



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, 4 September 2013

Date: Thursday, 12 September 2013

Time: 7.00 pm

Venue: Dublin Suite - Cambridge United Football Club

Contact: Glenn Burgess **Direct Dial:** 01223 457013

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

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

Minutes And Matters Arising

3 MINUTES *(Pages 7 - 26)*

To confirm the minutes of the meeting held on 25 July 2013.
(Pages 7 - 26)

4 MATTERS & ACTIONS ARISING FROM THE MINUTES

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

General agenda information can be accessed using the following hyperlink:

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

5 DECISIONS TAKEN REGARDING S106 PROJECTS

To note decisions taken by the Area Committee since the last meeting.

5a Ditton Fields Fitness and Trim Trail (*Pages 27 - 40*)

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 ENVIRONMENTAL IMPROVEMENT PROGRAMME Project
Delivery & Environment Manager
Report attached separately

**8 DEVELOPER CONTRIBUTIONS DEVOLVED DECISION-
MAKING: 2ND ROUND SHORT-LISTING FOR EAST AREA**
Urban Growth Project Manager
Report attached separately

Intermission

Appendix 1 for Full Details of Central Government Planning Guidance

Planning Items

9 PLANNING APPLICATIONS

The applications for planning permission listed below require determination.

A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting.

9a 13/0804/FUL - 89A Cherry Hinton Road Planning Officer
(Pages 51 - 84)

9b 13/0759/FUL - Calcutta Club, 44 Mill Road (Pages 85 - 116)

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,
recording and
photography**

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

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

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

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A loop system is available on request.

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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 COMMITTEE25 July 2013
7.00pm - 10.10 pm

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

Area Committee Members: County Councillors Walsh and Whitehead

Officers:

Principal Planning Officer: Tony Collins

Head of Community Development: Trevor Woolams

Safer Communities Section Manager: Lynda Kilkelly

Committee Manager: Glenn Burgess

Other in Attendance:

Police Sergeant: Colin Norden

Fire Safety Officer: Jim Meikle

FOR THE INFORMATION OF THE COUNCIL**13/48/EAC Apologies For Absence**

Apologies were received from Councillors Bourke, Herbert and Kavanagh.

13/49/EAC Declarations Of Interest

Name	Item	Interest
Smart	13/56a/EAC	Personal: Had approved the plans as part of the rolling housing programme through her role as Executive Councillor for Housing. Left the table during the discussion and did not take part in the vote.
Roberts	13/56d/EAC	Personal: Works near to the premises. Decided not to vote on this item.

13/50/EAC Minutes

The minutes of the 6 June 2013 meeting were approved and signed as a correct record subject to the following amendments shown in **bold**:

- (i) 13/43/EAC (Open Forum Q1 response): "Councillor Johnson said that.....a separate proposal had been put forward to improve council and emergency vehicle access to **the green in the middle of the close**"
- (ii) 13/43/EAC (Open Forum Q3 response): "Councillor Whitehead had discussed remedial work with **Evan Laughlin**"

13/51/EAC Matters & Actions Arising From The Minutes

- (i) **Devolved decision-making and developer contributions: taking forward East Area Priority Projects - to clarify the budget available for play area improvement.**

Officers had confirmed that the total figure for 'provision for children and teenagers' contributions was £77,500.

- (ii) **Environmental Improvement Programme: access to Stone Street/Ainsworth Street for larger vehicles.**

No response had been received from officers.

- (iii) **Environmental Improvement Programme: access to Silverwood Close green area for council maintenance staff.**

Councillor Johnson agreed to follow up with Bob Carter.

- (iv) **Environmental Improvement Programme: Greville Road/Charles Street TRO**

Councillor Moghadas confirmed that a response had been received but that she would request further information.

13/52/EAC Open Forum

- 1. Ms Sinnott asked when the Bath House play park would be refurbished.**

Councillor Brown responded that, as Petersfield ward had a higher number of play areas per % of young population, Coleridge had been given a higher priority at the last meeting. It was hoped however that the refurbishment would be prioritised in the next round of projects.

Councillors Walsh, Marchant-Daisely, Johnson and Moghadas expressed support for this to be prioritised during the next round.

- 2. Mr Harvey asked what specific changes had been made to the Local Plan as a result of the public consultation. He also highlighted the difficulty in obtaining a hard copy of the final document.**

Councillor Blencowe responded that, as a result of the issues and options consultation, a number of changes to the wording and the 'emphasis' of the overall plan had been made. It was noted that subtle changes had been made to the wording of R10 emphasising the need to carefully review highway access. The Local Plan had been discussed at a number of council committees and at a Full Council meeting, and had been amended as a result of the public consultation.

Councillors Brown and Walsh confirmed that resident's views regarding R10 had been fed into the process and the issues had been raised with officers.

Action Point: Councillor Roberts to liaise with Mr Harvey outside of the meeting to obtain a hard copy of the Local Plan.

- 3. Dr Eva asked for an update on the agreed 12 month programme to ensure that buildings with a community or civic interest had adequate free and safe cycle stands.**

Councillor Smart confirmed that she had raised the issue of Polling Stations with officers and they had agreed to add cycle parking to the list of criteria for selecting stations. However it was noted that this would be one of many different considerations and would have to be balanced against other criteria when the final selection of venues was made.

It was also noted that providing cycle stands at buildings owned by the City Council would be more straightforward than at buildings owned by third parties, where additional funding may be required.

Councillor Johnson confirmed that funding for four new cycle racks at the River Lane Centre had been agreed.

Dr Eva further emphasised the need for more detail on the number of buildings identified, the percentage with adequate cycle parking provision and the likelihood that the programme would be completed by December 2013.

Action Point: Councillor Blencowe to discuss the issue further with the City Council's Cycling and Walking Officer.

- 4. Dr Eva highlighted the longstanding issue of large parts of Riverside being used as a car park.**

Councillor Whitehead confirmed that she had discussed this with Evan Laughlin and it was agreed that the issues needed to be progressed.

Councillor Johnson confirmed that he had raised the issue with the Project Delivery and Environment Team. He had been informed that, in relation to funding for the Stourbridge Common end of the Riverside, funding was available from the Minor Highways Budget. In relation to the Riverside bridge restriction near to the Tesco footpath/cycle path, no feedback had been received following public consultation and the County Council had not received any formal objections.

It had been agreed with the officer that they would double check that this was the case before progressing to the next stage of making the order. An update on TRO's, including the riverside restrictions would then be included in the next Environmental Improvement Programme report brought to East Area Committee.

Action Point: Councillor Whitehead to keep Dr Eva informed of progress on the issue.

- 5. Dr Eva raised the issue of the Riverside Moorings Consultation and questioned the delay in the results being brought back to the Environment Scrutiny Committee.**

Councillor Roberts confirmed that he had arranged a meeting with the Executive Councillor for Public Places to discuss the issue in more detail.

Councillor Johnson expressed his frustration at the delay and highlighted the need for a quick resolution.

Councillor Blencowe confirmed that the Executive Councillor would be responsible for making the final decision, with the Environment Scrutiny Committee holding her to account.

Action Point: Councillor Blencowe to discuss the reasons for the delay with the Executive Councillor and council officers and keep Dr Eva informed.

13/53/EAC Policing and Safer Neighbourhoods

The Committee received a report from Sergeant Norden regarding the policing and safer neighbourhoods trends.

The report outlined actions taken since the Committee on 26 March 2013. The current emerging issues/neighbourhood trends for each ward were also highlighted (see report for full details). Previous priorities and engagement activity noted in the report were theft of cycles in the East area, alcohol-related anti-social behaviour (ASB) in the Petersfield and Mill Road area, and drug dealing in the Riverside and Stourbridge Common area.

The Committee discussed the following policing issues:

- (i) Drug dealing in phone boxes.
- (ii) Anti-social behaviour (ASB) on the benches on Petersfield Green.
- (iii) Shoplifting across the East area.
- (iv) ASB in Brooks Road.
- (v) The need to address alcohol related ASB issues through Licencing Reviews.
- (vi) Drug dealing in Budleigh Close and Tiverton Close.
- (vii) Inappropriate parking in Mill Road.
- (viii) Fire setting at Burnside allotments.
- (ix) ASB in Newmarket Road.
- (x) ASB in Ditton Fields play area.

In response to members' questions Sergeant Norden, the Fire Safety Officer and the Safer Communities Section Manager confirmed the following:

- (i) The Police were aware of the ASB at Petersfield Green and had been monitoring the situation. CCTV had been installed in the summer of 2012 but the images had been obstructed by foliage.

Councillor Marchant-Daisely confirmed that she had spoken to officers about the overhanging foliage, and Councillor Brown agreed to follow up if required.

- (ii) Cycle theft from Cambridge Leisure Park was no longer a major problem and the site now had its own Management Team in place.
- (iii) Agreed to liaise with Councillor Marchant-Daisely outside of the meeting regarding use of Section 27 Powers over the last 3 months.
- (iv) 'Immobilise' was a free website where members of the public could register their possessions. The site was then used by Police Forces across the country to locate the owners of recovered stolen property.
- (v) Recent fire setting activity had taken place in Dennis Road and Barnwell Road.
- (vi) Two people had been arrested for drug dealing in the Budleigh/Tiverton Close area.
- (vii) During the summer months ASB on open spaces would be monitored.
- (viii) Parking on zig-zag road markings could be enforced by both Police Officers and PCSO's.
- (ix) Issues regarding speed cameras should be reported to the Safety Camera Partnership.
- (x) The Police were now monitoring the 'Shape Your Place' website for any reported issues.
- (xi) Updates were not yet available on speed checks in the Coldhams Lane and Whitehill Road areas.
- (xii) If the Committee felt that shop lifting was an ongoing issue it could be added to the list of priorities.

In response to a question from Councillor Walsh regarding the support offered to members of the streetlife community, Councillor Smart confirmed the following:

- (i) The City Council funded local charities, assisted with projects such as Jimmy's Night Shelter and provided training programmes at local hostels.
- (ii) The City Council was the most successful of the three Making Every Adult Matter (MEAN) Project Pilots.

- (iii) A detailed report on streetlife anti-social behaviour was taken to the Strategy and Resources Scrutiny Committee in October 2012 and could be accessed via the website.
- (iv) A detailed report on the new Sub Regional Single Homelessness Service was taken to the Community Services Scrutiny Committee in June 2013 and could be accessed via the website.
- (v) Three multi-agency workshops had been held recently to look at the issues and identify solutions.

The following priorities were unanimously **agreed**:

- (i) Reduce cycle theft and shoplifting in the East area.
- (ii) Tackle alcohol related ASB in the Petersfield area.
- (iii) Tackle the supply of drugs in the East area.

13/54/EAC Safer City Grant Scheme 2013/14: Consideration of Applications

The Committee received a report from Safer Communities Section Manager regarding the Safer City Grant Scheme 2013/14.

In response to members' questions the Safer Communities Section Manager confirmed the following:

- (i) Applications could be submitted up until December, with any underspend then being returned to the central grant pot.
- (ii) Any further grant applications would be determined by the Director of Customer and Community Services in consultation with Ward Councillors.
- (iii) Support with the application process was available from the Safer Communities Project Officer.
- (iv) Projects could be managed by other agencies on behalf of Resident's Associations if required.

Members resolved (unanimously) to:

Approve the application from the Rustat Neighbourhood Association for a Safer City grant of 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 Flamstead Road and Derby Road.

13/55/EAC East Area Community Facilities Capital Grants Programme

The Committee received a report from the Head of Community Development regarding Community Development Capital Projects and an application from Barnwell Baptist Church.

In response to questions from Mr Frank Gawthrop the Head of Community Development confirmed the following:

- (v) The City Council are working with www.Cambridgeshire.net to promote community facilities.
- (vi) £20,000 had been allocated from the Newtown Capital Programme for community facilities to provide a community room at Rock Road Library.
- (vii) The New Town Capital Fund could only be used for improving community facility buildings and not for the provision of play areas.
- (viii) The New Town Forum could not make decisions on the allocation of funding, but was a consultative body and could make proposals to the Executive Councillor or South Area Committee.

In response to members' questions the Head of Community Development confirmed the following:

- (i) Officers were looking at ways to increase the flexibility of use at Ross Street Community Centre, including childcare provision
- (ii) All capital grants were monitored to ensure they were benefiting the local community.
- (iii) As a condition of a grant over £15k, the venue had to remain a community facility for 11 years or else repay some of the capital.
- (iv) Officers were waiting to hear back from the Leper Chapel regarding possible improvements, but the issue could be complicated as it is a listed building.
- (v) There was around £200,000 available to East Area Committee for improving community facilities in addition to the £40,000 that remained for Abbey ward.
- (vi) Ross Street Community Centre would be added to the list of projects being brought back to the committee in the autumn so that members could decide whether improvements should be prioritised.

Members resolved (unanimously) 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.

13/56/EAC Planning Applications**13/56a/EAC 13/0649/FUL - Scout Headquarters, 40 Stanesfield Road**

The Committee received an application for full planning permission.

The application sought approval for 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

The Committee:

Resolved (by 9 votes to 0) to accept the officer recommendation to approve planning permission subject to the revised and additional conditions below and conditions 1, 9, 10, 11, 12, 14 and 15 from the original agenda, Authority delegated to officers to reorder and renumber the 27 conditions into a logical sequence.

Revised Conditions:

2. No unbound material shall be used in the surface finish of any road or vehicle manoeuvring space on the application site.

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.

4. 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 and to comply with policy 8/2 of the Local Plan 2006.

5. 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 and to comply with policy 8/2 of the Local Plan 2006.

6. 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.

Reason: In order to protect neighbours amenities and to comply with policy 4/13 of Local Plan 2006.

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

Reason: In order to protect neighbours amenities and to comply with policy 4/13 of Local Plan 2006.

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

Reason: In order to protect neighbours amenities and to comply with policy 4/13 of Local Plan 2006.

9. 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.

Reason: In order to protect neighbours and future occupiers amenities and to comply with policy 4/13 of Local Plan 2006.

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

Reason: In order to protect neighbours and future occupiers amenities and to comply with policy 4/13 of Local Plan 2006.

Additional conditions:

15. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

16. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all

landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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)

17. 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.

18. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9).

19. The first floor level WC and bathroom windows on the houses and flat shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

20. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is

agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12).

21. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

- i) contractors access arrangements for vehicles, plant and personnel,
- ii) contractors site storage area/compound,
- iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
- iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

22. Before the development hereby permitted is commenced, a dust suppression method statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To avoid unreasonable harm to neighbours amenities and for highway safety reasons and to comply with policies 4/13 and 8/2 of the Local Plan (2006).

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

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

24. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of protection barriers and any other protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

Reason: To protect trees on site and accord with policy 4/4 of the Local Plan (2006).

25. Prior to the commencement of development a pre-start meeting is to be held on site with the Local Planning Authority tree officer, project arboriculturalist and developer to agree tree works and proposed tree protection.

Reason: To protect trees on site and accord with policy 4/4 of the Local Plan (2006).

26. The approved Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. The project arboriculturalist will monitor the site and tree protection at regular intervals and provide a written report of findings to the Local Planning Authority. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect trees on site and accord with policy 4/4 of the Local Plan (2006).

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

13/56b/EAC 13/0523/CLUED - 142 Tenison Road

The Committee received an application for a certificate of lawfulness under Section 191 for the use as additional letting bedrooms and ancillary accommodation to a hotel.

The Committee received a representation in objection to the application from Mr Gawthrop.

The representation covered the following issues:

- (i) The site had a long planning history and little seemed to have changed since the previous application.
- (ii) The Fire Service did not record the premises as part of the hotel and this was dismissed in the officer's report.
- (iii) Previous reports stated that there had been no evidence of a change of use.

Mr Dale Barker (Applicants Agent) addressed the Committee in support of the application.

On the advice of the Case Officer, and due to the confusing nature of the wording, the Committee agreed to amend the wording of the recommendation on page 105 of the agenda as follows (~~amendment struck though~~):

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.~~

The Committee:

Resolved (by 6 votes to 1) to accept the officers amended recommendation to grant the certificate of lawfulness under Section 191 of the Town and Country Planning Act 1990 (as amended) for 142 Tenison Road, Cambridge for the use as additional letting bedrooms and ancillary accommodation to a hotel.

Reasons for granting:

- 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.

13/56c/EAC 13/0102/FUL - Garages to r/o 76 Abbey Road and 12 Riverside

The Committee received an application for full planning permission.

The application sought approval for a proposed conversion of existing lock-up garages to form 2 No. 1.5 storey dwellings

The Committee:

Resolved (by 10 votes to 0) to accept the officer recommendation to approve planning permission as per the agenda.

13/56d/EAC 13/0612/S73 - Snakatak, 230 Mill Road

The Committee received an application for removal of Condition 3 of Planning Permission C/96/0364 to allow take away food to be served.

Mrs Kirsty Bailey (Applicant) addressed the Committee in support of the application.

The Committee:

Resolved (by 10 votes to 0) to accept the officer recommendation to approve planning permission as per the agenda

13/56e/EAC 13/0569/FUL - McDonalds Restaurants Ltd, 639 Newmarket Road

The Committee received an application for full planning permission.

The application sought approval 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.

The Committee:

Resolved (by 8 votes to 0) to accept the officer recommendation to approve planning permission as per the agenda

13/56f/EAC 13/0349/FUL - 30 Birdwood Road

The Committee received an application for full planning permission.

The application sought approval for side and rear roof extension and change of use from dwelling house (C3) to house in multiple occupation (sui generis) - 8 bedrooms

The Committee:

Resolved (by 9 votes to 0) to accept the officer recommendation to approve planning permission as per the agenda

13/57/EAC Enforcement Items**Planning Enforcement Report - 435 Newmarket Road**

The Committee received a report regarding enforcement action for unauthorised development at 435 Newmarket Road.

The Committee asked for clarity on what further action would be taken in the event of non-compliance with the enforcement action (as highlighted in recommendation (iii) of the officer's report). The Case Officer was unable to provide sufficient information and the Committee therefore agreed that, in the event of further action being required, a report would be brought back to the committee for consideration.

The Committee:

Resolved (by 7 votes to 2):

- (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 of the officers report.

- (ii) To authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.
- (iii) That a further report be brought back to the committee if further action was required in the event of non-compliance with the enforcement notice.

The meeting ended at 10.10 pm

CHAIR

CAMBRIDGE CITY COUNCIL Record of Executive Decision

Ditton Fields Fitness and Trim Trail

Decision of:	East Area Committee: Chair, Vice Chair and Spokes		
Reference:	13/S106/01		
Date of decision:	14.08.13	Recorded on:	14.08.13
Decision Type:	Non Key		
Matter for Decision:	Purchase and installation of new trim trail and outdoor gym equipment to be installed around the peripheral path at Ditton Fields Recreation Ground		
Why the decision had to be made (and any alternative options):	The project meets with the Council's main aims: Cambridge – where people matter. A city which celebrates its diversity, unites in its priority for the disadvantaged and strives for shared community wellbeing.		
Decision(s):	Financial recommendations <ul style="list-style-type: none">• Approved the commencement of this scheme, which is already included in the Council's Capital & Revenue Project Plan (PR030c - 38215).• The total cost of the project is £30,000 funded from Formal and Informal S106 Developer contributions. Procurement recommendations <ul style="list-style-type: none">• Approved the carrying out and completion of the procurement of Ditton Fields Fitness and Trim Trail equipment from Kompan Ltd.		
Reasons for the decision:	As set out in the Officers Report		
Scrutiny consideration:	Chair, Vice Chair and Spokes of East Committee were consulted		
Conflicts of interest:	No conflicts of interest were declared by the Executive Councillor		
Comments:	None		

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Cambridge City Council

To: Chair of East Area Committee
Report by: Ian Ross
Scrutiny committee: EAST AREA COMMITTEE
Wards affected: Abbey, Coleridge, Petersfield, Romsey

Project Appraisal and Scrutiny Committee Recommendation

Project Name:

To: Area Chair, Vice Chair and Opposition Spokes for East Area Committee
Report by: Ian Ross
Scrutiny committee: EAST AREA – **EMAIL APPROVAL**
Wards affected: All

Project Appraisal and Scrutiny Committee Recommendation

Project Name: Ditton Fields Fitness and Trim Trail

Recommendation/s

Financial recommendations –

- The Area Chair is asked to approve the commencement of this scheme, which is already included in the Council's Capital & Revenue Project Plan (PR030c - 38215).
- The total cost of the project is £30,000 funded from Formal and Informal S106 Developer contributions.

Procurement recommendations:

- The Area Chair is asked to approve the carrying out and completion of the procurement of **Ditton Fields Fitness and Trim Trail equipment from Kompan Ltd.**

Project Name: Ditton Fields Fitness and Trim Trail

1 Summary

1.1 The project

Purchase and installation of new trim trail and outdoor gym equipment to be installed around the peripheral path at Ditton Fields Recreation Ground

Target Dates:

Start of procurement	June 2013
Award of Contract	August 2013
Start of project delivery	August 2013
Completion of project	October 2013
Date that project output is expected to become operational (if not same as above)	

1.2 Anticipated Cost

Total Project Cost	£ 30,000.00
--------------------	-------------

Cost Funded from:

Funding:	Amount:	Details:
Reserves	£0.00	<i>Not applicable</i>
Repairs & Renewals	£0.00	<i>Not applicable</i>
Developer Contributions	£30,000	See Appendix B
Climate Change Fund	£0.00	<i>Not applicable</i>
Other	£0.00	<i>Not applicable</i>

1.3 Procurement process

Following the prioritisation of the project the Recreation team carried out a procurement exercise with outdoor trim trail and fitness equipment providers.

Five companies were invited to tender and all five invited submitted plans and drawings of their proposals with detailed costs for supply and installation all within the £30,000 budget allocated to the project.

The submissions were evaluated by an internal officer team on the proposed equipment's functionality, range of activities, robustness, and the designs were also put online for the public to feedback on their favourite proposal.

The conclusion of this procurement is to recommend that Kompan Limited be awarded the project and will deliver a mix of outdoor gym and trim trail items at Ditton Fields.

2 Project Appraisal & Procurement Report

2.1 Background

On the 20th of September 2012 a workshop was held for ideas and projects to be submitted from the local communities on how to spend the East Areas devolved Section 106 funds. The evening saw a variety of projects proposed and in October, East Area Committee identified projects in wards for the first round priority-setting and focussed on project ideas that were eligible for developer contributions and could be delivered by March 2014. One of these prioritised projects was to install fitness and trim trail equipment into Ditton Fields and a budget of £30,000 was allocated for its delivery.

The Recreation Team from the Arts and Recreation section have installed similar outdoor fitness and trim trail projects in four other Parks and Open Spaces across the City and have two mobile units that are moved around the city into park locations.

2.2 Aims & objectives

The project meets with the Councils main aims

Cambridge – where people matter

A city which celebrates its diversity, unites in its priority for the disadvantaged and strives for shared community wellbeing.

Through provision of outdoor gym and fitness trim trail equipment which will be free to use and promotes healthy lifestyles and community wellbeing

The equipment proposed is detailed in the pdf attached to this report and in summary has outdoor fitness items such as a ski stepper, leg stretch, health walker. These items replicate indoor gym equipment and are made from steel and will be coloured green and light grey to blend in with the surroundings.

2.3 Consultation undertaken

A variety of consultation methods have been carried out to gain feedback on the proposals. These included;

- ▶ Display boards at the last East Area Committee
- ▶ Display boards of the designs and proposals around Ditton Fields Recreation Ground
- ▶ Online survey promoted through the Councils home page and Consultation web pages
- ▶ Links to the consultation website sent through Ward Councillors to local groups and community organisations.

An online survey was created to seek feedback on the proposals from the five companies and also sought responses for Nightingale Recreation Ground in Queen Ediths Ward where a similar project is also being undertaken.

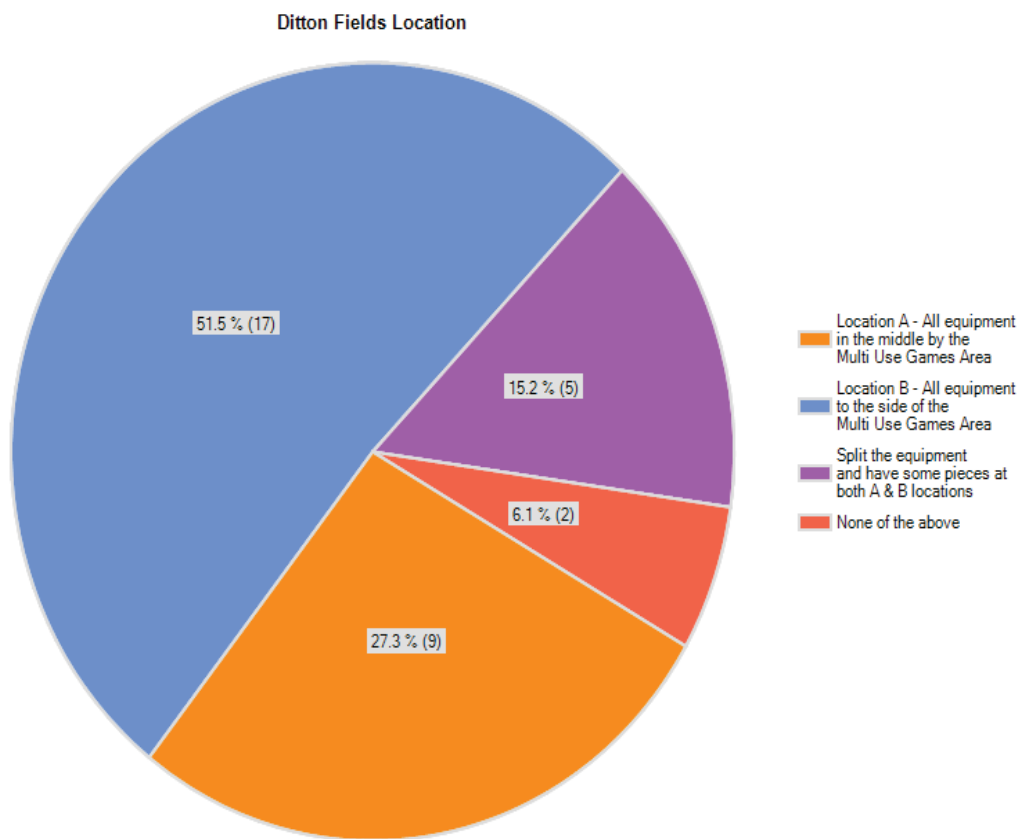
The online survey had over 135 respondents with 126 (93%) agreeing the projects were a good idea. Of these 126 replies, 40 people specifically commented on the Ditton Fields proposals.

40 respondents voted on the designs of which the Kompan design received 55% of the votes with the next company receiving 18% votes.

When asked how the pieces should be distributed 52% of people

agreed they should be in a singular hub with all pieces together.

The response to where the items should be located within the Recreation ground (of which there was a choice of three strategically chosen locations to minimise impact on the recreation spaces and minimal disruption to the surrounding residential properties) was that 52% selected Location B, the pieces to be located at the end by the Multi Use Games Area, with 27% requesting pieces being in Location A in the middle by the Multi Use Games Area.



2.4 Key risks associated with the project

If the project is not approved then the devolved S106 developer contributions will return to the East Area for reallocation and the project removed off the Capital plan and the prioritised Area Committee programme.

There are some objections noted in the consultation process with comments from 9 of the 135 respondents citing objections but

were all focussed on the proposed installation at Nightingale Recreation ground with generic comments as follows;

“Don't develop the city's green spaces.”

Although the remaining majority of comments supported the project with comments such as;

“Fantastic ideas, I run in the parks several times a week and would use whatever you installed regularly.”

“Thanks so much for planning this, it will be very much appreciated !!”

To minimize any disruption within the Recreation Ground the final locations of the equipment will be placed in consultation with Ward Councillors, local residents, and representatives of Streets and Open Spaces Asset team to ensure they are reflective of any concerns and blend in with the open space.

3.0 Financial implications

This Project Appraisal has been prepared on the current price base of 2013/14 prices.

The project will be funded from the East Areas devolved Developer Contributions and specifically come from Formal and Informal Open space monies. Formal money will fund the Fitness Equipment and the Informal money will fund any Trim Trail elements and associated ground works.

3.1 Net revenue implications (costs or savings)

Revenue	£	Comments
Maintenance	0.00	From existing Revenue budgets
R&R Contribution	0.00	From existing Revenue Budgets
Developer Contributions	£30,000	See Appendix B
Energy savings	(0.00)	None
Income / Savings	(0.00)	None
Net Revenue effect	0	Cost/(Saving)

3.2 VAT implications

There are no VAT Implications as a result of this projects installation.

3.3 Energy and Fuel Savings

(a) Is this project listed in the Carbon Management Plan?	No
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3.4 Climate Change Impact

Positive Impact	No effect	Negative Impact
	Nil	

3.5 Other implications

An EQUIA has been carried out for the project and the results indicate that there are some limitations for people restricted to wheelchairs to fully engage with all the pieces of equipment proposed.

3.6 Staff required to deliver the project

Service	Skills	Total Hours
<i>Recreation Team</i> <i>Technical officer</i>	<i>Building construction</i> <i>Project Management</i> <i>Health & Safety</i>	24

3.7 Dependency on other work or projects

This Project delivery is not dependent on any other projects or procurements.

3.8 Background Papers

None

3.9 Inspection of papers

Author's Name	Ian Ross
Author's phone No.	01223 - 458638
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Date prepared:	26/07/13

Capital Project Appraisal - Capital costs & funding - Profiling

Appendix A

	2013/14	2014/15	2015/16	2016/17	2017/18	Comments
	£	£	£	£	£	
Capital Costs						
Building contractor / works						
Purchase of vehicles, plant & equipment	30,000					S106 Funded - East Area
Professional / Consultants fees						
Other capital expenditure:						
Total Capital cost	30,000	0	0	0	0	
Capital Income / Funding						
Government Grant						
Developer Contributions	30,000					(See Appendix B)
R&R funding						
Earmarked Funds						
Existing capital programme funding						
Revenue contributions						
Total Income	30,000	0	0	0	0	
Net Capital Bid	0	0	0	0	0	

Appendix B

Developer Contribution Cost Centre	Planning Reference	Contribution Type (Formal Open Space, Informal Open Space etc)	Address	Amount (£)
<i>To be allocated</i>	<i>Awaiting input from S106 Planning Officer</i>	Informal Open Space		16,500
<i>To be allocated</i>	<i>Awaiting input from S106 Planning Officer</i>	Formal Open Space		13,500
Total				30,000

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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	13/0804/FUL	Agenda Item	
Date Received	10th June 2013	Officer	Mr Amit Patel
Target Date	5th August 2013		
Ward	Coleridge		
Site	89A Cherry Hinton Road Cambridge Cambridgeshire CB1 7BS		
Proposal	Construction of a 2-storey Passivhaus apartment block comprising two 2-bed apartments with secure entrance lobby, separate 2-car garage with space for bins and bikes and associated external works.		
Applicant	Mr & Mrs John & Janice Grieve 75A Histon Road Cambridge CB4 3JD		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>Provides additional housing</p> <p>The design is in keeping with the general character of the area</p> <p>The design of the house is sustainable</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 89A Cherry Hinton Road is located on the northern side of the road set back from the street and accessed by a driveway which runs between 89 and 91 Cherry Hinton Road. This also serves an electricity sub-station adjacent to the east of the site. To the north, south and west the site is surrounded by residential development which backs onto the proposal site with long rear gardens, varying in length between approximately 20-30 metres.

- 1.2 The site accommodates a single storey building of approximately 5.6 metres at its maximum ridge height, constructed in the 1970s and is currently occupied by a Veterinary Practice with two associated car parking areas, one to the east and one to the south, making provision for the parking of a total of 20 cars. The rest of the site to the north and west of the building is covered by open grass.
- 1.3 The site does not fall within a City of Cambridge Conservation Area. There is not a tree preservation order on the site. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal as submitted is for a single building containing two flats to the grassed area, located to the west of the veterinary clinic. The flats will have an associated garage accommodating car and cycle parking with access off Cherry Hinton Road.
- 2.2 There has already been an approval on the site for Erection of 14 apartments (following the demolition of the existing building) together with associated infrastructure under planning reference 10/0087/FUL.
- 2.3 The application is accompanied by the following supporting information:
1. Design Statement
 2. Tree Report
 3. Plans
- 2.4 Amended plans have been received which show the following revisions:
- The amended plans show the roof design to be a dual pitched form.
 - The height of the ridge will be 1.55m lower than in the original application and will be 0.85m lower than the approved 14 apartment building.

Neighbours and consultees have been re-consulted on the amended plans and will report any additional comments either verbally or on the amended sheet.

3.0 SITE HISTORY

Reference	Description	Outcome
10/0087/FUL	Erection of 14 apartments (following the demolition of the existing building) together with associated infrastructure.	A/C
08/1501/FUL	Erection of 14no apartments (following the demolition of the existing building) together with associated infrastructure.	Appeal dismissed

3.1 The decision of the Planning Inspector in the appeal on the previous application 08/1501/FUL is attached to this report as Appendix 1.

4.0 PUBLICITY

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

5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 3/10 3/11 3/12 4/4 4/13 5/1 5/5 5/14

	8/1 8/6 8/10 10/1
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5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 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> Cycle Parking Guide for New Residential Developments

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The depth of the garage should be 6m position of the bins may conflict with a parked vehicle. The reduction of car parking to

the veterinary clinic adjoining this site may result in on street demand for car parking.

The amended plans now propose a bin area outside of the garage and internal garage dimensions conform to the 6m length required and has addressed this element.

The applicants have clarified that application site is not used as car parking for the veterinary clinic and therefore the proposal will not have an impact upon on street car parking.

Head of Environmental Services

The proposal is close to residential and other properties. The noise and disturbance created from construction activity has the potential to impact upon the amenity of these occupiers and therefore it is recommended that conditions relating to construction hours, deliveries and collection during construction, electricity substation and waste and recycling and informatives relating to dust, and noise insulation.

Head of Streets and Open Spaces (Landscape Team)

There are no objections subject to a full detailed soft and hard landscaping and details of works within root protection zone.

7.0 REPRESENTATIONS

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

- 4 Flamsteed Road
- 6 Flamsteed Road
- 8 Flamsteed Road
- UK Power Network

7.2 The representations can be summarised as follows:

- There will be overshadowing, overlooking and loss of privacy to the neighbouring occupiers;
- The design of the roof does not fit within the context and character of the site;
- Increase in noise and disturbance of dogs as the training area will come closer to Flamsteed Road;

- The sub-station needs 24 hours access and therefore materials and construction traffic should not impede access. There are cables which run the length of the access and heavy vehicles could damage this.

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

Principle of Development

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. Renewable energy and sustainability
4. Residential amenity
5. Refuse arrangements
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

8.2 The principle of development has already been established within the previous planning permission reference 10/0087/FUL. The provision of higher density housing in sustainable locations is generally supported by central government advice contained in the NPPF (2012). Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

8.3 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion; the principle of development is acceptable and in accordance with policy 5/1 Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.4 I consider Local Plan policies 3/4, 3/7, 3/11 and 3/12 most relevant in assessing how successfully the proposal responds to the constraints of the site and surrounding area. These policies broadly address site context, placemaking, external spaces and the design of new buildings.
- 8.5 The context of the application site is characterised by residential dwelling houses. There is a variety of building heights, but generally the buildings that immediately surround the site are two storey with pitched roofs. The amended building will appear to be a more traditional two storey form with a dual pitched roof design. The use of materials will also be key and I recommend a condition (3) to control this.
- 8.6 The scheme previously approved is much bigger in terms of scale and massing. This scheme proposes two flats within a much smaller building which respects the scale and massing of the other properties in the locality. Planning policy does not require strict architectural conformity with other nearby buildings, and diversity in building design is encouraged. In this location, set back from the street scene of Cherry Hinton Road, with long separation distances between neighbouring residential properties I consider this design approach to work well. It sits comfortably within its context.
- 8.7 The circulation space for residents and visitors is quite well planned with refuse and recycling storage separate from the building but easily accessible by both residents and waste operatives. Cycle storage is accessible off the 'street', which improves a sense of security for occupiers and could help foster a community spirit making for a pleasant semi-private external amenity area. Both these provisions are located in positions which are not visible from a public highway and as such will not impact upon the street scene of Cherry Hinton Road.
- 8.8 The applicants have commented that a landscaping condition is not appropriate. However, I consider that appropriate landscaping is essential to the success of the scheme.
- 8.9 I recommend a standard landscaping condition be imposed to ensure that the details of the hard and soft areas surrounding

the building are acceptable. Subject to this condition and for the reasons given above I consider the proposal compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Renewable energy and sustainability

- 8.10 The proposal seeks to erect a Passivhaus design which will accommodate renewable technology. The introduction of these technologies into the design will allow a more sustainable development and is acceptable.
- 8.11 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.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The site takes access from Cherry Hinton Road but the proposal relates more closely to the rear garden areas of Cherry Hinton Road, Rustat Road, Flamsteed Road. These rear gardens to neighbouring dwellings are in excess of 20 metres in length from the rear of the dwellings to the boundary they share with the proposed building. This significant separation distance mitigates considerably against any potential privacy issues which new developments such as this can often create. Following the concerns raised by local residents the applicants have amended the design of the roof to be more equally pitched. The amended roof is lower than the originally submitted design by 1.55m.
- 8.13 There are windows in the north elevation facing Flamsteed Road serving bedrooms 1 and 2, and bathrooms. These will be high level with the sill height at 1.6m above floor level which will mitigate direct overlooking and the bathrooms are to have obscure glazed windows (Condition 11). Given the significant separation distance, high sill height and the existing degree of overlooking from neighbours, I do not consider that overlooking of Flamsteed Road houses is a justifiable reason for refusing this application.

- 8.14 There are also windows in the east elevation but these face the veterinary clinic and will not cause amenity concerns. To the south there are first floor windows and balcony. This will be 31m from the boundary to the application site and intervening trees would screen views towards the rear of properties on Cherry Hinton Road. To the west are rear gardens of Rustat Road. The windows at first floor will be close to the common boundary with these properties but there are mature trees along this boundary and the distance from building to building will be 40m. I consider that due to the existing boundary and the distance the concerns of overlooking and privacy would not be a reasonable reason for refusal in this instance.
- 8.15 Comments have been received that the proposal will over shadow the properties facing Flamsteed Road. There may be some over shadowing but given a ridge height of 9.55m and a distance from ridge to common boundary of 16m, I do not think any overshadowing will be significant.
- 8.16 The Environmental Health officer has commented that this is a sensitive area as it is surrounded by residential properties. Construction activity has the potential to impact the amenity of neighbours. The applicant has commented that piling is not required and therefore no condition relating to piling is required. I still recommend that the piling condition is appropriate as there may be the need for piling once construction begins.
- 8.17 In my opinion the proposal adequately respects the residential amenity of its neighbours. Subject to conditions to control construction hours (condition 4), collection during deliveries (condition 5) and piling (condition 6) I consider the proposal compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.18 There is no designated garden for either flat. Although communal gardens are acceptable there are windows on the ground floor that serve bedrooms. However, I do not consider that this would be totally unacceptable as this is acceptable for flatted developments and will provide a substantial open space for the future occupiers.

- 8.19 The Environmental Health Team have commented that sub-station have a tendency to create low frequency humming noise and being close to the sub-station this is likely to have an impact on the residential amenity of future occupiers. It is recommended that a noise insulation condition is required to mitigate this and I agree with the advice (Condition 7).
- 8.20 Subject to condition, 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

- 8.21 The Waste Strategy officer commented that submitted scheme would not work as three bins as well as a collection point are required. This can be controlled by condition. The applicants have submitted revised plans which now show these details and therefore I do not consider it appropriate to recommend the condition.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

- 8.23 There is a designated garage for the proposed flats. The proposal conforms with the local highway authority dimensions and therefore is acceptable. The issue relating to the loss of car parking has been clarified by the applicants. These spaces were not used by the veterinary clinic and therefore I do not consider that this would lead to on street parking pressures.

There was concern raised regarding the access being impeded by construction traffic. I consider that a condition relating to the construction site set up can overcome this concern and I recommend this condition. (Condition 8).

Cycle Parking

There is cycle parking provided with in the garage. This is internal and covered and convenient for the both flats and therefore acceptable.

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

Third Party Representations

- 8.25 The comments raised by third parties have been addressed in the main body of the report.

The issue relating to damage caused by the heavy vehicles using the access road is not a planning matter but a civil matter.

Planning Obligations

- 8.26 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

8.27 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.

8.28 The application proposes the erection of 2 two-bedroom flats, so the net total of additional residential units is 2. 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		
4-bed	4	238	952		
Total					952

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		

4-bed	4	269	1076		
Total					1076

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		
4-bed	4	242	968		
Total					968

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		
4-bed	4	316	1264		
Total					1264

8.29 A S106 planning obligation has been completed on 17th July 2013 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

8.30 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		
4-bed	1882		
Total			2512

8.31 A S106 planning obligation has been completed on 17th July 2013 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

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

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

8.33 A S106 planning obligation has been completed on 17th July 2013 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.

Monitoring

- 8.34 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. A s106 planning obligation has been completed on 17th July 2013 to secure the requirements of the Planning Obligation Strategy (2010).

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 The proposed development, as amended is now of a scale and mass which fits within its context and the character of the area. Amendments have, in my view, resolved the issues relating to neighbour amenity. Associated ancillary refuse and recycling storage, bicycle storage parking is provided and conveniently located on site. APPROVAL is recommended.

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

Reason: To ensure that the appearance of the external surfaces is appropriate. (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)

6. 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 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.

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

7. Prior to the commencement of refurbishment/ development works a noise report prepared in accordance with the provisions of British Standard (BS)4142:1997, Method for rating industrial noise affecting mixed residential and industrial areas, that considers the impact of industrial upon the proposed development shall be submitted in writing for consideration by the local planning authority.

Following the submission of a BS 4142:1997 noise report and prior to the commencement of refurbishment/ development works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise from the neighbouring industrial use shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. These levels shall be achieved with ventilation meeting both the background and summer cooling requirements.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior approval.

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

8. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

i) contractors access arrangements for vehicles, plant and personnel,

ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

9. 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)

10. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

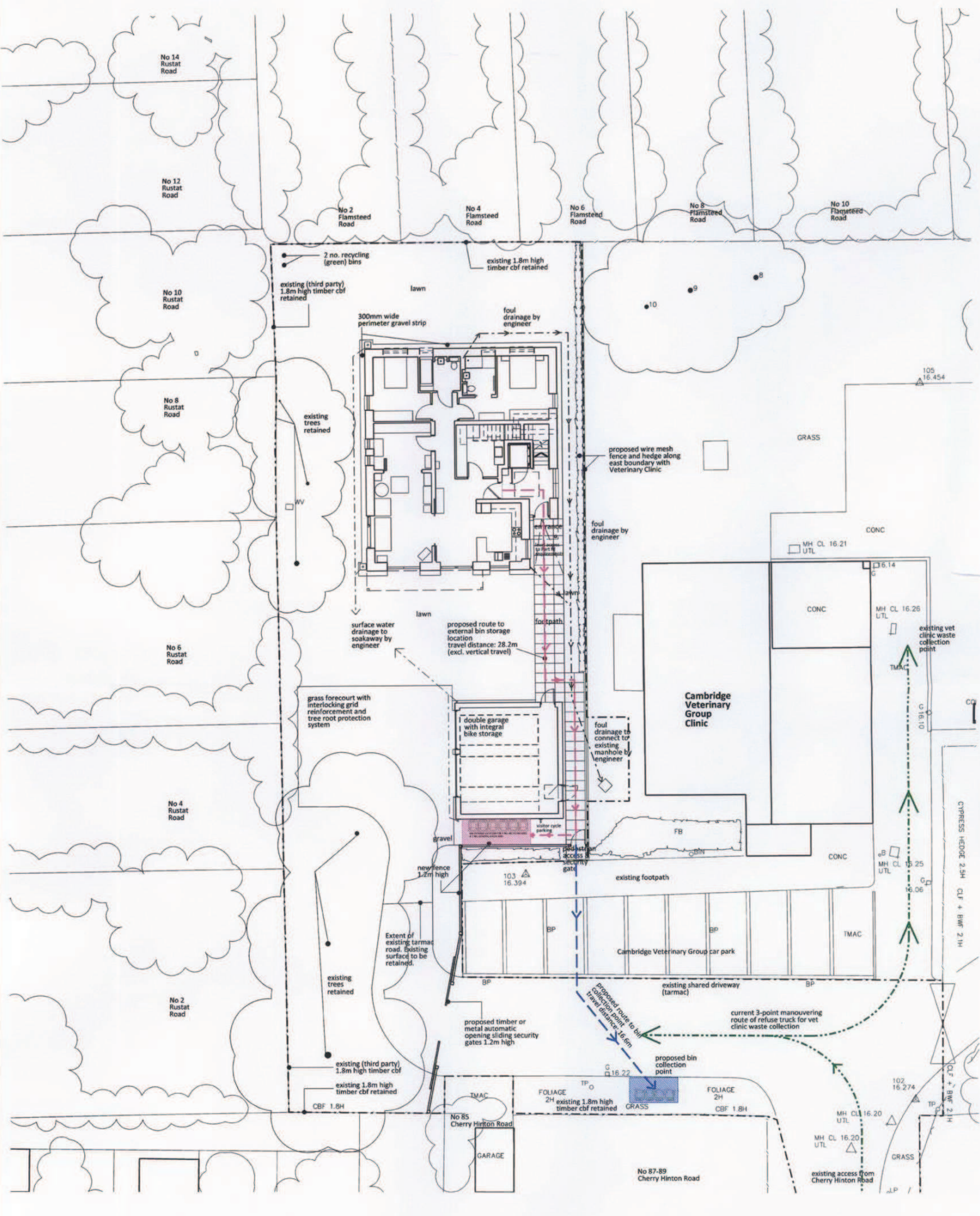
11. The windows shown as obscure glazed shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

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

INFORMATIVE: The demolition and construction 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-pd.pdf> and the "Control of dust and emissions from construction and demolition", Best Practice Guidance produced by the London Councils http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

INFORMATIVE: To satisfy the noise insulation condition for the building envelope as required above, the Council expects the scheme to achieve the good internal noise levels of British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. Where sound insulation requirements preclude the opening of windows for rapid ventilation and summer cooling, acoustically treated mechanical ventilation may also need to be considered within the context of this internal design noise criteria.



PROPOSED SITE PLAN

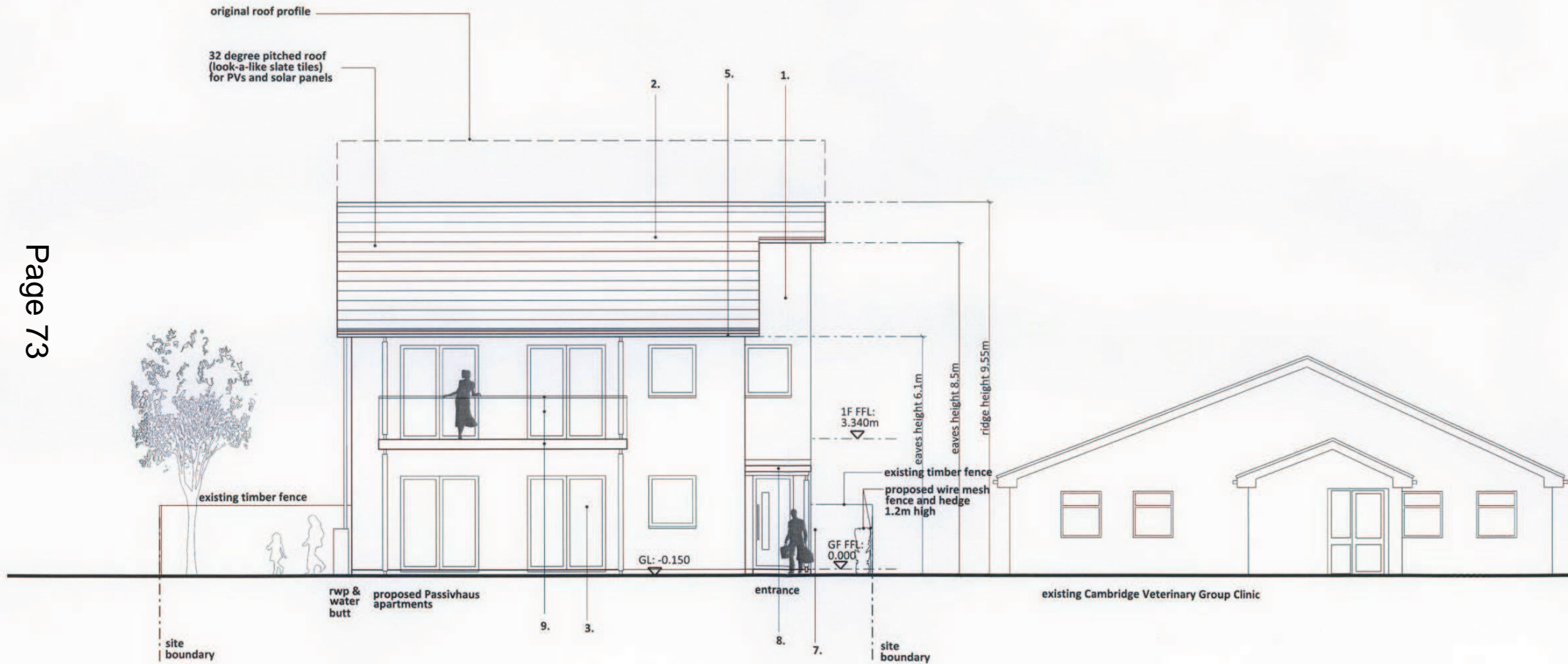


Use figure dimensions only. All levels and dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications. This drawing is copyright. All rights reserved.

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SCHEDULE OF MATERIALS:

1. Render: warm white /cream
2. Look-a-like slate roof
3. Windows & Doors: Triple glazed composite windows & doors.
Frame colour: grey / brown
4. Louvres: grey / brown to match window frames
5. Fascia: white
6. Soffit: white
7. Gutters & Downpipes: white pvc
8. Canopy: zinc roof on oak posts
9. Terrace: Powder coated balcony supported on timber posts
with glass balustrade and powder coated hand rails to
match window / door frames
10. Garage doors: GRP / metal Colour: brown / grey
11. Metal / timber security door
12. Green roof



PROPOSED SOUTH ELEVATION

Drawn: PLANNING APPLICATION



Use figure dimensions only. All texts and dimensions to be checked on site. This drawing is for reference in conjunction with all other relevant drawings and specifications.

Rev: 01/05/2013 Date: 28/05/2013
 Drawn: DM Detail: DM
 By: DM Rev: DM
 Based on Planning Application
 Roof design amended ridge height increased

Client: Mr & Mrs J Grieve
 Project: GT Haus
 89A Cherry Hinton Road,
 Cambridge
 Drawing No: Proposed South Elevation

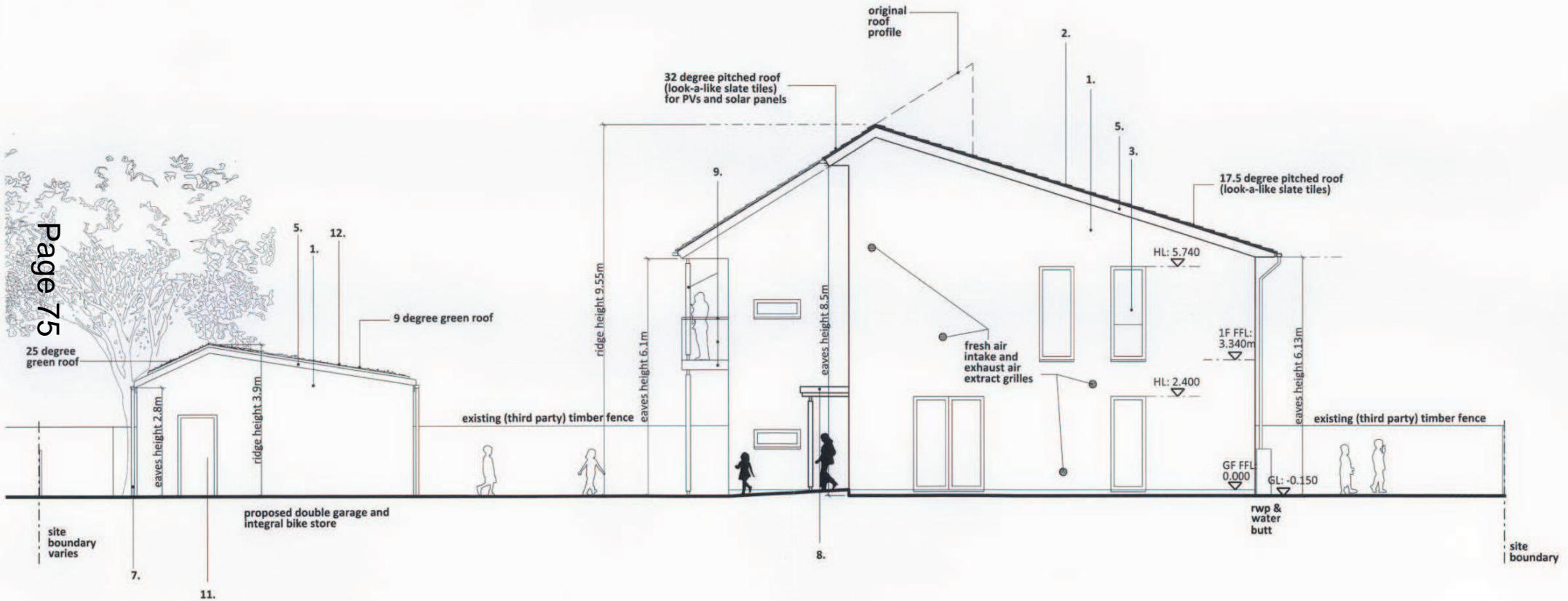
Drawn: DM
 Project Ref: C047
 Drawing No: 107
 Date: 28.05.2013
 Scale: A3
 Scale: 1:50
 Revision: P2

C Verve
 ARCHITECTS
 75A Histon Road
 Cambridge CB4 2JG
 T: 01223 977264
 info@carverve.com

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SCHEDULE OF MATERIALS:

1. Render: warm white /cream
2. Look-a-like slate roof
3. Windows & Doors: Triple glazed composite windows & doors.
Frame colour: grey / brown
4. Louvres: grey / brown to match window frames
5. Fascia: white
6. Soffit: white
7. Gutters & Downpipes: white pvc
8. Canopy: zinc roof on oak posts
9. Terrace: Powder coated balcony supported on timber posts with glass balustrade and powder coated hand rails to match window / door frames
10. Garage doors: GRP / metal Colour: brown / grey
11. Metal / timber security door
12. Green roof



PROPOSED EAST ELEVATION

Drawing Status: PLANNING APPLICATION



Rev: Date: Drawn: Details: 01 06.05.2013 000 Rev: Date: Drawn: Details: 02 06.05.2013 000 Rev: Date: Drawn: Details: 03 06.05.2013 000

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Client: Mr & Mrs J Grieve
Project: GT Haus
89A Cherry Hinton Road,
Cambridge
Drawing: Proposed East Elevation

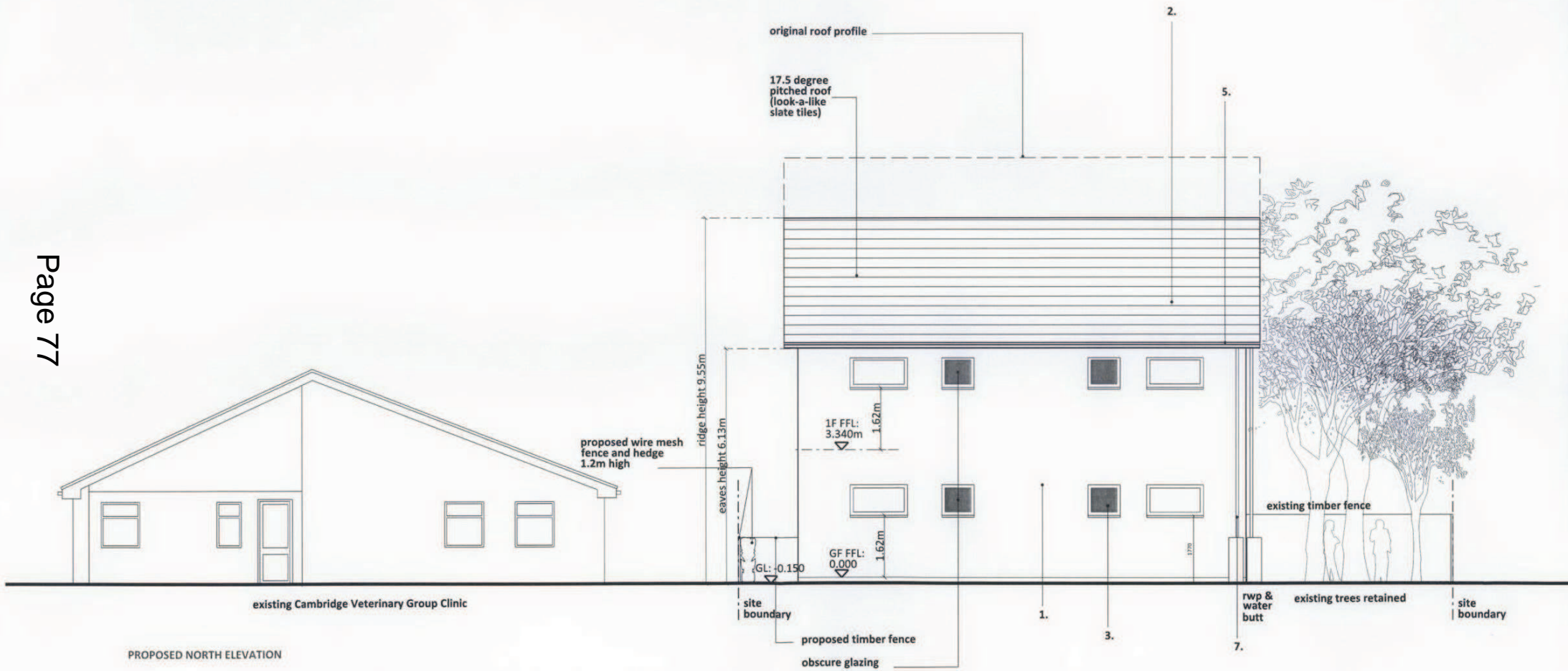
Drawn: DM
Project Ref: C047
Drawing No: 108
Date: 28.05.2013
Scale @ A1: 1:50
Scale @ A3: 1:100
Revision: P2

C Verve
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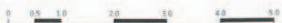
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SCHEDULE OF MATERIALS:

1. Render: warm white /cream
2. Look-a-like slate roof
3. Windows & Doors: Triple glazed composite windows & doors.
Frame colour: grey / brown
4. Louvres: grey / brown to match window frames
5. Fascia: white
6. Soffit: white
7. Gutters & Downpipes: white pvc
8. Canopy: zinc roof on oak posts
9. Terrace: Powder coated balcony supported on timber posts with glass balustrade and powder coated hand rails to match window / door frames
10. Garage doors: GRP / metal Colour: brown / grey
11. Metal / timber security door
12. Green roof



Drawing Station: PLANNING APPLICATION



Use figures dimensions only. All measurements dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications.

Rev: Date: Drawn: Details:
 P1: 28.05.2013 DM Issue for Planning Application
 P2: 02.06.2013 DM Roof design removed edge to site boundary

Client: Mr & Mrs J Grieve
 Project: GT Haus
 89A Cherry Hinton Road,
 Cambridge
 Drawing No: Proposed North Elevation

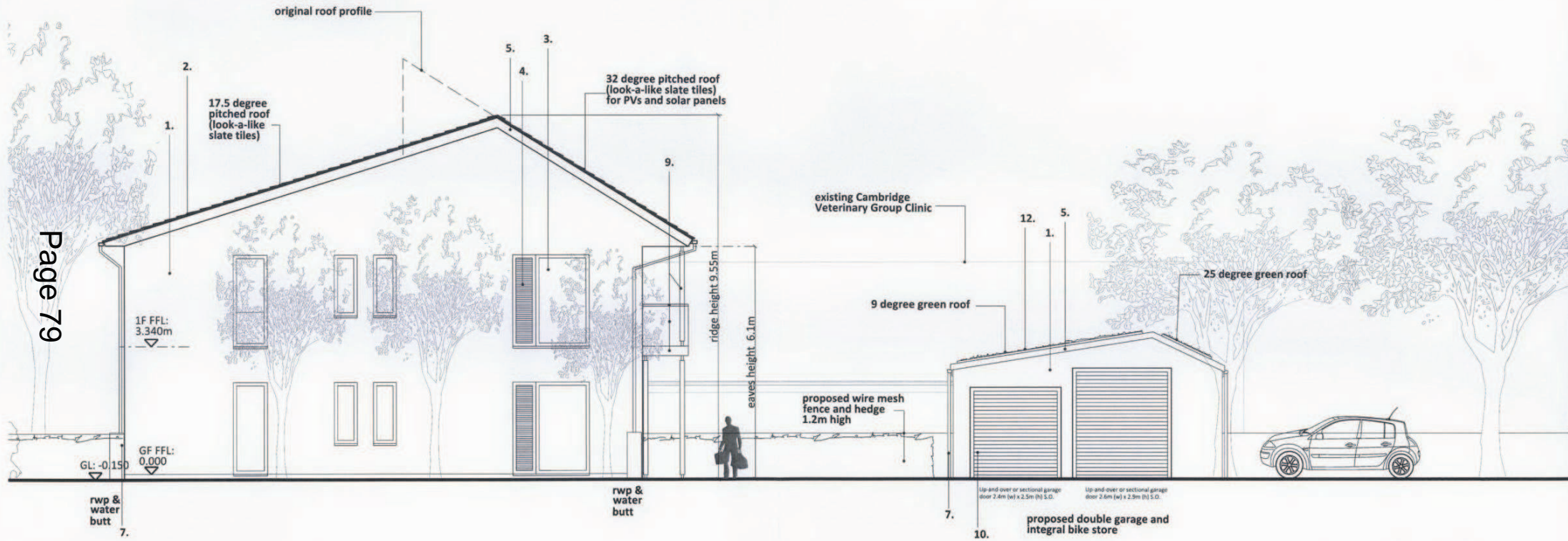
Drawn: DM
 Project Ref: C047
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 Scale @ A1: 1:50
 Scale @ A3: 1:100
 Revision: P2

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SCHEDULE OF MATERIALS:

1. Render: warm white /cream
2. Look-a-like slate roof
3. Windows & Doors: Triple glazed composite windows & doors.
Frame colour: grey / brown
4. Louvres: grey / brown to match window frames
5. Fascia: white
6. Soffit: white
7. Gutters & Downpipes: white pvc
8. Canopy: zinc roof on oak posts
9. Terrace: Powder coated balcony supported on timber posts
with glass balustrade and powder coated hand rails to
match window / door frames
10. Garage doors: GRP / metal Colour: brown / grey
11. Metal / timber security door
12. Green roof



PROPOSED WEST ELEVATION

Drawing Station: PLANNING APPLICATION



Use figure dimensions only. All levels and dimensions to be checked on site. This drawing is to be used in conjunction with all other relevant drawings and specifications.

Rev: Date: Drawn: Details:
 01 08.05.2013 DM
 02 28.05.2013 DM

Client: Mr & Mrs J Grieve
 Project: GT Haus
 85A Cherry Hinton Road,
 Cambridge
 Drawing: Proposed West Elevation

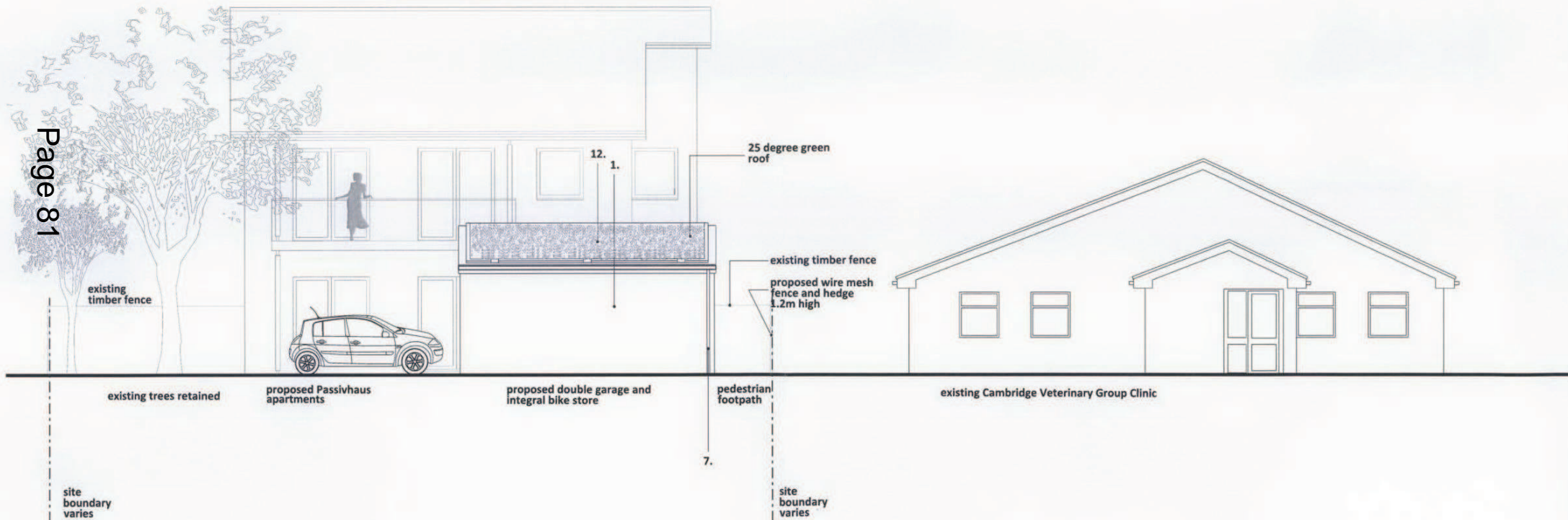
Drawn: DM
 Project Ref: C047
 Drawing No: 110
 Date: 28.05.2013
 Scale of A3: 1:50
 Scale of A4: 1:100
 Revision: P2

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SCHEDULE OF MATERIALS:

1. Render: warm white /cream
2. Look-a-like slate roof
3. Windows & Doors: Triple glazed composite windows & doors.
Frame colour: grey / brown
4. Louvres: grey / brown to match window frames
5. Fascia: white
6. Soffit: white
7. Gutters & Downpipes: white pvc
8. Canopy: zinc roof on oak posts
9. Terrace: Powder coated balcony supported on timber posts with glass balustrade and powder coated hand rails to match window / door frames
10. Garage doors: GRP / metal Colour: brown / grey
11. Metal / timber security door
12. Green roof



PROPOSED GARAGE SOUTH ELEVATION

Drawing Status: PLANNING APPLICATION



Use figured dimensions only. All levels and dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications.

Rev: Date: Drawn: Detail:
 #1: 26.06.2013 DM
 #2: 20.07.2013 DM

Specialist Planning Application
 Apartment roof design associated with garage
 12/11/2013

Client: Mr & Mrs J Grieve
 Project: GT Haus
 89A Cherry Hinton Road,
 Cambridge
 Drawing: Proposed Garage
 South Elevation

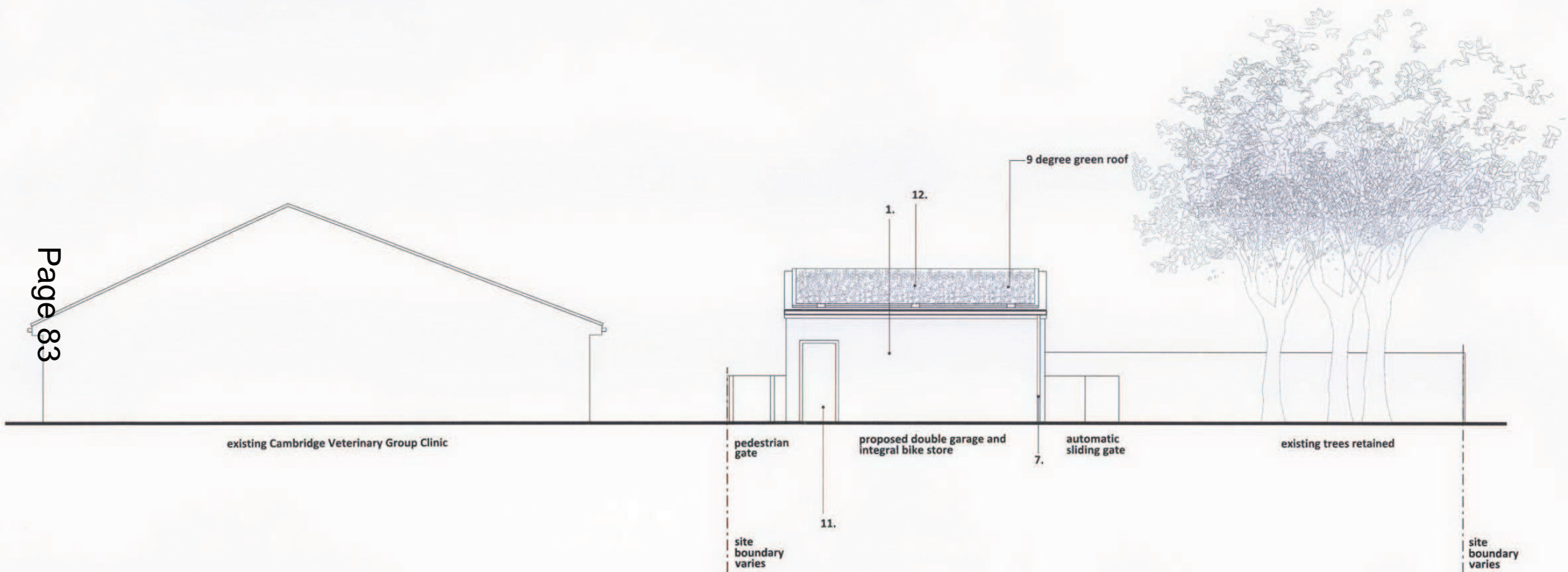
Drawn: DM
 Project Ref: C047
 Drawing No: 111
 Date: 28.05.2013
 Scale @ A1: 1:50
 Scale @ A3: 1:100
 Revision: P2

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SCHEDULE OF MATERIALS:

1. Render: warm white /cream
2. Look-a-like slate roof
3. Windows & Doors: Triple glazed composite windows & doors.
Frame colour: grey / brown
4. Louvres: grey / brown to match window frames
5. Fascia: white
6. Soffit: white
7. Gutters & Downpipes: white pvc
8. Canopy: zinc roof on oak posts
9. Terrace: Powder coated balcony supported on timber posts with glass balustrade and powder coated hand rails to match window / door frames
10. Garage doors: GRP / metal Colour: brown / grey
11. Metal / timber security door
12. Green roof



PROPOSED GARAGE NORTH ELEVATION

Drawing Status: PLANNING APPLICATION



Use figured dimensions only. All levels and dimensions to be checked on site. This drawing is to be read in conjunction with all other relevant drawings and specifications.

Rev: Date: Drawn: Details:
 11 08.06.2013 DM
 12 02.07.2013 DM

Client: Mr & Mrs J Grieve
 Project: GT Haus
 89A Cherry Hinton Road,
 Cambridge
 Drawing: Proposed Garage
 North Elevation

Drawn: DM
 Project Ref: C047
 Drawing No: 112
 Date: 28.05.2013
 Scale @ A1: 1:50
 Scale @ A0: 1:100
 Revision: P2

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EAST AREA COMMITTEE

Date: 12th September 2013

Application Number	13/0759/FUL	Agenda Item	
Date Received	30th May 2013	Officer	Natalie Westgate
Target Date	25th July 2013		
Ward	Petersfield		
Site	Calcutta Club 44 Mill Road Cambridge Cambridgeshire CB1 2AS		
Proposal	Erection of three maisonettes and roof garden above the rear of the restaurant at 44 Mill Road.		
Applicant	Mr Kalpesh Brahmhatt 10 Fen Road Chesterton Cambridge Cambridgeshire CB4 1TX		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposal conforms to development plan policies. 2. The proposal is not likely to have a harmful impact upon the character and appearance of the conservation area. 3. The proposal is not likely to significantly impact upon neighbouring occupiers.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application relates to the site above the restaurant at No.44 Mill Road. The site is situated on the south western side of Mill Road. The surrounding uses are commercial and residential.

1.2 The site is within a conservation area and a controlled parking zone. The building is adjacent to the Sally Anne (former Cinema), which is a Building of Local Interest.

2.0 THE PROPOSAL

2.1 The application seeks planning permission for the erection of three maisonettes and roof garden above the rear of the restaurant at 44 Mill Road.

The application is brought before Planning Committee because the neighbour objections.

3.0 SITE HISTORY

Reference	Description	Outcome
13/0113/FUL	To build three maisonettes above the rear of the restaurant in 44 Mill Road.	Withdrawn

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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4 3/7 3/12 4/10 4/11 5/1 5/2 8/2 8/4 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 Planning Obligation Strategy
Material Considerations	<u>Citywide:</u> Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Conservation Area Appraisal: Mill Road Area

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 There are no plans for the three proposed parking spaces. An informative should be attached for the future residents will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Scheme operating on surrounding streets.

Head of Environmental Services

6.2 No objection subject to conditions and informatives.

Urban Design and Conservation Team

6.3 Support with conditions.

Head of Streets and Open Spaces (Landscape Team)

6.4 Objection. The scheme is an overdevelopment with lack of residential amenity.

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:

- 5 Covent Garden
- 12 Covent Garden
- 1 Mill Street
- 7 Mill Street
- 13 Mill Street
- 44 Mill Road

7.2 The representations can be summarised as follows

- Poor design
- Not well related to existing building
- Overlooking and loss of privacy to residents in Mill Street
- Roof garden will create overlooking and loss of privacy to residents in Mill Street and noise and disturbance to residents in Covent Gardens
- Concerns on security in the backyard
- Parking
- Refuse collection
- Health and safety including fire escape
- Noise from kitchen extraction
- Inaccurate Design and Access Statement
- Construction noise

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 This is a windfall site under 5/1. Policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part.

8.3 The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f). It is recognised that it is not out of character for first floor maisonettes to the rear of properties along Mill Road. The building is adjacent to the Sally Anne (former Cinema), which is a Building of Local Interest but it would not have a significantly harmful impact on the Building of Local Interest in accordance with 3/10 (e). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.

- 8.4 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria of other relevant development plan policies. In my opinion, the principle of the development is acceptable and is in accordance with 5/1.

Context of site, conservation area, design and external spaces

- 8.5 The site is considerably constrained with commercial properties to the east and west of the site. From Covent Garden it will be possible to view obliquely but it is the Sally Anne building that is the most visible. The building is adjacent to the Sally Anne (former Cinema), which is a Building of Local Interest but it would not have a significantly harmful impact on the Building of Local Interest. I note that the Conservation Officer does not object to the proposed design subject to the attached conditions.
- 8.6 The proposed design is of a scale that fits in its locality and given the mixture of roof designs in this part of Mill Road then the proposed regular 3 pitched roof design will add interest to the roof form in this area. The proposed windows are of a design to add character to the design of the flats.
- 8.7 I agree with the advice of the Conservation Officer. In my opinion the proposal accords with Cambridge Local Plan (2006) policies 3/4, 3/12, and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 There are neighbouring residential properties to the north and south of the proposed site.
- 8.9 To the north are flats within the site but these will maintain separate access and the introduction of a landscaped roof garden will improve their existing amenity. The introduction of the flats will be visually dominate and enclose the existing flats but the benefits of the landscaped private space mitigates these matters.

- 8.10 To the south of the site are residential properties on Mill Street and given the separation distance of 18m from these properties to the application site and the proposed design of the flats with canted windows to divert views away from Mill Street properties, then I do not consider there to be issue of overlooking or loss of privacy or noise and disturbance to warrant refusal of the application, noise and disturbance to residents in Covent Gardens
- 8.11 To the far west and south of the site are residential and commercial properties on Covent Gardens and given the separation distance of 15m from these properties to the application site and the proposed design of the flats with canted windows to divert views away from Covent Gardens properties, then I do not consider there to be issue of overlooking or loss of privacy or noise and disturbance to warrant refusal of the application.
- 8.12 Implementation of this proposal would result in additional residential occupiers using the shared gate which encloses the rear yard area between the site and Nos. 5 and 7 Covent Garden. The occupiers of commercial premises which use this yard have raised concerns that such future occupiers will not be conscientious about the security of this gate. I understand their concerns, especially given the past history of significant anti-social behaviour in this yard. However, the occupiers of the proposed dwellings will have the protection of their own property as an incentive to respect the security of the gate, and I am of the view that the increase in natural surveillance provided by the new units will outweigh any dilution of security resulting from a greater number of users. In my view, a condition requiring a management plan for the security of the yard area is necessary to ensure there is no harmful impact. The issue of health and safety is not a planning matter.
- 8.13 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

- 8.14 The application follows a previously withdrawn scheme (13/0113/FUL) and now has addressed previous concerns with

residential access at the rear of the site and adequate provision of bins and bicycles within the site. The Landscape Officer has expressed concern that the roof garden will not have adequate sunlight. I acknowledge that the space will be enclosed on all of its sides and in shadow, but my opinion that for a tightly constrained site as this any private or communal space is a bonus. It is within close walking distance of Parker's Piece.

- 8.15 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

- 8.16 The application follows a previously withdrawn scheme (13/0113/FUL) and now has addressed previous concerns with adequate provision of bins for each use within the site.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

Car Parking

- 8.18 There is no additional parking provision and given the town centre location with adequate public transport in the area then this would be acceptable. I attach the informative on Residents' Permits as recommended by the Highway Officer.

Cycle Parking

- 8.19 The application has adequate provision of 12 bicycles within the rear of the site.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.21 There is a condition for hours of construction noise. There is a condition for noise.

- 8.22 There is a condition on security in the parking area and this is addressed also in paragraph 8.12.
- 8.23 The application forms states there is no change in the parking of 3 cars as the existing situation.
- 8.24 Representations indicate concerns that the Design and Access Statement is inaccurate about the extent to which neighbour consultations have taken place. However, neighbour notification has taken place as a part of the application process, and site notices have been posted. I am satisfied that proper publicity about the application has occurred.

Planning Obligations

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

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

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

Open Space

- 8.26 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or

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

- 8.27 The application proposes the erection of 1 three-bedroom maisonette and 2 two-bedroom maisonettes. 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	1	714
4-bed	4	238	952		
Total					1666

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	1	807
4-bed	4	269	1076		
Total					1883

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such	Total £

				units	
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484	2	968
3-bed	3	242	726	1	726
4-bed	4	242	968		
Total					1694

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	1	948
4-bed	4	316	1264		
Total					2212

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

Community Development

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

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	2	2512
3-bed	1882	1	1882
4-bed	1882		
Total			4394

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

Waste

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

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	3	450
Total			450

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

Monitoring

- 8.33 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

- 8.34 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 RECOMMENDATION

1. APPROVE subject to the satisfactory completion of the s106 agreement by 11 October 2013 and subject to the following conditions:

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

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

2. 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. Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

4. 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 by the local planning authority. 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)

5. Prior to the commencement of development, large scale drawings of details of new sills, lintels, jambs, transoms, mullions, thresholds, etc. shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area. (Cambridge Local Plan 2006 policies 3/12 and 4/11).

6. Full details, in terms of materials, fixing, surface finish & colour, of all new metalwork [stairs, balustrades, grilles, railings, brackets, window frames, columns, etc.] are to be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

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

7. 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)

8. 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)

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

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

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

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

11. The units hereby permitted shall not be occupied until the cycle parking and waste storage facilities shown in the approved drawings have been put in place in full. These facilities shall be retained permanently, and the space assigned to waste and cycle storage shall not be used for any other purposes.

Reason: To protect the amenity of the adjoining properties, and to ensure appropriate waste and cycle storage. (Cambridge Local Plan 2006 policies 3/4, 3/14 and 8/6)

12. The units hereby approved shall not be occupied until a management plan for the security of the rear yard has been submitted to, and approved in writing by, the local planning authority. The management plan shall indicate the measures to be adopted to secure the yard area, and the mechanisms to ensure these measures are effective. Occupation of the residential units shall be only in accordance with the agreed management plan.

Reason: To protect the amenity of the adjoining properties, and to minimise the threat or perceived threat of crime, and protect community safety. (Cambridge Local Plan 2006 policies 3/4, 3/7 and 3/12)

13. No work shall start on the application site until full detailed landscape proposals for the roof garden, to include detailed planting plans (including plant schedule with size, spacing and densities of proposed plants) and all hard surfacing materials, furniture, boundary treatments, lighting etc. are submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character of the surrounding area. (Cambridge Local Plan 2006 3/4.)

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

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

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

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

INFORMATIVE: Housing Health & Safety Rating System (HHSRS). The Housing Act 2004 introduces the Housing Health & Safety Rating System 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 housing standards at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS.

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. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

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 11 October 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):

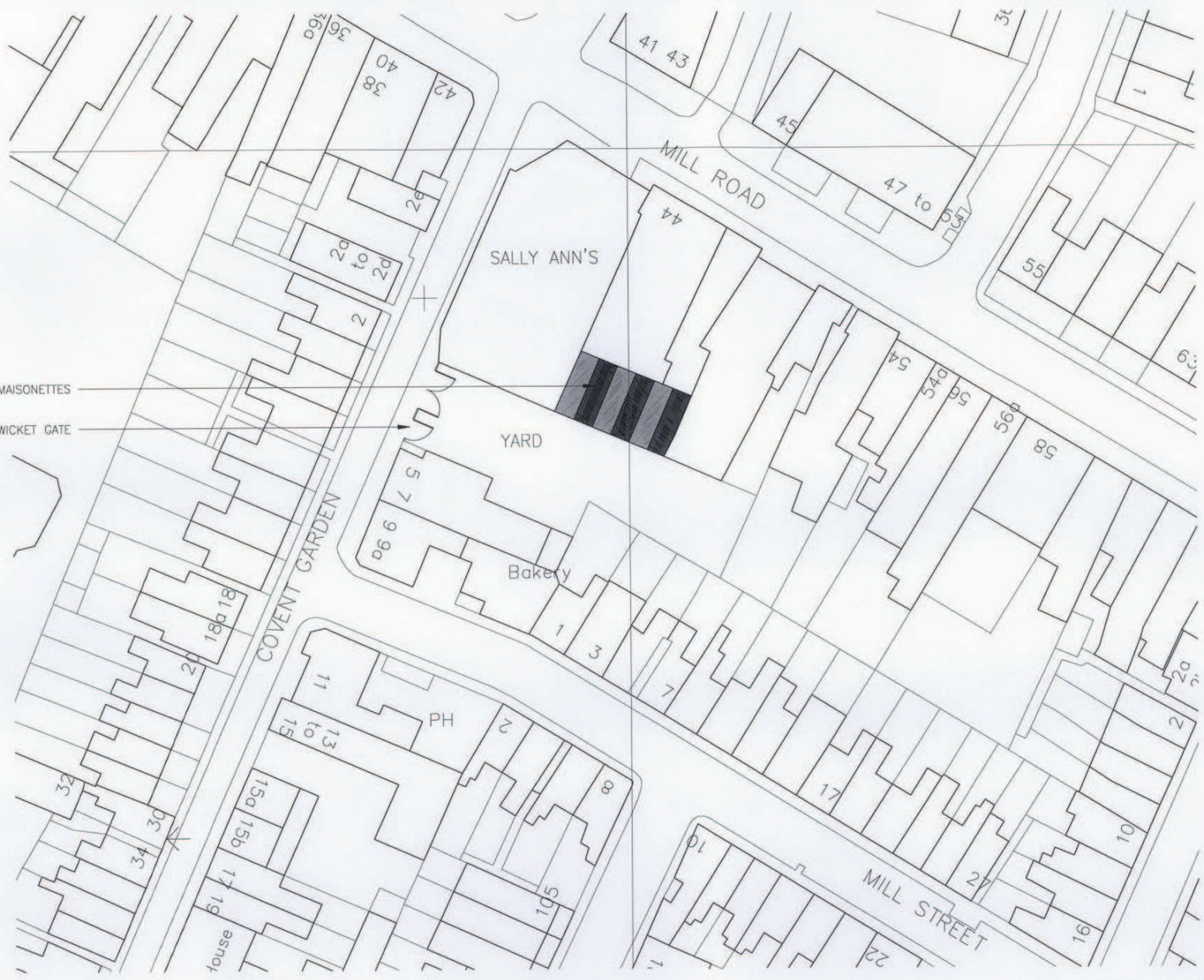
The proposed development does not make appropriate provision for public open space, community development facilities, waste facilities, waste management and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/5, 5/14, 8/3 and 10/1, Cambridgeshire and Peterborough Structure 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

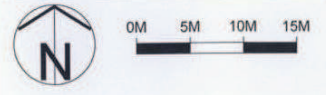
Determined under delegated powers by:

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3 NEW MAISONNETTES
 NEW WICKET GATE



- NOTE
1. DRAWINGS MUST NOT BE SCALED; WORK ONLY TO FIGURED DIMENSIONS
 2. CHECK ALL DIMENSIONS ON SITE BEFORE ORDERING MATERIALS OR PUTTING WORK IN HAND
 3. SHOP DRAWINGS OF MANUFACTURED ITEMS MUST BE APPROVED BY THE ARCHITECTS BEFORE WORK IS PUT IN HAND
 4. DIMENSIONS MUST BE VERIFIED ON SITE BEFORE PREPARATION OF SHOP DRAWINGS
 5. THE ARCHITECT MUST BE NOTIFIED OF ANY DISCREPANCIES IMMEDIATELY
 6. IF IN DOUBT ASK!



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PLANNING

drawing title Block Plan		FREELAND REES ROBERTS ARCHITECTS 25 City Road, Cambridge CB1 1DP tel 01223 366555 fax 01223 312882 info@frrarchitects.co.uk			
client Mr K Brahmbatt	job title 44 Mill Road New Building	scale 1:500@A3	drawn TRR	date Jan 13	sheet/layout number 12.027-SP-103
					rev -

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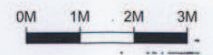
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PLANNING

drawing title Perspective View		FREELAND REES ROBERTS ARCHITECTS 25 City Road, Cambridge CB1 1DP tel 01223 366555 fax 01223 312882 info@frarchitects.co.uk				
client Mr K Brahmatt	job title 44 Mill Road New Building	scale NTS @A3	drawn TRR	date Jan 13	sheet/layout number 12.027-SZ-401	rev -

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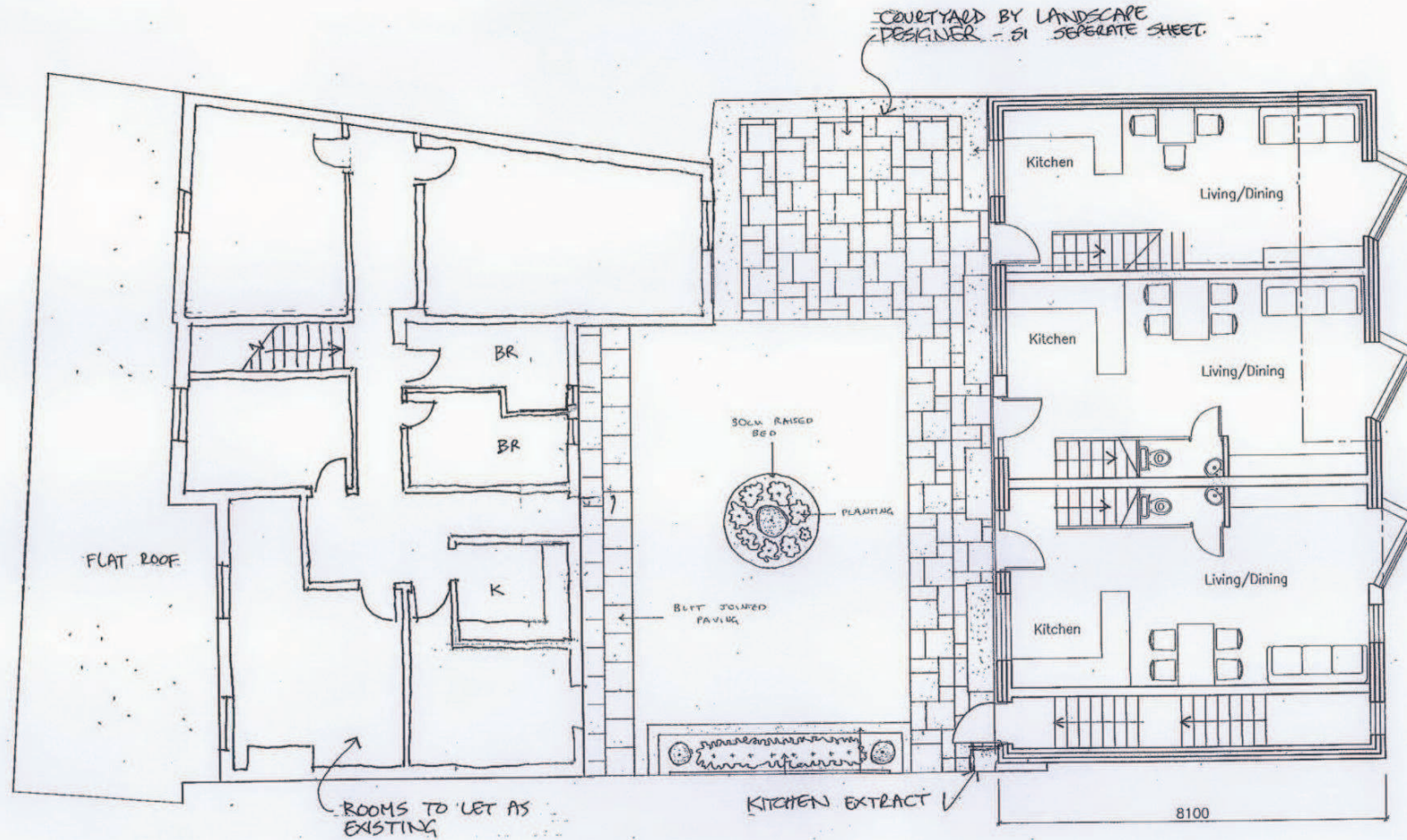


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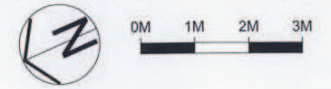
PLANNING

drawing title Elevation As Proposed		FREELAND REES ROBERTS ARCHITECTS 25 City Road, Cambridge CB1 1DP tel 01223 366555 fax 01223 312882 info@frarchitects.co.uk				
client Mr K Brahmatt	job title 44 Mill Road New Building	scale 1:100@A3	drawn TRR	date Jan 13	sheet/layout number 12.027-SE-101	rev -

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client
 Mr K Brahmatt

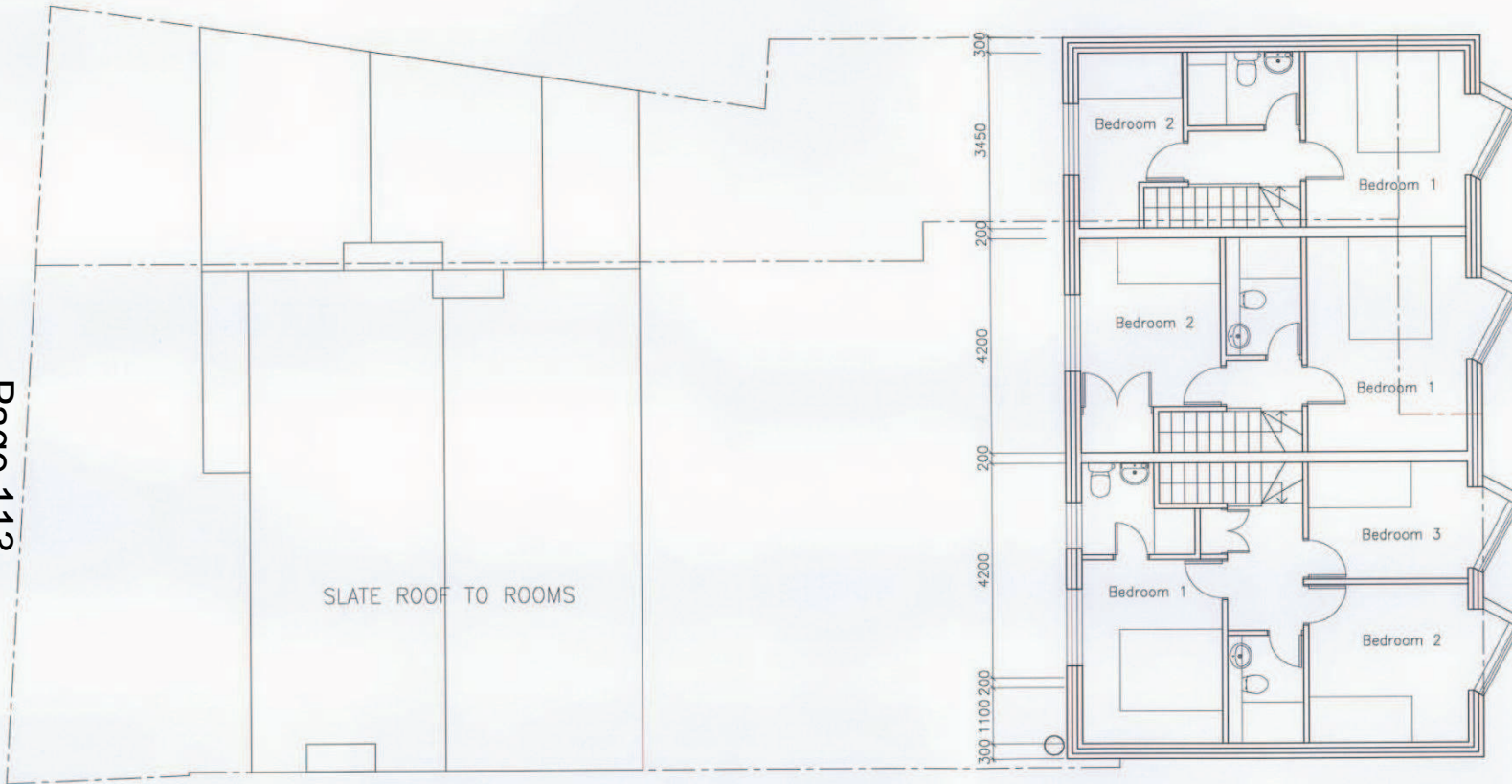
job title
 44 Mill Road
 New Building

drawing title
 Proposed First Floor Plan

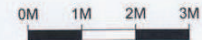
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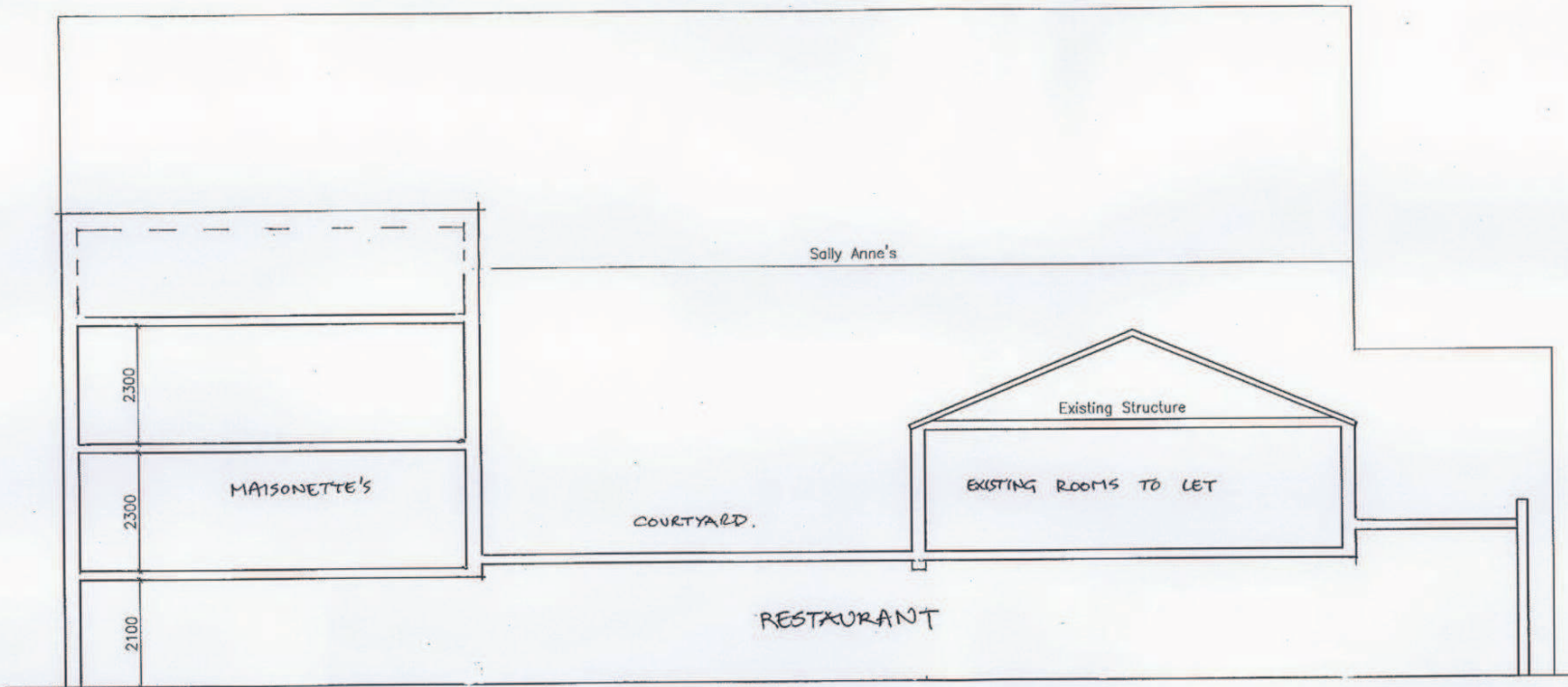
job title
**44 Mill Road
 New Building**

drawing title
Proposed Second Floor Plan

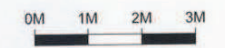
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client
 Mr K Brahmatt

job title
 44 Mill Road
 New Building

drawing title
 Section
 As Proposed

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1:100 @A3	YH	Aug 12

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