY FACILITIES CAPITAL GRANTS PROGRAMME** (*Pages 41 - 50*)

Intermission

Appendix 1 for Full Details of Central Government Planning Guidance

Planning Items

10 PLANNING APPLICATIONS

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

- 10a 13/0649/FUL - Scout Headquarters, 40 Stanesfield Road (*Pages 61 - 100*)
- 10b 13/0523/CLUED - 142 Tenison Road (*Pages 101 - 110*)
- 10c 13/0102/FUL - Garages to r/o 76 Abbey Road and 12 Riverside (*Pages 111 - 128*)
- 10d 13/0612/S73 - Snakatak, 230 Mill Road (*Pages 129 - 138*)
- 10e 13/0569/FUL - McDonalds Restaurants Ltd, 639 Newmarket Road (*Pages 139 - 158*)
- 10f 13/0349/FUL - 30 Birdwood Road (*Pages 159 - 176*)

11 ENFORCEMENT ITEMS

- 11a Planning Enforcement Report - 435 Newmarket Road (*Pages 177 - 186*)

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

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

This means that planning items will not normally be considered until at least 8.30pm.

Meeting Information

Open Forum

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

Public Speaking on Planning Items

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

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

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

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

Further information is also available online at

<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

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

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

Representations on Planning Applications

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

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

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

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

Filming,

The Council is committed to being open and transparent in

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

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

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

General Information Information regarding committees, councilors and the democratic process is available at <http://democracy.cambridge.gov.uk>.

EAST AREA COMMITTEE6 June 2013
7.00 - 10.20 pm**Present**

Area Committee Members: Councillors Blencowe (Chair), Owers (Vice-Chair), Benstead, Brown, Hart, Herbert, Johnson, Moghadas, Roberts, Saunders, Smart, Kavanagh, Walsh and Whitehead

Area Committee Members: County Councillors Kavanagh, Walsh and Whitehead

Councillors Brown and Benstead left after the vote on item 13/44/EAC

Councillor Whitehead left after the vote on item 13/45/EAC

Officers:

City Development Manager: Sarah Dyer

Urban Growth Project Manager: Tim Wetherfield

Asset Manager (Streets & Open Spaces): Alistair Wilson

Project Delivery & Environment Manager: Andrew Preston

Committee Manager: James Goddard

Other Officers in Attendance:

Sport & Recreation Manager: Ian Ross

Technical Officer: Declan O'Halloran

FOR THE INFORMATION OF THE COUNCIL**13/37/EAC Election of Chair and Vice Chair**

The Committee Manager took the Chair whilst the East Area Committee elected a Chair.

Councillor Johnson proposed, and Councillor Moghadas seconded, the nomination of Councillor Blencowe as Chair.

Resolved (by 8 votes to 0) that Councillor Blencowe be Chair for the ensuing year.

Councillor Blencowe assumed the Chair from the Committee Manager at this point.

Councillor Herbert proposed, and Councillor Roberts seconded, the nomination of Councillor Owers as Vice Chair.

Resolved (by 8 votes to 0) that Councillor Owers be Vice Chair for the ensuing year.

13/38/EAC Apologies For Absence

Apologies were received from Councillor Bourke and Marchant-Daisley.

The Chair welcomed new Councillors to the Committee.

13/39/EAC Declarations Of Interest

No declarations of interest were made.

13/40/EAC Minutes

The minutes of the 25 April 2013 meeting were approved and signed as a correct record subject to the following amendments shown in bold:

- (i) 13/33/EAC (agenda P9) regarding Councillor Johnson's update on Riverside project progress. Delete (ii) and (iii) then replace with: **"Funding was in place for double yellow lines by Tesco to avoid car/cyclist conflict."**
- (ii) 13/34/EAC (bottom P11) (iii) "Removal of **redundant** street signs...".
- (iii) 13/34/EAC (P12) insert the following as (viii) **"A safer crossing between Newmarket Road and Meadowlands"**.

13/41/EAC Appointment to Outside Bodies

The following nominations for the representative for Cambridge Airport Consultative Committee were received:

- (i) Councillor Smart proposed by Councillor Brown
- (ii) Councillor Hart proposed by Councillor Roberts

On a show of hands, Councillor Hart was elected by 7 votes to 3 votes.

Councillor Hart proposed the nomination of Councillor Johnson as the representative for East Barnwell Community Centre.

Resolved (by 8 votes to 0) that Councillor Johnson be the representative for East Barnwell Community Centre for the ensuing year.

13/42/EAC Matters & Actions Arising From The Minutes

- (i) **13/33/EAC Open Forum “Action Point: Councillor Bourke to clarify details regarding suitability of Tins pathway ie could it be used by wheelchairs, prams, bikes, walkers etc.”**

East Area Committee (EAC) assumed Councillor Bourke had actioned this; or Mrs Deards would follow it up.

13/43/EAC Open Forum

1. **Ms Howard-Smith queried what progress, if any, City and County Councillors had made on resolving the on-going issue of parking in Silverwood Close. Residents understood discussions were on-going regarding S106 money from the Travelodge, but they had not been updated for some time. Double yellow lines were requested in front of the green to prevent illegal parking.**

Councillor Johnson said this was an on-going issue. Part of the main project proposal was to improve access to the green and put double yellow lines around it. A separate proposal had been put forward to improve council and emergency vehicle access to Queen’s Circle.

Councillor Whitehead had recently met County Officers who were looking at the project currently.

Councillors Blencowe, Johnson and Whitehead suggested a resident’s parking scheme could be brought forward in the area depending on the results of a local consultation. A Premier Inn development was occurring near to Silverwood Close. The contractors may be part of the considerate contractor scheme, but would be reminded of the requirement not to park in the residential area. This should avoid residents being disturbed as per the Travelodge development.

2. **Dr Grout asked what is the future for Cambridge United. IE where would it be located in future.**

EAC felt the City Council had a duty to assist Cambridge City and Cambridge United Football Clubs relocate to venues where they could provide more community facilities (as was their wish). Various sites had been considered as part of the 2013 Local Plan process and were set out in the document. The 2006 and 2013 Local Plans set out uses that football club sites could be put to. There was a change in policy between 2006 and 2013 Local Plans. The Draft 2013 Local Plan would be considered at Environment Scrutiny Committee 11 June 2013. Residents were invited to respond to the Local Plan consultation process.

3. **Mr Roman spoke on behalf of Abbey Ward Residents' Neighbourhood Watch to raise concerns regarding driver and pedestrian anti-social behaviour (ASB) issues; relating to speeding, parking and access to Abbey Meadows School and the slip road from Barnwell Road to Raison Way.**

Councillor Smart acknowledged the ASB issues and said they occurred all around the city. The Abbey Meadows School Head Teacher had been asked to raise the issue of dangerous driving and parking with parents. Mr Roman said the Head Teacher had done so, but would appreciate greater support from EAC Councillors.

Councillor Johnson suggested work to mitigate issues could be undertaken as an environmental improvement project post consultation with residents.

For example, speed bumps.

Councillor Whitehead had discussed remedial work with Ian Lock. Residents would be consulted to clarify if they would prefer double yellow lines or a residents parking scheme.

4. **Mr Dixon spoke to re-iterated Mrs Howard-Smith's points regarding parking issues in Silverwood Close.**

Councillor Johnson suggested a meeting could be held between city councillors, county councillors, the Highways Authority and local residents to identify solutions to resident's concerns. He understood that work to resolve verge parking issues had been delayed due to the re-organisation of the County Council.

Further public questions covered under item 13/43/EAC of the agenda.

13/44/EAC Devolved Decision-Making and Developer Contributions: Taking Forward East Area Priority Projects

The Committee received a report from Tim Wetherfield (Urban Growth Project Manager) which provided an update on progress in taking forward the East Area Committee's first three priority projects from the first round of devolved decision-making over the use of developer contributions.

The report also invited the Area Committee to set a fourth 1st round priority from options for a local play area improvement, now that further funding had been made available for this purpose. Reference was also made to a further report to the Environment Scrutiny Committee on 11 June 2013 on the proposed process for the second priority-setting round.

Alistair Wilson (Assets Manager) tabled further briefing papers, including photographs of each of the current play areas under consideration for improvement and the latest demographic data from the 2011 Census on number of children and young people by age group in each ward.

Councillor Blencowe summarised the background to the process. Three first round priority projects had been identified by the East Area Committee, now another was being selected from a shortlist.

The Committee made the following comments in response to the report:

- (i) Sought clarification regarding the budget available for play area improvement. Councillor Owers asked if the total figure of £67,500 on page 20 of the agenda papers was correct.

Action Point: Urban Growth Project Manager to clarify the budget available for play area improvement to Councillor Owers.

- (ii) Asked for future reports to provide further information and needs analysis to help councillors identify gaps in facility provision and prioritise options for new projects.

The Urban Growth Project Manager replied that officers would explore ways of doing this for future reports.

- (iii) Queried whether it would be possible for more than one play area improvement project to be prioritised (including mini improvements

across a number of play areas) in the East Area at this stage, if resources were available.

The Urban Growth Project Manager explained that this would not be possible at this stage, given the need to make sure that a fair and consistent approach was taken to all Area Committees. There would be a further opportunities for play area improvements to be identified in the next priority-setting round this autumn. The Environment Scrutiny Committee report on the proposed process for the second priority setting round also raised the possibility of similar or related project ideas being consolidated into larger project proposals.

A member of the public raised the following issues.

1. Ms Roberts expressed concern that:

- **Decisions would be made regarding the next priority for section 106 monies for new play equipment without any reference to a needs or gap analysis.**
- **The Officer's report did not provide an understanding of what is currently available. It implied that a play area would be provided for under sevens whilst making no note of whether play areas are needed for over sevens.**
- **The consultation process was not joined up or feedback to residents.**

The Asset Manager said that local play areas in need of improvement, which were identified in the East Area workshop last September, had been looked at by officers to map facilities provision for different age groups. He referred to the play value scores for each play area included in the report: lower ratings on the A-E scale denoted lower amounts and lower levels of sophistication of the current play equipment.

The Urban Growth Project Manager clarified that the play area improvements would not be limited to those for children under seven. The example given in the reported was aimed simply at illustrating one option of the sort of equipment that could be provided. The fund would include developer contributions from the 'provision for children and teenagers' category. As part of the next steps of project scoping and appraisal, there would be further opportunities for local residents and community groups to be consulted on the specific type of equipment to be provided at the play area prioritised for improvement.

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

- (i) To note the steps being taken to deliver the East Area Committee's current first round priority projects (to be funded by devolved developer contributions) and the progress of other on-going projects.

Members resolved (by 9 votes to 0 votes):

- (ii) To identify St Thomas' Square play area improvement project in Coleridge ward as the East Area Committee's fourth priority project from the first round of developer contributions devolved decision-making.

13/45/EAC Environmental Improvement Programme

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

Existing Schemes: Progress

The Project Delivery & Environment Manager referred to progress on approved schemes as set out in tables 1.0 and 2.0 of his report.

New Schemes That Require Decisions

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

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

- (i) Double yellow lines had been painted on the corner of Stone Street/Ainsworth Street to improve access for larger vehicles. Officers had reported to the Project Delivery & Environment Manager that refuse vehicles no longer had an issue accessing the area. In response to Councillor Brown's query if further work was required, the Project Delivery & Environment Manager undertook to liaise with Waste Services to clarify if issues had been resolved; or if further work was required as part of a reserve list project.

ACTION POINT: Project Delivery & Environment Manager to report back to East Area Committee after to liaising with Waste Services to clarify if larger vehicles access issues for Stone Street/Ainsworth Street had been resolved; or if further work was required as part of a reserve list project.

- (ii) Minor Traffic Regulation Order (TRO) works were separate issues to the Highways Authority's statutory responsibility for double yellow lines etc maintenance. It was not advisable to use EIP funding for maintenance work.
- (iii) Referred to a briefing note tabled at EAC giving an update on existing EIP schemes.

ACTION POINT: Project Delivery & Environment Manager to provide Councillor Kavanagh with an update on the County Council South Area Parking Review.

Councillor Johnson requested that access to green area in Silverwood Close be added as a reserve project to the list set out in Section 3 (Table 3.0) of the Officer's report.

ACTION POINT: Project Delivery & Environment Manager to liaise with Bob Carter regarding council maintenance staff access to Silverwood Close green area.

ACTION POINT: Councillor Moghadas to liaise with Project Delivery & Environment Manager to confirm if Greville Rd/Charles St still required a TRO.

Councillor Hart requested that the proposed introduction of double yellow lines to protect the turning circle on Rayson Way close to the bus stop be added to a reserve list.

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

- (i) To approve the delivery of the minor traffic regulation orders listed in Table 3.0 of the Officer's report, at an estimated cost of £6000, funded by the remainder of the East Area Committee 2011/12 joint minor highway works budget.
- (ii) To approve the additional TRO projects proposed by Councillor Johnson and Councillor Hart as reserve projects.

13/46/EAC Planning Applications

13/46/EACa 13/0095/FUL - 159-161 Coleridge Road

Councillor Blencowe sought clarification from Councillor Kavanagh if he was speaking as a member of the public or a Ward Councillor on this application. His representation had been submitted before he stood as a County Councillor. Councillor Kavanagh confirmed he was speaking as a member of the public.

The Committee received an application for full planning permission.

The application sought approval for erection of two 1 bed flats and one 2 bedroom house at land to the rear of 159 - 161 Coleridge Road, following demolition of the garage to the rear of 161 Coleridge Road.

The City Development Manager tabled a colour location map and referred to a traffic survey on the amendment sheet. Officers were unable to verify the traffic survey, so it did not affect their recommendation.

The Committee received representations in objection to the application from the following:

- Mr Brajdic
- Mrs King
- Mr Kavanagh

The representations covered the following issues:

- (i) Residents felt it appropriate to develop the site in the past; but not now due to parking issues.
- (ii) Raised specific concerns regarding:
 - Access – queried if this would be more appropriate from Coleridge Road.
 - Traffic levels and noise.
 - Overshadowing.
 - Overlooking.
 - Proximity of buildings in the application to existing neighbours.
 - Development not in keeping with character of the area.
 - Over development of site.
 - Damage to tree roots.
 - Historic objections had not been addressed by the new application.
- (iii) Took issue with details in the Officer's report.
- (iv) Queried:
 - If the area was subject to drainage issues.

- If the application met Local Plan requirements. For example, had an archaeological assessment been undertaken as per Local Plan Policy 3/11.
- Methodology and accuracy of parking survey.

Mr Tyers (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Resolved (4 votes to 4 – and on the Chair's casting vote) to accept the officer recommendation to approve planning permission as per the agenda.

Reasons for Approval

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/10, 3/11, 3/12, 5/1, 8/6 and 8/10.
2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.
3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 6 September 2013, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, in accordance with Cambridge Local Plan 2006 policies 3/8, 3/12, 5/14, and 10/1 the Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

13/47/EAC General Items

13/46/EACa 12/1621/FUL - 117 Vinery Road

The Committee received a request to amend the original officer recommendation for demolition of 117 Vinery Road.

The application sought Committee's approval to amend the contributions required for the s106 agreement, so that it contains the financial contributions detailed at paragraph 3.2 of the Officer's report set out below:

"3.2 Below is a table that provides a comparison between the contributions sought within the original report and the contributions which should have been sought. The amended contributions are those which officers consider meet the tests set out in the Community Infrastructure Levy Regulations 2010 and the requirements of the Planning Obligation Strategy 2010.

	Original Contribution (£)	Amended Contribution (£)
County Council Waste	1140	950
Life Long Learning	960	800

"

These are considered to be the correct financial obligations and those which meet the tests set out in the Community Infrastructure Levy Regulations 2010. The Regulations mean that no weight should be given to section 106 obligations in determining a planning application unless the obligations sought pass the following tests:

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

The second recommendation was that the Committee allows until 6 September 2013 to allow sufficient time to agree and complete the s106 agreement.

It was also recommended that the conditions detailed in the planning officer's report of 25 April 2013 continue to apply.

The Committee:

Resolved (unanimously) to accept the officer recommendation to approve the changes to the original officer recommendation for demolition of 117 Vinery Road as outlined above.

The meeting ended at 10.20 pm

CHAIR

Neighbourhood profile update Cambridge City East Neighbourhood

July 2013



**Steve Poppitt, Safer
Neighbourhoods
Inspector**

**Lynda KilKelly, Safer
Communities Manager,
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 multi-agency neighbourhood panel meetings 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:

- Cambridgeshire Constabulary crime and anti social behaviour (ASB) incident data for March to June 2013, compared to the previous reporting period (Nov 2012 to February 2013) and the same reporting period in 2012.
- City Council environmental services data for the period March to June 2013; and
- Information provided by the Safer Neighbourhood Policing Team, Cambridgeshire Fire & Rescue Service and the City Council's Safer Communities Section.

2. CURRENT PRIORITIES

At the East Area Committee meeting of 26 March 2013, the committee recommended adopting the following priorities:

- Theft of cycles in the East area;
- Alcohol-related ASB in the Petersfield and Mill Road area; and
- Drug dealing in the Riverside and Stourbridge Common area.

The Neighbourhood Action Group, at its meeting of 18 April, assigned the actions to be taken and the lead officers for each of the priorities. The tables below summarise the action taken and the current situation.

Theft of cycles in the East area	
Objective	Reduce the theft of pedal cycles in the East
Action Taken	<p>One of the main problems in tackling pedal cycle crime is that many members of the public cannot inform the police of the basic details of their cycle e.g. make, model, and serial number. There have even been reports where people have been unsure even of the colour of their cycle. This makes it difficult to return cycles to their owners.</p> <p>In order to try and combat the lack of details, officers and PCSOs have been in contact with 700 houses in the East area and given out crime prevention advice with a focus on cycles. They have advised people to register their cycle details on 'Immobilise'. The advantage of this is an officer who stops a known thief or suspect bike can run the cycle's details through both the police crime recording system and the Immobilise system whilst on the street.</p> <p>Officers from the East have continued to seize a number of cycles from different areas of the city that they believe have been stolen. These cycles have been returned to their owners.</p> <p>In tandem with prevention advice, officers from the East team have made several arrests for theft and attempted theft of cycles. These people have all been charged to appear at Cambridge Magistrates' Court.</p>
Current Situation	<p>Whilst the rate of pedal cycle crime has slowed (177 offences this reporting period) it is still higher than the previous reporting period (148 offences) and the same period last year (161 offences). Pedal cycle crime is still too high on the East area and it is recommended that this is retained as a priority to enable further work to be undertaken to reduce pedal cycle</p>

	theft.
Lead Officer	Sergeant Colin Norden

Alcohol-related ASB in the Petersfield and Mill Road area	
Objective	Reduce alcohol related anti-social behaviour (ASB)
Action Taken	<p>Daily patrols of Petersfield and the surrounding area have been conducted by the East team and other colleagues. These patrols have led to the use of section 27 powers (dispersal of people in relation to alcohol-related ASB) and arrests when necessary.</p> <p>During the last reporting period, officers have been successful in gaining an Anti-Social Behaviour Order against Paul Elliot a male well known in the Mill Road area. The order prevents him from being on Mill Road in company with three or more persons. Although the order has been breached and Elliot has been arrested, its overall effect has been positive and has helped to reduce the numbers of street drinkers who congregate.</p> <p>The numbers of street drinkers congregating on the bench outside the Co-Op in Mill Road has seen reductions in numbers due to successful accommodation placements for some key individuals. A person responsible for the sale of alcohol in a shop on Mill Road has received an official caution for allowing unsupervised sales of alcohol.</p> <p>There have been complaints regarding ASB in Mill Road cemetery and extra patrols are being carried out over the next month by police and City Council enforcement teams.</p> <p>On 3 May 2013, Cambridge Magistrates' Court upheld the decision of the Cambridge Licensing Sub-Committee who refused to grant an alcohol licence to the Adana Mini Market in East Road. The police argued that the granting of an alcohol licence would have been exploited by street drinkers and would have increased crime and disorder in the area.</p>
Current Situation	There has been a good reduction in ASB in the Petersfield area from 175 incidents last year compared to 137 incidents this reporting period. Despite these reductions, alcohol related ASB is still a significant issue for the community and it is recommended this remains a priority.
Lead	Sergeant Colin Norden

Officer	
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Drug dealing in the Riverside and Stourbridge Common area	
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Objective	Concerted action against drug dealing
Action Taken	<p>During the last reporting period, several intelligence-led drug warrants and arrests for drug dealing have taken place in the East and surrounding areas. Whilst not all of the locations of the warrants and arrests have been in the Riverside area the positive action taken has had the effect of creating a more hostile drug dealing environment across the East. The following information details some of the main warrants, actions and arrests which have taken place in the last reporting period:</p> <ul style="list-style-type: none"> □ Wycliffe Road - Class A drugs found and a suspect has been identified. □ Wycliffe Road (same address as above) - again class A drugs found. The same suspect as above has been identified. □ Golding Road - Class B drugs were found at this address and a male has been charged with 'possession with intent to supply'. He has been bailed to attend court. □ Ten Acre Place - Class B drugs were found at this address, a male has been cautioned. □ Madras Road - Class B drugs were found at this address and a male has been summonsed to court. □ York Street - a cannabis factory where a large number of plants have been recovered and a male arrested. This male has been bailed to return to the police station in July. □ Newmarket Road - a cannabis factory was found at the location. It is believed that the male living at the address has significant mental health problems and was being exploited. Officers are conducting an investigation to identify the persons responsible. <p>A number of other warrants have been conducted by the East team or undertaken by other force wide teams using intelligence gathered by the East team. In addition to the above warrants, intelligence-led pro-active stop searches have continued resulting in arrests, summonses, formal warnings and Penalty Notices for possession of drugs.</p> <p>One notable stop and search took place on Riverside after</p>

	information was received from a member of the public. Within 48 hours a male was arrested from that location and a tennis ball size bag of class A drugs was found in his underwear. He is currently on bail to return to the police station.
Current Situation	Whilst the pro-active results listed above have made an impact on dealing in the East, a steady flow of information from the public is still coming in. It is recommended that this priority is continued to allow officers to develop and take action in respect of this further information.
Lead Officer	Sergeant Colin Norden

3. PRO-ACTIVE WORK & EMERGING ISSUES

- Good reduction in total crime compared to the same period last year.
- Good reduction in anti-social behaviour compared to the same period last year.
- Good reduction in dwelling burglary compared to the same period last year. The East team has recovered items of property stolen in burglaries which led to the arrest and charging of the offenders and the return of the property to its owners.
- Good reductions in theft from vehicle and criminal damage compared to the same period last year.
- Shoplifting is showing an increase compared to the same period last year.
- The East team has conducted speed checks in the Coldhams Lane and Whitehill Road areas.
- Reports have been received of anti-social behaviour in the Newmarket Road area (near to Tesco) and extra patrols have been carried out in response to this.

4. ADDITIONAL INFORMATION

CURRENT CRIME & ASB INCIDENT LEVELS BY WARD

AREA	WARD	Dwelling Burglary		Other Burglary		Violent Crime		Robbery		Theft of Vehicle		Theft from Vehicle		Cycle Theft		Theft from Shop		Criminal Damage		Other Crime		TOTAL CRIME		TOTAL ASB		
City East	March 13 – June 13	38	38	134	7	6	44	177	122	99	241	906	522													
	March 12 – June 12	42	38	164	16	19	68	161	111	136	238	993	641													
	Nov 12 – Feb 13	54	37	118	3	7	73	148	99	96	241	876	465													
Abbey	March 13 – June 13	14	9	51	1	1	21	38	60	31	72	298	147													
	March 12 – June 12	15	16	63	5	9	28	36	51	52	56	331	205													
	Nov 12 – Feb 13	34	12	41	3	4	35	26	34	29	82	300	120													
Coleridge	March 13 – June 13	5	9	21	0	2	10	31	2	19	45	144	107													
	March 12 – June 12	6	9	34	4	3	20	28	6	22	75	207	107													
	Nov 12 – Feb 13	4	6	19	0	2	8	26	5	18	37	125	102													
Petersfield	March 13 – June 13	7	7	31	2	2	6	69	38	27	77	266	137													
	March 12 – June 12	9	4	37	3	2	10	58	34	30	67	254	175													
	Nov 12 – Feb 13	5	15	27	0	0	15	58	49	24	68	261	132													
Romsey	March 13 – June 13	12	13	31	4	1	7	39	22	22	47	198	131													
	March 12 – June 12	12	9	30	4	5	10	39	20	32	40	201	154													
	Nov 12 – Feb 13	11	4	31	0	1	15	38	11	25	54	190	111													

ARSON DATA

Period: March – June 2013

Deliberate fire summary:

Area	Refuse	Bin	Vehicle	Residential	Non-residential
Abbey	1	0	0	1	1
Coleridge	0	0	0	0	0
Petersfield	1	1	0	0	0
Romsey	0	0	0	0	0

Generally the number of deliberate fires is less than in previous years for this period. A key element in this is the effective partnership working with respect to anti-social behaviour by those likely to start nuisance fires. Youths from the area on the cusp of offending, including fire-setting, have participated in a partnership intervention and character building course called 'Choices'.

The Abbey residential fire was in a vacated City Homes flat due for demolition that had been occupied by squatters. Fire loading in the form of furniture thrown out by the previous residents was removed from the area by the City Council.

An adult with known mental health problems was arrested and dealt with for the bin fire in Petersfield.

ENVIRONMENTAL SERVICES DATA

Abbey

Abandoned vehicles

- March to June 2013: 5 reports, which included
 - 3 vehicles not on site following inspection
 - 1 CLE26 notice issued to offenders on behalf of the DVLA for not displaying road tax on a public highway
 - 1 vehicle held pending further investigation
- Hotspots: None
- March to June 2012: 5 reports

Fly tipping

- March to June 2013: 70 reports, which included
 - 3 formal warning letters issued to domestic offenders, Priory Road (1), Whitehill Road (1), Ditton Fields (1)
- Hotspots: Anns Road (5), Dennis Road (4), Fison Road (3)
- March to June 2012: 48 reports

Derelict cycles

- March to June 2013: 8
- Hotspots: None
- March to June 2012: 8

Needle finds

- March to June 2013: 5
- Hotspots: None
- March to June 2012: 3

Coleridge

Abandoned vehicles

- March to June 2013: 2 reports, which included 2 vehicles not on site following inspection
- Hotspots: None
- March to June 2012: 6 reports

Fly tipping

- March to June 2013: 9 reports, which included 1 formal warning letter issued to domestic offenders at Davy Road
- Hotspots: None
- March to June 2012: 10 reports

Derelict cycles

- March to June 2013: 13
- Hotspots: None
- March to June 2012: 5

Needle finds

- March to June 2013: None
- Hotspots: None
- March to June 2012: None

Petersfield

Abandoned vehicles

- March to June 2013: 11 reports, which included
 - 6 vehicles not on site following inspection
 - 3 vehicles subsequently claimed by their owners
 - 1 CLE26 notices issued to offenders on behalf of the DVLA for not displaying road tax on a public highway
 - 1 vehicle impounded on behalf of the DVLA for not having valid road tax
- Hotspots: Sleaford Street

- March to June 2012: 12 reports

Fly tipping

- March to June 2013: 53 reports, which included
 - 2 formal warning letters issued to domestic offenders, Kingston Street (1) and Norfolk Street (1)
 - 3 requests for waste transfer documentation from trade offenders
- Hotspots: East Road (7), Norfolk Street (4)
- March to June 2012: 42 reports

Derelict cycles

- March to June 2013: 14
- Hotspots: None
- March to June 2012: 29

Needle finds

- March to June 2013: 4
- Hotspots: None
- March to June 2012: 6

Romsey

Abandoned vehicles

- March to June 2013: 4 reports, which included
 - 1 vehicle not on site following inspection
 - 2 vehicles subsequently claimed by their owners
 - 1 vehicle held pending further investigation
- Hotspots: None
- March to June 2012: 10 reports

Fly tipping

- March to June 2013: 28 reports, which included
 - 3 formal warning letters issued to domestic offenders
- Offences at Sedgewick Street accounted for 2 of the formal warning letters sent
- Hotspots: Sedgewick Street (3)
- March to June 2012: 30 reports

Derelict cycles

- March to June 2013: 3
- Hotspots: None
- March to June 2012: 5

Needle finds

- March to June 2013: 4

- Hotspots: None
- March to June 2012: 12

5. RECOMMENDATIONS

- Reduce cycle theft in the East area
- Tackle alcohol related ASB in the Petersfield area
- Tackle the supply of drugs in the East area

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CAMBRIDGE CITY COUNCIL

REPORT OF: Safer Communities Section

TO: Area Committee - East

25/7/2013

WARDS: Coleridge

SAFER CITY GRANT SCHEME 2013/14: APPLICATION FROM THE RUSTAT NEIGHBOURHOOD ASSOCIATION

1 INTRODUCTION (or EXECUTIVE SUMMARY for long reports)

- 1.1 The Rustat Neighbourhood Association has lodged an application for a Safer City grant up to £5,000 (with a minimum requirement of £3,124.06) to pay for the installation of a column light on the path between Flamsteed Road and Derby Road. Details of the application are appended to this report.

2. RECOMMENDATION

- 2.1 That the committee approves the application.

3. BACKGROUND

- 3.1 The Safer City grant scheme provides small grants (up to £5,000) to community-based projects that will help combat crime, the fear of crime and anti-social behaviour. The scheme was changed in 2012/13 (at the Community Services Scrutiny Committee of 12 January 2012) in order to devolve the power to approve area-specific applications to the Area Committees. Applications are welcomed for an annual bidding round at each of the four Area Committees; the bidding round for the East Area Committee is being considered at the 25 July 2013 meeting.
- 3.2 This is the first (and sole) area-specific application that is being considered by the East Area Committee.
- 3.3 Each Area Committee is assigned £10,000 at the beginning of the financial year, from the total £50,000 Safer City grant budget.

Following the annual bidding round, any area-specific applications received up until the end of the financial year will be considered by the Director of Customer and Community Services. Any unassigned funds will be drawn back to the central Safer City grant budget on 1 December 2013.

CONSULTATIONS

Ward councillors were consulted by the Rustat Neighbourhood Association as part of the application process.

OPTIONS

Safer City grant applications can either be approved or rejected.

CONCLUSIONS

None.

IMPLICATIONS

- (a) **Financial Implications:** The implication of approving this application is a reduction in the East area allocation to a minimum £5,000.
- (b) **Staffing Implications:** None.
- (c) **Equal Opportunities Implications:** None.
- (d) **Environmental Implications:** -L.

As part of this section, assign a climate change rating to your recommendation(s) or proposals. You should rate the impact as either:

- +H / +M / +L: to indicate that the proposal has a high, medium or low positive impact.
- Nil: to indicate that the proposal has no climate change impact.
- -H / -M / -L: to indicate that the proposal has a high, medium or low negative impact.

Follow the guidance on the intranet at <http://intranet/sustainability/policies-and-procedures.html>

- (e) **Procurement:** Procurement of the light will be undertaken by Rustat Neighbourhood Association in conjunction with Cambridgeshire County Council.
- (f) **Consultation and communication:** Local consultation of residents potentially affected by the light was undertaken by the Rustat Neighbourhood Association between 15 and 22 October 2012.
- (g) **Community Safety:** A reduction in the fear of crime and anti-social behaviour along the Flamsteed Road / Derby Road path.

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

- Grant application from Rustat Neighbourhood Association
- Letter of support from Geoff Oliver, Group Scout Leader, 28th Cambridge Scout Group
- Quote from Balfour Beatty of 24 May 2013

To inspect these documents contact Tom Kingsley on extension 7042

The author and contact officer for queries on the report is Tom Kingsley on extension 7042.

Report file:

Date originated: 20 June 2013
Date of last revision: 20 June 2013

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Safer City grants scheme 2013/14: Bids

Area: East

Project Applicant Amount of Grant Date Received/Acknowledged Priority/Criteria	Purpose of Grant Supporting Documentation	Further Details	Recommendation Justification
<p>Flamsteed Road / Derby Road Path Light</p> <p>Rustat Neighbourhood Association</p> <p>£5,000 (minimum £3,124.06)</p> <p>June 2013</p> <p>ASB / Alcohol-related violent crime</p>	<p>To install a light at the blind, unlit bend on the Flamsteed Road / Derby Road path.</p> <p>Quote for works from Balfour Beatty</p> <p>Letter of support from the Group Scout Leader of the 28th Cambridge Scout Group</p>	<p>This project was brought to the attention of the City Council on 29 September 2012, though the matter had been under consideration since the Rustat Neighbourhood Association (RNA) requested a light in April 2011. The initial proposal (as driven by Cllr Sadiq) was that the County Council would adopt the path (the section in question being owned by the City Council) in order to cover the electricity and maintenance for the light, with the City Council funding the light and installation via the Safer City grant scheme. In December 2012, the City Council's Safer Communities Project Officer was asked to resolve the long-running issue with regards the coverage of the revenue costs (electricity and maintenance) between the County and City Councils. In February 2013, the County</p>	<p>APPROVE</p> <p>Similar lighting projects have been funded where the Safer City grant scheme has provided the capital costs and the local authority has funded the revenue costs (e.g., Mortimer Road - May 2009; Bracklyn / Corrie Roads - September 2009).</p> <p>This project is supported by the ward councillors and former Cllr Sadiq (who was instrumental in driving the project in its early stages). It is also supported by the local PCSO and a survey of residents near the proposed location of the light also indicated support.</p> <p>The Scout Hut for the 28th Cambridge Scout Group is located near the blind bend in question and in his letter of 12 September 2012, the Group Scout Leader has highlighted the potential dangers of the unlit area for the young people</p>

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		<p>Council indicated that it would not be able to adopt the path due to pressures on its Lighting PFI and suggested a Third Party Adoption Agreement with Balfour Beatty, although this would burden the RNA with costs it could not afford. The City Council, as owner of the section of path in question, was asked if it would fund the revenue costs; this was approved on 26 April 2013.</p>	<p>attending both the Scout Group and the dance academy.</p> <p>Although there have been no actual recorded incidents, the Safer City grant scheme can provide funding where there is a 'fear' of crime/ASB, which is evident in this bid.</p> <p>If approved, the amount of grant will be dependent upon the final costs of the purchase and installation of the lights. The minimum required is £3,124.06 (the quote plus VAT). I have advised the applicant to seek the full grant of £5,000 to cover any unforeseen associated costs that may arise on the basis that it will only be paid for the actual cost of installation.</p> <p>The maintenance and running costs (electricity) will be funded by the owner of the section of path in question (being the Housing section of Cambridge City Council).</p>
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Safer City grants scheme 2013/14: Priorities / Criteria / Residual

Priorities

- ❑ Alcohol-related violent crime
- ❑ Anti-social behaviour
- ❑ Responding to emerging trends of victim-based acquisitive crime

Criteria

- ❑ The application is submitted by a group with a clear structure, and not an individual
- ❑ There is an identified need for the project, which is supported by evidence
- ❑ The project involves working in partnership with the community or other organisations
- ❑ The aims of the project are clearly defined
- ❑ The project is realistically costed
- ❑ The project represents value for money when comparing the amount of grant requested with the benefits described
- ❑ The project falls within one of the current priority areas shown in the Cambridge Community Safety Plan 2011-2014 and the recurrent neighbourhood policing priorities within the area
- ❑ The ways in which the project will be monitored and evaluated have been considered
- ❑ The grant required in no more than £5,000

Residual¹: £5,000

¹ On the basis that the bid(s) is/are accepted

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To: East Area Committee
Report by: Head of Community Development
Relevant committee: East Area Committee 25 July 13
Wards affected: Romsey, Petersfield, Coleridge, Abbey

Community Development Capital Projects in the East Area Funding Application from Barnwell Baptist Church and Programme Update

1. Executive summary

- 1.1 This report gives an update of the East Area Committee Capital programme for improving community facilities. It also recommends a small grant to improve community facilities at Barnwell Baptist Church.

2. Recommendations

The Area Committee is recommended:

- 2.1 To award a capital grant of £3,500 for the improvement of kitchen facilities at Barnwell Baptist Church, subject to the completion of the Council's Agreement for small capital grants.

3. Background

- 3.1 In August 2010, following consideration by the East Area Committee, the Executive Councillor for Community Development and Health approved a Capital Programme for the East of the City to improve community facilities. The budget for the programme, which has come from S106 contributions from developers, was set at £800,000 with £400,000 being reserved for 5 named projects. The remainder of the funding was allocated to each ward in proportion to the contributions received as a result of developments in the four wards. All applications are subject

to a project appraisal process before a recommendation is made. Appendix B gives an update on the programme.

- 3.2 The August 2010 report stated that all schemes should either be completed by 2013 or have established an implementation plan within an agreed timescale.
- 3.3 There has been good progress with the programme. To date £755,000 has been spent or committed to projects to improve community facilities within East Area. The remaining £45,000 is allocated to Abbey ward. This report recommends funding for a small improvement project at Barnwell Baptist Church costing £3,500 which, if approved, would leave £41,500.

Potential projects in Abbey ward

- 3.4 Officers are actively involved in the East Barnwell Community Centre project in Abbey, led by the County Council, which is looking at options to improve or redevelop the Centre into a multi-use centre for local residents. This had been highlighted as a possible scheme in the original East Area programme but it has only recently gained momentum again and County have now employed a dedicated project manager.
- 3.5 Officers have also been in discussion with Cambridge Past Present and Future regarding possible improvements to the Leper Chapel and are waiting to see if proposals come forward.
- 3.6 There have also been early discussions with Abbey Church on Newmarket Road about the possibility of improving the building so it could be used for community activities. Again, we are waiting to see if any proposals come forward.
- 3.7 In the autumn, as part of the devolved decision making process, area committees will be asked to prioritise further capital projects for funding from developer contributions. It is proposed that any funds in the East Area Capital Grants Programme that have not been allocated by the autumn are retained by East Area Committee for use in Abbey ward but

integrated into the East Area Committee's devolved developer contributions budgets.

4. Barnwell Baptist Church

4.1 This venue is well used by a variety of groups including fitness classes, money advice and toddler groups as well as by general hire and as a base for Abbey people (formally Abbey Action). The equipment they have to support this use is very old and sparse and not really suitable larger events. The improved facilities would enable a wider range of activities to be held at the church.

4.2 The minister, Stuart Wood, has tentative plans for major improvements in a few years but has asked for some financial help to make interim improvements to the kitchen facilities. This would include adding:

- A dishwasher
- Commercial oven
- Fridge
- Water heater
- Fridge / freezer

4.3 Whilst Mr Wood and his colleagues would do most of the labouring and carpentry work required to accommodate the equipment, they would also need to employ an electrician. Most of the equipment would be suitable for use if and when the church undergoes major improvements in the future.

4.4 The total amount of grant applied for is £3,500. If approved, Mr Wood expects to complete the work in a couple of months. The grant would be subject to completion of the Council's Agreement for small capital grants.

4.5 Mr Wood met Councillor Hart and Bridget Keady from Community Development on site on 25th June to discuss the proposals.

6. Implications

6.1 There are no direct implications arising from this report that have not been covered in the body of the report. Capital

grants are released on receipt of an architect's interim certificate and/or copy invoices from contractors. No money is released in advance of work being done. There are no revenue implications for the Council.

- 6.2 Briefings on progress with other potential applications are being sent to members on a regular basis. Also meetings to discuss ward issues are taking place with Ward Councillors, as required.

5. Background papers

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

6. Appendices

- 6.1 Appendix A – Update on East Area Committee's Capital Grant Programme

7. Inspection of papers

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

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

East Area Community Facility Capital Grants Programme Update 25 July 2013

1. Programme Update

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

	Project	Ward	Progress	Funding	Notes
1	St Philips Church 185 Mill Road CB1 3AN	Romsey	Recommendation to EAC 10.2.11 APPROVED Exec Cllr Bick 17.3.11	£44,000	Work complete
			Recommendation to EAC 9.2.12 APPROVED Exec Cllr Bick 14.2.12	£78,000	Work complete
2	Flamsteed Rd Scout Hut CB1 3QU	Coleridge	Recommendation to EAC 14.4.11. APPROVED Exec Cllr Bick 15.4.11 New lease signed until 2022. Grant Agreement signed. Nov 2012 Work started on site in May 2013.	£120,000	Completion expected by end of September 13
3	St Martins Church Centre Suez Rd CB1 3QD	Coleridge	Phase 1 Recommendation to EAC 14.4.11. APPROVED Exec Cllr Bick 15.4.11	£120,000	Work complete

	Project	Ward	Progress	Funding	Notes
			<p>Phase 1b Recommendation to EAC 29.11.12 APPROVED by Exec Cllr Pitt To fund additional works to ground floor including rear kitchen and community rooms plus some preparatory work towards a future Phase 2 which will provide new first floor community rooms.</p>	£115,000	An additional £80k taken from the top sliced budget and £35k taken from Coleridge ward budget.
4	Stanesfield Rd Scout Hut CB5 8HN	Abbey	<p>Scheme progressing as part of small Council housing development Recommendation to EAC 10.1.13 APPROVED by Exec Cllr Pitt 11.1.13</p> <p>Housing scheme on the green off Stanesfield Rd approved through CS Scrutiny Committee on 11 Oct 2012. Housing scheme will part fund a new community facility (estimated cost £220k) on the green which will be managed by the scouts on behalf of the community.</p>	£100,000	Estimated start time is January 2014.
5	Emmanuel United Reformed Church, Cherry Hinton Road	Coleridge	<p>Unlikely to proceed Church Council has identified a need to take a strategic approach to the redevelopment of all their sites. Are unlikely to be in a position to progress a funding application in the foreseeable future.</p>		

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

	Project	Ward	Progress	Funding	Notes
6	Squeaky Gate, Norfolk Street Enterprise Centre 47-51 Norfolk St CB1 2LD	Petersfield	Recommendation to EAC 14.4.11. APPROVED Exec Cllr Bick 15.4.11 Renovation of 1 st floor accommodation rented from Future Business (10 yr lease from City) to provide community recording studio, training room, main base for outreach.	£19,000	Works Complete
			Recommendation to EAC on 18.8.11 APPROVED Exec Cllr Bick on 23.8.11 an additional £7,602	£7,602	Works Complete
7	King's Church, 49- 53 Tenison Road, CB1 2DG	Petersfield	Recommendation to EAC 18.8.11 APPROVED Exec Cllr Bick on 23.8.11 Redevelop facilities to provide a second floor for worship and multiple spaces on the ground floor for community use.	£100,000	Work complete
8	Sturton Street Methodist Church 58 Sturton St CB1 2QA	Petersfield	Further information required. Redevelop to provide enhanced community facilities. More work required by applicant to firm up project and costs. Discussion held with applicant on 6.02.12		
9	Salvation Army 1 Tenison Rd CB1 2DG	Petersfield	No contact. This building is very close to Kings Church which has now been significantly improved and has excellent community facilities.		
10	East Barnwell Community Centre	Abbey	Project Board established County leading discussions with partners. Marshalls have funded feasibility work including drawings. Consultation has taken place with residents. Possibility of S106 funding linked to Marshall's 'Wing' scheme?		County now progressing 'community hub' options and have employed project manager
11	Centre at St.Pauls	Trumpington / Petersfield	Recommendation to EAC 27.10.11 APPROVED Exec Cllr Bick on 12.1.12 St.Pauls has also received funding from the Newtown Capital Grants Programme (£45k) and the strategic developer contributions budget (£50k) which were approved by the Exec Cllr..	£14,800	Work complete

	Project	Ward	Progress	Funding	Notes
12	Rock Road Library	(Queen Ediths) Coleridge	Identified by County as part of a possible community hub project. HoCD met with Cllrs from Coleridge and Queen Ediths wards, the Friends of Rock Road Library and the County's Head of Library Service on 24 th June 2013. Friends Group submitted proposal for a new community room. Cost is £20k. East and South Area members and the Newtown Forum have been consulted.		Exec Cllr for Community-Wellbeing has approved funding the proposal from the Newtown Capital Programme.
13	YMCA Gonville Place	Petersfield	Not proceeding Report to CS Scrutiny on 11 Oct 2012. Agreed that project was not viable as a possible city centre open access youth venue.		No further work
14	Cherry Trees Centre St.Matthew's Street	Petersfield	Recommendation to EAC 10.1.13 APPROVED Exec Cllr Pitt 11.1.13 Major refurbishment and improvement to the Cherry Trees Centre which is managed by Age UK. Work is underway and due for completion soon.	£36,598	Additional £50k awarded by Exec Cllr from strategic budget

The Petersfield Study

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

Facilities in Coleridge

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

1.3 Budget Summary Table

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

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

For the Abbey project in Stanesfield Road £80k is met from the top-sliced pot and £20k is met from the Abbey ward budget.

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

*This does not include the proposed small grant of £3,500 to Barnwell Baptist Church.

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APPENDIX 1 – DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS

1.0 Central Government Advice

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

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

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

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

(b) directly related to the development; and

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

2.0 Cambridgeshire and Peterborough Structure Plan 2003

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

P9/9 Cambridge Sub-Region Transport Strategy

3.0 Cambridge Local Plan 2006

3/1 Sustainable development

3/3 Setting of the City

3/4 Responding to context

3/6 Ensuring coordinated development

3/7 Creating successful places

3/9 Watercourses and other bodies of water

3/10 Subdivision of existing plots

3/11 The design of external spaces

3/12 The design of new buildings

3/13 Tall buildings and the skyline

3/14 Extending buildings

3/15 Shopfronts and signage

- 4/1 Green Belt
- 4/2 Protection of open space
- 4/3 Safeguarding features of amenity or nature conservation value
- 4/4 Trees
- 4/6 Protection of sites of local nature conservation importance
- 4/8 Local Biodiversity Action Plans
- 4/9 Scheduled Ancient Monuments/Archaeological Areas
- 4/10 Listed Buildings
- 4/11 Conservation Areas
- 4/12 Buildings of Local Interest
- 4/13 Pollution and amenity
- 4/14 Air Quality Management Areas
- 4/15 Lighting

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

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

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

8/1 Spatial location of development
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/6 Cycle parking
8/8 Land for Public Transport
8/9 Commercial vehicles and servicing
8/10 Off-street car parking
8/11 New roads
8/12 Cambridge Airport
8/13 Cambridge Airport Safety Zone
8/14 Telecommunications development
8/15 Mullard Radio Astronomy Observatory, Lords Bridge
8/16 Renewable energy in major new developments
8/17 Renewable energy
8/18 Water, sewerage and drainage infrastructure

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

10/1 Infrastructure improvements

Planning Obligation Related Policies

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

4.0 **Supplementary Planning Documents**

- 4.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.
- 4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.
- 4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.
- 4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.
- 4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.
- 4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

Eastern Gate Supplementary Planning Document (October 2011)

Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:

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

5.0 Material Considerations

Central Government Guidance

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

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

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

Includes the following statement:

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

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

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

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

5.3 City Wide Guidance

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

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

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

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

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

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

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

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

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

Cambridge City Council (2011) - Open Space and Recreation Strategy: Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.6 Area Guidelines

Cambridge City Council (2003)–Northern Corridor Area Transport Plan:
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:
Cambridge City Council (2003)–Western Corridor Area Transport Plan:
The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

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

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

West Cambridge Conservation Area Appraisal (2011)

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

Jesus Green Conservation Plan (1998)

Parkers Piece Conservation Plan (2001)

Sheeps Green/Coe Fen Conservation Plan (2001)

Christs Pieces/New Square Conservation Plan (2001)

Historic open space guidance.

Hills Road Suburbs and Approaches Study (March 2012)

Long Road Suburbs and Approaches Study (March 2012)

Barton Road Suburbs and Approaches Study (March 2009)

Huntingdon Road Suburbs and Approaches Study (March 2009)

Madingley Road Suburbs and Approaches Study (March 2009)

Newmarket Road Suburbs and Approaches Study (October 2011)

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

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

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

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

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

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

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Application Number	13/0649/FUL	Agenda Item	
Date Received	14th May 2013	Officer	Ms Lorna Gilbert
Target Date	9th July 2013		
Ward	Abbey		
Site	Scout Headquarters 40 Stanesfield Road Cambridge		
Proposal	The relocation of an existing Scout Hut with 8 additional affordable and private sale new dwellings, associated car parking and cycle parking and private and shared amenity space. This is as part of the Cambridge City Council Affordable Housing Framework.		
Applicant	Mr Colin Rickard 950 Capability Green Luton Bedfordshire LU1 3LU England		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The development makes efficient use of a site within an established residential area.</p> <p>The existing scout hut is re-provided.</p> <p>The development will not have an adverse impact on the amenities enjoyed by existing residents.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is currently occupied by a Scout Hut on the eastern side of the site. It also contains trees and a grassed area. The Scout Hut building has an internal footprint of 158 sq/m.

- 1.2 The site is accessible off Stanesfield Road and Thorley Road to the north and south. The site is surrounded by properties, to

the east by odd unnumbered properties 9-23 Rawlyn Road, to the South by odd numbered houses 27-39 Thorley Road, to the west are even numbered properties 2-16 Gerard Road and to the north even numbered houses No.18-28 Stanesfield Road.

- 1.3 The site is designated as Protected Open Space within the Local Plan (2006).
- 1.4 The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal involves the demolition of the existing Scout Hut. It would be replaced by a new Scout Hut which would have an internal footprint of 158sq/m. It would be located towards the south-west of the site and contains a kitchen, toilets, a hall, plant and storage. It would be constructed from red brick, cream render, PVC windows and doors and a monopitch green roof. The building would be accessible from Thorley Road and a drop off car parking area is provided that could accommodate 5 spaces. A separate disabled car parking spaces is also provided. Twelve cycle parking spaces are proposed.
- 2.2 The northern part of the site is accessible from Stanesfield Road. It contains four x three bedroomed market houses, two x three bedroomed social rented houses and two x two bedroomed social rented flats. Fourteen car parking spaces are provided. Two are visitor spaces. The proposal allows for a minimum of one cycle space per bedroom for each property. The properties would be constructed from red brick with a cream render and timber panels. The roof would have concrete grey coloured roof tiles. PV panels located on the south facing roofs. The windows would be grey PVC.
- 2.3 The application is accompanied by the following supporting information:
 1. Design & Statement
 2. Planning Statement
 3. 10% Low or Zero Carbon technology feasibility study
 4. Waste Management
 5. Tree Survey Report
 6. Transport Statement

7. Site Specific Flood Risk Assessment and drainage strategy report
8. Sustainability Checklist
9. Preliminary Investigation Report
10. Code for Sustainable Homes Pre Assessment Estimator Tool
11. Landscape Management Plan
12. Incoming Services Appraisal
13. Extended Phase 1 Habitat Survey

2.4 The application is brought before Committee because the applicant is Cambridge City Council.

3.0 SITE HISTORY

3.1 There is no relevant history.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents)	CS16

July 2011		
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/8 3/11 3/12 4/2 4/3 4/4 4/13 4/14 4/15 5/1 5/5/9 5/10 5/11 5/12 6/1 6/2 8/2 8/4 8/6 8/9 8/10 8/11 8/16 8/17 8/18 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Affordable Housing Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u>

	<p>Arboricultural Strategy</p> <p>Biodiversity Checklist</p> <p>Cambridge Landscape and Character Assessment</p> <p>Cambridge City Nature Conservation Strategy</p> <p>Criteria for the Designation of Wildlife Sites</p> <p>Cambridge City Wildlife Sites Register</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Open Space and Recreation Strategy</p> <p>Balanced and Mixed Communities – A Good Practice Guide</p> <p>Green Infrastructure Strategy for the Cambridgeshire Sub-Region</p> <p>A Major Sports Facilities Strategy for the Cambridge Sub-Region</p> <p>Cambridge Sub-Region Culture and Arts Strategy</p> <p>Cambridgeshire Quality Charter for Growth</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network</p>
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	<p>Cambridgeshire Design Guide For Streets and Public Realm</p> <p>Cycle Parking Guide for New Residential Developments</p> <p>Air Quality in Cambridge – Developers Guide</p> <p>Cambridge Shopfront Design Guide</p> <p>Roof Extensions Design Guide</p> <p>Modelling the Costs of Affordable Housing</p>
	<p><u>Area Guidelines:</u></p> <p>Eastern Corridor Area Transport Plan</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The additional dwellings would trigger Corridor Payments for 68 trips.
- 6.2 Normally the Highway Authority would adopt the access road for this number of dwellings, and, with some slight modification, an adoptable layout could be achieved for the access road. In the alternative the road could remain private, but would be subject to the Advanced Payments Code of the Highways Act 1980.
- 6.3 It is not clear why the affordable households are considered likely to have a reduced level of car ownership, compared to market housing.
- 6.4 Conditions are recommended.

Further comments were received in response to amended drawings

- 6.5 The ramp needs to be at the entrance from the north, set at the back of the radii and the rest of the surface needs to be a shared surface with, generally, a six metre wide "carriageway",

with two 0.5 metre strips all the way around (the maintenance strips).

- 6.6 A narrowed section is acceptable, within the approach, but the "coloured strip" serve no useful purpose and undermines the shared surface concept.

6.7 **Head of Refuse and Environment**

- 6.8 Conditions are recommended.

6.9 Waste Strategy

No adverse comments with regard to refuse and recycling collection arrangements for the site. The applicant should note that the weight bearing capacity for the road to the point where the RCV is required to enter should be capable of withstanding 26 tonnes.

- 6.10 Locks on the communal bin store should be keypad entry or standard fire brigade locks. Protection strips should also be added to the doors and walls of bin stores where necessary.

Urban Design and Conservation Team

- 6.11 The application is supported in Urban Design terms and conditions are recommended.

Access Officer

- 6.12 The Access Officer gave feedback directly to the applicant.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

- 6.13 Although the application includes a flood risk assessment there is no commitment to any form of surface water disposal. It should be noted that ground water has been encountered at shallow depths in the area.

- 6.14 I would therefore recommend a condition be attached.

Head of Streets and Open Spaces (Tree Team)

- 6.15 Further to a number of pre-application meetings the layout was been adjusted to allow the retention of T3, T4 and G10, which are the most significant and sustainable of the sites trees within the context of development.
- 6.16 While the layout, 1259/P/101 Rev A reflects this the arboricultural submissions do not. Neither the Tree Survey Report of Jan 2013 nor the Tree Protection Plan accurately reflect the impact of the development on the sites trees or provide sufficient and accurate detail regarding required tree protection during construction.
- 6.17 While there is no objection to the layout as shown in 1259/P/101 Rev A in principle, all arboricultural submissions to date should not be approved and an accurate Arboricultural Implication Assessment in accordance with BS 5837 2012 should be submitted to show that the proposed layout is acceptable arboriculturally.
- 6.18 Conditions are recommended.

Environment Agency

- 6.19 This application falls within Cell F5 (FZ1/<1ha) of the Environment Agency's Flood Risk Standing Advice Matrix. It will be necessary, in this instance, for the Council to respond on behalf of the Environment Agency in respect of flood risk/surface water drainage issues.

Ministry of Defence

- 6.20 The MOD has no safeguarding objections to this proposal.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.21 I am more than happy in terms of the layout and orientation of the building in terms of providing good surveillance of the residents car parking spaces. Image 2 on page 3 of the DAS shows the entrance to the site, I did raise the issue of surveillance of the visitor car parking spaces. However the demonstrating drawing on page 17 shows the wall removed to

open up surveillance of these spaces to other properties on Stanesfield Road which of course would be my recommendation.

6.22 Support the application in terms of layout and design.

Cambridgeshire County Council (Growth and Economy)

6.23 Have requested financial contributions that would be included within the s106.

Cambridgeshire County Council (Archaeology)

6.24 A condition is recommended.

Disability Consultative Panel (Meeting of 3rd July 2013)

6.25 Wheelchair accessible units. The Panel questioned the capacity for a wheelchair turning circle in a 3 bed, Lifetime Homes standard unit of 80sqm.

6.26 Bedrooms. It was felt these would be too small to act as comfortable, enjoyable living spaces.

6.27 Scout hut. The doors of the new facility need to be to be re-designed to prevent clashing.

6.28 Vehicular drop-off provision. The Panel felt the drop-off provision was located too far from the main parking area. This would be an issue should the scout hut be loaned for public use, such as during elections.

6.29 Conclusion: A disappointing proposal in need of further consideration.

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

7.0 REPRESENTATIONS

7.1 No representations have been received

8.0 ASSESSMENT

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

1. Principle of development
2. Affordable Housing
3. Context of site, design and external spaces and impact on trees
4. Renewable energy and sustainability
5. Disabled access
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Planning Obligation Strategy

Principle of Development

8.2 The key Local Plan policy is 4/2 Protection of Open Space. The site is within a designated area of public open space. The policy explains that *'development will not be permitted which would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons.'*

8.3 The Open Space and Recreation Strategy (2011) explains how Abbey Ward has 103.25 hectares of public protected open space. This is considerably higher (in excess of 2.5 times more) than other Cambridge wards. Coldhams Common is located to the south west of the site and is within walking distance. Peverel Road Play Area is also close by to the east of Barnwell Road. Elfleda Road Allotments are located to the west of Stansfield Road. The site is referred to as Rawlyn Road Amenity Green Space in the Strategy and provides 0.24ha of public open space. The Strategy refers to the site not being of environmental importance but does have recreational importance.

8.4 The site is presently not accessible from Thorley Road to the south due to locked gates. The applicant has highlighted anti-social behaviour as being commonplace on site.

- 8.5 The proposal involves the demolition of the existing Scout Hut and its replacement with a new Scout Hut with the same floorspace. An area of open space would be provided to the south of the building. The site would continue to be used for community use.
- 8.6 It is accepted that the proposal would involve the loss of land designated as Protected Open Space within the Local Plan (2006), however it is clear from the Open Space and Recreation Strategy (2011) that Abbey Ward has one of the highest amounts of public protected open space of all the Cambridge wards. The site is within a short distance of other areas with this designation. The strategy refers to the site as not being of environmental importance. It does however refer to the site being of recreational importance. The proposal does provide an area of open space by the new Scout Hut which would be available for recreational use by users of the Scout Hut. The land is presently under used and I consider on balance the loss of the public open space can justify the loss, as the proposal provides a community facility with open space.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policies 4/2 of the Local Plan (2006).

Affordable Housing

- 8.8 It is proposed that four of the eight residential units are affordable. This equates to 50% and as such meets the requirements for affordable housing provision as set out in the Local Plan. The mix of affordable units comprises two x two bedroomed flats and two x three bedroomed houses. The mix of affordable rented units has been derived from the latest housing waiting list information for the locality, according to the Planning Statement. The Housing Officer is satisfied with the level and type of provision. The detail of the Affordable housing scheme can be secured through a Section 106 Agreement.
- 8.9 In my opinion the proposal is compliant with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8 and Cambridge Local Plan (2006) policies 5/5 and 10/1 and the Affordable Housing SPD (2008).

Context of site, design and external spaces and impact on trees

- 8.10 Policy 3/12 of the Local Plan (2006) explains how new buildings will be permitted where it can be demonstrated that they have a positive impact on their setting in terms of location on the site, height, scale and form, materials, detailing, wider townscape and landscape impacts and available views.
- 8.11 The proposed houses and flats extend to a maximum of 2.5 storeys high and are similar in scale to the existing residential properties along Stanesfield Road and Rawlyn Road. The choice of red brick on the walls of the properties would complement the surrounding area as red brick is used on properties along Stanesfield Road. Landscaped areas are provided around the site and soften the front gardens of the properties and the car parking area. The proposed residential properties would complement the appearance of the surrounding houses in terms of their scale, appearance and design. I am expecting revised plans to address the outstanding concerns of the Tree Officer and will refer to these on the Amendment Sheet
- 8.12 The Scout Hut on the southern part of the site is a single storey. The scale and appearance of the building would harmonise with the surrounding area. It includes a green roof. The choice of materials are similar to those used on the residential properties. It is considered the building would complement the surrounding area with the inclusion of a grassed area with trees to the south of the building.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Renewable energy and sustainability

- 8.14 Policy 8/16 of the Local Plan (2006) refers to major developments providing at least 10% of the development's total predicted energy requirements on-site, from renewable energy sources. The application is for a minor development, however the applicant has included renewable energy sources.

- 8.15 Photovoltaics would be included on each property with south or west facing roofs. It is anticipated an area of 2sq/m per home would be provided. The dwelling would reach Code for Sustainable Homes Level 4 and ENE1 compliance.
- 8.16 The Scout Hut would have a green 'sedum' roof to help improve biodiversity for the development.
- 8.17 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.18 The Design and Access Statement (page 25) refers to all front and rear access doors incorporating level threshold details to aid wheelchair users.
- 8.19 As the development is to be designed to Lifetime Homes standards it means that all car parking spaces are suitable for use by disabled persons.
- 8.20 The applicant responded to comments made by the Disability Panel and I am satisfied with the responses given.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.22 The proposed houses would have WC and bathroom windows facing towards neighbours on Gerard Road and Rawlyn Road. The proposed houses would be located at least 21m from these properties. The proposed flats have bedroom, kitchen and bathroom windows facing towards No.14 and 16 Gerard Road and No.22 Stanesfield Road. This proposed building is located a minimum of 17m from these nearby properties. It is considered the distance between the proposed residential houses and nearby properties would not lead to an unreasonable loss of light, privacy or outlook to these neighbouring addresses.

- 8.23 I consider the balcony proposed on the first floor flat would not lead to an unreasonable loss of privacy or noise disturbance to its neighbours due to its position.
- 8.24 The scout hut stands at one storey high. I consider its scale would not adversely harm neighbouring properties amenities.
- 8.25 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.26 The proposal provides gardens for all residential properties. The proposed flats have separate access doors at the front of the building. Their location enables opportunities of surveillance.
- 8.27 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.28 A Waste Management statement has been included in the application. It details how waste during demolition and construction would be managed.
- 8.29 Drawing number 1259/P/011 Rev.A includes the Waste Strategy. The Residential units would be provided with 3 x 240 litre wheelie bins stored in their rear gardens. There would be communal bins for the flats located in a separate bin store.
- 8.30 The Scout Hut would be provided with 2 x 1000 litre wheelie bins to be stored by the Scout Hut.
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.32 The proposed houses would trigger Eastern Corridor Area Transport Plan payments for 68 trips as confirmed by Highways. This can be dealt with through a s106 legal agreement.
- 8.33 The applicant does not want the proposed road to be adopted. The Highway Engineer has confirmed this means that the Advanced Payments Code of the Highways Act 1980 would apply this can be dealt with through the s106.
- 8.34 The proposal includes a shared surface area that is defined by block paving by the car park area for the residential properties. This approach is acceptable to the Highway Authority. Officers have requested a ramp beside the north entrance, however the change in materials from tarmac to block paving helps to define the road from the shared surface. A hard landscaping condition is recommended for details of the materials to be approved by the local planning authority to ensure it is to an acceptable standard.
- 8.35 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.36 The site is outside of the Controlled Parking Zone. According to the Local Plan (2006) the maximum car parking provision for the residential element would be 14 car parking spaces. The proposal meets this standard.
- 8.37 Two car parking spaces are provided for each of the three bedroomed market houses. One car parking space is provided for each two and three bedroom affordable unit. Two visitor spaces are allocated for the residential properties.
- 8.38 A maximum of 8 car parking spaces should be provided for the Scout Hut according to the Local Plan (2006). Five car parking spaces are allocated within a drop off area to the south of the site for users of the Scout Hut. One additional disabled car parking space is allocated close to the Scout Hut.

- 8.39 I consider that the car parking provision is acceptable for the residential provision as it meets the maximum standard. The drop off area for the Scout Hut will allow drop offs and pick ups for users of this building and is adequate for this purpose.

Cycle Parking

- 8.40 The houses will be provided with sheds in the rear garden that can accommodate cycles. The flats would have a shared cycle store outside the entrance to the building. There would be a minimum provision of one cycle space per bedroom for the houses. The flats secure cycle shelter would have capacity for four cycles.
- 8.41 The Scout Hut would have 12 covered and secured cycle spaces. This exceeds the minimum requirement of one space per 15sq/m of public floor area.
- 8.42 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Planning Obligations

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

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

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses

requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.44 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.45 The application proposes the erection of six three-bedroom houses, two two-bedroom flats. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476	2	952
3-bed	3	238	714	6	4284
4-bed	4	238	952		
Total					5236

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538	2	1076
3-bed	3	269	807	6	4842
4-bed	4	269	1076		
Total					5918

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484	2	968
3-bed	3	242	726	6	4356
4-bed	4	242	968		
Total					5324

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632	2	1264
3-bed	3	316	948	6	5688
4-bed	4	316	1264		
Total					6952

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

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

Community Development

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

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	2	2512
3-bed	1882	6	11292
4-bed	1882		
Total			13804

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

Waste

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

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	6	450
Flat	150	2	300
Total			750

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

Household Recycling Centres

8.51 A network of Household Recycling Centres is operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

8.52 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.53 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.

Notes for Milton	Infrastructure/households	Source
4 sites at £5.5 million	£22 million	Cost per site sourced from Mouchel Parkman indicative costs 2009
Total catchment (households)	115,793	WMT Recycling Centre catchment tables CCC mid 2009 dwelling figures
New households	24,273	CCC housing trajectory to 2025 as of December 2010
<u>Infrastructure costs</u>		
Total number of households in catchment	x New households in catchment	
<u>£22 million</u> 115,793	x 24,273	= £4,611,730
Total Developer Contribution per household = £190		

8.54 The net gain is 8 therefore the necessary contribution towards HRC is £1520.

8.55 Subject to the completion of a S106 planning obligation to secure the requirements of the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012), I am satisfied that the proposal accords with the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16.

Education

- 8.56 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.57 In this case, 8 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for primary education, secondary education, lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.
- 8.58 The County Council confirmed in writing that no pre-school contributions are required.

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1350	8	10800
Total					10800

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		1520	8	12160
Total					12160

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160		
2+- beds	2		160	8	1280
Total					1280

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

Transport

8.60 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the Eastern Corridor Area Transport Plan where the contribution sought per trip is £229.

8.61 The Highway Authority has made an assessment of the proposal, on which the following assessment of expected additional trips and contributions is based.

8.62 Using the County Council standard figures for the number of trips likely to generated by residential units, contributions have been calculated as follows.

Eastern Corridor Area Transport Plan				
Existing daily trips (all modes)	Predicted future daily trips (all modes)	Total net additional trips	Contribution per trip	Total £
		68	£229	£15572

8.63 The Highway Authority also require the Advanced Payments Code to be referenced in the s106 Agreement. I will provide more detail about this on the Amendment Sheet.

8.64 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1, P9/8 and P9/9, Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

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

Planning Obligations Conclusion

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

9.0 CONCLUSION

9.1 The development accords with Development Plan policy and is recommended for approval subject to completion of the necessary s106 Agreement.

10.0 RECOMMENDATION APPROVE

Subject to the satisfactory completion of the s106 agreement by 30 November 2013 and subject to the following conditions and reasons for approval:

Declaration of Interest for case officer

Does the case officer have any interest (whether financial or not) in the application or application site or any personal or business connection with the applicant(s)?

- ☐ Yes
- ☐ No

If yes, please confirm that full details of any interest or connection have been provided to the [Head of Planning] [Director of Environment]
 Signed

(Include Below For Area Committees Only)

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

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

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

Condition Number	Condition Name	Who to consult

*AWA – Anglian Water Services. CCA – Historic Environment Team (County).
 CNE – New Communities (County). CON – Conservation.
 CYC – Cycling and Walking Officer. DIS – Disability Access Officer.

DRN – Drainage. ENV – Environmental Health.
FIR – Fire and Rescue Service. HIG – Highways Authority.
LAN – Landscape Architects. NCON – Nature
Conservation Projects Officer.
NRA – Environment Agency. SOS – Streets and Open
Space.
URB – Urban Design

** Table to be deleted by Application Support when formal Committee Report is produced

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 unbound material shall be used in the surface finish of the driveway within 6 metres of the existing or future highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

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

Reason: To prevent surface water discharging to the highway.

4. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the local authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

Reasons Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

5. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.
6. 1.This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

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

Cambridge Local Plan (2006): 3/1 3/4 3/7 3/8 3/11 3/12 4/2 4/3
4/4 4/13 4/14 4/15 5/1 5/5/9 5/10 5/11 5/12 6/1 6/2 8/2 8/4 8/6
8/9 8/10 8/11 8/16 8/17 8/18 10/1

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

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

7. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.
- (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
- (c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless

the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

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

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

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

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

submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site including calculations and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) the results of any infiltration tests;
- iii) include a timetable for its implementation; and
- iv) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

9. No brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

Reason: to ensure development responds to the context of the site (Cambridge Local Plan 2006 Policy 3/4).

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

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

11. No development shall commence until details of facilities for refuse storage for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved refuse stores shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure the development successfully integrates refuse storage into the design. (Cambridge Local Plan 2006 Policy 3/12).

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

13. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

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

Reason: In the interests of highway safety and to comply with policy 8/2 of the Local Plan 2006.

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

INFORMATIVE: The Councils document Developers Guide to Contaminated Land in Cambridge provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Councils website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-andnuisance/land-pollution.en>. Hard copies can also be provided upon request.

I : The demolition and construction phase may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from: Councils Supplementary Planning Document Sustainable Design and Construction 2007: https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WE B.pdf
Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils: http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

Reasons for Approval

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

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

Cambridge Local Plan (2006): 3/1 3/4 3/7 3/8 3/11 3/12 4/2 4/3
4/4 4/13 4/14 4/15 5/1 5/5

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

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 30 November 2013, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1 Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and the Cambridgeshire and Peterborough Minerals and Waste

Development Plan (Core Strategy Development Plan Document July 2011) policy CS16 and as detailed in the Planning Obligation Strategy 2010, the Open Space Standards Guidance for Interpretation and Implementation 2010, Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document 2012.

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



Rawlyn Road

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Stanesfield Road Typical Street Elevation A (Not to Scale)



Stanesfield Road Typical Street Elevation B (Not to Scale)



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Scout Hut Proposed Street Elevation (NTS)

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Application Number	13/0523/CLUED	Agenda Item	
Date Received	12th April 2013	Officer	Mr John Evans
Target Date	7th June 2013		
Ward	Petersfield		
Site	142 Tenison Road Cambridge CB1 2DP		
Proposal	Application for a certificate of lawfulness under Section 191 for the use as additional letting bedrooms and ancillary accommodation to a hotel.		
Applicant	Mr M J Akhtar 142-146 Tenison Rd Cambridge CB1 2DP UK		

SUMMARY	<p>The certificate should be issued for the following reasons:</p> <ol style="list-style-type: none"> 1) Sufficient evidence has been provided to prove on the balance of probabilities continuous hotel use 10 years preceding the date of the application. 2) Further information from a former employee and regular guest has been provided. 3) The applicant has made a statutory declaration.
RECOMMENDATION	GRANT CERTIFICATE

1.0 SITE DESCRIPTION AND AREA CONTEXT

1.1 The application site is part of a terrace of late-nineteenth-century buildings on the west side of Tenison Road, near Cambridge railway station. Several of the buildings in this row are in hotel/bed and breakfast use, including the two neighbouring buildings at 144 and 146 Tenison Road. The application building, like its neighbours is a two-storey property with prominent bay windows at the front, additional accommodation within the roof space and a rear dormer window.

1.2 The site falls within the Central Conservation Area and the Controlled Parking Zone.

2.0 THE PROPOSAL

2.1 This is a revised application for a Certificate of Lawfulness for the use of number 142 Tenison Road as additional letting bedrooms and ancillary accommodation to a hotel. The applicant seeks to prove that 142 Tenison Road has been used as part of the main Fenners Hotel for 10 years preceding the date of the application.

2.2 The application is supported by the following documents:

- Correspondence with Cambridge City Council.
- 2 letters from a previous employee and guest at the premises.
- Sample details of previous occupiers.
- Additional email from a previous regular guest.
- Proof of employment of previous head of kitchen.
- Sworn statement from Mr Akhtar.
- Email from the City Council's Housing Services

2.3 The application is made under Section 191 of the Town and Country Planning Act 1990.

3.0 SITE HISTORY

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

83/0738	142	Change of use from residential with bedsitting accommodation to bedsitting accommodation	Approved with conditions	
83/0739	144	Change of use from residential unit to residential with lodging accommodation	Refused	
85/3381	146	Illuminated pole sign	Refused	
88/0251	144	Change of use from dwelling to hotel	Refused	Allowed
95/0759	146	Single storey extension at side and two pitched roofs at 2 nd floor level	Approved with conditions	
95/0770	146	Demolition of dormers to allow pitched roofs at 2 nd floor level	Approved with conditions	
02/0261	142	2-storey rear extension	Refused	
03/0811	146	2-storey rear extension, single-storey rear extension and two dormers to guest house	Refused	Dismissed
03/0812	142	Single-storey rear extension and 2 nd floor dormer to HMO	Refused	Dismissed
08/1207	146	Extension to form laundry and kitchen	Approved with conditions	
08/1208	146	Demolition of timber structure	Withdrawn	

10/0530/FULL	142	Retrospective change of use from residential to bed and breakfast accommodation in conjunction with no 144 and 146 Tenison Road.	Refused
12/0162/CLUED	142	Use of No 142 as a Hotel in Use Class C1	Refused

4.0 REPRESENTATIONS

Glisson Road and Tenison Road Area Residents Association (GTARA)

- It seems very little has changed since the previous application.
- No mention of the fact the fire service does not record the premises as part of the hotel.
- The conversion of the house of multiple occupation (HMO) in this instance is not acceptable.
- Given difficulties in housing young people the Council should do everything it can to ensure the property remains a HMO.

5.0 CONSULTATIONS

Legal Services Cambridge City Council

- 5.1 Sufficient evidence has been provided to grant a certificate.
- 5.2 In light of the information provided the legal officer believes that it is more probable than not that 142 Tenison Road has been used as hotel ten years preceding the application. In those circumstances a CLEUD is appropriate.

6.0 ASSESSMENT

- 6.1 The applicant seeks to demonstrate that the premises has been used continuously for a period of 10 years prior to the application, as ancillary hotel accommodation to a hotel known as Fenners

Hotel which is at 144 and 146 Tenison Road.

- 6.2 The planning merits of this matter are not a material consideration. The Council must determine whether, on the balance of probabilities, adequate evidence has been provided to demonstrate the continuous use of 142 Tenison Road as hotel accommodation ancillary to Fenners Hotel.

Previously refused certificate of lawfulness application

- 6.3 The previous certificate of lawfulness application was refused in 2012 because there were gaps in the evidence of a ten year period of use as a hotel. There were weaknesses in two of the submissions. Six of the submissions were considered 'neutral', which neither supported nor detracted from the applicants case.
- 6.4 Of the weaker submissions, one carried greater weight, but in total they were not sufficiently robust for the Council to grant a Certificate of lawfulness. A previous employee at the premises provided a statement which carried some weight, but would have been stronger if it was accompanied by evidence of employment at the Hotel.
- 6.5 Similarly the second submission, from a long term guest, was not sufficiently robust because it lacked detail and his supporting address.
- 6.6 This revised application is accompanied with further evidence from the long term resident regarding the nature of 142 Tenison Road and his home address in France. In addition, the former employee's letter of employment has also been provided.
- 6.7 From the information provided the Council's Legal Officer concludes that the applicant has discharged the burden of proof in that it is more probable than not that the site has been used as the applicant has stated for the ten years prior to the application.

Use of 142 Tenison Road

- 6.8 142 Tenison Road is physically linked and integrated to the main hotel. There are connecting doors at first and second floor level and the hotel is now clearly a part of the main business at 144 and 146 Tenison Road.

- 6.9 142 Tenison Road was used as temporary accommodation for homeless people by the City Council's Housing Services between 1997 and 2004, which is supported by evidence from the Council's Housing Team.
- 6.10 In 2004 the case officer (03/0812) believed the lawful use of 142 Tenison Road to be an HMO. The Council's enforcement records indicate investigations into breaches of this permitted use in 2004 and 2008. The Council's enforcement officer notes in June 2004 that 'these properties have a variety of uses but there is evidence to suggest that numbers 142, 144 and 146 are used to accommodate homeless persons by offering bed and breakfast accommodation'. This suggests the premises at that time were being used as a hotel.
- 6.11 I note evidence from the residents association GTARA, that the fire service have no record of 142 Tenison Road forming part of the hotel. Evidentially, this neither supports nor detracts from the applicants case as other statutory bodies follow other criteria under different legislation, which may share few characteristics relevant to planning use classes.
- 6.12 I note GTARA wishes the Council to robustly defend policies within the Local Plan, but the planning merits of the change of use are not material to whether a certificate should be issued.

Evidence from the applicant

- 6.13 In 2003 Mr Akhtar wrote that the premises were being used as an HMO. His subsequent explanation as to this discrepancy was that he did not see that there was any real difference between an HMO and bed and breakfast accommodation. In my view, to a person not familiar with planning, this is plausible and has probably contributed to the protracted investigations as to the use of the property. In addition, there is no detailed description from the Council's records, or those of third parties, which actually reveals any physical differences between the uses of 144-146 Tenison Road and number 142 Tenison Road.
- 6.14 Mr Ahktar states that after the bed and breakfast referrals from the Council had ceased, he continued offering bed and breakfast accommodation to foreign visitors. While this use may not have generated complaints from residents, it is still nevertheless a hotel use.

7.0 THIRD PARTY REPRESENTATIONS

- 7.1 I recognise the strong concerns from GTARA that granting the certificate will result in the loss of HMO accommodation, but the planning merits of this concern cannot be taken into account in deciding whether a certificate of lawfulness can be issued.
- 7.2 I also note that the premises was used to house homeless people around 1997 to 2004 which resulted in objections from neighbours. Regardless of whether the certificate is issued, the Planning Authority cannot control whether 144 - 146 or indeed 142 Tenison Road is used by homeless people seeking temporary accommodation in Cambridge. This use of the premises can be carried on in a hotel or a HMO.

8.0 CONCLUSIONS

- 8.1 Based on the additional evidence supplied by the applicant and my site inspection, I am of the opinion that the property has probably been continuously used for hotel guest accommodation for 10 years preceding the application.

8.0 RECOMMENDATION

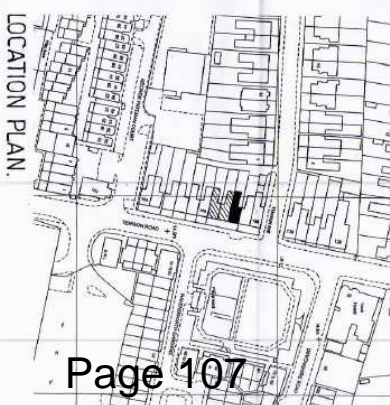
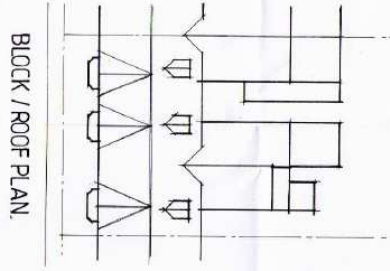
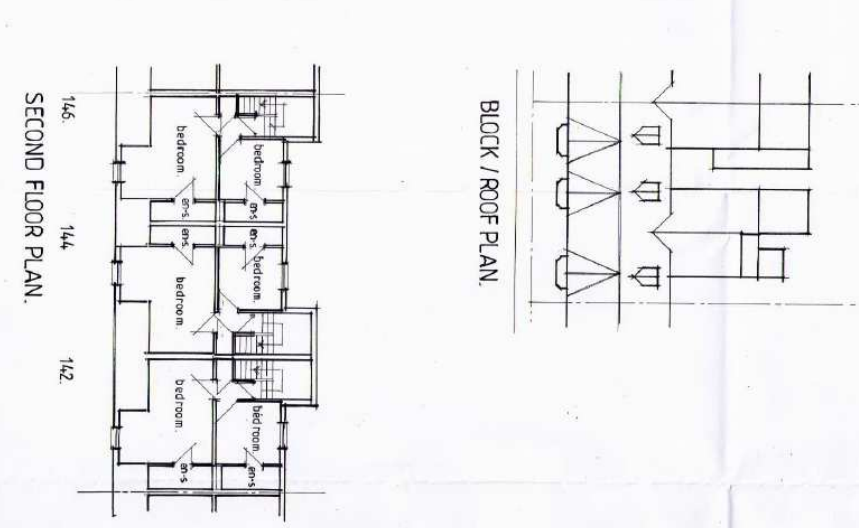
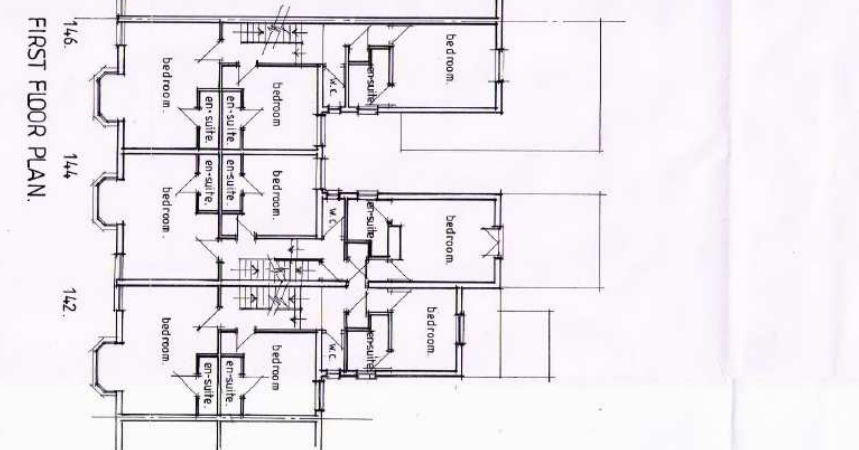
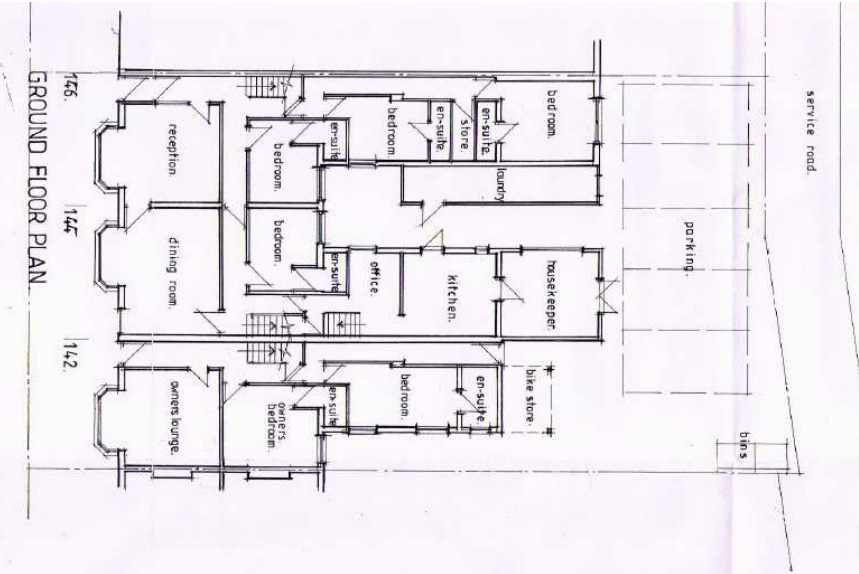
That a certificate of lawfulness be granted under Section 191 of the Town and Country Planning Act 1990 (as amended) for 142 Tenison Road, Cambridge.

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. Application for a certificate of lawfulness under Section 191 for the use as additional letting bedrooms and ancillary accommodation to a hotel.
3. 142 Tenison Road, Cambridge, as identified outlined in RED on the location plan attached to this Certificate.

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Revision A - Garage changed to basement added Sept 10

STEPHEN R. FRIDAY *Arch*
Building Design Service

16 Willow Way, Haveron Cambridge CB2 3UB Tel: 01223 472002

SURVEY OF FENNER HOTEL
142-146 TENISON ROAD
CAMBRIDGE
CB1 2DP

CLIENT: **MR AKHTAR**
 DATE: **MAY 2000**
 SCALE: **1:100**
 DRAWING NO: **SF 10 018 1 A**

Plan reproduced with the consent of Stephen Friday. Scale 1:100 @A1

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Application Number	13/0102/FUL	Agenda Item	
Date Received	30th January 2013	Officer	Mr Amit Patel
Target Date	27th March 2013		
Ward	Abbey		
Site	Garages To Rear Of 76 Abbey Road And 12 Riverside Cambridge Cambridgeshire		
Proposal	Proposed conversion of existing lock-up garages to form 2No. 1.5 storey dwellings		
Applicant	Mr James Arnold Bennell Farm West Street Comberton Cambridge Cambridgeshire CB23 7DS		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>Provides additional housing</p> <p>Will not have a detrimental impact upon the neighbouring occupiers</p> <p>The design will be in keeping with the surrounding area</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is a pair of garages located between 68 and 76 Abbey Road close to the junction with Riverside. The area is predominately residential in character with two storey terrace houses finished in brick with slate roof.

- 1.2 To the north of the site is the number 76, to the south is number 68 and to the east is the rear garden of 13 Riverside and to the west is the public highway and car park immediately opposite the site. The topography of the area means that the road has an incline running north to south.

1.3 The site falls within Conservation Area and there are no listed buildings closes by. The site falls within the controlled parking zone. The site falls within a Flood Risk Zone 2.

2.0 THE PROPOSAL

2.1 The proposal is to convert the existing garages into two one-bedroom flats. The main changes to the building are:

- 1 . Raising the eaves height by 400mm to 3.3m from 3.7m
- 2 . Increase the ridge height from 3.8m to 4.2m
- 3 . Addition of roof lights to front and rear slopes of the roof
- 4 . Change in the street elevation by changing the middle garage door to a glazed door
- 5 . Landscaping to the front.

2.2 The application is accompanied by the following supporting information:

1. Design Statement
2. Flood Risk Assessment
3. Plans

3.0 SITE HISTORY

No site history relevant to this application.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/11 3/12 4/11 4/16 5/1 5/5 5/14 8/1 8/2 8/4 8/6 8/10 10/1

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

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

	Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Conservation Area Appraisal: Riverside and Stourbridge Common Conservation Area Appraisal

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The proposed dwellings would not qualify for Residents Parking permits except those for visitors, but the site is close to streets where there is no control and this would lead to high competition in those streets if the occupiers were to keep cars. Condition sought relating to removing the existing dropped kerb and funding a Traffic Regulation Order. Informatives suggested regarding public utilities, approval of any highway works by County Highways and avoidance of encroachment onto the public highway.

Head of Environmental Services

- 6.2 The properties should have three 140 litre bins and a condition relating to working hours.

Historic Environment Manager

- 6.3 The application is supported with conditions relating to approval of external colours, brickwork, roof lights and roofing materials.

Environment Agency

- 6.4 Following submission of an emergency plan, the Agency is satisfied on the issue of risk to future occupiers, and withdraws its earlier objection, subject to conditions to ensure the proposed raised walkway is an open structure, and to remove permitted development rights.

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

7.0 REPRESENTATIONS

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

- 68 Abbey Road

7.2 The representations can be summarised as follows:

- The raise in height by 400 or 450mm would create a sense of enclosure;
- Reduce the level of natural light into our first floor windows on the gable end;
- The character of our entrance would be impacted upon.

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 Policy 5/1 of the Cambridge Local Plan explains that provision is made for an increase of 12,500 dwellings over the period

1999-2016; although it recognises that many of these will be from larger sites within the urban area and in the urban extensions, development for housing on windfall sites, such as this, will be permitted subject to the existing land use and compatibility with adjoining uses.

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

- 8.3 This is a residential area. Comments have been received about the proposal impacting upon the character of the entrance to number 68. I do not consider that this will be the case as the proposal is not increasing in foot print to cover or hide the entrance which will still be visible in the street. The main change to the street elevation is the central door, which is being replaced with a window in a more modern idiom, which is supported by the Conservation Officer. Other changes create a landscaped front area and bin storage, which is also supported. Other properties in the locality have small front gardens, a pattern which is being replicated here. As this is a very constrained site the bin location, to the front, uses the existing boundary walls to the north and south to hide this from views up and down the street and this is welcomed as it will not appear to clutter the frontage. The choice of external materials will be key; I support the conditions suggested by the Conservation Officer about brickwork and roofing details, but in my view those suggested with respect to rooflights and paintwork are not in accordance with Circular 11/95. Subject to conditions, I do not consider that this proposal will have a harmful impact
- 8.4 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.5 Comments have been received about the proposal impacting upon the number 68 through the loss of light and sense of enclosure. The proposal is increasing in height by 400mm at the eaves and ridge. The roof design is hipped, the building is much lower than number 68 and is set away from the gable of that house by 1.3m. Taking all these factors into account and the fact that the proposed development is sited north of number 68,

I do not consider that No. 68 will lose light or suffer enclosure to an extent that would warrant a refusal.

- 8.6 The proposed units lie to the south of 76 Abbey Road and 13 Riverside. Given the hipped design of the roof and the limited increase in height of 400mm, the proposal would not in my opinion have a significant overshadowing or enclosing impact upon these neighbours.
- 8.7 There are roof lights proposed in the rear elevation serving the internal stairs. There is the potential for some over looking from these roof lights to the rear. However, if they are obscure glazed and any opening is at least 1.7m above floor level I do not consider the adjoining neighbours would suffer loss of privacy from these windows. I recommend a condition accordingly. The front roof lights overlook a car park area. This would improve natural surveillance and would not create any new overlooking.
- 8.8 In my opinion, subject to condition, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.9 The footprint of the building is not changing and although this will not provide external private amenity space for future occupiers I consider that this is acceptable, given that these are one-bedroom properties which are close to large open spaces of Midsummer Common and Jesus Green.
- 8.10 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12 .

Refuse Arrangements

- 8.11 The proposal shows two bins in the front are. The City Council has a three-bin policy and would require an additional bin for each dwelling. I consider that there is room on site to

accommodate this and therefore recommend a condition to control this.

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

Highway Safety

- 8.13 The local highway authority raises no issues relating to safety, and in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.14 There is no car parking associated with the development and this is in accordance with the Council's car parking standards. In my view there is a strong likelihood that occupiers of such small units in so sustainable a location would elect not to keep a car. Parking in the immediate area is in any case, controlled. I do not consider that the highway authority's request for a condition requiring the applicant to partly fund reinstatement of the kerb and creation of a Traffic Regulation Order can be justified. There is cycle parking space internally for a single cycle, and this is in line with the cycle parking standards in the Cambridge Local Plan (2006).

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

Flooding

- 8.16 The Environment Agency originally commented that the proposal should be refused because there is a possibility of health and safety issues of movement of people from the site to safe land in the event of flooding. The applicants have addressed this by submitting an emergency plan. The Environment Agency are now satisfied, and have withdrawn their objection, subject to conditions to ensure the proposed raised walkway is an open structure, and that no sheds or outbuildings can be erected without permission.

- 8.17 Subject to conditions, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/16.

Third Party Representations

- 8.18 The third party comments have been addressed in the report above.

Planning Obligation Strategy

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

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

(b) directly related to the development; and

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

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

Open Space

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

informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

- 8.21 The application proposes the creation of two one-bedroom houses. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom units are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

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

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

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

4-bed	4	242	968		
				Total	726

8.22 The S106 has been completed in accordance with the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

8.23 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	Jper unit	Number of such units	Total J
1 bed	1256	2	2512
2-bed	1256		
3-bed	1882		
4-bed	1882		
			Total 2512

8.24 The S106 has been completed in accordance with the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

8.25 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling

basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	Jper unit	Number of such units	Total J
House	75	2	150
Flat	150		
Total			150

8.26 The S106 has been completed in accordance with the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridgeshire and Peterborough Structure Plan (2003) policies P6/1 and P9/8, Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

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

Planning Obligations Conclusion

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

8.29 The planning obligation unilateral Undertaking has been signed and completed by the legal department on 18/03/2013

9.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

APPROVE subject to the following conditions and reasons for approval:

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

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

2. All new brickwork shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

3. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

4. The rooflights hereby permitted in the rear roof slope of the building shall be obscure glazed, and any point of opening shall be at least 1.7m above stair level at that point.

Reason: to protect the privacy of neighbouring occupiers. (Cambridge Local Plan 2006 policy 3/4)

5. No development shall take place until full details of waste storage facilities allowing for three separate bins per unit have been submitted to and approved in writing by the local planning authority. The units shall not be occupied until the approved waste storage provision has been installed.

Reason: To ensure adequate waste storage. (Cambridge Local Plan policy 3/12)

6. Except with the prior written agreement of the local planning authority 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)

7. No development shall take place until full details of the raised walkway proposed to facilitate escape from flood waters have been submitted to, and approved in writing by, the local planning authority. The proposed walkway shall not involve any raising of land levels, but shall be only an open structure.

Reason: To protect occupiers from flood risk, and to avoid any danger of increased flooding elsewhere. (Cambridge Local Plan (2006) policy 4/16).

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

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

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

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

INFORMATIVE: The applicant is advised that following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the new dwelling will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets.

Reasons for Approval

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

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

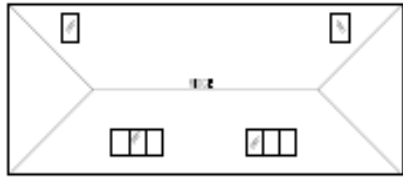
Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/11, 3/12, 4/11, 4/16, 5/1, 5/5, 5/14, 8/1, 8/2, 8/4, 8/6, 8/10 and 10/1;

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

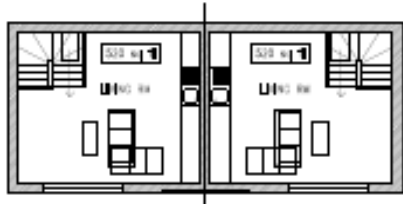
3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

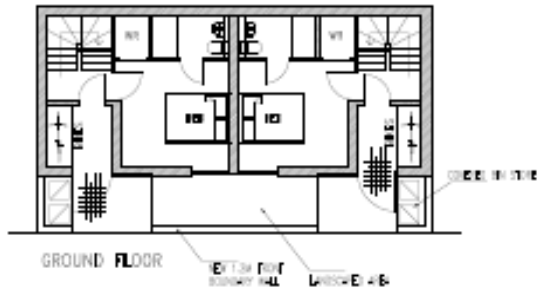




ROOF PLAN

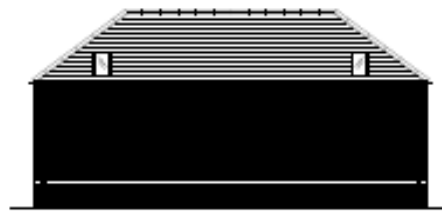


FIRST FLOOR

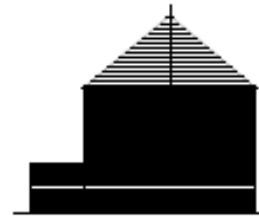


GROUND FLOOR

ENTRANCE HALL
LIVING AREA



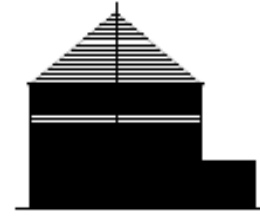
REAR ELEVATION



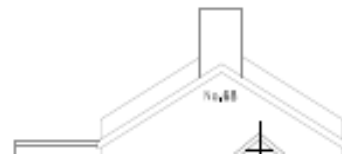
SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



Roof

Application Number	13/0612/S73	Agenda Item	
Date Received	17th May 2013	Officer	Ms Nanayaa Ampoma
Target Date	12th July 2013		
Ward	Romsey		
Site	Snakatak 230 Mill Road Cambridge CB1 3NF		
Proposal	Proposed removal of Condition 3 of Planning Permission C/96/0364 to allow take away food to be served.		
Applicant	Ms Kirsty Bailey 230 Mill Road Cambridge CAMBS CB1 3NF United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - Some of the proposed uses are already ancillary to classes A1/A3 -Would not have a detrimental impact on the amenity of the area. -Proposed change is relatively minor and is acceptable in relation to the context of the area
RECOMMENDATION	APPROVE

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is on the busy primary shopping frontage of Mill Road. The site is a two storey terraced building with a shop unit at ground floor and residential above. It is typical of the forms of properties in the area. The property was previously Snakatak. It is now being used as a café under the name of Café Coco Belle. The property is sandwiched between two properties that also have shop units at ground floor and residential above.

1.2 The site falls within the Central Conservation Area. The property is also a Building of Local Interest and is within an Area of Special Control of Advertisement.

2.0 THE PROPOSAL

2.1 In 1996 planning permission for a change of use from retail (Class A1) to café/restaurants (A1/A3) was given to the premises under application C/96/0364. Condition 3 of this permission forms the basis of this application.

2.2 The application is a Section 73 application to amend condition 3 of the above permission. This condition stated that:

“The premises shall not be used for the sale of hot food for the consumption off the premises.”

2.3 The above permission was given at the time when A3 uses also included takeaways (now A5). Condition three aimed to stop the premises being used as a takeaway. The reason stated on the decision notice is that in respect of the residential units above the shop, such a use would have an adverse impact on their residential amenity.

2.4 The applicant aims to keep the A1/A3 use but gain permission to allow customers to takeaway coffees, cakes and hot breakfast sandwiches. Only the hot sandwiches would require permission , as the condition does not prohibit hot drinks or cakes.

2.5 The application is accompanied by the following supporting information:

1. Design and Access Statement

2.6 The application is brought before Committee at the request of Councillor Smart for the following reasons:

- Councillor is concerned that local residents may be alarmed by the proposal and would like to give it a public hearing.

3.0 SITE HISTORY

Reference	Description	Outcome
C/96/0364	change of use from retail (Class A1) to café/restaurants (A1/A3)	Permitted, conditions

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 4/12 6/7 6/10

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

Central Government Guidance	National Planning Policy Framework (2012) Circular 11/95 Community Infrastructure Levy Regulations (2010)
Supplementary	Sustainable Design and Construction

6.0 CONSULTATIONS

6.1 Cambridgeshire County Council (Highways)

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

6.2 Environmental Health

- Application supported.

6.3 Conservation

- The Conservation team have no comments to make.

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

7.0 REPRESENTATIONS

7.1 I have received one objection (no known address) on the grounds that:

- These would cause disruption. There are plenty of opportunities for the shop owner to purchase properties with takeaway licences already.

7.2 The above representation is a summary of the comments received. Full details of the representation can be inspected on the application file.

8.0 ASSESSMENT

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

1. Principle of development
2. Residential amenity

Principle of Development

8.2 The principle of use has already been established under the original permission and there are also similar uses on Mill Road.

What is being proposed here is an additional ancillary use to the existing A1/A3.

- 8.3 Policy 6/10 states that uses falling under classes A3 and A5 will only be permitted where the proposal would not give rise to unacceptable environmental problems or nuisance, where the individual and cumulative impact of the development is considered acceptable and where it is an existing centre or mixed use area. In my opinion the implementation of the proposed ancillary use meets all these elements. As the property is already a shop/café the fundamental use is not being changed and the cumulative impact of allowing hot sandwiches to be taken off the property would not, in my opinion, have a significant impact on the environmental condition of the area.
- 8.4 In conclusion, the principle of the development is acceptable and in accordance with policies 6/7 and 6/10 of the Cambridge Local Plan (2006).

Residential Amenity

- 8.5 I am fully aware of the reason given for the imposition of condition three on the original change of use permission. However I do not consider the proposed ancillary change to this condition would have a significant impact on the amenity of those residential properties above the shop unit. In my opinion what is being proposed is relatively minor.
- 8.6 This is because the property already benefits from A1/A3 use. To some degree, these uses already allow for some take away practices. Allowing the ancillary use of the taking away of hot sandwiches would not have a significant impact on the amenity arrangements of the location. The applicant has stated that she would like this permission particularly for breakfast times and lunch times. Any permission could be conditioned to reflect these times. This would stop the abuse of this permission and any perception that takeaway use could simply be implemented through the back door. Additionally, I cannot see that there would be issues with cooking smells. The premises is already used for the cooking of food and the application is supported by Environmental Health with no additional conditions cited.

8.7 Therefore having assessed the application I cannot agree that the proposed use is enough to warrant a refusal. This proposed change would not, in my opinion, have a detrimental impact on the amenity of neighbours. Nor would it significantly undermine the impact of the originally condition.

8.8 In my view, it is compliant with policies governing amenity and it does respect the constraints of the site. Therefore, it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12 and 4/12.

9.0 CONCLUSION

9.1 The application should be permitted on the basis that the proposed change would not have a significant impact on the use of the premises or significantly harm the amenity experienced by those residential properties above the shop units.

10.0 RECOMMENDATION

APPROVE for the following reasons:

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

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

2. The premises shall be used for A1/A3 uses only and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 2010 (as amended), or in any provision equivalent in any statutory instrument revoking and re-enacting that Order with or without modification.

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

3. The premises may be used for the sale of hot sandwiches between the hours of 0800 -14:30 ancillary to the main A1/A3 use as specified under this permission, but shall not be used for the sale of hot food other than that specified in this condition.

Reason: The use of the site for more extensive or later sales of hot food would have an adverse impact on the residential amenity of the flats contained within the property. (Cambridge Local Plan 2006 policies 3/4, 6/10)

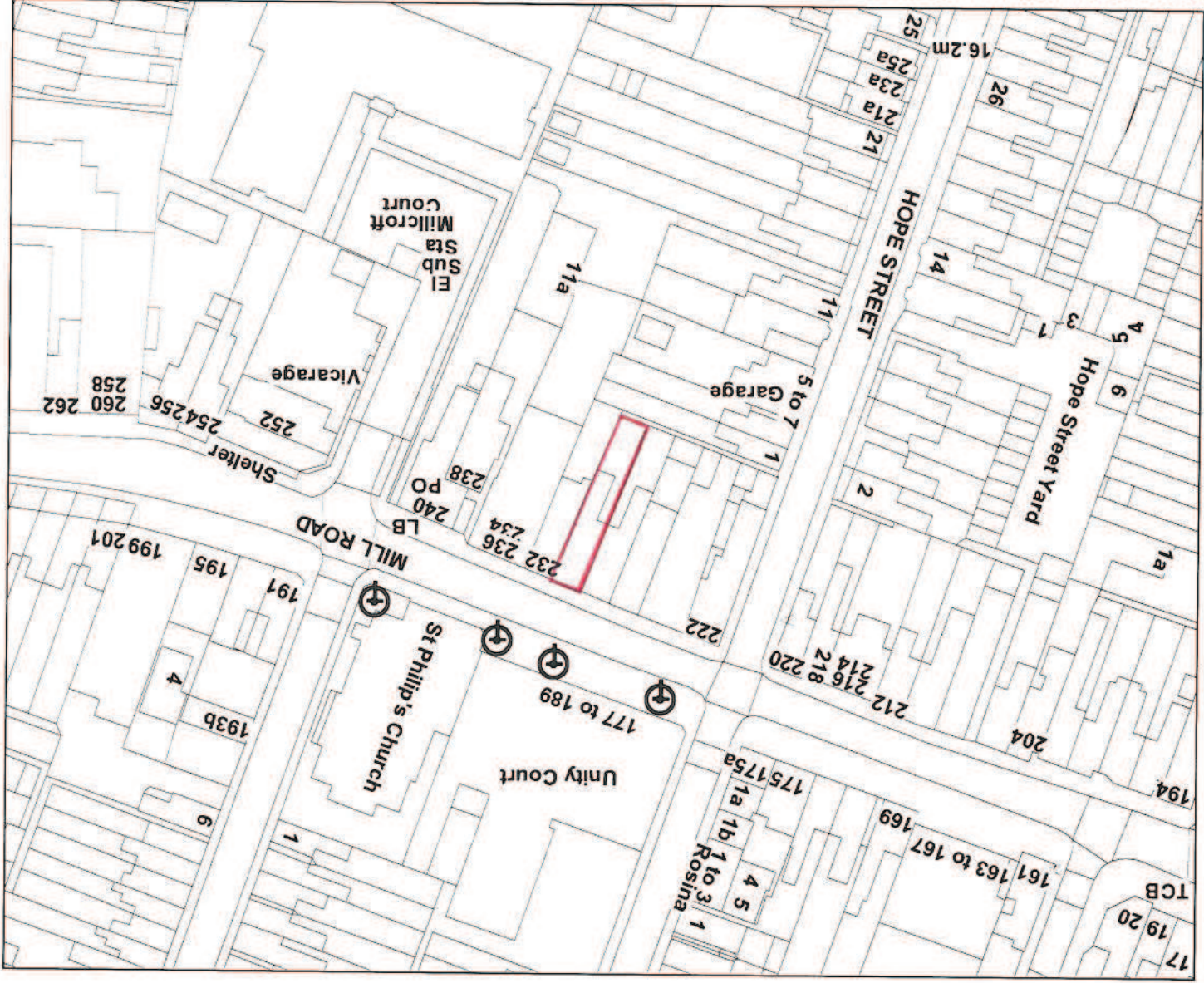
4. The use hereby permitted shall not be open to customers outside the following times: 0800 hours - 2200 hours

Reason: Later opening would have an adverse impact upon the residential amenity of the flats contained within the property.

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Snakatak - 13/0612/S73

230 Mill Road



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Legend

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Organisation	Not Set
Department	Not Set
Comments	Not Set
Date	15 July 2013
SLA Number	Not Set

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Application Number	13/0569/FUL	Agenda Item	
Date Received	23rd April 2013	Officer	Natalie Westgate
Target Date	18th June 2013		
Ward	Abbey		
Site	McDonalds Restaurants Ltd 639 Newmarket Road Cambridge Cambridgeshire CB5 8WL		
Proposal	<p>Reconfiguration of the drive thru lane and car park to provide a side-by-side order point with the construction of a new signage island and reconfigured kerb lines including associated works to the site. Alterations to the circulation within the car park to accommodate new layout with the relocation of the existing corral. Small booth extension for improved internal operations (1.3 sqm). The installation of 2 no. Customer Order Displays (COD) with associated canopies. Amendments to the existing signage suite with additional signs.</p>		
Applicant	11 - 50 High Road East Finchley London N2 8AW		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>Minor amendments to the building will not make a material difference, in terms of context, design or impact upon external spaces</p> <p>Reduced car parking space acceptable inline with Local Plan</p> <p>Reconfiguration of drive-thru with an additional lane likely to cause less traffic backing up from outside the site and less likely require car parking spaces</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application relates to the McDonalds Restaurant on Newmarket Road in the eastern part of the city. The restaurant and drive-through is set back from Newmarket Road and Wadloes Road. Vehicular access is via a dropped kerb from Wadloes Road just off the roundabout by Newmarket Road. To the south and east is car parking for the restaurant's users. The site is fronted by the dual carriageway (Newmarket Road) to the south, with shops with residential accommodation above on the opposite side of the road. To the east are commercial properties. To the west, on the opposite side of Wadloes Road, are residential dwellings.
- 1.2 The site is within a Local Centre in the Cambridge Local Plan (2006). The site is not within a conservation area. The site is not within a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for reconfiguration of the drive thru lane and car park to provide a side-by-side order point with the construction of a new signage island and reconfigured kerb lines including associated works to the site. Alterations to the circulation within the car park to accommodate new layout with the relocation of the existing corral. Small booth extension for improved internal operations (1.3 sqm). The installation of 2 no. Customer Order Displays (COD) with associated canopies. Amendments to the existing signage suite with additional signs.
- 2.2 The application is brought before Committee at the request of Councillor Johnson for the following reasons: for additional scrutiny and to be examined fully against Local Plan policies 6/10 and 8/2.

3.0 SITE HISTORY

Reference	Description	Outcome
13/0570/ADV	Relocation of height restrictor monolith with pole, rotating single triple unit, rotating double triple unit x2 (all internally illuminated)	A/C

	and new rotating double triple units x2 (internally illuminated), any lane aluminium directional sign (non-illuminated), customer order display including speaker point and colour monitor x2 (internally illuminated)	Ref
08/1511/FUL	Alteration to drive-thru to provide side-by-side order point and installation of Customer Order Display (COD).	
08/1143/FUL	Extensions to restaurant and outdoor patios, ancillary works to the restaurant building, soft and hard landscape and site layout.	A/C
08/1139/ADV	Installation of 5 fascia signs (internally illuminated), 6 freestanding signs (internally illuminated), 1 height restrictor sign (internally illuminated), 2 banner signs (non-illuminated) and 1 customer order display sign (non-illuminated with speaker and colour monitor).	PRPA
C/00/0222/FP	Demolition of existing public house, erection of a new class A3 restaurant with drive thru facility with alterations to existing car parking area and access unto site.	A/C
C/00/0772/AD- C/00/0777/AD	Installation of 10 fascia signs (internally illuminated), 8 fascia signs (non-illuminated), and 1 height restrictor sign (internally illuminated).	A/C

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/14 3/15 4/13 6/10 8/2 8/4 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction
Material Considerations	<u>Citywide:</u> Cambridge Shopfront Design Guide

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 The proposed operation of the car park and the management of spaces within it, together with the operation of the drive through would increase the rate at which customers in the drive through

element are served, which would tend to reduce the average queue length and so reduce impact on the public highway. Recommends condition on light source.

Head of Environmental Services

- 6.2 Additional information received which addressed previous concerns on waste and dust. Support subject to condition on construction hours, collection or deliveries during construction and informative on dust.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 Councillor Johnson has commented on this application. His comments are as follows: The application should go to Committee if recommended for approval for additional scrutiny and to be examined fully against Local Plan policies 6/10 and 8/2.

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

19 Wadloes Road
21 Wadloes Road
53 Keynes Road

7.3 The representations can be summarised as follows:

- Increase in drive-through lanes will increase traffic congestion and cause harm to highway safety to pedestrians, cyclists, buses, cars.
- There is concern on increase in pollution, traffic noise, smell and litter.

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

8.0 ASSESSMENT

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

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

Context of site, design and external spaces

8.2 The application seeks to alter the reconfiguration of the drive-thru and car park and to alter the layout of the car park. There are also proposals to extend the restaurant for a bigger booth and reposition a booth window. The back door for the office will be removed and the opening will be blocked up. There will be installation of 2 no. Customer Order Displays (COD) with associated canopies. In principle the minor extension, Customer Order Displays, alterations to the dropped kerb and access and parking re-organisation are acceptable.

8.3 I do not think that the changes to the building will make a material difference, in terms of context, design or impact upon external spaces. The installation of two Customer Order Displays (COD), with associated canopies will be set back within the site and not have a significant impact to the context, design or external spaces.

8.4 The last application was refused and included reconfiguring of the site (08/1510/FUL) which resulted in the loss of 14 car parking spaces. An earlier application which included reconfiguring of the site (08/1143/FUL) resulted in the loss of 5 car parking spaces and was granted planning permission. This application also proposes the loss of 5 car parking spaces. The Council has maximum car parking standards, which could be an argument for allowing these spaces to go. There will be a reconfiguration of the drive-thru with an additional lane; thus it would be likely to cause less traffic backing up from outside the site.

- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 In the context of the existing restaurant activity, the proximity of shops and traffic on both Wadloes Road and Newmarket Road, the status of Newmarket Road as a primary route, and both roads as links on the cycle network, and general residential activity, I do not consider the proposal would generate an unacceptable additional level of noise or disturbance. There is no objection on noise, air pollution and disturbance from the Environmental Health officer.
- 8.7 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.8 Notwithstanding the concerns of neighbours, the environmental health officer has raised no concerns on this issue.
- 8.9 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) policy 3/14.

Highway Safety

- 8.10 There are currently 35 parking bays on the site; made up of 3 grill bays, 2 accessible bays and 30 general bays. The application proposes a reduction by 5 general parking bays. Since the number of parking bays would only marginally differ from the present situation, I do not consider that the number of vehicle movements on and off the site would be greatly different from the current situation. There will be a reconfiguration of the drive-thru with an additional lane; thus it would be likely to cause less traffic backing up from outside the site.
- 8.11 The highway authority has not raised any objections on safety grounds and I do not consider that the reduction of car parking bays and additional drive-thru lane would affect highway safety.

The highways officer recommended a condition on the light source for the advertisements. This is a condition on the advertisement application 13/0570/ADV.

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

Car and Cycle Parking

- 8.13 The City Council's Car Parking Standards (2006) allow up to one car parking space for each 20m² of dining space. The combined area of dining space, internal and external, appears to be approximately 180m². The current provision (37 spaces) appears to be considerably above the Standard level, and so the reduced provision proposed would meet Local Plan requirements.

- 8.14 There is no change proposed to cycle parking.

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

Third Party Representations

- 8.16 I agree that construction may have some impact on the amenity of neighbouring dwellings, but this could be mitigated by conditions. In my opinion this impact would not be reasonable grounds to refuse the planning application.

- 8.17 The other issues raised in representations regarding residential amenity, refuse arrangements, highway safety and car and cycle parking have been addressed under the headings above.

9.0 CONCLUSION

In my opinion, although there have been a significant number of objections to the planning consent sought, the principle of the proposed works is acceptable. The proposed developments are not on too great a scale for the site and would not be detrimental to the character of the area, residential amenity or existing on-street parking.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

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

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

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

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

4. Except with the prior written agreement of the local planning authority 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)

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

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

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

Reasons for Approval

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

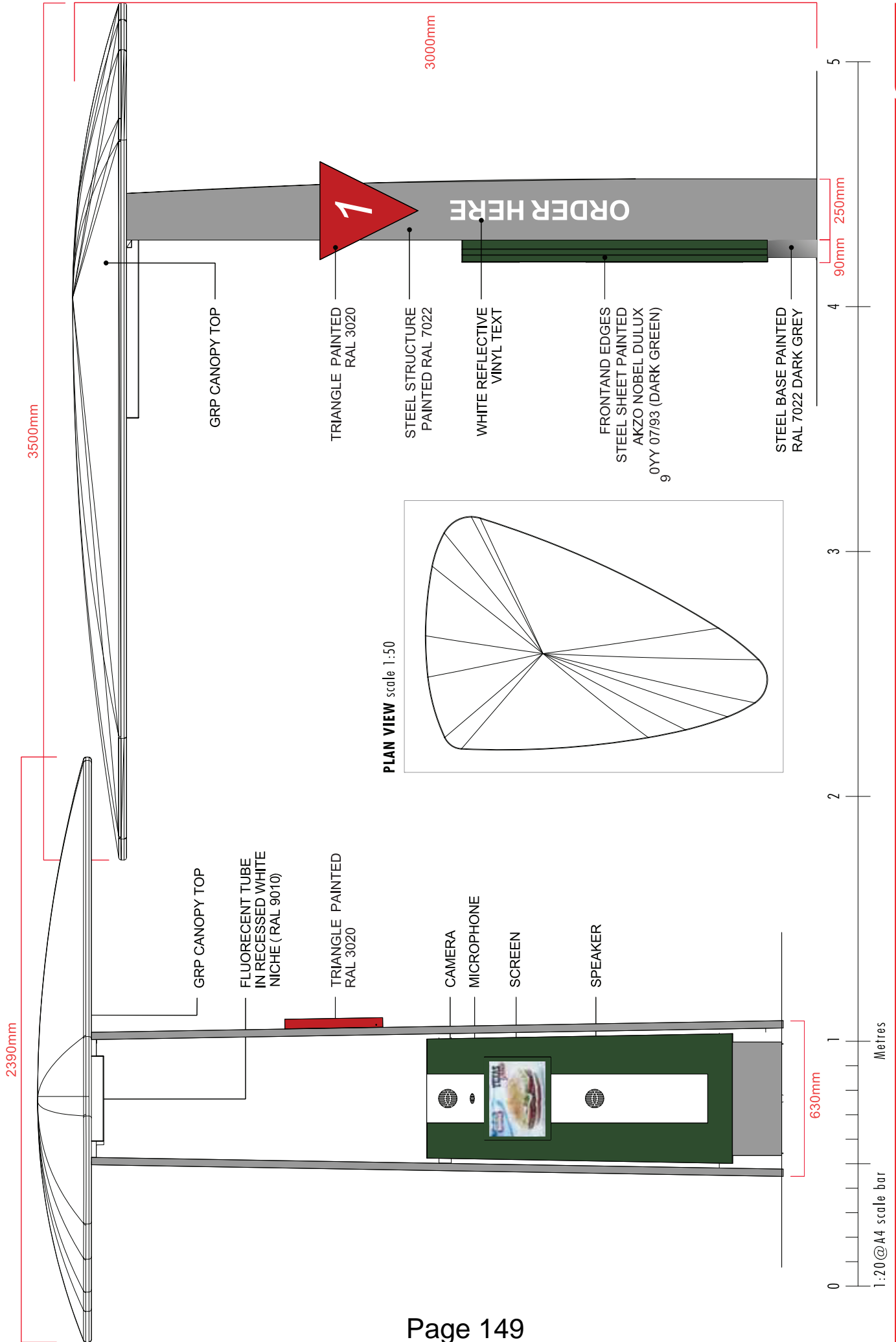
Cambridge Local Plan (2006): 3/1; 3/4; 3/7; 3/11; 3/14; 4/13; 6/10; 8/2; 8/4, and 8/6

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.

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.

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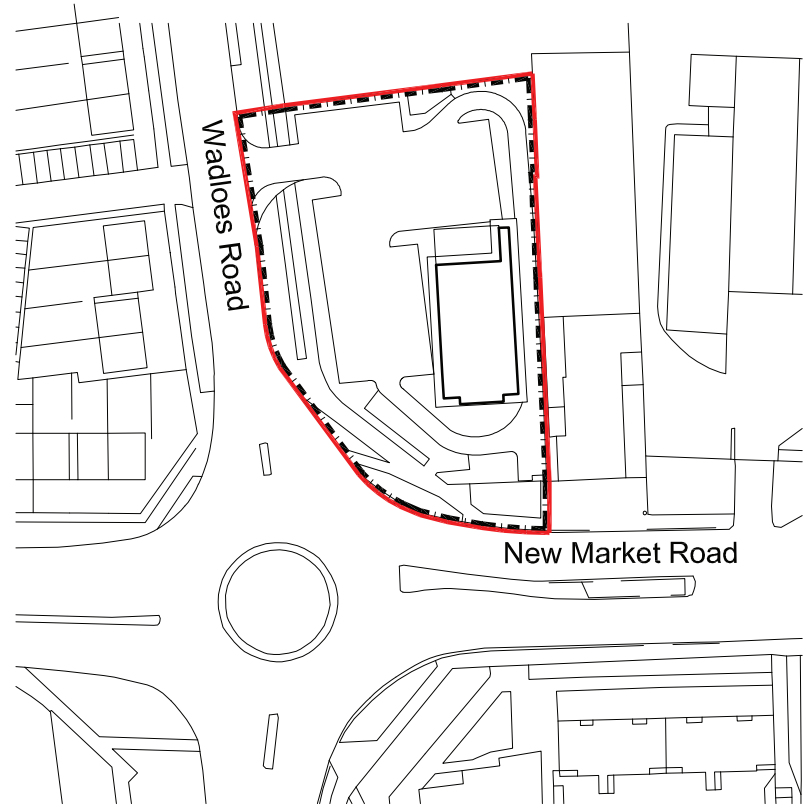
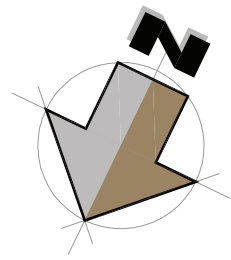
C7 Architects LLP
The Studio, Rear of
27 The High Street
Godalming, Surrey
GU7 1AU



NOTES:

All drawings to be read in conjunction with all other drawings as noted on issue sheet.

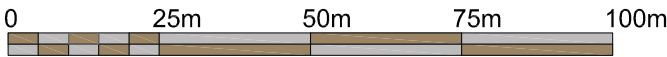
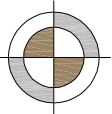
- Application boundary:
- Adjoining land in clients ownership indicated thus (where applicable)
- - - - - McDonald's demise indicated thus



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Location Plan

Scale 1:1250



A	05-07-10	First issue	BM	PF
REV.	DATE	DRAWING REVISION	BY	CHECKED

This drawing has been reviewed and signed off by McDonald's Restaurants Ltd any errors, changes or discrepancies should be reported to the McDonald's project manager and designers prior to commencing work on site
Name (PM): _____ Date: _____
Signature: _____

GENERAL NOTES:
All works are to be undertaken in accordance with the Building Regulations and the latest British Standards.
All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.
All dimensions to be checked on site prior to construction.

PROPOSED DEVELOPMENT AT
639 New Market Road Racehorse,
Cambridge, Cambridgeshire CB5 8WL

STORE No -> 1111

ON BEHALF OF:
McDonald's Restaurants Ltd

DRAWING TITLE:-
Location Plan

DRAWN BY BM	CHECKED BY IPF	DRAWING NO. 0912-1111-01	REV No. A
SCALE & SHEET 1:1250@A4	DATE 15-03-13		



C7 Architects LLP
The Studio, Rear of
27 The High Street
Godalming, Surrey
GU7 1AU

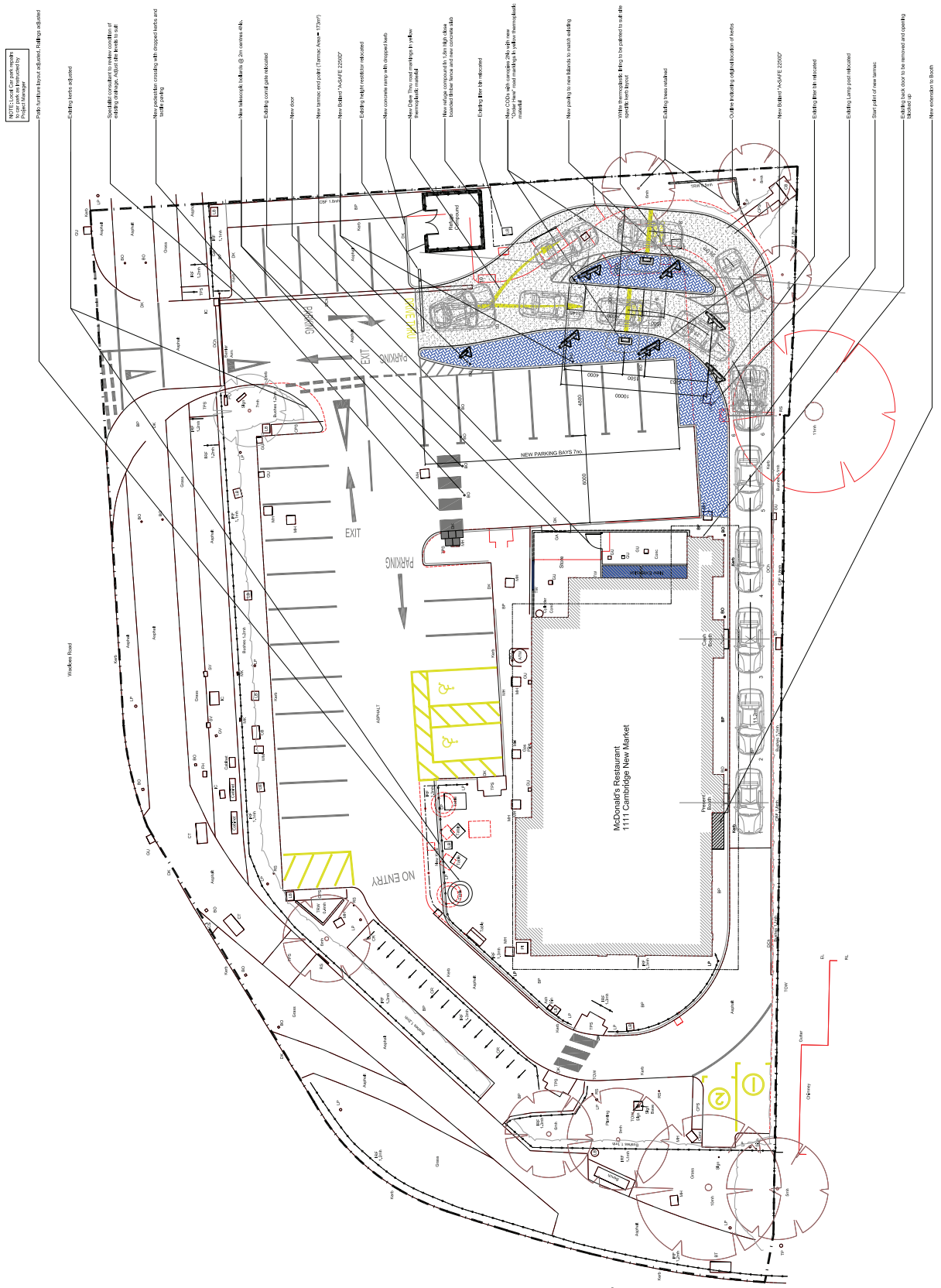


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McDonald's is pleased to offer this site plan for your review. This site plan is a preliminary design and is subject to change without notice. The site plan is based on the information provided to us and we do not warrant its accuracy. The site plan is not a contract and does not constitute an offer of any financial product or service. The site plan is for informational purposes only and should not be used for any other purpose. The site plan is not a guarantee of any performance or results. The site plan is not a recommendation of any investment or financial product. The site plan is not a solicitation of any investment or financial product. The site plan is not a contract and does not constitute an offer of any financial product or service. The site plan is for informational purposes only and should not be used for any other purpose. The site plan is not a guarantee of any performance or results. The site plan is not a recommendation of any investment or financial product. The site plan is not a solicitation of any investment or financial product.

Item	Description	Quantity	Notes
1	Timberline Saloon	1	10m Island
2	McDonald's Restaurant	1	1111 Cambridge New Market
3	McDonald's Drive Thru	1	1111 Cambridge New Market
4	McDonald's Delivery Area	1	1111 Cambridge New Market
5	McDonald's Storage Area	1	1111 Cambridge New Market
6	McDonald's Office Area	1	1111 Cambridge New Market
7	McDonald's Restroom	1	1111 Cambridge New Market
8	McDonald's Break Room	1	1111 Cambridge New Market
9	McDonald's Kitchen	1	1111 Cambridge New Market
10	McDonald's Counter	1	1111 Cambridge New Market
11	McDonald's Seating	1	1111 Cambridge New Market
12	McDonald's Signage	1	1111 Cambridge New Market
13	McDonald's Lighting	1	1111 Cambridge New Market
14	McDonald's HVAC	1	1111 Cambridge New Market
15	McDonald's Electrical	1	1111 Cambridge New Market
16	McDonald's Plumbing	1	1111 Cambridge New Market
17	McDonald's Fire Protection	1	1111 Cambridge New Market
18	McDonald's Security	1	1111 Cambridge New Market
19	McDonald's Accessibility	1	1111 Cambridge New Market
20	McDonald's Sustainability	1	1111 Cambridge New Market



TIMBERLINE SALOON
10m ISLAND

Item	Description	Quantity	Notes
1	Timberline Saloon	1	10m Island
2	McDonald's Restaurant	1	1111 Cambridge New Market
3	McDonald's Drive Thru	1	1111 Cambridge New Market
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9	McDonald's Kitchen	1	1111 Cambridge New Market
10	McDonald's Counter	1	1111 Cambridge New Market
11	McDonald's Seating	1	1111 Cambridge New Market
12	McDonald's Signage	1	1111 Cambridge New Market
13	McDonald's Lighting	1	1111 Cambridge New Market
14	McDonald's HVAC	1	1111 Cambridge New Market
15	McDonald's Electrical	1	1111 Cambridge New Market
16	McDonald's Plumbing	1	1111 Cambridge New Market
17	McDonald's Fire Protection	1	1111 Cambridge New Market
18	McDonald's Security	1	1111 Cambridge New Market
19	McDonald's Accessibility	1	1111 Cambridge New Market
20	McDonald's Sustainability	1	1111 Cambridge New Market

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Application Number	13/0349/FUL	Agenda Item	
Date Received	27th March 2013	Officer	Mr Sav Patel
Target Date	22nd May 2013		
Ward	Coleridge		
Site	30 Birdwood Road Cambridge Cambridgeshire CB1 3SU		
Proposal	Side and rear roof extension and change of use from dwelling house (C3) to house in multiple occupation (sui generis) - 8 bedrooms		
Applicant	Mr P Patterson 179 Coleridge Road Cambridge CB1 3SU		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed change of use would not have a significantly adverse impact on the character of the area as there would not be any external alterations to the principal elevations of the property;</p> <p>The proposed development would not have a significantly adverse impact on the residential amenity of the adjoining neighbours;</p> <p>The proposed roof extension is considered to be acceptable in this context as there are other similar examples in the area and would not increase the level of overlooking over and above that which already exists between neighbouring properties.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is occupied by a 5-bed two storey 1930s semi-detached property located on the south side of Birdwood Road. The properties along Birdwood Road are set back from the road with car parking and gardens areas in front.
- 1.2 The property has a hipped roof which is mirrored on the attached property.
- 1.3 To the rear, the property has been extended at single and two storey level.
- 1.4 The side boundaries of the site are defined by a combination of wooden fence and hedges.

2.0 THE PROPOSAL

- 2.1 The proposal is for a roof extension and change of use of the property from a dwellinghouse to House in Multiple Occupancy (HMO).
- 2.2 The roof extension would result in the hip end being changed into a traditional gable end. The HMO would accommodate eight bedrooms (7 with ensembles) and provide communal facilities such as kitchen and lounge space.
- 2.3 The application is accompanied by the following supporting information:
 1. Design Statement
 2. Environment Agency Householder Flood Risk Assessment
- 2.4 The application is brought before Planning Committee because of objections received from local residents as part of the neighbour consultation process.

3.0 SITE HISTORY

Reference	Description	Outcome
	No relevant history	

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/8 3/12 3/14 5/1 5/2 5/7 8/6

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide

	Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Open Space and Recreation Strategy Cambridge Walking and Cycling Strategy Design Guide For Streets and Public Realm Cycle Parking Guide for New Residential Developments Roof Extensions Design Guide

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

- 6.1 As no information has been provided to explain how any additional car parking will be accommodated to support the proposed use, the proposal is likely to significantly increase parking demand from the site and overspill into the road.

Refuse and Environment

- 6.2 Request conditions restricting construction hours and details on refuse and recycling provision for the use.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

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

26 Birdwood Road
28 Birdwood Road
30 Birdwood Road
37 Birdwood Road
39 Birdwood Road
1 Chalmer's Road

7.3 The representations can be summarised as follows:

- The proposal would affect property value;
- The proposal would affect residential amenity – noise and overlooking;
- There is an existing litter, parking and noise problem from the site;
- Insufficient car parking and potential congestion issues;
- Overbearing impact from the proposed bike and refuse storage provision;
- The building is out of proportion for the size of the plot and out of character;

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Third party representations

Principle of Development

8.2 Policy 5/7 states that HMOs will be permitted subject to the following criteria:

1. Impact on the residential amenity of the local area;
2. The suitability of the building or site; and
3. Proximity of bus stops and pedestrian and cycle routes, shops and other local services.

8.3I have considered these issues below and reached the conclusion that the proposed change of use is acceptable in principle.

a) Impact on residential amenity of local area:

8.4The application site is a 5-bed house. The property has been extended mainly off the rear elevation at two and single storey level. The proposal does not include any further extension to the property other than the roof extension.

8.5There are similar roof extensions along Birdwood Road, particularly at no.34, which is highly visible from highway and rear gardens, as this particular extension runs flush with the side gable of the roof.

8.6The proposed roof extension would be set in from the side roof gable thus giving it a more ancillary appearance. The roof extension would not create significant additional overlooking over and above that which already exists. The windows in the roof extension would be used to provide an outlook for one bedroom and a light source for a bathroom which will be obscurely glazed.

8.7I am of the view that the roof extension is unlikely to have a detrimental impact on the residential amenity of the adjoining neighbours in terms of overlooking such that it would warrant the refusal.

8.8In terms of noise disturbance, whilst I accept that there is likely to be some level of increased noise as a result of increased activity, I am of the view that the proposal would not raise noise levels significantly enough to warrant the application to be refused.

8.9In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I

consider that it is also compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

b) The suitability of the building or site;

- 8.10 The property has been extended at two storey and single storey level at the rear of the property. It benefits adequate space for the individual rooms and shared spaces. Apart from the roof extension, the proposal does not include any additional alterations to the property.
- 8.11 In terms of outdoor space, there is sufficient amenity space to the rear to provide a private communal area.
- 8.12 In terms of car parking, there are at least two (possibly three) car parking spaces in front of the property and Birdwood Road is an unrestricted highway and therefore there is provision to park on street. There is no requirement to provide car parking for the proposed use. The Local Plan sets maximum level of car parking permitted under the City Council's Standards therefore there is no minimum number of spaces which need to be provided.
- 8.13 I am satisfied that due to the proximity of the site to public transport links and distance from the city centre in terms of walking and cycling, additional car parking would not be necessary. Furthermore, if additional, dedicated car parking provision was introduced on-site then this could potentially increase congestion on site and on the street, which would have a greater detrimental impact on the residential amenity of the adjoining neighbours. By discouraging additional on-site car parking, I am satisfied that the residential amenity of local residents will be reasonably protected. Furthermore, Birdwood Road is an unrestricted highway, so it would be difficult the proposal would cause significant congestion which would cause a highway safety issue.
- 8.14 In these terms, therefore, I am satisfied that the building and site area is sufficient to accommodate the proposed change of use to an HMO.

c) The proximity of bus stops and pedestrian and cycle routes, shops

- 8.15 The property is located within close proximity to the nearest bus stops on Birdwood Road and within reasonable cycling distance of the City Centre and railway station.
- 8.16 There are several 'District and Local Centres' between the application site and City Centre the nearest being at the corner of Perne Road and Cherry Hinton Road.
- 8.17 The proposal includes a separate cycle and bin store along the western boundary of the site. However, no specific details have been provided. Therefore, I have recommended a condition requiring details of the cycle and bin store to be submitted for approval.
- 8.18 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/7 of the adopted Local Plan.

Context of site, design and external spaces

- 8.19 The proposal does not include any external alterations to the front, side or back of the property. Therefore, the main elevations of the property would remain as existing.
- 8.20 The proposal does include a detached cycle and bin store which would be located at the rear of the property and adjacent to the western boundary. The store would be single storey.
- 8.21 The proposal includes a roof extension, which would square off the hipped end of the roof to create a conventional gable end to the property. Whilst this would unbalance the symmetry of the semi-detached pair, I do not believe this would have a significantly adverse impact on the area, particularly as there is a similar roof form adjacent to the application site at no.34. The proposed roof extension has been designed to be set in from the outer edge of the roof, so as to try and give the box dormer an ancillary feel.
- 8.22 I am of the view that the proposed roof extension would be acceptable in this context and would not have a significantly detrimental impact on the character of the area.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Highway safety

- 8.24 The proposal does not include any alterations that would affect highway safety.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

- 8.26 Some of the concerns raised by objectors have been covered in the relevant sections of the main report. I set out below my response to the other concerns raised.
- 8.27 In terms of the concerns raised regarding litter, I do not consider the proposal would result in a significant increase in litter, particularly if a dedicated bin store is provided which is enclosed.
- 8.28 In terms of noise from the site, it would be difficult to argue the proposed use would result in a significant increase in noise levels to such a degree that it would significantly harm the residential amenity of the adjoining neighbours.
- 8.29 In terms of the proposed cycle and bin store, the structure would be 2.1 metres in height and span along the boundary by 3 metres (excluding roof overhang; 3.2 metres). I do not consider this structure, which would be located approximately 16 metres from the rear of no.28, would have any overbearing impact on the residential amenity of the adjoining neighbour at no.28. I do not consider it necessary for the store to be reduced in anyway as the impact would be negligible.
- 8.30 The impact on property value is not a material planning consideration.

9.0 CONCLUSION

- 9.1 The proposed change of use from a five bedroom dwellinghouse (C3 use) to an eight bedroom Housing of Multiple Occupancy is considered to be acceptable in this context. The proposal does not include any external alterations to the elevations of existing property.

- 9.2 The change of use would increase the number of bedrooms from five to eight. I do not consider this would cause an unacceptable over intensification of the property than that which would be normally associated with a five bedroom dwellinghouse. Therefore, I do not consider the proposal would have a significant adverse impact on the residential amenity of the adjoining neighbours.
- 9.3 The proposed roof extension is considered to be acceptable in terms of its scale and appearance and would not appear out of context or as an alien feature within this area.
- 9.4 In these terms, therefore, the proposed change of use and roof extension are considered to comply with policies 3/4, 3/7, 3/11, 3/12, 5/1 and 5/7 of the adopted Local Plan.

10.0 RECOMMENDATION

FOR RECOMMENDATIONS OF APPROVAL

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

Declaration of Interest for case officer

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

4. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, 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.
5. The Housing Act 2004 introduces the HHSRS as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

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

The applicant/agent is advised to contact the Residential Team at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS.

Reasons for Approval

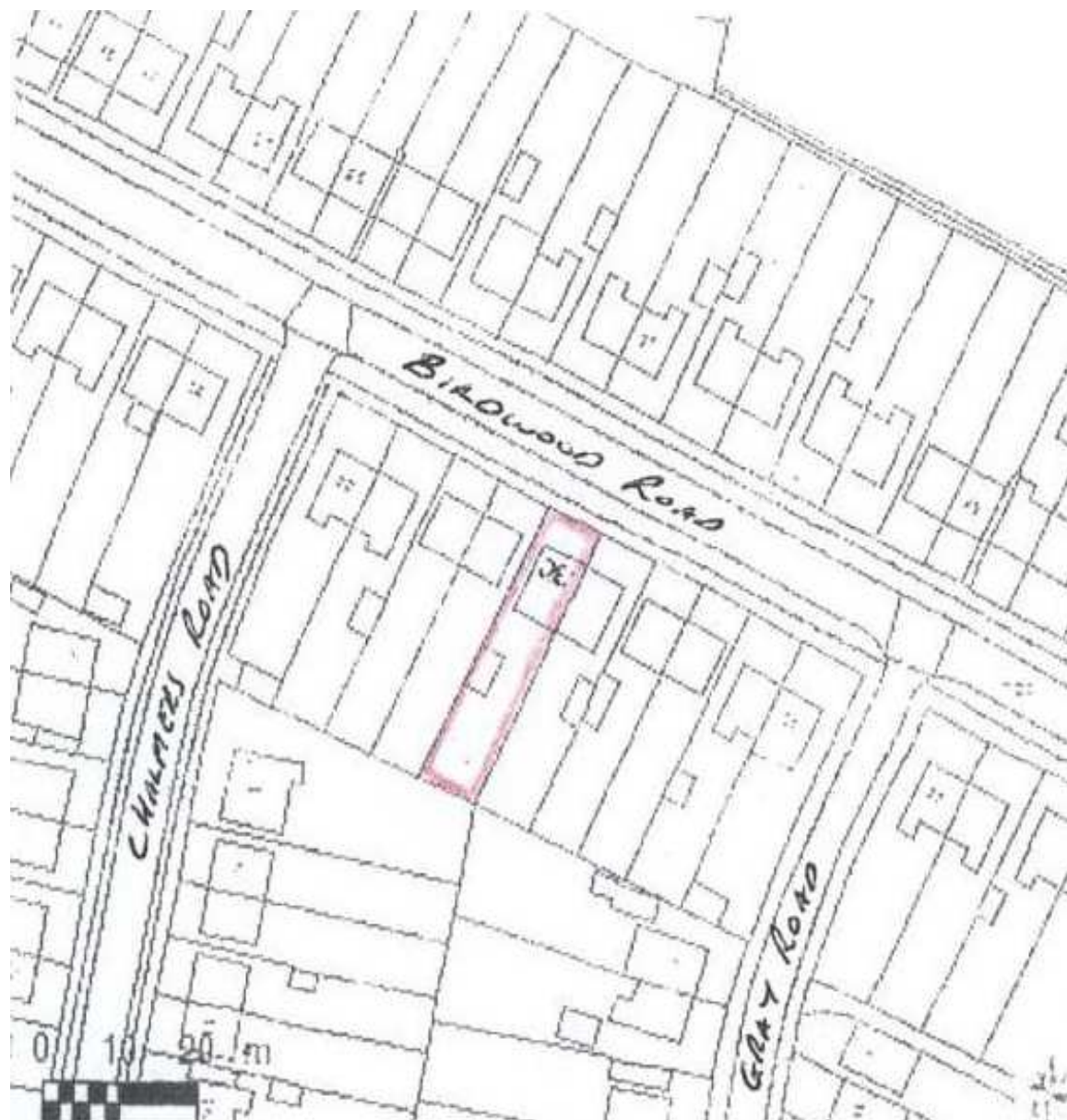
1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

Cambridge Local Plan (2006): 3/4, 3/7, 3/14 and 5/7

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

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between Mon 8am - 5:15pm, Tues, Thurs & Fri 9am - 5:15pm, Weds 9am - 6pm.



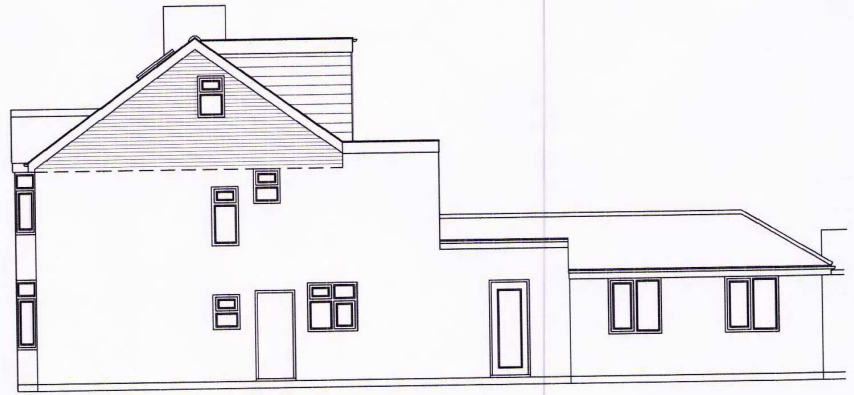
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Proposed Front Elevation

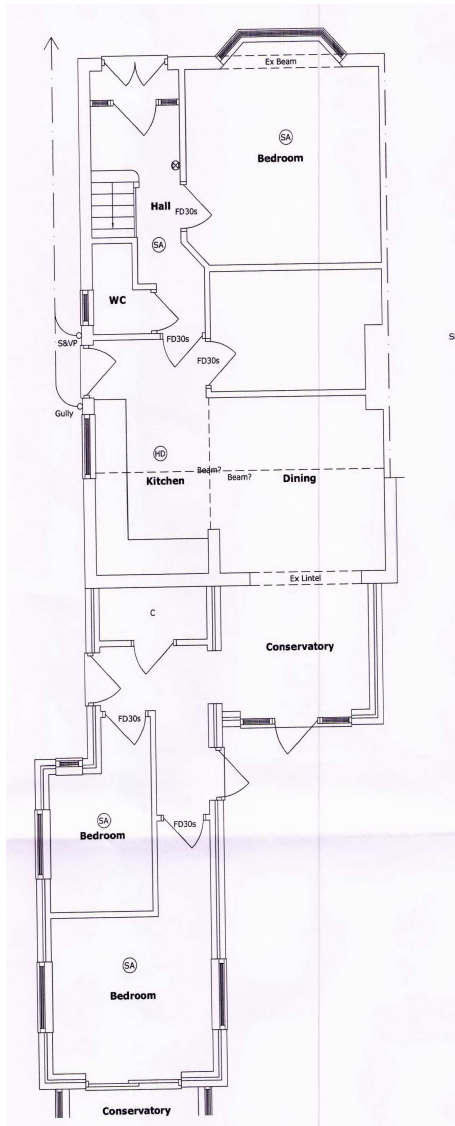


Proposed Rear Elevation

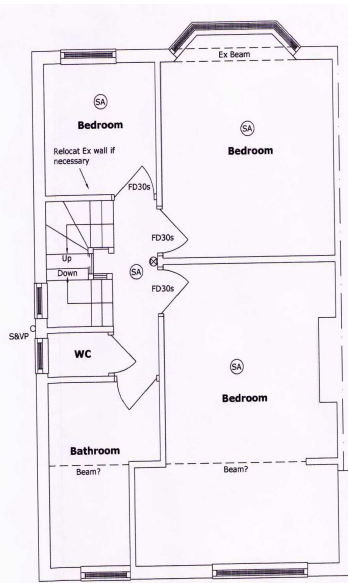


Proposed Side Elevation

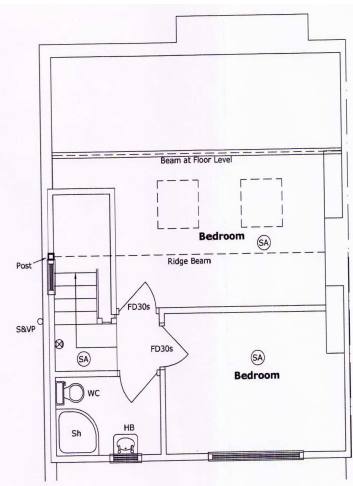
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Proposed ground floor



Proposed First Floor



Proposed Second Floor

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CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: East Area Committee

DATE: 25/07/13

WARD: Petersfield

PLANNING ENFORCEMENT CONTROL ENFORCEMENT NOTICE REPORT

435 Newmarket Road, Cambridge

Unauthorised Development

1 INTRODUCTION

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

Site: 435 Newmarket Road, Cambridge.
See Appendix A for site plan.

Breach: Unauthorised Development: Without planning permission the use of the single dwelling house at 435 Newmarket Road, Cambridge as use as two or more separate dwellinghouses (flats).
See Appendix B for photographs.

2 BACKGROUND (Timeline of Enforcement Investigation)

2.1 In January 2012 officers were advised that the property, a single dwelling house at 435 Newmarket Road, Cambridge, had been sub divided into two flats that were occupied as two separate dwellings.

2.2 Planning records showed that no applications had been submitted or granted for the change of use of the property from its lawful use as a

single dwelling house to use as two separate dwellinghouses, namely flats.

- 2.3 On 31 January 2012 a letter was issued to the owner of 435 Newmarket Road, Cambridge inviting a retrospective planning application for change of use of the property as a single dwelling house to use of the property as two separate dwellinghouses (flats).
- 2.4 No application or response was received from the owner by March 2012 so officers sent a further letter to the owner requesting that the owner contact the Local Planning Authority (the City Council) to discuss how to regularise the breach of planning control.
- 2.5 On 5th April 2012 officers visited the property and spoke with a tenant of one of the flats. The tenant advised that the single dwelling house had been subdivided into two separate flats occupied as separate dwellings, one of which was occupied by the tenant. The tenant advised that he did not have a contact address for the owner but provided a name and mobile telephone number. Unfortunately, when officers attempted to contact the owner the telephone number given was found to be incorrect.
- 2.6 In June 2012 officers served a Planning Contravention Notice on the owner / occupier of the property to try and establish further information in relation to the breach of planning control and the owner of the property.
- 2.7 The Planning Contravention Notice served failed to be completed or returned.
- 2.8 In November 2012 a Land Registry search revealed the owner of the property to be a Cambridge resident.
- 2.9 In February 2013 a further Planning Contravention Notice was served on both the property concerned and the owner.
- 2.10 The owner returned the Planning Contravention Notice and when asked if they intend to make a retrospective planning application for the material change of use of the single dwelling house to use as two separate dwellinghouses (flats) they answered "no".
- 2.11 Officers consulted with Planning Case Officers as to whether a retrospective planning application would be likely to have been supported if one had been submitted. Officers were advised that in accordance with national and local plan policies, such an application

would be likely to have been acceptable in principle. However, although the change of use of the property as a single dwelling house to use as two separate dwellings (in this case flats) may be acceptable in principle, a number of factors would require assessment if an application was submitted, including residential amenity of future and neighbouring properties, amenity space, cycle and bin storage, car parking and the requirements of the Local Planning Authority's Planning Obligations Strategy.

3 POLICY AND OTHER MATERIAL CONSIDERATIONS:

3.1 National Planning Policy Framework states:

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

3.2 Enforcement is a discretionary power. The Committee should take into account the planning history and the other relevant facts set out in this report. Officers only recommend the service of an Enforcement Notice when all attempts at negotiating a resolution to remedy the breach of planning control have failed.

3.3 In order to issue an Enforcement Notice there must be sound planning reasons to justify taking such action. The change of use of the property from use as a single dwelling house to use as two separate dwellinghouses (flats) constitutes a material change in the use of the building and of each part of it which is so used.

3.4 If a planning application for change of use was submitted officers think that it is likely to be considered acceptable in principle subject to the completion of a Section 106 Obligation imposing obligations on persons with a legal interest in the land to mitigate the impact of the development. However, without a planning application to consider officers are unable to assess the matter fully.

- 3.5 Without the details of a planning application to consider officers are unable to assess the following material considerations:

Residential amenity of adjoining occupiers

The change of use of the property previously used as a single dwellinghouse to use as two or more separate dwellinghouses (flats) is considered by planning officers to be likely to intensify the use of the site by increasing the number of occupiers of, and visitors to, the property and associated traffic movements, which might also raise noise levels. This is likely to have a material impact on the residential amenity of the adjoining occupiers, which, if not appropriately controlled would contradict policy 5/2 (Conversion of Large Properties) of the Cambridge Local Plan 2006.

Residential amenity of occupiers of the flats

Without receiving an application for planning permission, the Local Planning Authority is unable to determine whether the level of living accommodation and amenity space including ancillary provisions such as bin storage, car and cycle parking are compliant with policy 5/2 (Conversion of Large Properties) of the Cambridge Local Plan 2006.

Amenity space, cycle and bin store provision and car parking

Whilst it was noted on site that there was space for some provision of these requirements, it was unclear if the space provided was sufficient to accommodate all of the requirements.

Planning Obligation Strategy

Planning Obligations for open space and community facilities provisions would need to be provided through a S106 Obligation and in accordance with policy 3/8 (Open Space and Recreation Provision Through New Development) of the Cambridge Local Plan 2006.

4 RECOMMENDATIONS

- 4.1 (i) To authorise the service of an enforcement notice under S172 of the Town and Country Planning Act 1990 (as amended) in respect of a planning control, namely without planning permission the material change of use of a single dwelling house to two separate flats, specifying the steps to comply and the period for compliance set out in paragraphs 4.2 and 4.3, for the reasons contained in paragraph 4.4.

- (ii) to authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.
- (iii) to delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of non-compliance with the enforcement notice.

4.2 Steps to Comply:

1. To discontinue the use of the property as two or more separate dwellinghouses.

4.3 Period for Compliance:

6 months from the date the notice comes into effect.

4.4 Statement of Reasons:

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

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

There is insufficient information to assess if the development has adequate sound insulation to prevent undue transmission of noise between the living accommodation of the proposed first-floor flat and the bedrooms of the adjoining house and between the two flats. For these reasons the proposal does not comply with policies 3/4 or 3/10 of the Cambridge Local Plan (2006).

The use of the single dwelling house as two or more separate dwellinghouses, is likely to intensify the use of the site by increasing the number of occupiers and visitors to the site and associated traffic movements, and raised noise levels. The change of use is likely to have a material impact on the residential amenity of the adjoining occupiers, which, if not appropriately controlled would contradict policy 5/2 (Conversion of Large Properties) of the Cambridge Local Plan 2006.

There is insufficient information to assess if adequate provision has been made for amenity space, cycle and bin storage or car parking. Therefore the proposals are contrary to policies 3/4, 3/7, 8/6 and 8/10 of the Cambridge Local Plan (2006).

In the absence of a Section 106 Obligation, the development does not make appropriate provision for public open space, community development facilities, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010, and the Open Space Standards Guidance for Interpretation and Implementation 2010.

5 IMPLICATIONS

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

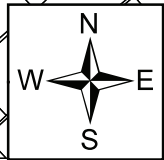
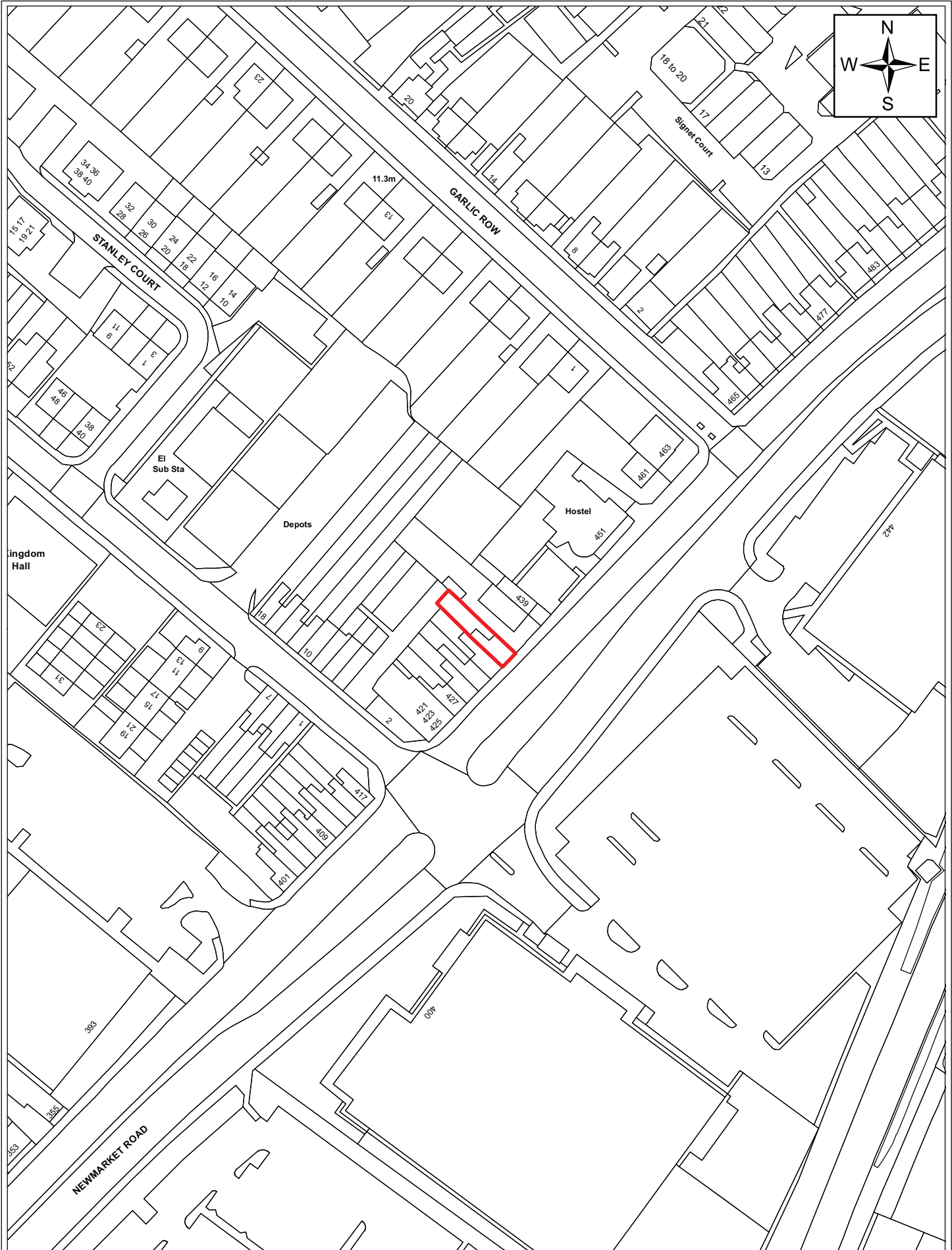
BACKGROUND PAPERS: None.

APPENDICES

- Appendix A Site plan
- Appendix B Photographs of unauthorised extension

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

Date originated: 09/05/13 Date of last revision: 10/07/13



435 Newmarket Road, Cambridge

Date:	24 May 2013
Produced by:	GIS Team
Section/Department:	Information Systems, Environment Dept
Scale:	1:1,250 @ A4

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