



**EAST AREA COMMITTEE**  
**CHAIR COUNCILLOR KEVIN BLENCOWE**



**AGENDA**

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

**County Councillors:** Bourke, Harrison, Sadiq and Sedgwick-Jell

*Dispatched: Wednesday, 7 December 2011*

**Date:** Thursday, 15 December 2011

**Time:** 7.00 pm

**Venue:** Meeting Room - Cherry Trees Day Centre

**Contact:** James Goddard **Direct Dial:** 01223 457015

**1 APOLOGIES FOR ABSENCE 7:00 PM**

**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 1 - 28*)

To confirm the minutes of the meetings held on 25 and 27 October 2011.  
(*Pages 1 - 28*)

**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://www.cambridge.gov.uk/democracy/ieListMeetings.aspx?Committeeld=147>

## **OPEN FORUM: TURN UP AND HAVE YOUR SAY ABOUT NON-AGENDA ITEMS**

Committee Manager Note: Timetable Open Forum for 30 mins

- 5 OPEN FORUM 7:15 PM**  
Refer to the 'Information for the Public' section for rules on speaking.

## **ITEMS FOR DECISION / DISCUSSION INCLUDING PUBLIC INPUT**

- 6 POLICING AND SAFER NEIGHBOURHOODS (Pages 29 - 48) 7:45 PM**

- 7 EAST AND SOUTH CORRIDOR FUNDING (Pages 49 - 56) 8:15 PM**

**Intermission 8:45 PM**

- 8 APPROACH FROM SAINSBURYS FOR THE CITY COUNCIL TO DEDICATE LAND AT 103 MILL ROAD FOR USE AS A LOADING BAY (Pages 57 - 62) 9:00 PM**

- 9 ALTERNATIVE FUTURE ARRANGEMENTS FOR EAC MEETINGS 9:30 PM**

Oral report from Democratic Services Manager on lessons / ideas from the North Area pilot, to prompt a discussion in response to Councillor Pogonowski's proposal to discuss alternative future arrangements for EAC meetings.

- 10 MEETING DATES 2012/13 (Pages 63 - 66) 10:00 PM**

2012/2013 dates for approval:

14 June 2012, 16 August 2012, 18 October 2012, 13 December 2012, 7 February 2013, 11 April 2013

Indicative 2013/2014 dates for information:

13 June 2013, 15 August 2013, 17 October 2013, 12 December 2013, 6 February 2014 and 3 April 2014 (*Pages 63 - 66*)

## **PLANNING ITEMS**

### **11 PLANNING APPLICATIONS**

**10:10 PM**

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.

- 11a 11/0664/EXP: 187 Cherry Hinton Road (*Pages 67 - 120*)
- 11b 11/0535/FUL: 14 Emery Street (*Pages 121 - 132*)
- 11c 11/1097/EXP: 71-73 New Street (*Pages 133 - 166*)
- 11d 11/0872/FUL: 292 Mill Road (*Pages 167 - 194*)
- 11e 11/0288/FUL: 15 Swann's Road (*Pages 195 - 248*)

## INFORMATION FOR THE PUBLIC

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 - see also estimated times on the agenda.

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

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

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

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

**Filming, recording and photography** at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

## REPRESENTATIONS ON PLANNING APPLICATIONS

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

**Submission of late information** after the officer's report has been published is to be avoided. A written representation submitted to the Environment Department by a

member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report.

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

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

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

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

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

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

Additional information for public: City Council officers can also be emailed [firstname.lastname@cambridge.gov.uk](mailto:firstname.lastname@cambridge.gov.uk)

**Information (including contact details) of the Members of the City Council can be found from this page:**

<http://www.cambridge.gov.uk/democracy>

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**EAST AREA COMMITTEE**

25 October 2011

7.00 - 11.45 pm

**Present:** Councillors Blencowe (Chair), Brown, Hart, Herbert, Marchant-Daisley, Moghadas, Owers, Saunders, Smart, Bourke and Sadiq

County Councillors: Bourke and Sadiq

Councillor Bourke left after the vote on item 11/50/EACa

Councillor Sadiq left after the vote on item 11/50/EACb.

**Officers:** Glenn Burgess (Committee Manager), Tony Collins (Principal Planning Officer), Patsy Dell (Head of Planning Services), Sarah Dyer (City Development Manager), James Goddard (Committee Manager) and Martin Whelan (Committee Manager).

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**11/47/EAC Apologies For Absence**

Councillors Benstead, Harrison, Pogonowski, Sedgwick-Jell and Wright

**11/48/EAC Declarations Of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Saunders	11/50/EACa	Personal: Member of Cambridge Cycling Campaign

**11/49/EAC Re-Ordering Agenda**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

**11/50/EAC Planning Applications**

**11/50/EACa 11/0710/FUL - 103 Mill Road**

The Chair ruled that under 100B(4)(b) of the Local Government Act 1972 the late item from the Planning Officer be considered despite not being made publicly available for this committee five clear days prior to the meeting.

The items ruled-in were late objections from residents relating to 103 Mill Road. These were from:

- (i) Mr Hellawell (Cam Sight).
- (ii) Ms Deyermond (Mill Road Society)

The committee received an application for full planning permission.

The application sought approval for change of use from Pool Hall (Use Class D2) to a Sainsbury's Local Store (Use Class A1) together with external alterations.

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

- Mrs Brightman (Mill Road Society representative)
- Mr Lucas-Smith (Cambridge Cycling Campaign representative)
- Miss Preston
- Ms Grimshaw
- Mr Arain
- Mr Wood
- Mr Gosnell

The representations covered the following issues:

- (i) Local residents did not want a Sainsbury's shop in Mill Road. It was inappropriate for the area and would take away the areas' only leisure facility. WT's, the alternative facility proposed by Sainsbury's, was not located near enough; or accessible to; Mill Road residents (particularly those with disabilities).
- (ii) Sainsbury's would harm the character of Mill Road and lead to pedestrian plus vehicular traffic safety concerns.
- (iii) There were many existing independent food shops in Mill Road, which would be adversely affected by a Sainsbury's shop. Current shops had a symbiotic relationship to support each other's custom.



- (iv) Local Plan policy 6/1 required provision of leisure facilities. The closure of Mickey Flynn's would be detrimental to this. Speakers took issue with the suggested lack of demand for Mickey Flynn's.
- (v) Raised anticipated site delivery issues relating to traffic flow, safety, loading time and obstruction of traffic.
- (vi) Suggested the loading bay was unfit for purpose due to its size and impracticable delivery time windows.
- (vii) Concern over illegal use of parking bay.
- (viii) Concern over loss of pavement due to loading bay. Also parking on pavement by Sainsbury's shop users or delivery vehicles.

Mr Sellers (Sainsbury's) and Mr Murray (Mickey Flynn's) addressed the committee in support of the application.

A statement was read out on behalf of Rod Cantrill, Executive Councillor for Arts, Sports and Public Places. This clarified that the City Council would need to dedicate a piece of land required for the loading bay to the public highway, and this would be subject to consultation seeking local views on the request with regard to the impact of the proposal on the amenity value of the "open space".

Kilian Bourke (Romsey Ward County Councillor) addressed the committee about the application. He reiterated residents concerns regarding:

- (i) Loss of leisure facility.
- (ii) Traffic flow and congestion.
- (iii) Impact on vehicular and pedestrian safety, particularly due to loss of pavement.
- (iv) Illegal use of lay-by by people accessing shops other than Sainsbury's.
- (v) Delivery bay unfit for purpose.

Tariq Sadiq (Coleridge Ward County Councillor) addressed the committee about the application. He reiterated residents concerns regarding:

- (i) Delivery bay impracticable.
- (ii) Illegal use of lay-by by people accessing shops other than Sainsbury's.

The Committee:

**Resolved (by 8 votes to 1)** to reject the officer recommendation to approve the application.

The Chair decided that the reasons for refusal should be voted on and recorded separately.

**Resolved (by 5 votes to 4)** to refuse the application contrary to the officer recommendations for the following reason:

1. The proposal involves the loss of a leisure facility, which would not be relocated to premises of similar accessibility. Insufficient evidence is provided to demonstrate either that the leisure facility is no longer needed, or that the site is unsuitable for an alternative leisure use. The application is therefore contrary to policy 6/1 of the Cambridge Local Plan (2006) and to government guidance in policy EC13 of Planning Policy Statement 4 'Planning for Sustainable Economic Growth'.

**Resolved (by 8 votes to 0)** to refuse the application contrary to the officer recommendations for the following reason:

2. The pattern and intensity of deliveries required for Class A1 use on this site would create a potential hazard to highway safety, both on the carriageway and the footway. The proposed delivery bay would not eliminate the hazard, whose layout would itself create a potential hazard for pedestrians with impaired sight or limited mobility and those using wheelchairs and pushchairs. The proposal is therefore in conflict with Cambridge Local Plan (2006) policies 8/2, 8/4 and 8/9.

### **11/50/EACb 11/0613/FUL - Rear of 22 and 23 Kelvin Close**

The committee received an application for full planning permission.

The application sought approval for erection of 3 dwelling houses.

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

- Miss Quichley

The representation covered the following issues:

- (i) The principle of the development was inappropriate.
- (ii) Concern over loss of amenity for residents.
- (iii) Felt the car parking provision was impracticable.

- (iv) Concern that the development would exacerbate existing traffic flow issues.
- (v) Concerns about drainage and enforcement of conditions to discharge responsibility based on past experience.

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

Tariq Sadiq (Coleridge Ward County Councillor) addressed the committee about the application.

- (i) Expressed concern about site access for construction traffic. Queried if this was this practicable.
- (ii) Referred to paragraph 8.24 of the Officer's report and queried impact of the development on traffic control measures in the area, particularly in light of anticipated multiple car ownership per household.

Councillor Moghadas proposed an amendment that considerate construction scheme conditions should be included if the application went ahead.

This amendment was carried unanimously.

#### The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda subject to completion of the section 106 Agreement by 30 November 2011 and the following additional condition:

11. 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).

### Reasons for Approval

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

East of England plan 2008: SS1, H1, T1, T9, T14, ENV7 and WM6.

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/9, 3/12, 4/13, 5/1, 8/2, 8/6, 8/10, 8/18.

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

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

### **11/50/EACc 11/0865/CAC - Anglia Property Preservation 1 Great Eastern Street**

The committee received an application for full planning permission.

The application sought approval for demolition of existing rear outbuildings.

The committee received representations as set out in 11/50/EACc below.

### The Committee:

**Resolved (unanimously)** to reject the officer recommendation to approve the application.

**Resolved (unanimously)** to refuse the application contrary to the officer recommendations for the following reason:

The loss of the existing building from this site and the failure to replace it with an appropriate form of development would neither enhance nor preserve the character and appearance of the Conservation Area. The failure to provide detailed plans for redevelopment of the site that are acceptable to the Local Planning Authority, as is the case here, means that the demolition of the building is contrary to policy 4/11 of the Cambridge Local Plan 2006 and to advice provided by PPS5 Planning for the Historic Environment (2010).

### **11/50/EACd 11/0351/FUL - Anglia Property Preservation 1 Great Eastern Street**

The committee received an application for full planning permission.

The application sought approval for change of use and side extension to the frontage building from an office to create 2 no 1 bed flats; and erection of 6 studio apartments at the rear (following demolition of existing rear buildings), together with associated infrastructure.

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

- Mrs Wright
- Miss Kennedy

The representations covered the following issues:

- (i) Sought clarification concerning details in the Officer's report.
- (ii) Expressed car parking concerns and asked for a residents parking scheme to be introduced if the application went ahead.
- (iii) Concern regarding over development of site.
- (iv) Arboricultural concerns.
- (v) Referred to degree of public opposition to development.
- (vi) Suggested proposal contravened Council Local Plan policies 3/4, 3/7, 3/10, 3/12, 3/14, 4/4, 4/11, 5/2 and 8/2.

- (vii) Suggested imposing a contaminated land condition to comply with policy 4/13 if the application went ahead.

Mr Bainton (Applicant's Agent) addressed the committee in support of the application.

The Committee:

**Resolved (unanimously)** to reject the officer recommendation to approve the application.

**Resolved (unanimously)** to refuse the application contrary to the officer recommendations for the following reasons:

- 1 The proposed development, by virtue of the footprint, scale, massing and elevational treatment of the two storey building at the rear of the site, fails to respond positively to the character of the surrounding area and represents overdevelopment of the site. In so doing the development also fails to provide an appropriate level of amenity space to meet the reasonable expectations of future occupiers of the studio apartments. The development is therefore contrary to policies ENV6 and ENV 7 of the East of England Plan 2008 and policies 3/4, 3/10 and 4/11 of the Cambridge Local Plan 2006 and to advice in Planning Policy Statement 1: Delivering Sustainable Development.
- 2 The proposed development is unacceptable in that the new, predominantly two-storey building, at the rear of the site, shown hard on the common boundary with and south and west of No. 5 and west of No. 3 Great Eastern Street, would unreasonably enclose and unduly dominate the rear of those properties, causing the occupiers to suffer an undue sense of enclosure that would materially erode and inappropriately diminish the level of residential amenity they should properly expect to enjoy. In so doing the development fails to respond positively to its context. The development is therefore contrary to East of England Plan 2008 policy ENV7, Cambridge Local Plan 2006 policies 3/4, 3/7, and 3/12, and is contrary to advice in Planning Policy Statement 1: Delivering Sustainable Development.
3. The proposed development of the south-facing, single aspect, predominantly two-storey block of six flats at the rear of the site will create too close and too uncomfortable a relationship with mature protected trees (especially Tree Survey Tree 1 - ailanthus altissima –

Tree of Heaven), immediately to the south of the site, which make a significant contribution to the amenity of the area and to the setting of Mill Road. The proposal has an unacceptable impact upon Tree 1 in particular, into the canopy and tree root protection area of which the new building would intrude. The consequence of this siting and relationship would require frequent lopping or management of that tree, which would be to its detriment, and would also be likely to lead to requests for future reduction in tree cover more generally to improve the amenity of the prospective occupiers. Erosion of the tree cover would be likely to be detrimental to the tree and the importance it has in this part of the Mill Road area of City of Cambridge Conservation Area 1 (Central). The failure to adequately safeguard the future of the Tree of Heaven, which is of significant amenity value, is contrary to East of England Plan 2008 policy ENV7 and Cambridge Local Plan policy 3/4, 4/4 and 4/11.

4. The proposed development does not make appropriate provision for open space/sports facilities, community development, education, waste facilities or monitoring, in accordance with policies 3/7, 3/8, 3/12, 5/14, and 10/1 of the Cambridge Local Plan 2006 and policies P6/1, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010 and in the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010).

#### **11/50/EACe 11/0066/FUL - 1 Hemingford Road**

This item was deferred to Thursday 27 October 2011.

#### **11/50/EACf 10/1030/FUL - 1 Hemingford Road**

This item was deferred to Thursday 27 October 2011.

#### **11/50/EACg 11/0201/FUL - 1 Hemingford Road**

This item was deferred to Thursday 27 October 2011.

#### **11/50/EAC h 11/0664/EXP - 187 Cherry Hinton Road**

This item was deferred to Thursday 27 October 2011.

**11/50/EACi 11/0659/FUL - 25 Romsey Road**

This item was deferred to Thursday 27 October 2011.

**11/51/EAC Meeting Adjourned**

The Committee resolved by 7 votes to 2 to adjourn and reconvene on Thursday 27 October to consider items 3e – 3i on the agenda plus community items.

The meeting ended at 11.45 pm

**CHAIR**



**EAST AREA COMMITTEE**

27 October 2011

7.00 - 10.51 pm

**Present:** Councillors Blencowe (Chair), Benstead, Brown, Herbert, Marchant-Daisley, Moghadas, Owers, Pogonowski, Saunders, Smart

County Councillor: Sadiq

**Officers:** Tony Collins (Principal Planning Officer), James Goddard (Committee Manager), Andrew Preston (Project Delivery & Environment Manager), Kulbir Singh (Advicehub Partnership Development Manager) and Trevor Woollams (Head of Community Development)

**FOR THE INFORMATION OF THE COUNCIL**
**11/52/EAC Apologies For Absence**

Councillors Bourke, Harrison, Hart, Sedgwick-Jell, Wright

**11/53/EAC Declarations Of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Herbert	11/59/EACd	Personal: spoke as Ward Councillor in previous iteration of application.  Did not participate in the decision making or vote.
Councillor Moghadas	11/61/EAC	Personal: Her children attend St Paul's Primary School
Councillor Brown	11/62/EAC	Personal: Wife is an advisor for Cambridge Advice Bureau
Councillor Moghadas	11/64/EAC	Personal: Resident of Greville Road

**11/54/EAC Minutes**

The minutes of the 18 August 2011 meeting were approved and signed as a correct record subject to the following amendment on page 7:

“The committee observed the Officer’s report contained a typographical error on P29 as Cheddars Lane was not in Abbey ward.”

### **11/55/EAC Matters & Actions Arising From The Minutes**

- (i) **11/39/EAC Matters and Actions Arising From the Minutes “Action Point: Head of New Communities Service (County) to bring future reports to EAC for review of potential projects that could be supported by East and South Corridor funding.”**

Committee Manger has invited Head of New Communities Service to 15 December 2011 EAC.

Head of New Communities Service to bring future reports to EAC for review of potential projects that could be supported by East and South Corridor funding.

- (ii) **11/40/EAC Open Forum “Action Point: Romsey Ward Councillors to respond to Mrs Richardson’s pavement concerns raised in ‘open forum’ section. Councillors to follow up with Highways Authority to ascertain who are the landowners with maintenance responsibility ie shop owners or Highways Authority.”**

Councillor Saunders said that Councillor Bourke had discussed this issue with the Highways Authority and improvements were underway.

- (iii) **11/40/EAC Open Forum “Action Point: Councillor Marchant-Daisley to respond to Mr White’s Hector Peterson playground concerns raised in ‘open forum’ section. Councillor Marchant-Daisley to liaise with environmental improvement officers.”**

Relevant officers were in the process of identifying funding for improvements.

- (iv) **11/40/EAC Open Forum “Action Point: Coleridge Ward Councillors to respond to Mr Woodburn’s bike rack concerns raised in ‘open forum’ section. Councillors to ascertain if cycle parking facilities removed as part of the Cherry Hinton Road Post Office environmental improvement project can be re-instated.”**

Councillor Owers has responded to Mr Woodburn. The Project Delivery & Environment Manager was addressing the issue. Cycle racks were expected to be implemented as the final part of the project.

- (v) **11/41/EAC ARU Parking in Guest Road “Action Point: ARU parking in Guest Road to be revisited at a future EAC meeting.”**

Councillor Blencowe has liaised with Councillor Harrison. Residents were invited to address this item through the public Open Forum at a future East Area Committee (EAC) if the issue persisted.

- (vi) **11/42/EAC Tree issues and Tree Protection Orders “Action Point: Green Space Manager to respond to Mr Catto’s Riverside Conservation Area tree concerns raised in ‘tree issue’ section. Green Space Manager to liaise with Mr Catto post EAC.”**

The Green Space Manager has responded to Mr Catto.

#### **11/56/EAC Open Forum**

1. **Mr Image queried the progress of implementing and maintaining of double yellow lines at the entrance to Ainsworth Place and Stone Street. He asked if the Highways Authority held the budget for this.**

Councillor Marchant-Daisley understood that implementing and maintaining double yellow lines for Ainsworth Place, Fairsford Place and Stone Street had been agreed as Environmental Improvement Projects.

Councillor Marchant-Daisley undertook to clarify with Project Delivery & Environment Manager the position concerning implementing and maintaining double yellow lines for Ainsworth Place, Fairsford Place and Stone Street Environmental Improvement Projects.

EAC returned to this question under agenda item 11/64/EAC.

2. **Mr Rogers asked if the City or County Council held budgetary responsibility for implementing flowerbeds in Whitehill Close, and contact details of a specific officer to liaise with concerning the flowerbeds.**

Councillor Pogonowski undertook to clarify with Project Delivery & Environment Manager the position concerning implementing flowerbeds in Whitehill Close, and contact details of a specific officer to liaise with.

EAC returned to this question under agenda item 11/64/EAC.

- 3. Mr Gawthrop raised resident's concerns about the length of EAC meetings:**
- (i) Expressed concerns about late finishing times.**
  - (ii) Suggested holding separate planning and community meetings.**
  - (iii) The current format did not reflect the needs of members of the public and so were not conducive to democracy.**

Councillors noted that local residents were unhappy with the length of EAC meetings and wanted shorter ones. Councillors also observed that the North Area Committee pilot was trialing different ways of working, and it was envisaged that good practice would be shared with other Area Committees. Examples of options included changing start times plus splitting planning and community meetings.

Councillor Pogonowski proposed to discuss future arrangements for EAC meetings at the next EAC meeting 15 December 2011.

**Action Point: EAC Councillors to discuss proposed alternative future arrangements for EAC meetings.**

- 4. Mr Taylor noted that planning application 11/0710/FUL 103 Mill Road (Sainsbury's) was a separate issue to the transfer of land to the public highway in order to facilitate access to a loading bay. He queried if the land transfer was still relevant, as the planning application had been turned down. If this is not the case, funding allocated for a public consultation could be reprioritised.**

Councillor Brown indicated that the process was still on going as Sainsbury's had the option to lodge an appeal.

**Action Point: Councillor Blencowe undertook to liaise with Councillor Cantrill (Executive Councillor for Arts, Sport and Public Places) to ask Sainsbury's to reaffirm their intention to seek a loading bay before any public consultation was conducted on the matter.**

5. **Mr Taylor referenced comments made by Councillor Blencowe at Council regarding his intention to seek section 30 dispersal powers in Norfolk Street and Burleigh Street. Mr Taylor suggested using alternative powers instead.**

Councillor Blencowe said that he would discuss the need for section 30 dispersal powers in Norfolk Street and Burleigh Street with Police Sergeant Stenton, to see if there was any evidence that they were required, prior to pursuing a request to implement them if appropriate.

6. **Mr Ousby, Ms Lindsay and Ms Owles raised points on behalf of Petersfield Area Community Trust (PACT):**
- **Funding was allocated to Petersfield in lieu of land at St Matthews School.**
  - **PACT noted that the funding had been allocated to the City Council by the County Council. This had gone into a general City Council pot, rather than a specific Petersfield fund.**
  - **As Petersfield residents, PACT questioned if they or others in the City would benefit from the funding.**
  - **The transfer of funding to a general City Council pot meant that several Petersfield community projects could no longer go ahead, which was of concern to PACT.**
  - **PACT suggested that the funding allocation process favoured faith group, rather than community group projects.**

Councillors Brown and Marchant-Daisley said that £55,000 of the funding would be spent in Petersfield ward. Councillors Blencowe and Marchant-Daisley undertook to clarify how the remaining £164,000 funding would be allocated.

**Action Point: Councillors Blencowe and Marchant-Daisley undertook to clarify how the £55,000 and £164,000 payments in lieu of land provision in Petersfield ward would be allocated. That is, in a ward specific or general fund.**

### **11/57/EAC Re-Ordering Agenda**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

## 11/58/EAC Planning Items

### 11/58/EACa 11/0066/FUL - 1 Hemingford Road

The committee received an application for full planning permission.

The application sought approval for retrospective application for the change of use from domestic dwelling C3 to HMO (House in Multiple Occupation) (sui generis).

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

- Mr Stentiford
- Mr Garstone

The representations covered the following issues:

- (i) Concerns that the application would exacerbate existing parking issues.
- (ii) Queried if the building was suitable for the application as more bedrooms were proposed than the current number of tenants. Queried if this would lead to an intensification of the site and be detrimental to the character of the area.
- (iii) Concerns about noise and impact on neighbouring amenities. Current residents of 1 Hemingford Road did not take sufficient care of the property's garden, which had a detrimental impact on neighbour's views. Current residents of 1 Hemingford Road also blocked the pavement with their bins. Any intensification of the site by granting the application would exacerbate these issues.
- (iv) Suggested that residents concerns about other applications in the area were pertinent to this one.
- (v) Queried suitability of access to the site.
- (vi) Suggested the application would be too tall and overshadow neighbours.
- (vii) Suggested there was a lack of cycle parking provision.

The Principal Planning Officer responded that:

- The application met appropriate planning policy parking standards.

- The dwelling was suitable for use as a house of multiple occupation (HMO) for 7 people or less. The precedent had been set by other properties in the area.
- Whilst management issues such as noise and poor garden maintenance could be material planning considerations, the current problems are largely a HMO management issue, and could be addressed by a suitable condition.
- Concerns regarding a lack of cycle parking provision could be addressed if a gate was put in the replacement fence.

### The Committee:

**Resolved (by 7 votes to 3)** to accept the officer recommendation to approve planning permission as per the agenda.

### Reasons for Approval

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

East of England plan 2008: ENV6, ENV7.

Cambridge Local Plan (2006): 3/4, 3/11, 4/11, 4/13, 5/1, 5/7, 8/2, 8/6.

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

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

### **11/58/EACb 10/1030/FUL - 1 Hemingford Road**

The committee received an application for full planning permission.

The application sought approval for a proposed single storey rear extension.

The committee received representations in objection (as set out above in 11/59/EACb) to the application from the following:

- Mr Stentiford
- Mr Garstone

Councillor Blencowe proposed an amendment that the HMO limit should explicitly say that only 7 people could occupy the property.

This amendment was carried unanimously.

#### The Committee:

**Resolved (by 6 votes to 3)** to accept the officer recommendation to approve planning permission as per the agenda without the necessity of a Section 106 agreement. Informative to be added to decision notice reminding applicant of upper limit of seven occupants for the extended building.

#### Reasons for Approval

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

East of England Plan 2008: ENV6, ENV7

Cambridge Local Plan (2006): 3/4, 3/7, 3/14, 4/11

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

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

**11/58/EACc 11/0201/FUL - 1 Hemingford Road**



The committee received an application for full planning permission.

The application sought approval for an annexe extension to provide 2 bedrooms, a studio and shower room with a link to the existing building.

Mr Carpenter (Applicant's Agent) addressed the committee in support of the application.

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

- Mr Stentiford
- Mr Garstone

The representations reiterated the following issues:

- (i) Concerns regarding views from neighbouring properties.
- (ii) The application sought more bedrooms than were required for existing tenants, which implied intensification of use.
- (iii) Application design out of character with neighbourhood.
- (iv) Concerns about parking, refuse arrangements and sustainability issues.

The Principal Planning Officer responded to Applicant and Objector comments by stating that the flat roof was one of various concerns with the application, hence the recommendation to refuse.

#### The Committee:

**Resolved (unanimously)** to accept the officer recommendation to refuse planning permission as per the agenda. Officers were asked to discuss planning obligation implications and seek approval from Chair and Spokes for approach to be taken on this issue in the event of appeal.

#### Reasons for Refusal

1. The proposed extension, by reason of its disproportionate length and scale and flat roof design, would result in a poorly designed extension, which does not reflect the form of the main house. The extension would dominate the relatively narrow garden area and would detract from both the character and appearance of the number 1 Hemingford Road and the

character and appearance of the Conservation Area which is a designated heritage asset and as such is contrary to policies ENV6 and ENV7 of the East of England Plan 2008 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/14, 4/11 and 5/7.

2. The proposed extension, by reason of its disproportionate length, scale, height on the common boundary of number 3 Hemingford Road, would result in an unneighbourly development creating an unreasonable sense of enclosure for number 3 Hemingford Road to the detriment of the amenities, which the occupiers of that property currently enjoy. As such the proposal has failed to respond positively to the site context and is poorly integrated, which in so doing is contrary to policies ENV6 and ENV7 of the East of England Plan 2008 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/14, 4/11 and 5/7.
3. The proposed extension provides insufficient external space, for both private amenity space and essential ancillary refuse and bicycle storage facilities for future occupiers. The amenity of bedrooms 1 and 2, which are served only by lightwells is also unacceptable. As such the design of the extension is poorly integrated with its context and is contrary to policies ENV6 and ENV7 of the East of England Plan 2008 and Cambridge Local Plan 2006 policies 3/4, 3/14 and 5/7.

### **11/58/EACd 11/0664/EXP - 187 Cherry Hinton Road**

The committee received an application for full planning permission.

The application sought approval for the demolition of 187 Cherry Hinton Road and the erection of a three storey house of flats in its place, together with the erection of 4 semi-detached houses at the northern end of the site in place of the garages. (An approved road off Cherry Hinton Road serves the houses and flats. 14 car parking spaces and 7 bicycle parking spaces will be provided).

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

- Mr Wigglesworth

The representation covered the following issues:

- (i) Expressed concerns about the application and over development of the site.
- (ii) Suggested that bike storage provision was insufficient in the previous and current applications.
- (iii) Queried if the plans in the Officer's report were accurate.
- (iv) Expressed concerns about refuse arrangements and storage areas.

Lewis Herbert (Ward Councillor for Coleridge) addressed the committee about the application.

- (i) Referenced concerns raised regarding the previous iteration of the application and stated these were still pertinent as they had not been addressed. Particularly with regard to the second access road, and rear properties having no gardens. It was felt the design may breach planning policy due to concerns relating to cycle provision, and lack of amenity space.
- (ii) Stated the Officer's report omitted pertinent information concerning maps, comments from objectors, plus the Planning Inspector comments relating to the previous and current applications.

#### The Committee:

**Resolved (by 9 votes to 0 - unanimously)** to defer the application until 15 December 2011 East Committee meeting because of insufficient information. Officers were asked to ensure that full drawings of the previously approved development were available on the website. Also that appropriate drawings, the previous decision notice, and the Inspector's decision letter were attached to the December agenda, plus to clarify the position about the access drive and the site boundary. This item would be taken as the first planning application at the next meeting.

Councillors Herbert withdrew from the discussion and did not participate in the decision making for this item.

#### **11/58/EACe 11/0659/FUL - 25 Romsey Road**

The committee received an application for full planning permission.

The application sought approval for erection of a three storey house on land next to 25 Romsey Road with parking space and refuse/cycle store.

The Principal Planning Officer proposed an amendment that 2 new conditions be inserted regarding planning obligation funding and the need for new drawings setting out window and door designs.

These amendments were carried unanimously.

The Committee:

**Resolved (unanimously)** to accept the officer recommendation to approve planning permission as per the agenda with the following additional conditions:

No development shall take place until clear drawings detailing the side elevation windows at a scale of 1:50 or greater have been submitted to and approved in writing by the local planning authority. Windows shall be installed only in accordance with the approved details.

Reason: To preserve the character and appearance of the conservation area. (East of England Plan (2008) policies ENV6 and ENV7 and Cambridge Local Plan (2006) policy 4/11)

Committee also agreed the following authority:

Unless prior agreement has been obtained from the Head of Planning and 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 31 December 2011 it is recommended that the application be refused for the following reason:

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

Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to

conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV6, ENV7.

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/11, 4/13, 5/1, 8/2, 8/6, 8/10, 10/1.

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

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### **11/59/EAC Items for Decision / Discussion Including Public Input**

#### **11/60/EAC Consultation on Capital Grant Application by Centre at St. Pauls**

The committee received a report from the Head of Community Development regarding an update of the Capital Grants Programme, plus an application by the Centre at St Pauls in Hills Road for consideration by the East Area Committee. To date, £410,602 has been committed from a capital budget of £800,000.

An update on the East Area Committee's Capital Grants Programme was shown in Appendix A of the Officer's report.

The grant application from the Centre at St.Pauls was for a contribution of £34,800 from the City Council to improve community facilities by modifying and upgrading the main hall. A project appraisal for the Centre at St.Pauls' application was shown in Appendix B of the Officer's report.

Members considered the grant application as set out in the Officer's report. The Head of Community Development responded to Member's questions about what the project and funding aimed to achieve.

Councillor Smart observed typographical errors in (P22) Appendix A of the Officer's report and asked for these to be amended.

**EAC resolved (unanimously)** to recommend to the Executive Councillor for Community Development and Health that a capital grant of £14,800 be awarded to the Centre at St Pauls for the improvement and refurbishment of their main hall, subject to compliance with the Council's legal agreement.

### **11/61/EAC Citizens Advice Bureau (CAB) Kiosk Location**

The committee received a report from the Advicehub Partnership Development Manager regarding implementing Advicehub touch screen kiosks in the East Area.

Kiosks were being implemented across Cambridgeshire. 14 Kiosks were in place at present, consultation was being undertaken on proposed locations for more. Suggested locations included council buildings (eg Mandela House), libraries, CAB buildings and community centres. Cambridge City Council has funded a total of 8 kiosks (Community Development Grants) to be sited in Cambridge city.

Advicehub was a National Lottery funded project to promote partnership working and improve the provision of advice to people, particularly if they could not meet advisors. Kiosk information could be 'personalised' to area needs to include details of local community and advice organisations.

Locations where kiosks were situated would be responsible for on-going maintenance costs when National Lottery funding ceased 2012. This was expected to be £700 - £1000 per year.

Posters in community buildings etc would advertise local kiosks, the CAB website provided a comprehensive list.

EAC were invited to suggest potential kiosk locations to the Advicehub Partnership Development Manager. Locations with high footfall were suggested. Kiosks could be moved between locations if one was found to be

unsuitable. The Advicehub Partnership Development Manager would visit proposed sites to ascertain their suitability.

**Action Point: EAC Councillors to suggest potential kiosk locations to the Advicehub Partnership Development Manager ([Kulbir@advicehub.org](mailto:Kulbir@advicehub.org)).**

### 11/62/EAC Community Development Grants

The committee received a report from the Chief Executive of Cambridgeshire Community Foundation regarding Community Development and Leisure Grants.

Members considered applications for grants as set out in the Officer's report. The Chief Executive of Cambridgeshire Community Foundation responded to member's questions about individual projects and what funding aimed to achieve.

The Chief Executive of Cambridgeshire Community Foundation undertook to provide Councillor Hart, Pogonowski and Wright with further information concerning the Little Bookworms project (ref WEB31987).

**Resolved (unanimously)** to approve the grant allocation as listed below Mill Road Winter Fair and East Barnwell Childminding Group.

Community Development current applications.				Available: £11,625	
CCF ID	Group	Project	Requested £	Recommended from Area Committee Grants £	
WEB 27551	Mill Road Winter Fair	purchase of signs for community fair.	850	850	
WEB 33372	East Barnwell Childminding Group	ride-on toys, scooters & sports equipment.	657	657	

### 11/63/EAC Environmental Improvement Programme

The committee received a report from the Project Delivery & Environment Manager regarding the Environmental Improvement Programme.

The County Council has recently made the decision to request commuted sums to fund their increased maintenance liabilities created by City Council funded projects within the highway.

This decision affected an existing Environmental Improvement Project that had been approved for delivery. Approval of further funding is therefore necessary to enable this project to be delivered.

The County Council has also approved a joint highways budget with the City Council to fund minor schemes within the highway.

East Area Committee has been delegated the £7000 share of the County Council's £25,000 total contribution, to prioritise schemes and provide match funding from their Environmental Improvement Programme (EIP) budget.

#### Existing Schemes: Progress

The Project Delivery & Environment Manager referred to progress on approved schemes as set out in his report.

- (i) No Waiting & 1hr Parking Restrictions (Coleridge Area).
- (ii) Ditton Walk/Newmarket Rd Planting.
- (iii) Riverside Railing Refurbishment.
- (iv) Silverwood Close and Whitehill Road Estate Verge Parking Prohibition.
- (v) Tree Planting on Chalmers Rd & Greville Rd.
- (vi) Stanley Rd/Garlic Row.
- (vii) Brooks Rd/Perne Rd Verge Parking Prohibition.

#### Existing Schemes That Require Decisions

Members considered a number of schemes put forward for consideration, a number of which required approval.

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

- (i) Noted Member's concerns regarding maintenance liabilities associated with the Chalmers Road and Greville Road Tree Planting Scheme.
- (ii) Details in the Officer's report regarding Ainsworth Place, Fairsford Place and Stone Street reflected information presented at the Area



Joint Committee, prior to funding being delegated to Area Committees. The Officer noted that residents now viewed these projects as priorities, which superseded previous comments to the contrary.

**Action Point: Project Delivery & Environment Manager to add Ainsworth Place, Fairsford Place and Stone Street EIPs to priority list for action.**

- (iii) Noted Councillor Pogonowski's request to add flowerbeds in Whitehill Close to the list of priorities for the next financial year as the list had closed for the current year.
- (iv) Noted Councillor Sadiq's request to add maintenance costs to future EIP reports.

**Action Point: Project Delivery & Environment Manager to add maintenance costs to future EIP reports.**

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

- (i) To select minor highway schemes, taking into account those identified in Appendix B of the officer's report (except Charles Street/Greville Road as this has already been funded), for further development and consultation, with a view to providing £7000 in match funding from the EIP budget.
- (ii) To defer until further information was available whether to fund a £11,235,84 commuted sum to the County Council for the increased maintenance liabilities associated with the Chalmers Road and Greville Road Tree Planting Scheme from the EIP budget, and revise other project budgets accordingly.
- (iii) To defer until further information was available whether to fund Ditton Walk/Newmarket Rd Planting, as this would be affected by the same maintenance considerations as the Chalmers Road and Greville Road Tree Planting Scheme.

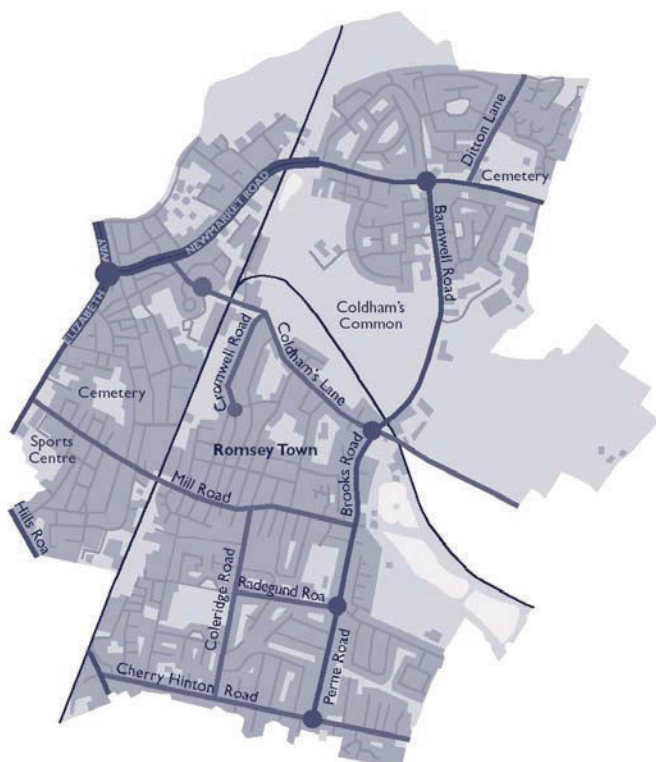
The meeting ended at 10.51 pm

**CHAIR**

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## Neighbourhood profile update Cambridge City East Neighbourhood

December 2011



**Steve Kerridge,**  
Neighbourhood Policing  
Inspector

**Lynda Kilkelly,** Safer  
Communities Manager,  
Cambridge City Council



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## 1. Introduction

### Aim

The aim of the Neighbourhood profile update is to provide an overview of action taken since the last reporting period, identify ongoing and emerging crime and disorder issues, and provide recommendations for future priorities and activity in order to facilitate effective policing and partnership working in the area. The document should be used to inform multi-agency neighbourhood panel meetings and neighbourhood policing teams, so that issues can be identified, effectively prioritised and partnership problem solving activity undertaken.

### Methodology

This document was produced using the following data sources:

- Crime data and incident data July 2011 – Oct 2011 and as a comparison data from March 2011 – June 2011 and July 2010 – Oct 2010
- Information from Neighbourhood Policing Team October 2011.
- Community intelligence.
- Environmental data from Cambridge City Council for the period July 2011 – October 2011, compared with the same period the previous year.

## 2. Previous Priorities & Engagement Activity

### Previous Priorities

At the neighbourhood panel meeting on 18<sup>th</sup> August 2011, the following issues were adopted as priorities. The tables below summarise action taken and the current situation regarding the priorities that were set:

<b>Misuse of Green Spaces</b>	
<b>Objective</b>	<b>To reduce seasonal crime and disorder in green spaces across the neighbourhood.</b>
<b>Action Taken</b>	<p>This action plan ran until 5<sup>th</sup> October 2011 and involved 16 hours of combined constable and PCSO dedicated patrols. Constable patrols were conducted both covertly in plain clothes and in high visibility. PCSO patrols were always conducted in high visibility and either on pedal cycle or on foot.</p> <p>Slightly prior to this action plan commencing we became aware of regular reports of drug dealing in the green spaces. These reports continued into this action plan period and, excluding Mill Road, they were the only frequently reported types of ASB and crime in the green spaces.</p> <p>During regular patrols officers and PCSOs managed to arrest 3 drug dealers, one drug dealer was detained by a PCSO in Coleridge Recreation ground after being observed in suspicious circumstances. Officers attended the location and took the male back to Parkside Station for a strip search which revealed a quantity of crack cocaine hidden on his person. Further enquiries found another linked male within a local bed and breakfast with a large quantity of cash and heroin in the room. Both were charged with being concerned in the supply of class A drugs and were bailed to court with conditions not to enter Cambridge city.</p> <p>A week later a suspected drug deal was observed by officers conducting covert patrols in Coldhams Lane skate park and after a foot chase and a struggle the officers detained both males and recovered wraps of heroin from inside one of their mouths. There was not enough evidence to charge either with supplying drugs but one was charged and the other cautioned for possessing heroin.</p> <p>We continued to receive reports of drug dealing in our green</p>

	<p>spaces, which led us to form Operation Significance whereby your East Neighbourhood Team applied for additional assistance from CID and the divisional proactive team to tackle this issue. We cannot for obvious reasons reveal too many details of our tactics but we can say that 8 officers were dedicated to patrol covertly our green spaces for 3 days. Due to the results we were achieving, these days were generally 16-18 hour working days for all involved.</p> <p>During this operation we managed to arrest 8 suspected drug dealers, conducted 7 drugs raids, seize £6735 cash, 12.446 grams of crack cocaine and 41.032 grams of heroin. The street value of these drugs will be in the region of £3,200. The majority of the drug dealers arrested were London based and using the Bail Act have been banned from Cambridge city pending the conclusion of our investigations or their trials.</p> <p>Reports of drug dealing in our green spaces have now completely subsided and drug dealers know these are 'no go' areas for their business.</p>
<b>Current Situation</b>	Reports of anti-social behaviour and criminality in our green spaces have reduced considerable since the drug work activity that occurred very early into this reporting period. It is expected that these low levels will remain the during the coming winter months.
<b>Continue or Discharge?</b>	Discharge.

<b>Anti-Social Use of Mopeds</b>	
<b>Objective</b>	<b>Reduce the impact of anti-social use of mopeds: Coleridge Ward</b>
<b>Action Taken</b>	<p>Soon after this action plan was received the East Neighbourhood Team put an article in the local paper highlighting the problem to local residents. The article asked members of the public to provide registration numbers of offending mopeds to the police so appropriate action could be taken. The plan involved this tactic being supported by regular patrols, partnership working and community engagement.</p> <p>The public appeal had immediate success with many members of the public reporting anti-social use of mopeds and providing</p>

	<p>us with statements evidencing the behaviour. This allowed us to issue warnings under s59 of the Police Reform Act 2002, which informed riders/drivers that a reoccurrence of anti-social driving would result in us seizing their motor vehicle. Where there was a second occurrence we gathered the evidence and seized the offending vehicle, often taking other enforcement action such as reporting the individual for road traffic offences. We dealt with repeat offenders via a multi agency approach, working with housing agencies to enforce tenancy regulations and with the city council's ASB team.</p> <p>We also helped support a street surgery in the area with the city council and housing agencies whereby we gathered a range of information on local issues. The general consensus was that although things had dramatically improved in the area there were still issues to be resolved and individuals to be dealt with.</p> <p>In total we conducted 31 hours of dedicated high visibility patrols. Issued 20 s59 warnings, seized 7 mopeds, reported 3 drivers for driving without due care and attention and no MOT, issued 4 tenancy warning letters and worked very closely with an identified problem address to deal with persistent ASB problems.</p> <p>We have received very positive feedback from the public about this action plan and the following is an extract from one letter sent to the city council:</p> <p>"There most definitely has been a massive improvement, in reality it has been a total transformation. I can sleep at night. The mopeds do still make noise from time to time, but far less frequently and seem to realise the time that people go to bed and respect that. I think your team and the police have done a fantastic job, the improvement has been far greater and immensely faster than I could have hoped for and I hope you share this praise with those you are working with, you really have all done well."</p>
<p><b>Current Situation</b></p>	<p>Reports of ASB motorcycling in this area have consistently decreased during this action plan but we are still contacted occasionally to report issues in the area. We are currently trying to locate two further mopeds that need seizing due to anti-social driving.</p>

	<p>It is appreciated that whilst the noise levels emitted by the vast majority of mopeds are within permitted limits, the affect of such noise in residential communities when most people are sleeping can be particularly irritating.</p> <p>Officers will continue to engage with riders to raise awareness and appeal to them for the need to show consideration to affected communities.</p>
<p><b>Continue or Discharge?</b></p>	<p>For discussion.</p>

<p><b>Speeding in Mill Road</b></p>	
<p><b>Objective</b></p>	<p><b>Apply interventions that encourage driver compliance with the new 20mph limit in Mill Road</b></p>
<p><b>Action Taken</b></p>	<p>During this action plan PCSOs initially engaged in an education campaign in the local area, engaging with local businesses and to highlight to the community that we would be taken action in response to the concerns raised. This received positive feedback.</p> <p>PCSOs then began conducting high visibility speed checks on Mill Road. The environment does create difficulties when undertaking speed checks and the safety of all road users and staff involved are key considerations as to where and when checks take place. It is therefore not possible to meet all expectations.</p> <p>The speed checks were conducted at varying times of the day and night but always between 08:00 hours and 24:00 hours. In total 16 hours of dedicated time was spent checking vehicle speeds in the 20 mph limit. In this time many vehicles were checked but only 27 were speeding, the majority of which were driving at 24mph or under. Only 2 were found to be driving over 30mph. All speeding drivers were spoken with.</p> <p>On 30<sup>th</sup> November a period of enforcement work was completed by non-neighbourhood officers as part of an overall plan to encourage driver compliance with the 20mph limit throughout the city. The results were as follows:</p> <p>Between 20:45 and 22:15, five officers and a supervisor were engaged in checks.</p>



	<p>15+ vehicle stops made and drivers warned for exceeding speed limit and travelling within the 20-30mph range.</p> <p>1 Fixed Penalty Notice issued for not wearing a seatbelt.</p> <p>1 arrest for driving under the influence of alcohol.</p> <p>1 arrest for possession of cannabis with intent to supply.</p> <p>5 stop searches.</p>
<b>Current Situation</b>	<p>The checks that have taken place to date do not show large numbers of drivers being identified as exceeding the 20mph limit. However, it is appreciated that checks are carried out by highly visible uniformed staff that are likely to be seen from a distance that allows drivers to reduce their speed before being registered by the operator. It should therefore not come as a surprise that the number of vehicles identified as meeting the prosecution threshold will be very low.</p> <p>Whilst it is noted that Mill Road has a concerning accident record it is not on a scale that meets the criteria for deployment of a less visible safety camera van.</p> <p>The value of such checks is difficult to assess but they clearly have a role. However, if they continue to be the only tactic to encourage compliance, meeting public expectation will be difficult to achieve. Further debate is welcomed.</p>
<b>Continue or Discharge?</b>	For discussion.

<b>Drug dealing and related ASB in Norfolk Street and surrounding area.</b>	
<b>Objective</b>	Reduce drug and alcohol related ASB.
<b>Action Taken</b>	<p>A total of 60 hours dedicated high visibility patrol time has been spent on this action plan since it was agreed. Both police constables and PCSOs have been engaged on this activity and have challenged inappropriate behaviour, crime and ASB where appropriate. A focused engagement policy was adopted whereby officers and PCSOs would engage with street drinking groups regularly. Where appropriate groups were moved on and asked to clear up litter before doing so. In many cases street drinking groups were not doing anything wrong.</p> <p>Engagement has shown that many of these street drinkers leave hostel accommodation in the mornings and locate themselves near to St. Matthews School. Their presence alone</p>

	<p>can cause alarm to parents and children and other members of the local community.</p> <p>Officers have also covertly patrolled this area regularly, most notably during Operation Significance, which is described above. As with other green spaces in the city we did have several reports of drug dealing in Mill Road cemetery and York Street play park. We made two proactive arrests of suspected drug dealers. One drug dealer who brandished a knife at a police officer soon discarded it and ran off. He was caught and arrested. A drugs warrant was then conducted at an address in the area and a quantity of heroin and crack cocaine was recovered with some cash proceeds of crime. This offender was sentenced to 3 months in prison for the knife offence (drugs investigation is ongoing) and will be banned from Cambridge upon his release. The other drug dealer was found to be in possession of a knife but no drugs. He was charged and again banned from Cambridge using conditions available through the Bail Act.</p> <p>Numerous groups of street life were dispersed during this period however officers and PCSOs often found that groups were not doing anything wrong, either criminally or anti-socially. However, the reaction to these people was often one of fear or annoyance.</p> <p>During this priority officers have conducted 17 stop checks, 11 stop searches, made one arrest for stealing a cycle, issued 3 penalty notices for possessing cannabis, issued 3 penalty notices for unnecessary obstruction of the pavement and made several other arrests. We have also engaged regularly with local off licences and licensed premises and have worked with the licensing department to ensure licences are being adhered to.</p> <p>A temporary CCTV camera was deployed to the shop area on Norfolk Street which often gave us advance warning of potential ASB so problems were addressed at an early stage minimising the impact on the community.</p>
<p><b>Current Situation</b></p>	<p>We initially saw a strong decrease in anti-social behaviour and criminality in the area once the above described drug dealers had been dealt with. The groups of street life became smaller and more drink orientated.</p>

	Reports of anti-social behaviour and other qualitative information would suggest that ASB is still an issue in the area, despite a fall in crime and significant police engagement. Residents are still very aware of the large street drinking population that gathers in the area and regularly report such groups for police attention.
<b>Continue or Discharge?</b>	Continue

### Engagement Activity

There had been large amounts of ASB and associated low-level crime around the Barnwell Community Centre. The Abbey officers engaged regularly with both staff and users of the community centre and the nursery and with the youths concerned. We are happy to report a substantial decrease in ASB in the area. It has also been arranged for offenders serving their sentence with community orders to conduct some refurbishment work in the area such as painting, decorating, cleaning and gardening.

Some good work by local officers identified and led to the arrest of two males who had placed skimming devices at cash points along Mill Road. We received 6 complaints of this crime within one month and in response we worked with local businesses to install cameras that in turn took pictures of the offenders. They were then spotted and arrested by officers on patrol.

The city has seen a rise in vehicle crime in the last few weeks, which has led to officers working on a dedicated team in order to catch the offenders. Please ensure valuables are kept out of your vehicles and remain vigilant to suspicious activity.

In August officers from the East team recovered £13,000 of high purity cocaine which when mixed could have yielded £30,000 - £40,000 of street value cocaine. We received some 'hot' community intelligence, which was acted upon by conducting a drugs search warrant. Two males were in the property, both known class A drugs suppliers and importers. Despite their attempts to obstruct officers, entry was gained, evidence recovered and both men arrested. We are pleased to report they have been convicted following a weeklong trial and have been sentenced to 17 years imprisonment between them.

### 3. Emerging Issues

#### Cambridge East Trends

Offence levels across the neighbourhood have decreased compared last period (1090 offences vs. 1117 offences) and also decreased compared to the same period last year (1386 offences).

ASB incidents across the neighbourhood have decreased with 739 incidents this period compared to 755 last period and 821 in the same period last year.

Please note that when this section was completed data for November was not available. This will be available at the meeting.

#### Abbey Ward

- Total crime in Abbey Ward decreased compared to the previous four months (344 offences vs. 386 offences) and also decreased compared to the same period last year (388 offences).
- Dwelling burglary offences have decreased with 13 offences in this period compared to 17 in the last period and 32 in the same period last year. Of 5 of these offences offenders have gained entry through insecure windows or doors.
- There were 10 burglary other offences in this period compared to 19 offences in the previous period and 10 offences in the same period last year. Half of these offences involved sheds being broken in to and various items stolen.
- Violent crime offences have decreased to 82 offences from 91 offences in the previous period and 80 offences in the same period last year. Offenders were arrested and charged in 43 of these offences.
- Theft from vehicle offences have remained stable to the previous period (18 offences for both) and decreased compared to the same period last year (36 offences). Common items stolen were index plates, satellite navigation systems and catalytic converters.
- Theft from shop offences have decreased compared to the previous period (42 offences vs. 49 offences) and the same period last year (52 offences). Offenders were arrested and charged in 22 of these offences. The most common location for offences was Boots at Cambridge Retail Park, which had 24. The most common items that were stolen were perfume and electrical items.
- ASB levels have decreased slightly compared to the previous period (253 incidents vs. 256 incidents) but decreased compared to the same period

last year (270). There were 25 calls regarding incidents in Barnwell Road, various incidents included groups of youths being loud and drinking in the street and neighbour disputes.

- Between July and October 2011, there were 6 reports of abandoned vehicles in the ward compared with 10 during the same period the previous year. This included 1 vehicle, which was not on site following inspection and 1, which was subsequently claimed by the owner. There were no specific hotspots during either period.

### **Environmental Services Data**

- Between July and October 2011, there were 104 reports of fly tipping in the ward compared with 72 during the same period the previous year. There was sufficient evidence for the enforcement team to be involved in 14 cases and as a result of their investigations 7 formal warning letters were sent to domestic offenders and one case is part of an ongoing investigation. In addition, 2 verbal warnings were issued and waste transfer documentation was requested from a trade offender. Dennis Road (12), Helen Close (11), Cheddars Lane (9) and Fison Road (8) were the main hotspots during the current reporting period. The offences at Cheddars Lane accounted for 3 of the formal warning letters being sent and Dennis Road accounted for 1 of the formal warning letters being sent. Ekin Road (12), Anns Road (6), Dennis Road (6) and Helen Close (6) were the main hotspots during the previous year.
- Between July and October 2011, 26 derelict cycles were dealt with compared with 32 during the same period the previous year. Riverside (8), Coldham's Lane (5), Vicarage Terrace (4) and Newmarket Road (3) were the main hotspots during the current reporting period. Ekin Road (9), Riverside (9), Fison Road (4) and Occupation Road (3) were the main hotspots during the previous year.
- Between July and October 2011, 307 needles were reported compared with 25 during the same period the previous year. 197 were removed from Stourbridge Common on 6 different occasions. During the previous reporting period 13 needles were removed from Brooks Road.

### **Petersfield Ward**

- Total crime in Petersfield Ward has increased compared to the previous period (355 offences vs. 337 offences) but decreased compared to the same period last year (500 offences).
- Dwelling burglary offences have decreased compared to the previous period (14 offences vs. 17 offences) and have decreased compared to the same period last year (35 offences). Three of the offences occurred in York Terrace over a couple of days in August.
- Violent crime offence levels have increased compared to the previous period (43 offences vs. 32 offences) but have shown a decrease compared

to the same period last year (49 offences). In 21 of these offences an offender has been arrested and charged.

- Cycle theft offences have increased compared to the previous period (112 offences vs. 94 offences) but decreased compared to the same period last year (191 offences). Common locations for cycle theft offences were Parkside Pools and Kelsey Kerridge Sports Hall on Queen Anne Terrace.
- There were 36 theft from shop offences in this period compared with 51 offences in the previous period and 64 offences in the same period last year. Offenders were arrested and charged in 29 of these offences. Common locations for theft from shop offences were Asda at the Beehive Centre (24) and TK Maxx at the Beehive Centre (5).
- Criminal Damage offences have decreased with 22 offences in this period compared to 39 in the previous period and 28 in the same period last year. Eight offences occurred in Mill Road at various business premises.
- ASB incidents have decreased compared to both the previous period (169 incidents vs. 180 incidents) and compared to the same period last year (184 incidents). Incidents included street drinking (34 incidents were complaints about street-life being abusive and being intimidating to Members of the public), youths congregating and being abusive to members of the public and abandoned vehicles. Common locations for ASB were Mill Road (30), Norfolk Street (20), East Road (10), Staffordshire Street (10) and Tenison Road (10).

### **Environmental Services Data**

- Between July and October 2011, there were 16 reports of abandoned vehicles in the ward compared with 7 during the same period the previous year. This included 5 vehicles, which were not on site following inspection and 3, which were subsequently claimed by their owners. In addition, 3 CLE26 notices were issued to offenders on behalf of the DVLA for not displaying road tax on a public highway, which will result in a fine being issued by the DVLA. 1 vehicle was also impounded on behalf of the DVLA for not having valid road tax. 1 additional vehicle is currently pending further investigation. Cheddars Lane (3) was the hotspot during the current reporting period. There were no specific hotspots for the same period the previous year.
- Between July and October 2011, there were 77 reports of fly tipping in the ward compared with 86 during the same period the previous year. There were 32 cases forwarded to the enforcement team. 4 cases are currently ongoing, 15 formal warning letters were issued to domestic offenders and waste transfer documentation was requested from 1 trade offender, 1 household was given a verbal warning and 1 case involved fly tipping on private land which was passed to the Environmental Health Department for further investigation. Mill Road (20), Tenison Road (9), St Matthews Street (8) and Emery Street (4) were the main hotspots during the current

reporting period. The offences at Mill Road accounted for 12 of the formal warning letters being sent and the offences at Tenison Road accounted for 3 of the warning letters. Tenison Road (14), Mill Road (13), St Matthews Street (8), Sleaford Street (5) and Mill Street (4) were the main hotspots during the previous year.

- Between July and October 2011, 14 derelict cycles were dealt with compared with 72 during the same period the previous year. Vicarage Terrace (4) & Mill Road (3) were the main hotspots during the current reporting period. Mill Road (19), Covent Garden (4), Norfolk Street (4) and St Matthews Street (4) were the main hotspots during the previous year.
- Between July and October 2011, 383 needles were reported compared with 685 during the same period the previous year. 100 needles were removed from East Road Garages and 177 needles were removed from Mill Road, this includes the Cemetery. During the previous reporting period 554 needles were removed from Mill Road, again this is including the Cemetery.

### **Romsey Ward**

- Total crime in Romsey Ward has decreased compared to the preceding period (232 vs. 236) and compared to the same period last year (254).
- There were 7 Dwelling Burglary offences compared to 16 in the last period and 13 in the same period last year. There were no patterns noted from the MO details.
- There were 7 burglary other offences in this period compared to 10 offences in the previous period and 11 offences in the same period as last year. Four offences occurred over one night in July in Coldhams Road where industrial units were entered.
- Theft from vehicle offences have slightly increased from 14 offences in the previous period to 15 offences in this period. Offence levels have decreased compared to the same period last year when there were 20 offences. Three vehicles had number plates stolen and the remainder entry was gained via a smashed window and items such as satellite navigation systems, handbags and laptops were stolen.
- Theft from shop offences have remained stable with 26 offences in this period compared to 25 offences in the previous period and 17 offences in the same period last year. Common locations for theft from shop offences were Sainsburys on Coldhams Lane and the Co-Op on Mill Road.
- Criminal Damage offences have remained stable compared to the previous period (30 offences vs. 31 offences) and compared to the same period last year (28 offences). Fourteen of these offences were criminal damage to a vehicle with vehicles having their tyres slashed, their windscreens smashed, paintwork scratched and wing mirrors snapped off.
- ASB levels have decreased compared to the previous period (168 incidents vs. 187 incidents) and also compared to the same period last

year (208 incidents). Twelve incidents occurred at the same address in Cromarty Place and concern a male complaining about his neighbours. Locations with high levels of ASB were Mill Road (46), St Philips Road (10), and Coldhams Lane (9).

### **Environmental Services Data**

- Between July and October 2011, there were 7 reports of abandoned vehicles in the ward compared with 12 during the same period the previous year. This included 2 vehicles, which were not on site following inspection. In addition, 1 CLE26 notice was issued to an offender on behalf of the DVLA for not displaying road tax on a public highway, which will result in a fine issued by the DVLA. 1 vehicle was also impounded on behalf of the DVLA for not having valid road tax. 1 additional vehicle is also currently pending further investigation. Cavendish Road (4) was the hotspot during the current reporting period. There were no specific hotspots for the same period the previous year.
- Between July and October 2011, there were 45 reports of fly tipping in the ward compared with 46 during the same period the previous year. The Enforcement Team investigated 21 cases and as a result 1 case is currently ongoing, 6 formal warning letters were sent to domestic offenders and waste transfer documentation was requested from 3 trade offenders. One resident received a verbal warning. Brooks Road (17), Seymour Street (6), Mill Road (3) and Wycliffe Road (3) were the main hotspots during the current reporting period. The offences at Brooks Road accounted for 6 of the formal warning letters being sent. Sedgwick Street (5), Catharine Street (4), Cromwell Road (4), Mill Road (4), Seymour Street (4) and Thoday Street (4) were the main hotspots during the previous year.
- Between July and October 2011, 4 derelict cycles were dealt with compared with 10 during the same period the previous year. There were no specific hotspots during the current reporting period. Mill Road (3) was the hotspot during the previous year.
- Between July and October 2011, 47 needles were reported compared with 89 during the same period the previous year. 16 were removed from Romsey Recreation Ground, 14 from Coldhams Land and 12 removed from Charles Street. During the previous reporting period 52 needles were removed from Brooks Road and 26 were removed from Seymour Street.

### **Coleridge Ward**

- Total crime in Coleridge Ward has remained stable (159 offences vs. 158 offences) and decreased compared to the same period last year (244 offences).
- Dwelling burglary offences have increased compared to the previous period (14 offences vs. 9 offences) and compared to the same period last



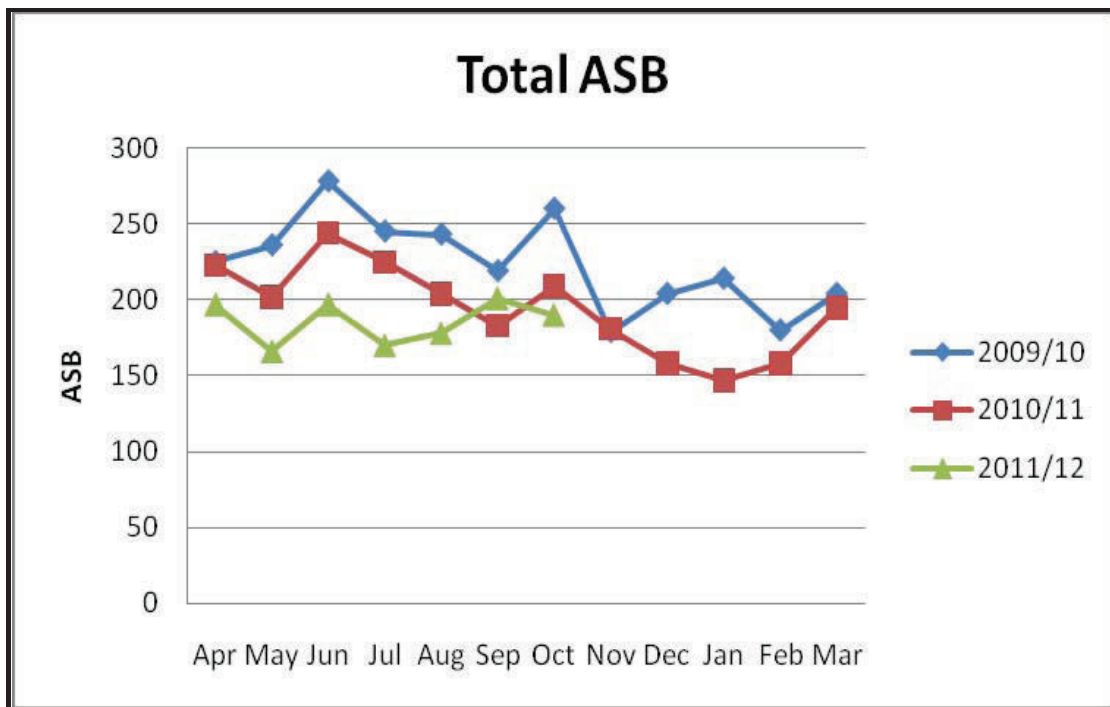
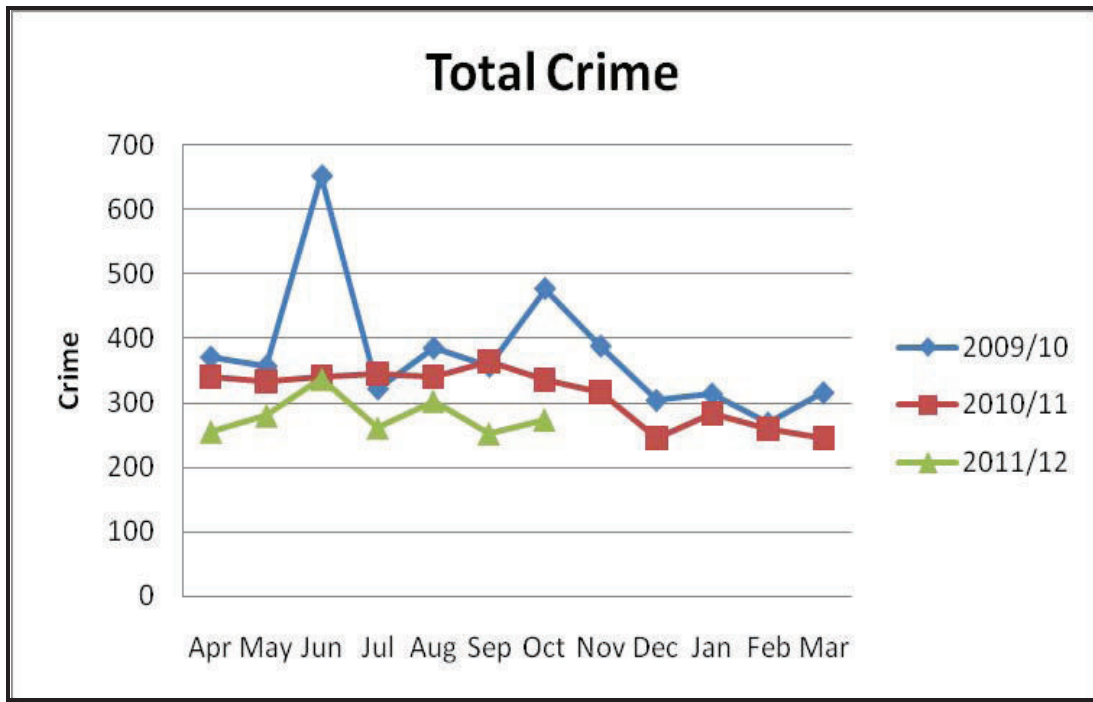
year (6 offences). Three offences occurred in Perne Road in September. The same offender has been charged with 2 out of these three offences.

- Violent crime offences have increased compared to the previous period (34 offences vs. 26 offences) but decreased compared to the same period last year (54 offences). Offenders were arrested and charged in 16 of these offences. Common locations for violent crime were Cambridge Leisure Park (6) and Cherry Hinton Road (5).
- There were 5 theft from vehicle offences in this period compared to 16 offences in the previous period and 19 offences in the same period last year. Items stolen included catalytic converters, diesel and a satellite navigation system.
- Cycle theft offences have decreased from 27 offences in the previous period to 24 offences in this period. This is also a decrease compared to the same period last year (64 offences).
- ASB incident levels have increased slightly compared to the previous period (149 incidents vs. 132 incidents) but have decreased compared to the same period last year (159 incidents). Common locations for ASB were Cherry Hinton Road (23), St Thomas's Road (10), Birdwood Road (11) and Cambridge Leisure Park (10).

### **Environmental Services Data**

- Between July and October 2011, there were 4 reports of abandoned vehicles in the ward compared with 12 during the same period the previous year. This included 1 vehicle, which was not on site following inspection and 2, which were subsequently claimed by their owners. There were no specific hotspots during either period.
- Between July and October 2011, there were 19 reports of fly tipping in the ward compared with 30 during the same period the previous year. Two cases were forwarded to the Enforcement Team and formal warning letters were issued to both domestic offenders. Davy Road (3) was the hotspot during the current reporting period. Ashbury Close (3), Hobart Road (3), Rustat Road (3) and Suez Road (3) were the main hotspots during the previous year.
- Between July and October 2011, 10 derelict cycles were dealt with compared with 20 during the same period the previous year. Leisure Park (8) was the hotspot during the current reporting period. Mamora Road (10) and Litchfield (3) were the main hotspots during the previous year.
- Between July and October 2011, 8 needles were reported compared with 77 during the same period the previous year. All 8 were removed from Coleridge Recreation Ground. During the previous reporting period 33 needles were removed from Coleridge Recreation Ground and 27 were removed from Davy Road.

#### 4. Current Crime and Anti-Social Behaviour Incident Levels



### Crime and Anti-Social Behaviour Incident Levels in the Cambridge East Neighbourhood, by Ward

Wards	Dwelling Burglary	Other Burglary	All Violent Crime (excl. Robbery)	Robbery	Theft of Vehicle	Theft from Vehicle	Cycle Theft	Theft from Shop	Criminal Damage	Other Crime	Total Crime	Total ASB
City East	Jul 11 – Oct 11	48	34	204	11	14	49	105	121	274	1090	739
	Mar 11 – Jun 11	59	48	183	9	15	60	132	144	259	1117	755
	Jul 10 – Oct 10	86	48	227	12	19	107	156	130	228	1386	821
Abbey	Jul 11 – Oct 11	13	10	82	6	3	18	42	51	78	344	253
	Mar 11 – Jun 11	17	19	91	2	6	18	49	52	90	386	256
	Jul 10 – Oct 10	32	10	80	4	9	36	52	54	58	388	270
Petersfield	Jul 11 – Oct 11	14	15	43	4	3	11	36	22	95	355	169
	Mar 11 – Jun 11	17	13	32	1	5	12	51	39	73	337	180
	Jul 10 – Oct 10	35	18	49	2	6	32	64	28	75	500	184
Romsey	Jul 11 – Oct 11	7	7	45	0	8	15	26	30	41	232	168
	Mar 11 – Jun 11	16	10	34	3	2	14	25	31	56	236	187
	Jul 10 – Oct 10	13	11	44	4	2	20	17	28	50	254	208
Coleridge	Jul 11 – Oct 11	14	2	34	1	0	5	1	18	60	159	149
	Mar 11 – Jun 11	9	6	26	3	2	16	7	22	40	158	132
	Jul 10 – Oct 10	6	9	54	2	2	19	23	20	45	244	159

### ASB Incident Types in the City East Area Neighbourhood, by Ward

**Please Note**

Incident levels for each of the wards may not be consistent with the official figures that will be published by the Force and Home Office. This is because the data system used to draw the level of detail needed for the ASB type breakdown for this report may not contain precise locations due to the way incidents are reported e.g. ASB reported where ward boundaries lie could initially be recorded in the neighbouring ward but subsequently corrected. The figures should only be used as a guide and not regarded as official statistics for publication.

Wards	N Hood	City East		Incident Types										
		Jul 11- Oct 11	Mar 11 -Jun 11	Abandoned Vehicle Not Stolen	Begging/Vagrancy	Malicious/ Nuisance Communication	Neighbour Dispute	Noise- All Types	Road Related	Rowdy/Nuisance Incident	Street Drinking	Vehicle Related Nuisance	Violence	
				49	10	40	20	67	14	367	20	59	44	
				54	14	47	16	87	19	422	16	45	59	
<b>Abbey</b>		Jul 11- Oct 11		9	2	18	4	18	5	118	3	18	11	
		Mar 11 -Jun 11		6	1	16	7	25	6	131	0	17	21	
<b>Petersfield</b>		Jul 11- Oct 11		6	4	1	2	9	3	89	12	7	8	
		Mar 11 -Jun 11		4	2	7	1	9	2	111	13	5	11	
<b>Romsey</b>		Jul 11- Oct 11		11	1	7	4	24	1	77	2	10	11	
		Mar 11 -Jun 11		8	5	0	5	42	6	79	0	4	11	
<b>Coleridge</b>		Jul 11- Oct 11		23	3	14	10	15	5	83	3	24	14	
		Mar 11 -Jun 11		36	0	16	0	11	5	101	3	19	16	

## **5. Recommendations**

The following Neighbourhood Priorities are recommended for consideration:

- Continue to address ASB related to drug and alcohol misuse in the Petersfield area.

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## EAST AND SOUTH AREA CORRIDOR FUNDING

**To: Cambridge City Council - East Area Committee**

**Date: 15<sup>th</sup> December 2011**

**From: Joseph Whelan, Head of New Communities Service, Cambridgeshire County Council**

### **1. Background**

- 1.1 Transport s106 contributions are collected in Cambridge City and South Cambridgeshire largely through the Area Transport Plan process. Contributions are collected from a number of developments, pooled and then spent on a range of schemes that are included in the plans themselves.
- 1.2 On 23 June 2011 the East Area Committee (EAC) received a report from the Head of Parking & Road Safety plus Head of New Communities Service at Cambridgeshire County Council regarding Southern Corridor Area Transport Plan (SCATP) and Eastern Corridor Area Transport Plan (ECATP) funds that have been collected. The report and discussion at Committee focused on the potential uses of the funds in the Cambridge City wards of Petersfield, Coleridge, Abbey and Romsey (these being the City Wards covered by the East Area Committee).
- 1.3 An action from that meeting was for the County Council's Head of New Communities to bring future reports to EAC for a review of potential projects that could be supported by East and South Corridor funding. This report is the first in that series.
- 1.4 The wards comprising the EAC 'area' sit almost completely within the ECATP area. However part of the Coleridge Ward sits within the SCATP area, hence this report deals with both ECATP and SCATP funding issues. A plan illustrating these boundaries is attached as Appendix 1.
- 1.5 To provide context, East Area Committee Members are asked to note a process has been developed by Officers of

the City, County and South Cambs to formulate recommendations for use of CATP funding. Officers from all three Councils will identify appropriate schemes on which the money can be spent, which in this area are for schemes within the ECATP and SCATP that mitigate the effect of additional transport related movements from new development.

- 1.6 Officer recommendations are followed by consideration by Portfolio Holders at each of the Councils. During this process careful consideration is given to the developments that have provided this funding (via the S106 and as part of planning permission) to ensure that the expenditure can be viewed as providing direct mitigation of the impact of that development.
- 1.7 The Officer recommendations for s106 spending are set down below. Members are invited to comment on those recommendations.
- 1.8 Members of the Committee are also invited to suggest other projects for consideration for funding, noting that the funds would have to be spent on schemes/improvements within the geographical boundary of the ECATP and SCATP plans.

## **2. Recommendations for Scheme Funding**

### **ECATP Schemes**

#### **2.1 Newmarket Road Bus Priority – Part 1: £100,000**

Newmarket Road is one the busiest radial routes in the city. There are a number of areas where congestion impacts on journey times, having a significant effect on the reliability of bus journeys. One area where there is scope to improve the situation, is the eastbound approach to the Barnwell Road roundabout.

The eastbound approach would be redesigned to make better use of the little utilised left turn lane. The design would need to incorporate facilities to accommodate cyclists using the junctions. Adjustments to the kerbs and traffic islands would be necessary and clear signage would also be



required. The removal of existing road markings and surface treatments and the reinstatement of service ducts will shorten the residual life of the carriageway and the most appropriate way of achieving this will be to resurface.

It is envisaged that there would be significant benefits in reducing congestion and improving the reliability of the Park and Ride service. Additional benefits would be achieved in reduced vehicular exhaust emissions.

## **2.2 Crossing Provision, Ditton Lane/Newmarket Road: £60,000**

This busy area caters for large amounts of traffic quite effectively, although the needs of cyclists and pedestrians are not taken properly into account. Essentially, there are two sections of path separated by the busy Ditton Lane with pedestrian or cyclist provision for crossing. The lack of a toucan crossing at this location devalues the existing cycling facilities along this part of Newmarket Road.

The site has a high cycle use and pedestrian footfall, many of whom are accessing local schools and nurseries.

Advice from the County Council Traffic Signals Team notes that changes to the way the signals operate will be required in order to incorporate a pedestrian/cycle phase. This change will have an effect on waiting time for general traffic at this junction.

## **2.3 The Tins Phase 2: £275,000**

This is an extension of the newly improved Tins path, as previously planned, and was approved by Cabinet subject to additional funding becoming available. It would link with the improved path, which runs from Brookside, off Perne Road, to just beyond Next Generation by continuation of the widened Tins Path from its end point (west of Next Generation) to Railway Street in Cherry Hinton.

The Tins is on a Blue Strategic Cycle Route on the Cambridge City Cycle Map and this extension was considered at a recent stakeholder workshop, with

representation from City Council, Cambridge Cycling Campaign, Sustrans, Cyclists Touring Club and CCC – Highways & Access, where The Tins Extension received widespread approval from all present.

#### **2.4 Radial Route Signing: £50,000**

A key element in reducing congestion and maintaining safety is the use of clear and concise signage. Over the years signage has built up in an ad-hoc fashion leading to unnecessary and confusing signage.

Much of the City's Ring Road has seen provision of new signage in recent years and there is now a need to review and rationalise signage on the radial routes to ensure consistency in routeing, destinations, to remove unnecessary signs and to meet current legal requirements. Improved signage will assist effective travel into and out of the City. Reduction of street clutter will help enhance the street environment too.

All of the radial routes require a full review of directional signs, with the routes funded from the corridor area transport plan. This would include Newmarket Road within the ECATP.

#### **SCATP Schemes**

#### **2.5 Hills Road Bridge Steps: Cost subject to study**

This proposal is to link the southern side of Hills Road Bridge with the southern Busway Cycle Route. This would enable a quick and easy link on to the cycle track for access to Clay Farm, Trumpington and Trumpington Meadows in addition to Cambridge Railway Station avoiding the need to cross Hills Road. The route is part of the "Chisholm Trail", although there is true standalone value, which will also be of great value to commuters to Addenbrooke's, in addition to students at Hills Road and Homerton Colleges.

Committee are advised that following detailed consideration it has been concluded that it is not possible to physically build a ramp in this location.

It would consist of a some form of steps for pedestrians, as well as channels to assist cyclists with their cycles, leading to the rail/bus/cycle corridor, dropping down from the existing road bridge at suitable gradient and width. Dependent upon the outcome of initial studies, estimated at £10,000, the project could simply involve shallow gradient steps, with channels, due to the lack of space and available land. The steps would offer direct, quick access to the Busway cycle route giving added value and functionality, as well as avoiding need for a road crossing and therefore would take the strain from the Toucan provided and will reduce pedestrian calls. This would result in reduced traffic congestion on Hills Road bridge caused by pedestrian crossing demand. This proposal was considered at a recent stakeholder workshop, with representation from City Council, Cambridge Cycling Campaign, Sustrans, Cyclists Touring Club and CCC.

## **2.6 Radial Route Signing: £50,000**

A key element in reducing congestion and maintaining safety is the use of clear and concise signage. Over the years signage has built up in an ad-hoc fashion leading to unnecessary and confusing signage.

Much of the City's Ring Road has seen provision of new signage in recent years and there is now a need to review and rationalise signage on the radial routes to ensure consistency in routeing, destinations, to remove unnecessary signs and to meet current legal requirements. Improved signage will assist effective travel into and out of the City. Reduction of street clutter will help enhance the street environment too.

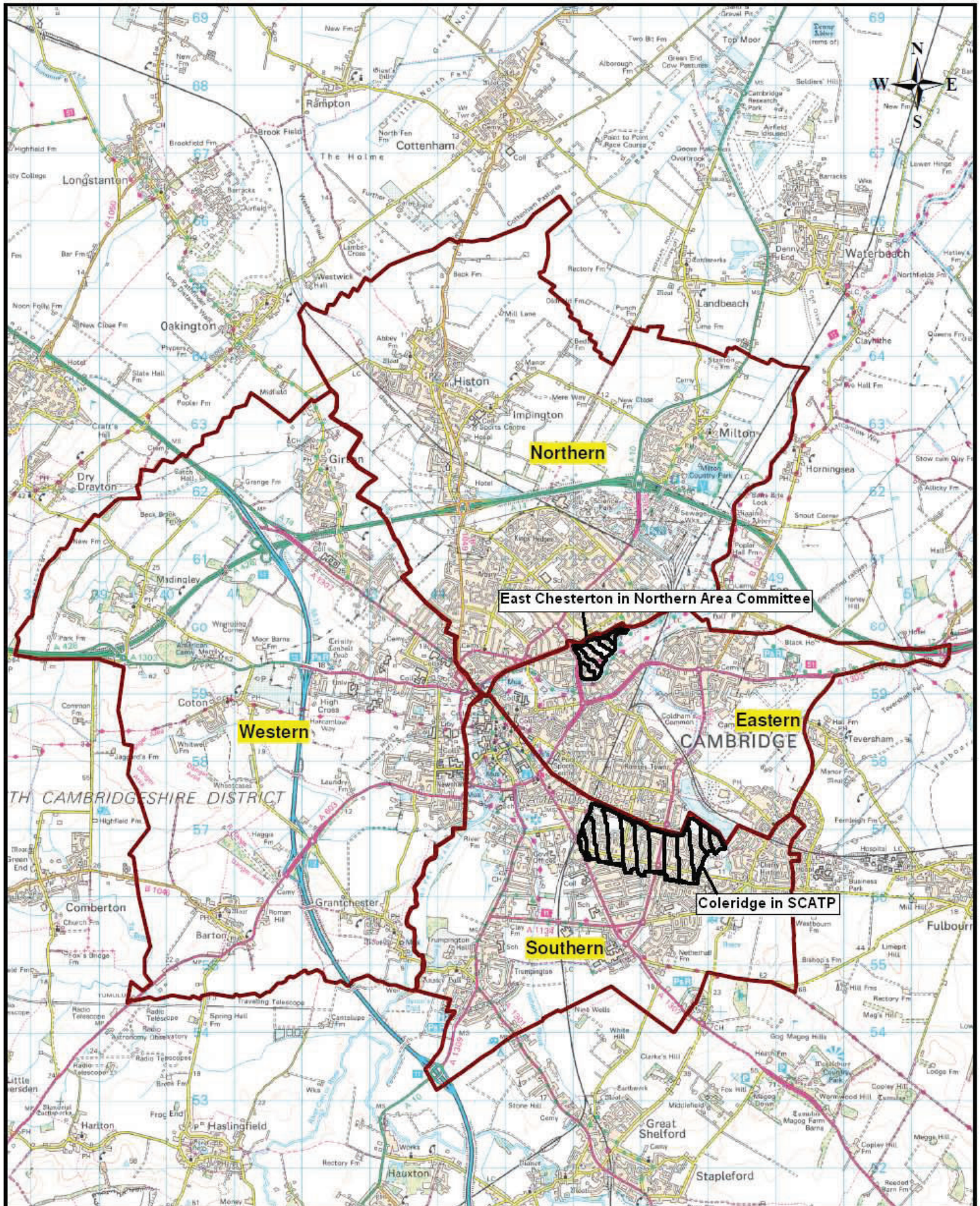
All of the radial routes require a full review of directional signs, with the routes funded from the corridor area transport plan. This would include Cherry Hinton Road within the SCATP.

## **3. Next Steps in the Approval/Implementation Process**

- 3.1 When County Cabinet are asked to approve Officers recommendations they will also be advised of the views expressed at East Area Committee as this is a key input into the decision to make these local transport improvements.
- 3.2 Following Cabinet approval to allocate s106 funding to a scheme, the usual process will follow, with design and consultation on proposed options prior to implementation.

# Appendix 1

## Current Corridor Area Transport Plan Boundaries - For East Area Committee Purposes



Scale (at A4): 1:75000

Date: 21/04/2010

By: fp435

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To: East Area Committee  
Report by: Philip Doggett, Chief Estates Surveyor, Property Services  
Relevant scrutiny committee: East Area Committee 15/12/2011  
Wards affected: Petersfield

## **Approach from Sainsbury's for the City Council to dedicate land at 103 Mill Road for use as a loading bay.**

East Area Committee is asked to comment on consultation arrangements in relation to the future use of Council land at Mill Road.

### **1. Background**

- 1.1 On 21 June 2011 Sainsbury's submitted a planning application to change the use of 103 Mill Road to A1 retail use (to be a Sainsbury's Local). The application subsequently included the provision of a new loading bay on Mill Road, part of which would incorporate land owned by the City Council as shown on the attached plan at Appendix 1 (hatched). The land forms part of a paved area of public open space fronting Mill Road. East Area Committee refused planning consent for the proposed retail store on the 25th October 2011.
- 1.2 Sainsbury's wish to enter into dialogue with the Council about their options for provision of a Sainsbury's Local in the area. A decision by the City Council on the land ownership issue at 103 Mill Road is a separate matter to the planning decision and a process needs to be agreed to deal with this request. This paper deals with the proposed process. The Council's position on whether or not the land is available for this proposed use needs to be established in the event Sainsbury's appeal the planning decision. This will enable the Council's position as landowner to be confirmed to the Planning Inspectorate.
- 1.3 The Executive Councillor for Arts, Sport and Public Spaces confirmed in a letter to the Head of Planning (prior to the East Area Committee on 25 October) that in order to decide how to respond to Sainsbury's enquiry, the Council intended to consult to seek local views on the request with regard to the impact of the proposal on the amenity value of the open space. As part of this, he also confirmed the Council would ask the Area Committee for its input into the form that

consultation should take. Only after careful consideration of the response to the consultation would he be able to make an informed decision with regard to the approach made by Sainsbury's.

## **2. Proposed Consultations**

- 2.1 Nearby residents and businesses would be consulted using a short questionnaire seeking views on the impact of the proposal on the amenity value of the open space. This would be available on the Council's website and posted to nearby addresses using the same database when publicising the planning application. This will comprise written consultation with 485 neighbouring addresses, incorporating both residential and business addresses. In addition, residents associations, the Mill Road Society and other interested parties will be consulted in the area including respondents to the original planning application. However, the consultation would not duplicate the planning consultation because this proposed consultation is in relation to the impact on the amenity value of the Council's public open space.
- 2.2 The proposed consultation would comprise a short questionnaire in the form shown at Appendix 2.
- 2.3 The outcome of the consultation would then be reported back to the East Area Committee with a recommendation to the Executive Councillor before a decision is made.

## **3. Recommendations**

- 3.1 It is recommended that members of the East Area Committee consider the contents of this report and confirm that they support this proposed process for local consultation in order to inform any decision by the Executive Councillor for Arts, Sport and Public Spaces on whether to consider dedicating the land for a loading bay or not, subject to agreement of terms.

## **4. Appendices**

Appendix 1 – Plan of City Council ownership coloured pink and land for part of the proposed loading bay hatched. (The full proposed loading bay is coloured yellow and extends beyond the Council's ownership).

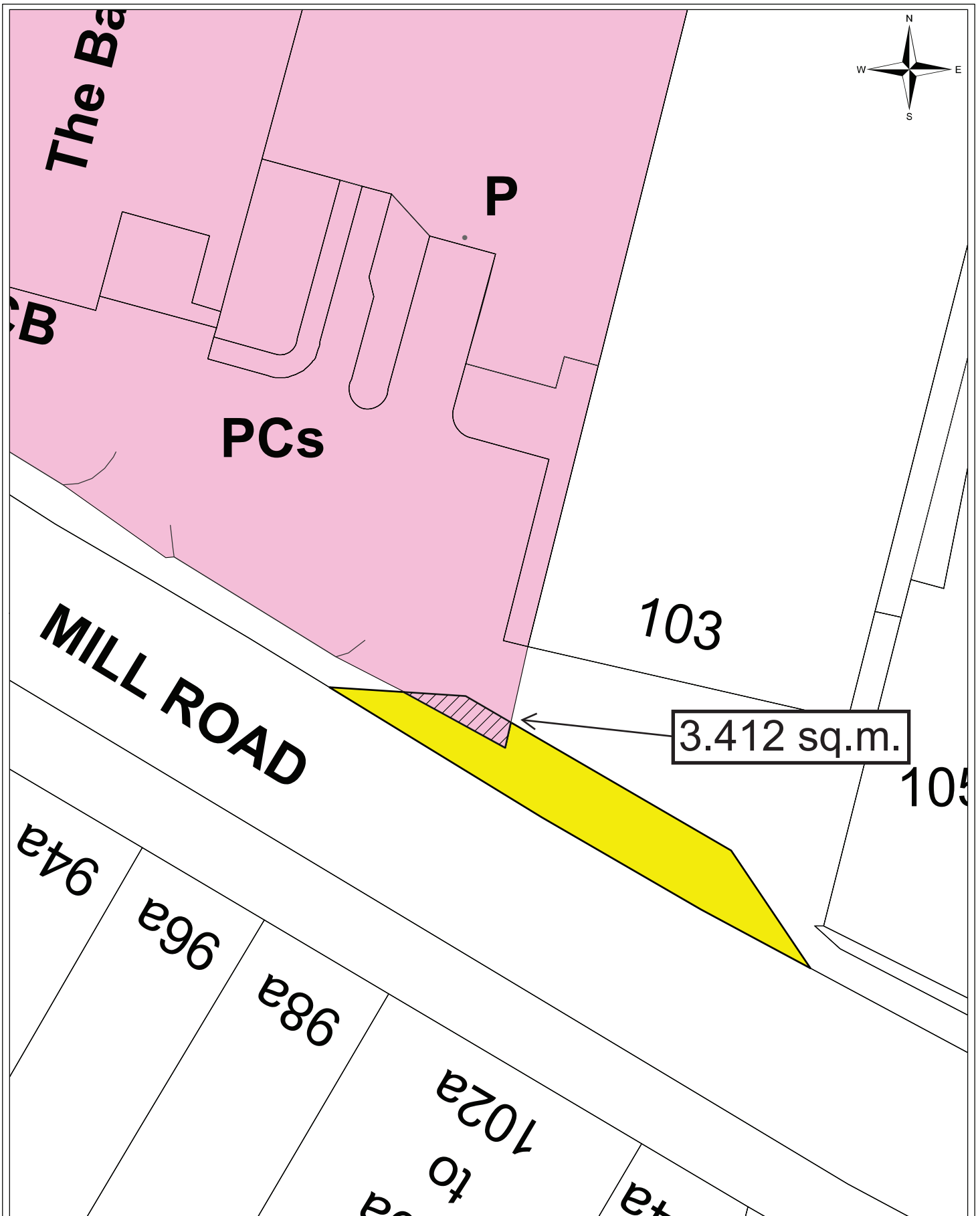
Appendix 2 – Proposed form of questionnaire.




## 5. Inspection of papers

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

Author's Name: Philip Doggett  
Author's Phone Number: 01223 457437  
Author's Email: [Philip.doggett@cambridge.gov.uk](mailto:Philip.doggett@cambridge.gov.uk)



 <p><b>CAMBRIDGE CITY COUNCIL</b></p>	Property & Building Services	103 Mill Road	Date: 05/12/11	
				Produced by: Steve Udall
				Section/Department: Property & Building Services
				Scale: 1:200 @ A4

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## Appendix 2



### Consultation Response Form

#### Approach to the City Council to dedicate land at 103 Mill Road for use as a loading bay.

On 21 June 2011 a planning application was submitted to change the use of 103 Mill Road to A1 retail use. The application subsequently included the provision of a new loading bay on Mill Road, part of which would incorporate land owned by the City Council as shown hatched on the attached plan. The land forms part of a paved area of public open space fronting Mill Road.

The Council wishes to seek local views on the possible impact on the amenity value of the public open space of the proposal to include part of the Council's land for this use.

Thank you for taking the time to read this document and to respond with any comments.

**If you need this document produced in a different format such as Braille, large print, audio, on disk or in a language other than English, please contact us.**

#### Contact Details

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Property Services  
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Cambridge CB1 0JH

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💻 [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

## How to respond

The consultation will run from 9 January to 31 January 2012.

To respond to the consultation please save a copy of this form to your computer, complete it and email it to :

[property.services@cambridge.gov.uk](mailto:property.services@cambridge.gov.uk).

Alternatively, you can post your form to us at Property Services, Cambridge City Council, PO Box 700, Cambridge CB1 0JH.

The responses to this consultation will be reported to the Executive Councillor for Arts, Sport and Public Spaces and presented to the East Area Committee on 9 February 2012.

Individual responses will not be acknowledged unless specifically requested. The information you provide will be used in accordance with the Data Protection Act 1998.

## Consultation question

**Based on the possible impact to the amenity value of the Council's public open space, do you think the Council should permit the land (as shown hatched on the attached plan) to form part of the proposed loading bay?**

Yes            No

Any comments (limited to 100 words)

Thank you for taking the time to read this document and to respond with any comments.



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# Cambridge City Council - Meeting Card - 2013/2014

2013												2014														
May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	
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## Key

Yellow	Liberal Democrats Party Conference	Blue	Council	Light Blue	West/Cent Area	Light Green	Civic Affairs	Light Purple	Strat & Res	Light Cyan	Jnt Dev Control	Light Pink	DPSS
Red	Labour Party Conference	Orange	North Area	Light Blue	Environment	Light Cyan	Planning	Light Green	Environment	Light Purple	DCF JD Control	Light Green	JSEF
Green	Conservative Party Conference	Light Blue	South Area	Light Green	Comm Services	Light Purple	DCF Planning	Light Cyan	Comm Services	Light Cyan	DPSS	Light Pink	Equalities Panel
Light Green	Green Party Conference	Light Purple	East Area	Light Purple	Ho Mgmt Bd	Light Cyan	Licensing	Light Green	Ho Mgmt Bd	Light Purple			
Light Purple	Local Government Association Conference	Light Cyan		Light Cyan	Executive	Light Green	Standards	Light Purple	Executive	Light Cyan			

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**EAST AREA COMMITTEE**

**Date: 15<sup>th</sup> December 2011**

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<b>Application Number</b>	11/0664/EXP	<b>Agenda Item</b>	
<b>Date Received</b>	20th June 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	15th August 2011		
<b>Ward</b>	Coleridge		
<b>Site</b>	187 Cherry Hinton Road Cambridge Cambridgeshire CB1 7BX		
<b>Proposal</b>	The development proposed is the demolition of 187 Cherry Hinton Road and the erection of a three storey house of flats in its place, together with the erection of 4 semi-detached houses at the northern end of the site in place of the garages. (An approved road off Cherry Hinton Road serves the houses and flats. 14 car parking spaces and 7 bicycle parking spaces will be provided).		
<b>Applicant</b>	Mr Italo Verrecchia 69 Cavendish Avenue Cambridge CB1 7UR		

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## INTRODUCTION

- 0.1 At the East Area Committee on 27 October 2011 the Committee resolved to defer the application until 15 December 2011 East Committee meeting because of insufficient information. Officers were asked to ensure that full drawings of the previously approved development were available on the website. Also that appropriate drawings, the previous decision notice, and the Inspector's decision letter were attached to the December agenda, plus to clarify the position about the access drive and the site boundary. This item would be taken as the first planning application at the next meeting.
- 0.2 The approved drawings for the development approved at appeal are attached to this report together with the Decision Notice for application ref. 08/0125/FUL and the Inspectors Decision letter. The site plan attached to the previous report was not accurate and a revised site plan is also attached. I consider that this addresses the query regarding the access drive and site boundary.

0.3 The alternative recommendation should read as follows:

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 31 January 2011 it is recommended that the application be refused for the following reason

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

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

- 1.1 The proposals relate to an irregular shaped site on the north side of the Cherry Hinton Road. The site is located in a wholly residential part of Cherry Hinton Road, being surrounded on three sides by two storey detached and semi-detached houses. On either side of the site the main road is characterised by detached or semi detached houses. The opposite side of the main road is predominantly two storey terraced housing.
- 1.2 With a total area of 2,030 square metres the site is in two parts, the existing house at 187 occupies a frontage to Cherry Hinton Road, with a rear part currently occupied by an ice cream van depot. The two parts of the site are separate planning units connected in the application by a narrow strip of land. This strip of land is currently part of the curtilage of 169 Cherry Hinton Road. All of these properties and parcels of land are within the ownership of the applicant.
- 1.3 Alongside the site on the main road at 193 is a large three storey building in residential occupation as student flats. This building has been extended to the rear at considerably depth.

- 1.4 The larger rear part of the site is currently occupied by 18 disused lock up garages with a large central concrete hard standing with up to 12 ice cream vans parked at the time of the officers site visit. The rear part of the site is surrounded by houses with gardens of 20 metres or more and a substantial number of trees and mature vegetation.
- 1.5 The site does not fall within a Conservation Area and there are no listed buildings, Buildings of Local Interest or protected trees in the vicinity. The site falls outside the controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks the replacement of an existing permission with a new permission to allow longer for implementation. The existing permission was granted at Appeal. The details of the application are unchanged and are as follows:
- 2.2 The proposals are in two parts. A three storey block of five residential flats are proposed to replace the house to be demolished. Two pairs of three storey semi detached houses would replace the lock up garages on the rear part of the site. The walls of the flats would be predominantly of block construction, faced with horizontal cedar boarding at the upper level. On the south elevation facing the road the central staircase would be expressed by glass blockwork. The lower levels of the external walls would be constructed with brick. The roof slope facing the road would be clad in slate. Similarly the walls of the four houses would be constructed with blockwork and faced with brick or render. A 900mm wide column of glass would run up the side elevation lighting the stairwell.
- 2.3 A new single vehicular access to the main road would be formed by combining the existing accesses to 187 with the existing access to 169 Cherry Hinton Road. This single access would be 4.5 metres wide in accordance with the requirement of the outline planning permission and would serve the proposed 5 flats, 169 Cherry Hinton Road and the proposed 4 houses on the rear plot. It is also proposed to retain a second access to the rear part of the site that exists between 181 and 185 Cherry Hinton Road.

### 3.0 SITE HISTORY

C/93/0316	Outline permission for two bungalows	Refused 1993
C/98/0211	Change of use from a dwelling to a mixed use comprising a residential dwelling and guest house and two storey extension	Refused 1998
C/99/0372	Demolition of house, extension to existing guest house to provide 13 no. additional bedrooms, additional car parking and alterations to site access.	Refused 1999
C/00/0212	Demolition of house, extension to existing guest house to provide 13 no. additional bedrooms, erection of new two storey dwelling to the rear.	Approved 2000
C/04/0438	Outline application for residential development in place of existing garages	Approved 26.4.2004
05/0925	Erection of new house	Approved
07/1397/REM	Replacement of exiting house with a three storey building consisting of 5 flats; demolition of garages to the rear to be replaced with 4 semi-detached three storey town houses and off-road parking.	Withdrawn
08/0125/FUL	Demolition of 187 Cherry Hinton Road and the erection of a three storey building consisting of 5 flats, together with the erection of 4 semi-detached, three storey town houses at the northern end of the site in place of the garages. An approved road off Cherry Hinton Road serves the houses and flats. 14 car parking spaces and 7 bicycle parking spaces will be	Refused, approved at appeal

	provided.	
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#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Central Government Advice

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

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area

rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

**Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

- 5.4 **Planning Policy Statement 9: Biodiversity and Geological Conservation (2005):** Paragraph 1 states that planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests. In taking decisions, local planning authorities should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; and to biodiversity and geological interests within the wider environment.
- 5.5 **Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.
- 5.6 **Planning Policy Statement 23: Planning and Pollution Control (2004):** States that ‘any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable of being a material planning consideration, in so far as it arises or may arise from or may affect any land use’. It highlights the

fact that the planning system has a key role in determining the location of development which may give rise to pollution.

Appendix A sets out those matters which may be material in taking decisions on individual planning applications including the environmental benefits of reducing the need for travel and the existence of Air Quality Management Areas.

- 5.7 **Planning Policy Guidance 24 - Planning and Noise (1994):** States at paragraph 12, that planning authorities should consider carefully whether new noise-sensitive development would be incompatible with existing activities. At paragraph 13, a number of mitigation measures are suggested which could be introduced to control the source of, or limit exposure to, noise.
- 5.8 **Planning Policy Statement 25: Development and Flood Risk (2006):** States that flood risk should be taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and that development should be directed away from areas at highest risk. It states that development in areas of flood risk should only be permitted when there are no reasonably available sites in areas of lower flood risk and benefits of the development outweigh the risks from flooding.
- 5.9 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.10 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

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

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

(b) directly related to the development; and

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

### **5.11 East of England Plan 2008**

SS1: Achieving Sustainable Development

T2: Changing Travel Behaviour

T3 Managing Traffic Demand

T9: Walking, Cycling and other Non-Motorised Transport

T13 Public Transport Accessibility

T14 Parking

ENV7: Quality in the Built Environment

WM6: Waste Management in Development

### **5.12 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

### **5.13 Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/8 Open space and recreation provision through new development

3/10 Subdivision of existing plots

3/11 The design of external spaces

3/12 The design of new buildings

4/4 Trees

4/13 Pollution and amenity

4/15 Lighting

5/1 Housing provision

5/12 New community facilities

8/1 Spatial location of development



- 8/2 Transport impact
- 8/6 Cycle parking
- 8/10 Off-street car parking

#### Planning Obligation Related Policies

- 3/7 Creating successful places
- 3/8 Open space and recreation provision through new development
- 5/14 Provision of community facilities through new development
- 8/3 Mitigating measures (*transport*)
- 10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

#### 5.14 Supplementary Planning Documents

**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.

**Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

## 5.15 Material Considerations

### Central Government Guidance

#### Draft National Planning Policy Framework (July 2011)

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

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be „ yes\_ , except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted

7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

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

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

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

Includes the following statement:

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

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

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

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

## **City Wide Guidance**

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

**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.

**Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)** Sets out how all residential developments should make provision for public open space, if not on site then by commuted payments. It incorporates elements from the Planning Obligations Strategy

Supplementary Planning Document (2010) and the Open Space and Recreation Strategy (2006).

**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.

### **Area Guidelines**

#### **Cambridge City Council (2002)–Southern 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.

## **6.0 CONSULTATIONS**

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

6.1 No comments.

### **Head of Environmental Services**

6.2 Comments awaited.

### **Cambridgeshire County Council (Education and Life Long Learning)**

6.3 There is no surplus capacity in relation to pre-school and primary education needs and therefore a commuted sum is required. There is sufficient capacity at Coleridge School to meet secondary education needs. A contribution towards LLL is required in accordance with the SPD.

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

## **7.0 REPRESENTATIONS**

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

14 Coniston Road  
15 Coniston Road  
53 Beaumont Road (owner of 16 Coniston Road)

7.2 The representations can be summarised as follows:

No objections provided that there have been no change to the proposed development.

Loss of privacy to adjoining houses.

Increased noise.

Encroachment up to adjoining boundaries and loss of light.

No objection to the proposed flats but object to the houses for the following reasons:

Insufficient space to provide adequate amenity space particularly for families.

Impact on privacy.

Potential damage to trees.

Inadequate access for refuse and emergency vehicles.

Increased noise.

Increased number of cars and vehicles impacting on overcrowding and pollution.

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 The application seeks an extension of time for the implementation of a development that was approved at Appeal. The proposed development is identical and therefore the assessment of the application turns on whether there have

been any changes in planning policy or guidance and whether the site context has changed.

### Changes to Planning Policy and Guidance

- 8.2 The following key changes have been made to Planning Policy and Guidance since the determination of the previous application:

Planning Policy Statement 3 Housing has been reissued  
The Community Infrastructure Levy Regulations 2010 have been adopted

The East of England Plan 2008 has been adopted

The Planning Obligations Strategy 2010 has been adopted

Draft National Planning Policy Framework (July 2011)

Government Guidance has been produced which supports growth

New Open Space Standards Guidance for Interpretation and Implementation has been adopted.

Cycle Parking Guide for New Residential Developments has been adopted.

- 8.3 I have reviewed all of these documents and reached the view that none of them lead me to conclude that the application should be refused. In general the changes that have been made do not alter the policy background against which the proposal needs to be assessed. The East of England Plan constitutes new planning policy but for the determination of this application the relevant policies are already reflected in Local Plan policies against which the previous application was assessed. Central Government guidance adds weight to the argument that planning permission should be granted and changes to local guidance have greatest effect in terms of s106 matters, which are addressed below.

- 8.4 There have been no changes to the site context, which lead me to conclude that the period for implementation of the planning application should not be extended. The remainder of my report updates the assessment that was made in relation to the previous application to address changes in planning policy and guidance and the s106 process.

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

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

### **Principle of Development**

8.6 The principle of development has been established by the previous permission for an identical development.

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

8.7 The site is within a residential area that is characterised by two storey houses of between 7.5 and 8.5 metres in height. The exception to this is the large guest house alongside the site at 193 which is three storey and higher than surrounding properties. At 8.3 metres high and a width of just over 13 metres the flats would be very similar in height and scale to the majority of buildings along this part of Cherry Hinton Road.

8.8 The flats are designed with a pitched roof and two storey appearance to the front elevation with a flat roof three storey section to the rear. Because of the proximity of buildings on either side the general view from the street will be of the two storey part of the development. The flats are positioned within the plot to accurately reflect the well defined building line of the street.

8.9 The flats blend several modern features such as a central curved, glazed and recessed entrance and timber cladding at first floor level with traditional features of symmetrical window design and layout, brick and slate external materials and a 25 degree hipped roof on the front elevation. The eaves line corresponds closely to the eaves line of other buildings in the street.



- 8.10 The four houses to the rear are much more overtly modern in design incorporating an asymmetrical roof with roof lights to the north elevation and a flat roof three storey south facing elevation. The building has clearly been designed to respond to the limitations imposed by the proximity of surrounding residential properties and the north south orientation, which allows advantage to be taken from passive solar gain. External materials would be brick with render.
- 8.11 At 9.8 metres high to the top of the asymmetrical roof the houses would be between one and two metres higher than surrounding houses. I do not feel that the buildings would be unduly high or out of scale with their surroundings, given the limited difference in height and the separation distances between them and surrounding buildings. I am satisfied that the scale of the houses would not be harmful having regard to their spacious and discrete setting that is not readily visible from public vantage points.
- 8.12 In my view, both the flats and the houses successfully respond to the scale and context of the site and its setting in an appropriate manner that is acceptable in terms of the character and appearance of the existing street scene. In my opinion the proposal is compliant with East of England Plan 2008 and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

### **Renewable energy and sustainability**

- 8.13 The development proposals are below the threshold where there is a policy requirement to provide an on site renewable energy source.
- 8.14 The applicant has confirmed that the houses and flats will be of cavity wall block construction faced with brick and render and that this mode of construction provides high levels of insulation to improve on the standards set by the building regulations. The cedar cladding will be sustainably sourced.
- 8.15 The orientation of the houses maximises the potential for natural heating during the day from southern sun, while minimising openings on the north elevation to minimise heat loss. Living rooms in the flats all face south.

- 8.16 The proposals represent development of previously developed land, and would result in the replacement of a single dwelling and 18 unused lock up garages with nine dwellings which would provide homes for people in a highly sustainable location near to services and public transport. I consider that the proposal is sustainable and compliant with policy 3/1 of the Cambridge Local Plan 2006 and the Sustainable Development SPD.

### **Residential Amenity**

The amenity of occupiers of the proposed development

- 8.17 The open amenity spaces of both the flats and the houses are small, however, the council does not set standards of minimum garden sizes. The houses have a floor area of 134 square metres each and are therefore suitable for family occupation. The open amenity space for each of these family houses provides limited opportunity for outside relaxation and recreation. The siting of the flats and the houses however provides generous distances to neighbouring properties thereby ensuring adequate light, air and privacy without the feeling of being cramped and enclosed.

- 8.18 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.

The amenity of neighbours

- 8.19 The flats and the houses have been designed with principle windows facing to the front and rear with only a few small secondary windows in flank walls. There are four larger flank windows serving bedrooms and a living room of the flats however these look toward the commercial operation of the guest house alongside where issues of privacy carry less weight. Where appropriate, side facing windows can be made the subject of obscure glazing conditions to protect the privacy of neighbours.
- 8.20 In terms of light and the potential to overshadow I am satisfied that the position of the flats alongside the neighbouring buildings and the location of the houses at a generous distance

from neighbouring properties will ensure any overshadowing will be minimal, mostly of the bottom of rear gardens. The asymmetrical design of the roof to the four houses will reduce overshadowing of the garden of 193 Coleridge Road to the north. At their closest point the proposed houses are 22 metres from the rear of neighbouring houses. In most cases the separation distance is more than 25 metres. The generous spacing will ensure that the development does not lead to an overbearing sense of enclosure for the neighbours.

- 8.21 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.

### **Disabled access**

- 8.22 The proposal allows for adequate provision to be made for two disabled car parking spaces, the precise details of which can be required by condition (see car parking assessment below). Appropriate hard surfacing can be provided from these car parking spaces to the main entrances of the buildings. This, again, can be made the subject of a condition. With the imposition of appropriate conditions, the proposal is considered to be compliant with policies 3/7 and 3/12 of the Cambridge Local Plan 2006 with regard to accessibility.

### **Refuse Arrangements**

- 8.23 Purpose built enclosed bin stores are proposed for both the flats and the four houses. This provision will ensure the proposals are compliant with Cambridge Local Plan (2006) policy 3/12 for refuse storage provision.

### **Highway Safety**

- 8.24 On the recommendation of the highway authority a condition was imposed on the outline planning permission requiring the provision of a new 4.5 metres wide shared access. This is shown on the submitted site layout plan.
- 8.25 The Highway Authority has raised no objection on highway safety grounds. The proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.26 The adopted car parking standards allow for the maximum provision of 5 car parking spaces for the 5 proposed flats and no more than 8 spaces for the 4 proposed houses. They also require one space be provided for disabled people, and spaces be provided for visitors at the ratio of one space per 4 units within an overall maximum total of no more than 1.5 spaces per dwelling. In this location, I consider that each flat should have at least one car parking space, and that visitor parking should be provided at the level specified by the standards. The proposal therefore generates a maximum provision of 13 car parking spaces.
- 8.27 The proposal incorporates 12 spaces, 2 of which can be designated for disabled drivers. I consider that the number of spaces proposed is acceptable.
- 8.28 The adopted cycle parking standards require that a minimum of 10 cycle parking spaces be provided for the five flats and 12 cycle spaces be provided for the houses. The application includes proposals for a covered cycle store for each house and a communal cycle store for the flats. Each store would provide cycle stands in accordance with the adopted standards.
- 8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

- 8.30 I have addressed the issues of privacy, loss of light and potential overbearing affects in the above assessment. Access to the site by refuse and emergency vehicle is not changed. The following additional issues have also been raised:

Potential damage to trees because of the close proximity of the four houses.

- 8.31 There are about five mature trees including a Willow and Cherry growing out of or very close to the northern site boundary. It is likely the roots of these trees extend onto the application site and would be severed in the process of development. It is likely some of the trees will be lost as a consequence of the

development. Whilst the trees provide an attractive green canopy in this rear garden location they are individually of little merit and are not easily seen from public vantage points. In relation to the previous application the Arboricultural Officer gave the view that the trees should not constrain the development.

#### Noise disturbance because of increased traffic

- 8.32 The new shared access between the flats and 193 will introduce additional traffic into the rear of the site. This must be compared with the current use of the site as an ice cream van depot and the potential for significant traffic movements, albeit those traffic movements are along the narrow track between 181 and 183. Traffic using the new shared access will have most impact on the new flats, the guest house at 193 and the recently constructed detached house to the rear of the proposed flats. Traffic noise on other neighbours will be modest because of the distances to these properties.

#### **Planning Obligations**

- 8.33 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

8.34 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.

8.35 The application proposes the erection of 4 three-bedroom houses, and 5 two-bedroom flats. One residential unit would be removed, so the net total of additional residential units is eight. 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:

<b>Outdoor sports facilities</b>					
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	5	2380
3-bed	3	238	714	3	2142
4-bed	4	238	952		
<b>Total</b>					<b>4522</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such	Total £

				units	
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538	5	2690
3-bed	3	269	807	3	2421
4-bed	4	269	1076		
<b>Total</b>					<b>5111</b>

<b>Informal open space</b>					
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	5	2420
3-bed	3	242	726	3	2178
4-bed	4	242	968		
<b>Total</b>					<b>4598</b>

<b>Provision for children and teenagers</b>					
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	5	3160
3-bed	3	316	948	3	2844
4-bed	4	316	1264		
<b>Total</b>					<b>6004</b>

8.36 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

- 8.37 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:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256	5	6280
3-bed	1882	3	5646
4-bed	1882		
<b>Total</b>			<b>11926</b>

- 8.38 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

- 8.39 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:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75	3	225
Flat	150	5	750
<b>Total</b>			<b>975</b>



8.40 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.

### Education

8.41 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.

8.42 In this case, eight additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, primary education and lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

<b>Pre-school education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0		
2+-beds	2		810	8	6480
<b>Total</b>					<b>6480</b>

<b>Primary education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £

1 bed	1.5		0		
2+- beds	2		1350	8	10800
<b>Total</b>					<b>10800</b>

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

8.43 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.

#### Monitoring

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

#### Planning Obligations Conclusion

8.45 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 would result in the replacement of one early twentieth century house and an unsightly group of lock up garages with new family houses and flats in a sustainable location near to public transport and local services. This more efficient use of land combined with a stimulating blend of contemporary and traditional design meets the key objectives of the local plan. I have addressed changes to planning policy and guidance and there have been no changes to the site context.

## 10.0 RECOMMENDATION

### **1. APPROVE subject to the satisfactory completion of a Section 106 agreement by 31 December 2011 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. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

3. 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: 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)

4. No development shall commence until a programme of measures to minimise the spread of airbourne dust from the site during the demolition and construction periods has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of the amenities of neighbouring residential properties, Cambridge Local Plan policy 4/13.

5. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

(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.

(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 the interests of the amenities of future occupiers, Cambridge Local Plan 2006 policy 4/13.

6. The facilities for on site storage of waste, including waste for recycling, as shown on the approved drawings, shall be provided prior to occupation of the dwellings to which the storage facilities relate. The facilities shall be retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: In order that adequate refuse facilities are provided on the site, Cambridge Local Plan 2006 policy 3/12.

7. Prior to the occupation of the 4 dwellings to the rear of the site, the windows in the side walls of each house shall be glazed with obscure glass that prevents overlooking of the rear gardens of neighbouring properties and shall be permanently retained as such.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 3/4.

8. No dwelling shall be occupied until the proposed vehicular access, parking spaces, driveway, and turning spaces have been constructed in accordance with the approved details and finished with surfacing materials that have been approved in writing by the Local Planning Authority. The parking and turning spaces provided shall thereafter be retained and shall not be used for any other purpose.

Reason: In order that adequate car parking is provided and retained for the development, Cambridge Local Plan 2006 policy 8/10.

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

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

10. 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

11. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

12. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

13. The facilities for cycle storage, as shown on the approved drawings, shall be provided prior to occupation of the dwelling to which storage facilities relate. The facilities shall be retained thereafter unless agreed in writing by the Local Planning Authority.

Reason: In order that adequate provision is made for bicycle storage, Cambridge Local Plan 2006 policy 8/6.

14. 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)

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

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

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



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

17. Notwithstanding the approved plans, prior to the commencement of development full details shall be submitted to and approved in writing by the local planning authority for an appropriate location for the storage of wheelie bins on collection days close to the site entrance. The development shall be carried out in accordance with the approved details.

Reason: In order that adequate provision is made for refuse collection, Cambridge Local Plan 2006 policy 3/12.

18. Prior to the commencement of the development hereby approved a bollard shall be introduced at the entrance of the western access to the site to ensure that it is not used for motor traffic.

Reason: In the interests of the amenities of the locality, Cambridge Local Plan policy 3/4 and 8/2.

### **Reasons for Approval**

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

East of England plan 2008: SS1, T2, T3, T9, T13, T14, ENV7, WM6

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

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/4, 4/13, 4/15, 5/1, 5/12, 8/1, 8/2, 8/6, 8/10, 10/1.

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

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

**2. Unless prior agreement has been obtained from the Head of Development Services, and 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 31 December 2011 it is recommended that the application be refused for the following reason:**

The proposed development does not make appropriate provision for open space, community facilities, education and Area Transport Contributions, in accordance with the following policies, standards and proposals: policies 3/8, 8/3 and 10/1 of the Cambridge Local Plan 2006; policies P6/1, P8/3, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004, Southern Corridor Area Transport Plan 2002 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

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

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

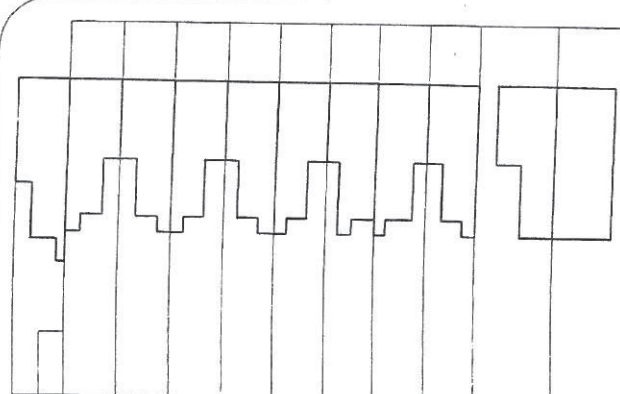
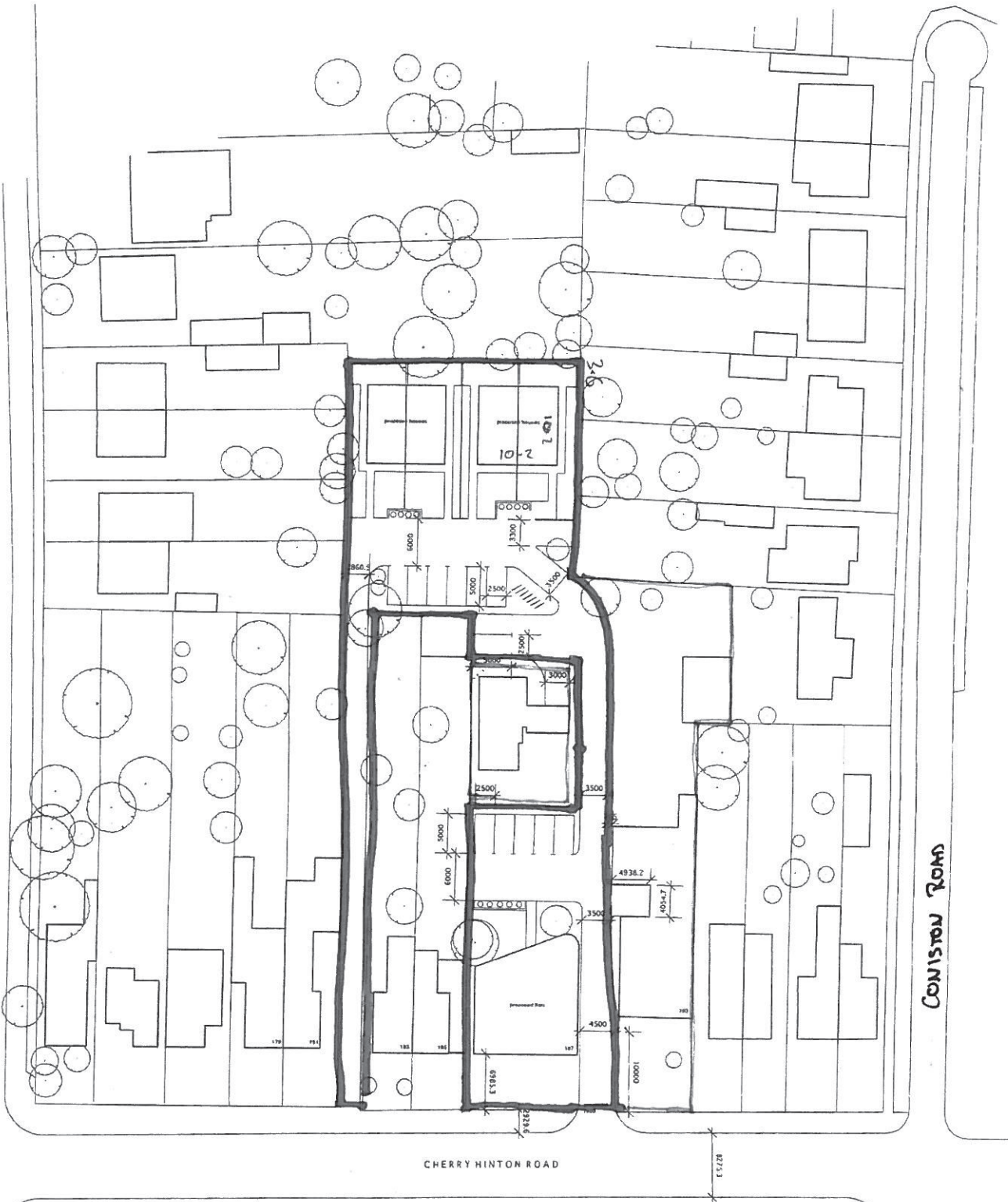
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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

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

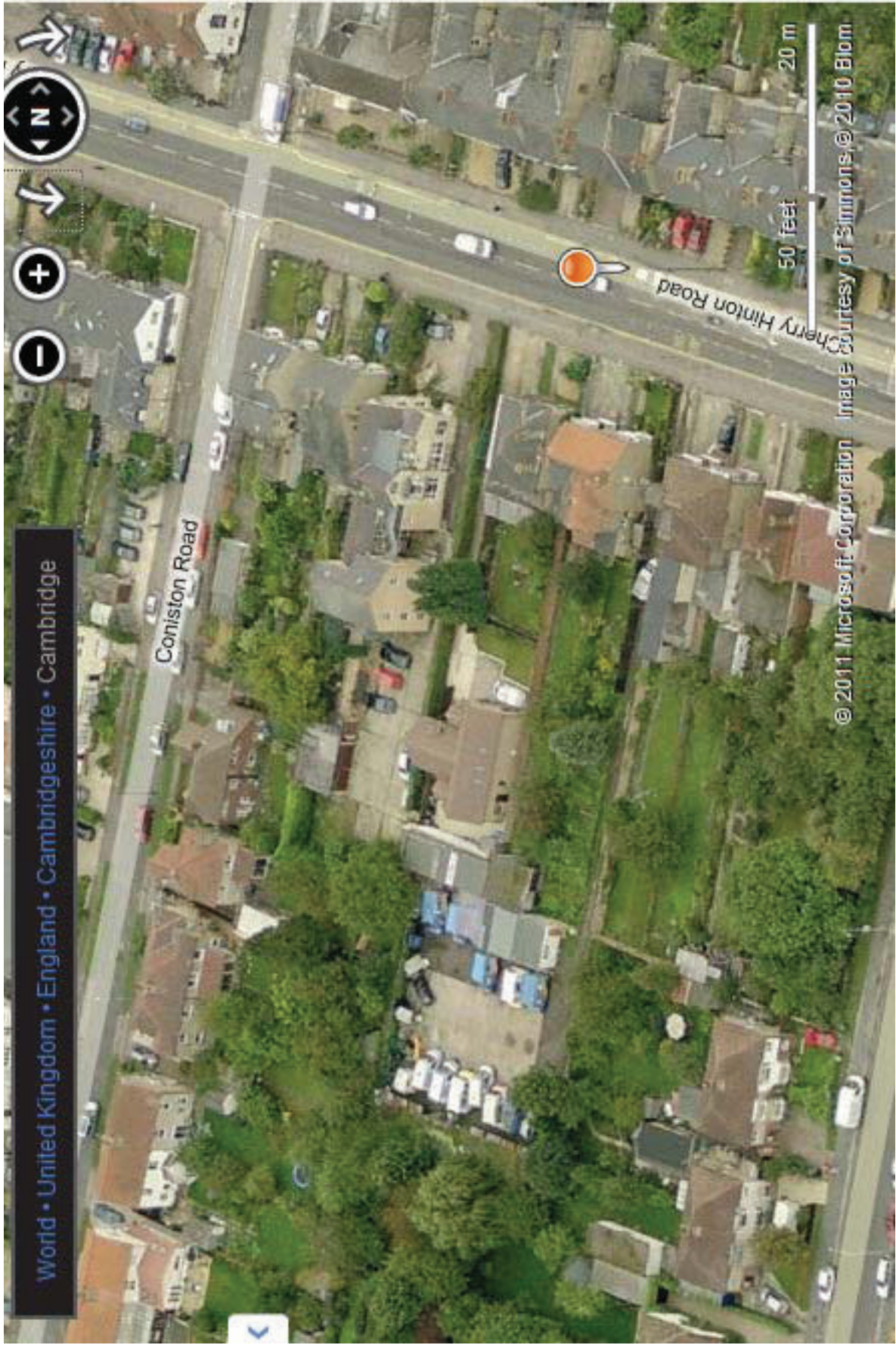
COLLEGE ROAD

CONISTON ROAD

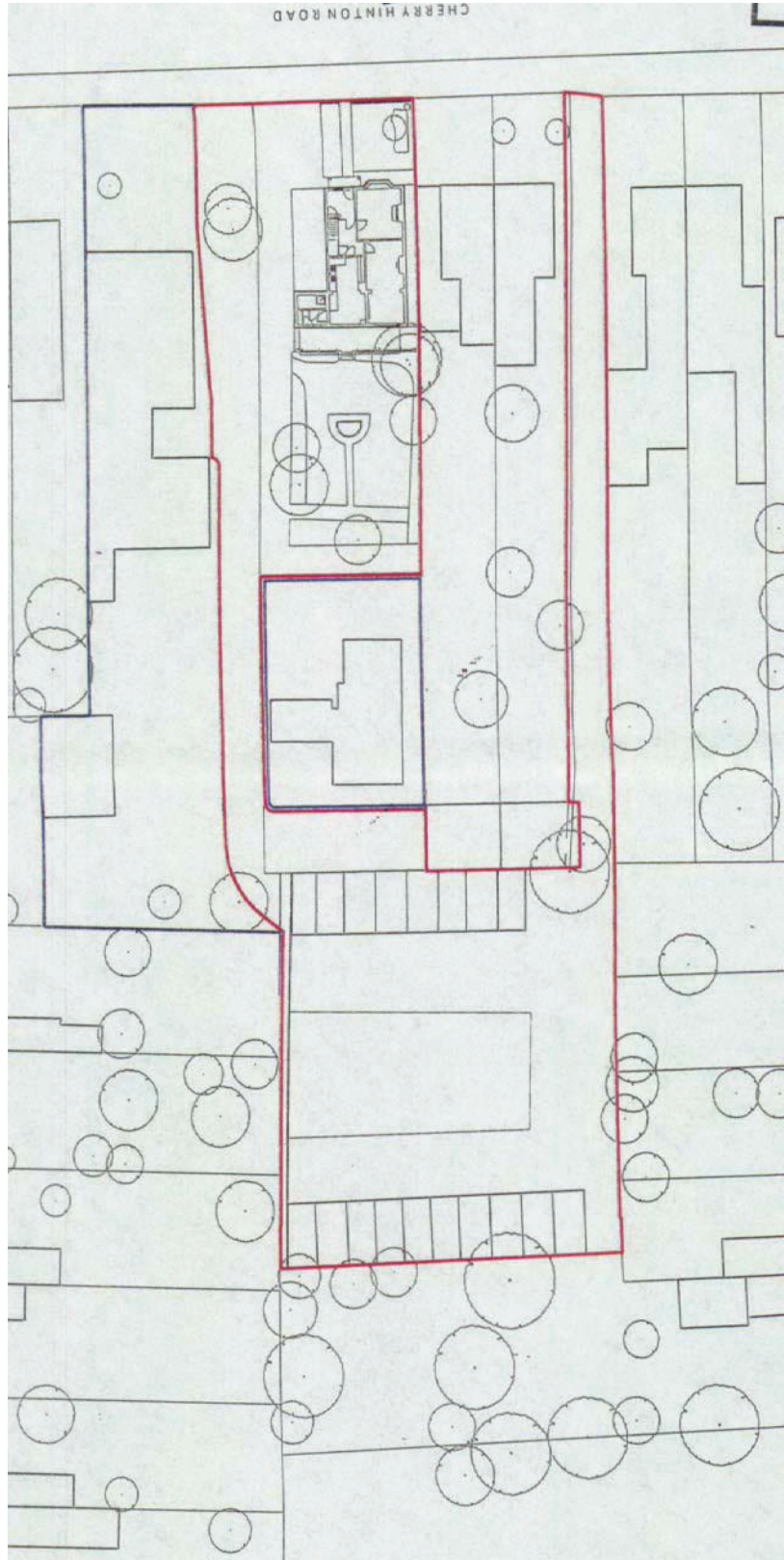
CHERRY HINTON ROAD



Revision	Date	Description
ALL DIMENSIONS, LEVELS AND CONDITIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION <b>NICHOLAS RAY ASSOCIATES</b> ARCHITECTS 13 - 15 CONISTON GARDEN, CAMBRIDGE CB1 2HS Tel: 01223 464255 Fax: 01223 464256 email: nra@nra.co.uk <b>187 Cherry Hinton Road</b> SCALE: DRAW NO: 2359/10 ASSOCIATION Proposed site layout PLOT: 2359/007 CADRGT: YR Status: Planning DRAWN BY: YR CHECKED BY: JAMES RAY		

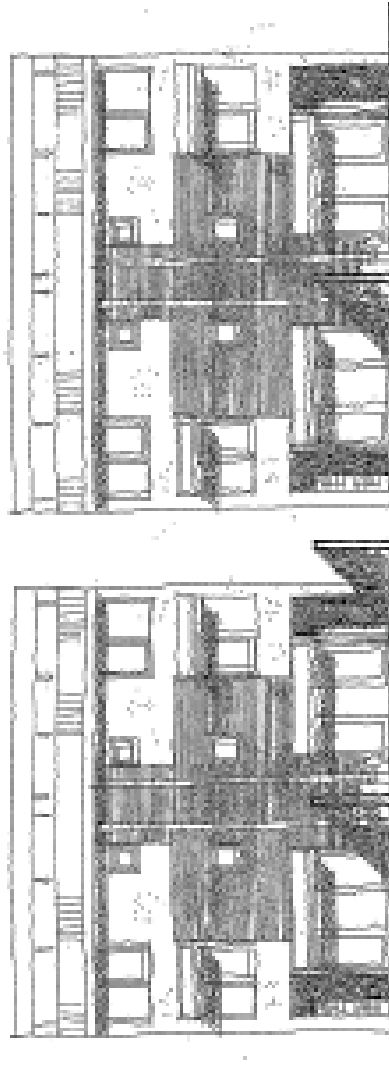


# Application site plan



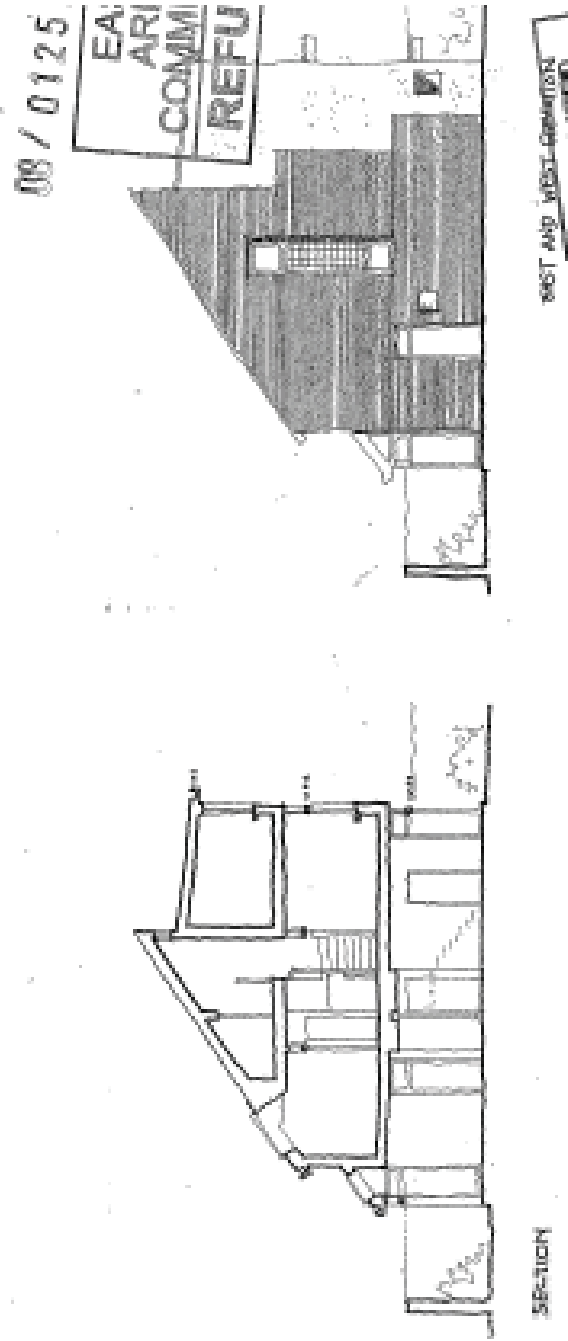
# South elevation of four houses

10



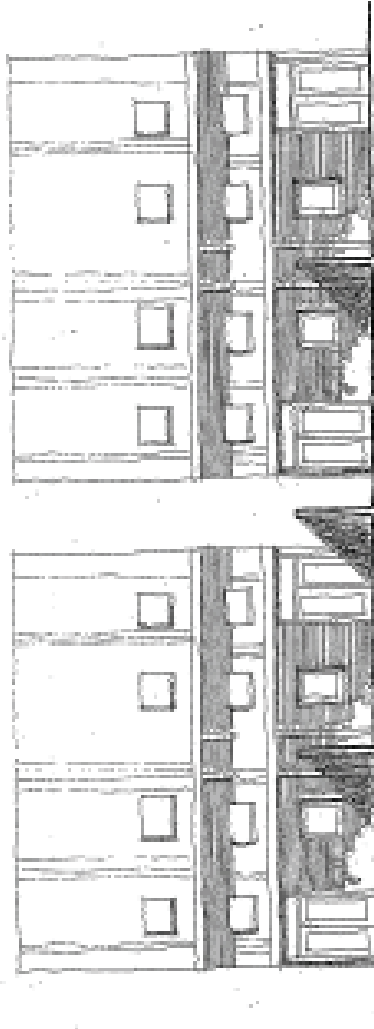
SOUTH ELEVATION

# Section/side elevations of four houses





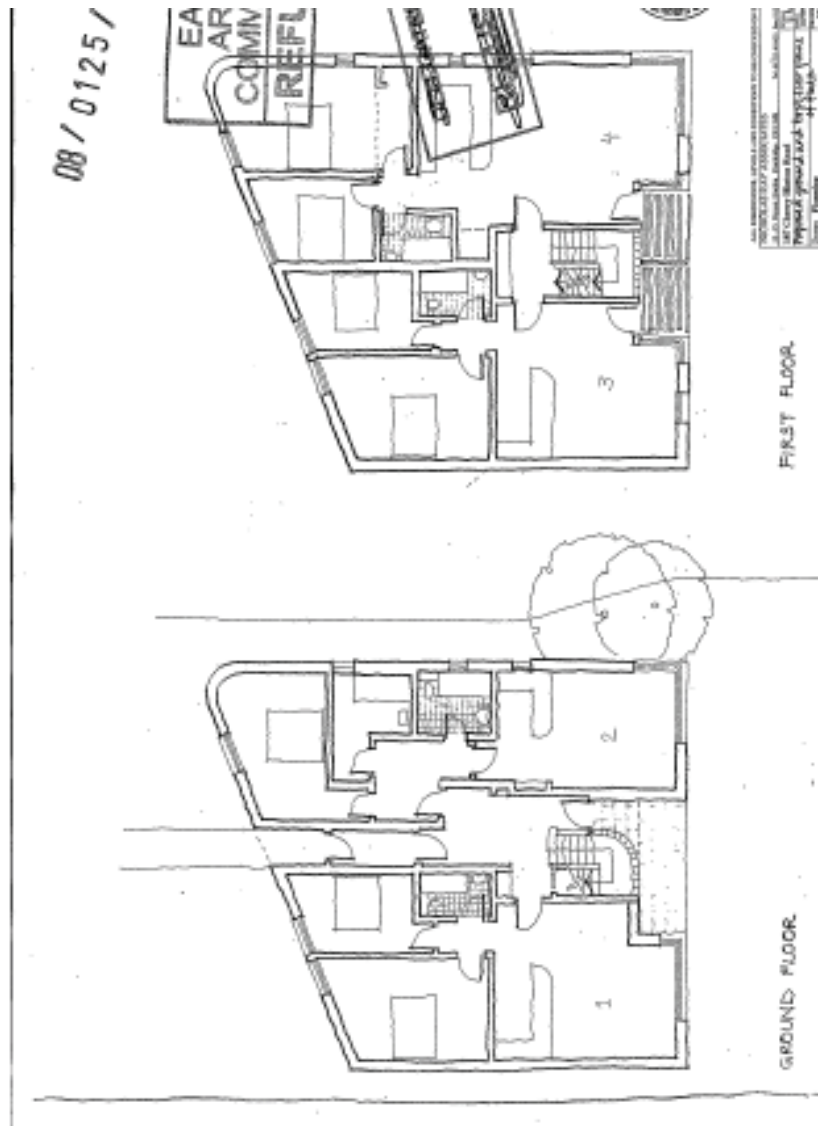
# North elevation of four houses



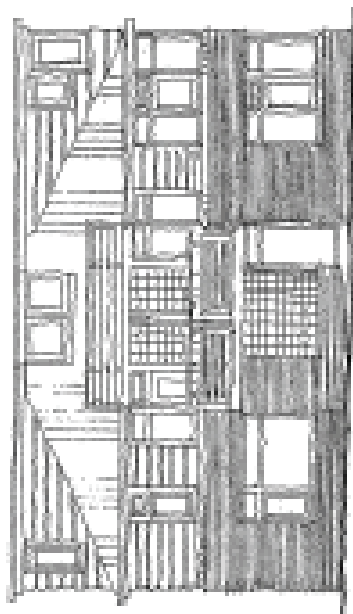
NORTH ELEVATION



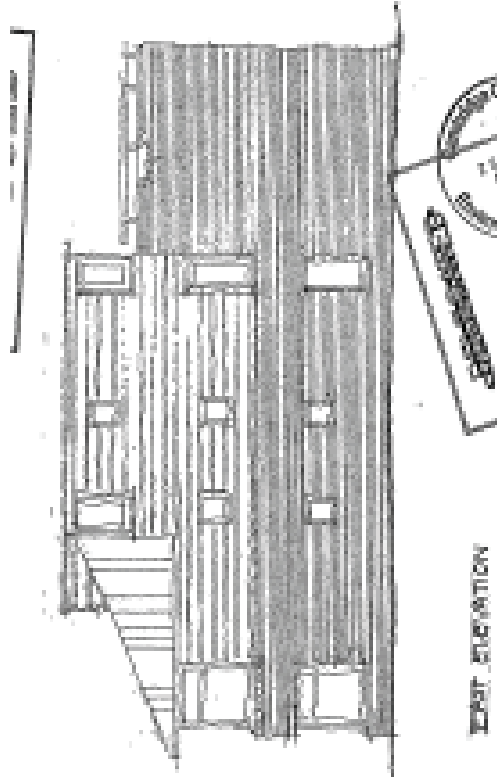
# Plan of flats



# South/East elevation of flats



SOUTH ELEVATION



EAST ELEVATION

# Correction at page 179

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



## CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

### REFUSAL OF PLANNING PERMISSION

Ref:08/0125/FUL

Nicholas Ray Associates  
13-15 Covent Garden  
Cambridge  
CB1 2HS

The Council hereby refuse permission for

**Demolition of 187 Cherry Hinton Road and the erection of a three storey building consisting of 5 flats, together with the erection of 4 semi-detached, three storey town houses at the northern end of the site in place of the garages. An approved road off Cherry Hinton Road serves the houses and flats. 14 car parking spaces and 7 bicycle parking spaces will be provided.**

at **187 Cherry Hinton Road Cambridge Cambridgeshire CB1 7BX**

in accordance with your application received 25th January 2008 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The proposed development is unacceptable in that the introduction of two pairs of substantial semi-detached houses into this relatively small backland area, in such proximity to the northern site boundary will provide inadequate amenity space for the proposed family dwellinghouses. Development of the scale proposed, together with the associated servicing, the bicycle and bin storage and space for car parking and manoeuvring, would result in a cramped form of development. The proposal is not considered to be well connected to and integrated with the immediate locality, to constitute good design that would contribute positively to making this place better for people, or to have responded to Cambridge and Peterborough Structure Plan 2003, policies 3/4 and 3/10 of the Cambridge Local Plan (2006) and advice on design in Planning Policy Statement 1 (2005).

Simon Payne  
Director of Environment & Planning  
Cambridge City Council The Guildhall Cambridge CB2 3QJ  
Telephone 01223 457000 Minicom (non-speaking phone) 01223 457605



2. The proposed development does not make appropriate provision for open space, community facilities, education and Area Transport Contributions, in accordance with the following policies, standards and proposals: policies 3/8, 8/3 and 10/1 of the Cambridge Local Plan 2006; policies P6/1, P8/3, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004, Southern Corridor Area Transport Plan 2002 and Guidance for Interpretation and Implementation of Open Space Standards 2006.

This decision notice relates to the following drawings:

**2359/1-18**

A copy of the refused plan(s) is/are kept in the planning application file.

Dated: 30 April 2008

Guildhall, Cambridge, CB2 3QJ

  
R. J. [unclear] Director of Environment & Planning

SEE NOTES OVERLEAF

In case of enquiry contact John Evans  
Direct Dial 01223 457148  
Fax 01223 457109  
E-mail: [planning@cambridge.gov.uk](mailto:planning@cambridge.gov.uk)



7<sup>th</sup> August 2008

Dear Sir/Madam

**Town and Country Planning Act 1990 (as amended)**

**Land At:** 187 Cherry Hinton Road, Cambridge, CB1 7BX

**Proposed Development:** Demolition of 187 Cherry Hinton Road and the erection of a three storey building consisting of 5 flats, together with the erection of 4 semi-detached, three storey town houses at the northern end of the site in place of the garages. An approved road off Cherry Hinton Road served the houses and flats. 14 car parking spaces and 7 bicycle parking spaces will be provided.

**Planning Reference:** 08/0125/FUL

**Planning Inspectorate Reference:** APP/Q/0505/A/08/2082017/NWF

**Appeal Start Date:** 5<sup>th</sup> August 2008

**Appellant's Name:** Giulio Verracchia

An appeal has been made to the Planning Inspectorate in respect of the above planning application. The appeal is to be decided on the basis of an exchange of Written Statements by the parties.

The appeal follows the refusal of planning permission. This decision was made by East Area Committee.

Any comments already made following the original application for planning permission (unless they are expressly confidential) will be sent to the Planning Inspectorate and the appellant. Previous comments will be considered by the Inspector, unless within 6 weeks of the appeal starting date the objector writes to the Inspectorate and asks that the comments be disregarded. Should you wish to add anything to your original comments, or require a copy of the appeal decision you should write, quoting the Planning Inspectorate Reference, to the following address:-  
The Planning Inspectorate, 3/16 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN

John Summers  
Head of Development Services  
Cambridge City Council The Guildhall Cambridge CB2 3QJ  
Telephone 01223 457000



Additional comments must be forwarded to the Inspectorate by **16<sup>th</sup> September 2008**. You will need to enclose 3 copies of any correspondence sent.

The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see [www.planningportal.gov.uk/pes](http://www.planningportal.gov.uk/pes). The Inspectorate may publish details of your comments on the internet (on the Appeals area of the Planning Portal). Your comments may include your name, address, email address or phone number. Please ensure that you only provide information, including personal information belonging to you and that you are happy for this to be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

A copy of the appellant's appeal form and accompanying documents are available for inspection at Planning Reception, 2nd Floor of The Guildhall, Cambridge. A copy of the Council's statement and accompanying documents will be available for inspection at Planning Reception, 2nd Floor of the Guildhall, by **16<sup>th</sup> September 2008**. However, I strongly urge you to get in touch with the Development Control Administration Office on 01223 457142 before coming into my office to ensure the Council's statement is available.

The Planning Inspectorate have produced a leaflet called "A Guide to Taking Part in Planning Appeals". This leaflet explains in simple terms the possible involvement that interested parties may have in the appeals process. The Planning Inspectorate have provided me with copies of the leaflet, so if you would like one, please ask at Planning Reception, 2nd Floor, Guildhall, Cambridge between 9.00am and 5.00pm Monday -Thursday or 9.00am - 4.30pm Friday. Alternatively, please ring the Planning Reception to request a leaflet, or through 'publications' on the Inspectorates website: ([www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk))

If the Inspector can see enough of the site from the road or public view, he will visit the site alone. If that is not possible, the appellant and the LPA's representative will go with the Inspector. There is normally no need for other people to take part in the site visit. However, if you own a property nearby and you want the Inspector to see the appeal from your property, you should tell the Inspector when you write to them, they will then tell you the date and time of the visit. You will not be able to discuss the case, but you can point out the relevant facts and features.

If you are not the owner of the property to which this letter is addressed, please ensure that the letter is brought to the attention of the owner.

Yours faithfully

John Summers  
Head of Development Services



AP120933



# Appeal Decision

Site visit made on 8 December 2008

The Planning Inspectorate  
4/11 Esplanade Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: enquiries@pin.gov.uk

by **Howard Rose** DMS DiPTP MRTPI  
MC1WM

an Inspector appointed by the Secretary of State  
for Communities and Local Government

Decision date:  
19 January 2009

## Appeal Ref: APP/Q0505/A/08/2082017 187 Cherry Hinton Road, Cambridge, CB1 7BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr G Verrecchia against the decision of Cambridge City Council.
- The application Ref. 08/0125/FUL, dated 24 January 2008, was refused by notice dated 30 April 2008.
- The development proposed is the demolition of 187 Cherry Hinton Road and the erection of a three storey house of flats in its place, together with the erection of four semi-detached three-storey houses at the northern end of the site in place of the garages. (An approved road off Cherry Hinton Road serves the houses and flats. Fourteen car parking spaces and seven bicycles parking spaces will be provided.)

### Procedural Matter

1. The Council's second reason for refusal of the planning application referred to the fact that the proposal does not make appropriate provision for open space, community facilities, education and Area Transport Contributions in accordance with relevant policies of the adopted Cambridgeshire and Peterborough Structure Plan and the adopted Cambridge Local Plan. However, in making the appeal the appellant has submitted a legal undertaking which pledges the provision of financial contributions for the above facilities. The undertaking is acceptable to the Council and I am satisfied that in the event of the appeal being successful these matters would be dealt with appropriately.

### Decision

2. The appeal is allowed, and planning permission granted subject to conditions set out below in the Formal Decision.

### Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the surrounding area.

### Reasons

4. The appeal site is in a predominantly residential area on the north side of Cherry Hinton Road between the junctions with Coniston Road and Coleridge Road. It is essentially in two parts consisting of the frontage to the road where the dwelling no.187 stands and land to the rear which is occupied by an ice cream van depot and 18 disused lock-up garages. The two parts of the site are linked by a narrow strip of land which is part of the curtilage of a recently

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CHARGE REGISTER
INITIALS: SH
DATE: 31/2/2009

constructed house between the front and rear of the site and part of the curtilage of 193 Cherry Hinton Road immediately east of the appeal site. These properties are within the ownership of the appellant. There is also a narrow lane between nos. 181 and 183 Cherry Hinton Road which gives access directly to the rear part of the site.

5. The surrounding area is characterised by a mixture of dwelling types essentially of two storeys, though the property at 193 Cherry Hinton Road is a substantial three storey building in residential occupation as student flats.
6. The proposed development would be in two parts. A three storey block of 5 flats is proposed to replace the existing house and two pairs of three storey semi-detached houses would replace the depot and garages at the rear of the site. A new vehicular access to the main road would be formed by combining the existing accesses to no 187 with the existing access to the recently constructed dwelling. The existing narrow lane between 181 and 183 Cherry Hinton Road would remain as a secondary access to the site.
7. The three storey flats at the front of the site would be designed with a pitched roof and two storey appearance to the front elevation and with a flat roof three storey section at the rear. However, the building would follow the existing building line and its overall height would be similar to that of the other dwellings on the frontage. Consequently, because of the tight arrangement of the semi-detached dwellings on this frontage, the proposed flats would fit in acceptably in the street scene.
8. The two pairs of semi-detached dwellings at the rear of the site would be of a distinctive design incorporating an asymmetrical roof form with roof lights to the north elevation and a flat roof three storey section on the south facing elevation. While slightly higher than the existing dwellings in the area they have been designed to avoid overlooking and potential overshadowing of the nearest properties in Coleridge Road and Coniston Road. Any side facing windows to stair wells would be obscure glazed to further protect the privacy of the adjacent residents. Having regard to the fact that the site is at the rear of existing development but is in relatively spacious surroundings I consider that the design of the dwellings responds appropriately to the setting.
9. I find that the proposal would accord with policy 3/4 of the adopted Cambridge Local Plan which makes it clear that development will be permitted where it demonstrates that it has responded to its context and drawn inspiration from the key characteristics of its surroundings. I, therefore, conclude that the proposed development would not cause unacceptable harm to the character and appearance of the surrounding area.

#### Conditions

10. The Council has suggested a number of conditions, in addition to the standard timescale condition, which it would wish to see included in the event that the appeal is successful. Those dealing with operations during construction of the development, limitations on permitted development, waste storage and the fixing of windows are necessary to protect the amenities of existing residents. Those dealing with landscaping, materials and boundary treatment are necessary to ensure that the development fits in acceptably with its

surroundings. Those dealing with cycle storage, contaminated land survey and archaeology are necessary and relevant to the proposed use of the land.

#### Conclusions

11. The proposed development would accord with the development plan and there are no material considerations which would indicate otherwise. I have taken account of all other matters raised but they do not outweigh the main considerations that have led me to my decision. For the reasons given above I conclude that the appeal should be allowed.

#### Formal Decision

12. I allow the appeal, and grant planning permission for the demolition of 187 Cherry Hinton Road and the erection of a three storey house of flats in its place, together with the erection of four semi-detached three-storey houses at the northern end of the site in place of the garages. (An approved road off Cherry Hinton Road serves the houses and flats. Fourteen car parking spaces and seven bicycles parking spaces will be provided). The site is 187 Cherry Hinton Road, Cambridge, CB1 7BX. The permission is in accordance with the terms of the application, Ref. 08/0125/FUL, dated 24 January 2008, and the plans submitted with it, subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) 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.
- 3) Except with the prior written agreement of the local planning authority, there shall be no collection from, or deliveries to, the site during the demolition and construction stages, outside the hours of 0700 hours and 1900 hours Monday to Saturday and there shall be no collections from, or deliveries on Sundays or Bank and Public Holidays.
- 4) No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition and construction periods has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.
- 5) Prior to the commencement of development, a contaminated land assessment and associated remedial strategy, together with a timetable of works shall be submitted to and approved in writing by the local planning authority:

- (i) The contaminated land assessment shall include a desk study to be submitted to the local planning authority 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 local planning authority prior to investigations commencing on site.

- (ii) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
- (iii) 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 local planning authority. The local planning authority 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.
- (iv) 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.
- (v) 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 local planning authority.
- (vi) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the local planning authority. 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.
- 6) The facilities for on-site storage of waste, including waste for recycling, as shown on the approved drawings, shall be provided prior to occupation of the dwelling to which the storage facilities relate. The facilities shall be retained thereafter unless agreed in writing by the local planning authority.
- 7) Prior to occupation of the four dwellings to the rear of the site, the windows in the side walls of each house shall be glazed with obscure glass that prevents overlooking of the rear gardens of neighbouring properties and shall be permanently retained as such.
- 8) No dwelling shall be occupied until the proposed vehicular access, parking spaces, driveway, and turning spaces have been constructed in accordance with the approved details and finished with surfacing materials that have been approved in writing by the local planning authority. The parking and turning spaces provided shall thereafter be retained and shall not be used for any other purpose.
- 9) 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.

- 10) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping 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 (e.g. furniture, play equipment, refuse and other storage units, signs, lighting); proposed and existing functional services above and below the ground (e.g. 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.
- 11) All hard and soft landscaping works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing by the local planning authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of 5 years after planting are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.
- 12) No development shall take place until details of the positions, design, height, materials and type of boundary treatment to be erected have been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the development hereby permitted is 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.
- 13) The facilities for cycle storage, as shown on the approved drawings, shall be provided prior to occupation of the dwelling to which the storage facilities relate. The facilities shall be retained thereafter unless agreed in writing by the local planning authority.
- 14) Before the development hereby permitted is commenced, details of the following matters shall be submitted to and approved in writing by the local planning authority:
  - (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 the parking of contractors vehicles and contractors personnel vehicles

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

- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows or dormer windows shall be constructed other than those expressly authorised by this permission.
- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or additions or garages shall be erected other than those expressly authorised by this permission.
- 17) Notwithstanding the approved plans, prior to the commencement of development full details shall be submitted to and approved in writing by the local planning authority for an appropriate location for the storage of wheelie bins on collection days close to the site entrance. The development shall be carried out in accordance with the approved details.
- 18) Prior to the commencement of the development hereby approved a bollard shall be introduced at the entrance of the western access to the site to ensure that it is not used for motor traffic.

*Howard Rose*

INSPECTOR

<b>Application Number</b>	11/0535/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	13th May 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	8th July 2011		
<b>Ward</b>	Petersfield		
<b>Site</b>	14 Emery Street Cambridge Cambridgeshire CB1 2AX		
<b>Proposal</b>	Single storey side extension, dormer to loft and dormer to side (following demolition of existing single storey perspex leanto).		
<b>Applicant</b>	Dr Angeles Carreres And Prof Jaideep Prabhu 14 Emery Street Cambridge Cambridgeshire CB1 2AX		

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

- 1.1 Emery Street is a mid-terrace, two-storey dwelling situated on the eastern side of Emery Street, about 100 metres north of the junction with Mill Road. The house is finished in Cambridge stock brickwork under a slate roof.
- 1.2 The site falls within the Central Conservation Area and the Controlled Parking Zone.

### **2.0 THE PROPOSAL**

- 2.1 The application follows the earlier grant of planning permission for a rear dormer and single storey rear extension (09/1031/FUL, 10/1274/FUL) and again seeks permission for a single storey rear extension and a loft conversion involving the insertion of a rear box dormer within the roof slope.
- 2.2 The design of the proposed dormer window now includes a third storey flat roof extension projecting 1.7m beyond the roof plane.

2.3 The dormer will be lead lined with timber sash windows. The ground floor extension will be constructed in matching brickwork.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/1031	Single storey rear extension and roof extension.	Approved
10/1274/FUL	Single storey side extension and rear dormer roof extension.	Approved

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

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

5.3 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning



policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

**5.4 Circular 11/95 – The Use of Conditions in Planning**

**Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

**5.5 Circular 05/2005 - Planning Obligations:**

Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

**5.6 East of England Plan 2008**

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

**5.7 Cambridge Local Plan 2006**

3/4 Responding to context

3/14 Extending buildings

## 5.8 Material Considerations

### Central Government Guidance

#### Draft National Planning Policy Framework (July 2011)

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

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be „yes“, except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted

7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

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

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

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

Includes the following statement:

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

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

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

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

### **City Wide Guidance**

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

## **6.0 CONSULTATIONS**

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

6.1 The Highway Authority has no comment to make on this application.

### **Historic Environment Manager**

6.2 The dormer proposed is cumbersome, covering the majority of the width of the roof and meeting the ridge height of the main building. It comes down to the eaves, being only minimally set back from them. Our preferred style is one or two pitched slate

roof dormers, with slate or lead cheeks. The windows should be timber, either sliding sash or side hung casements. The dormer(s) should be set back from the eaves so that it reads as a subservient addition to the main building. One or two dormers of this style may be acceptable on this building, in this location. There are very few dormers on other roofs in this area and any that are permitted should set a good precedent for any future development that may come forward.

- 6.3 The additional extension over the flat roof is not supported. This proposal is not in keeping with the character of the area and would be detrimental to the appearance of the conservation area. The proposals for the roof of this property are not supported as they are deemed to be detrimental to the character and appearance of the conservation area.
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 Councillor Brown has commented on this application. The representation is set out below:

*I am of the view that this application, "Single storey side extension, dormer to loft and dormer to side) is likely to be raise issues relating to section 3/14 (Extending Buildings) of the Local Plan. Specifically, I believe there are questions relating to overlooking, overshadowing or visually dominating neighbouring properties that are likely to be somewhat subjective, having had the chance to examine the site.*

*I am therefore requesting that it be heard at committee, whether it is recommended for refusal or not.*

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces

2. Residential amenity
3. Third party representations

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

- 8.2 The key design issue is the design and appearance of the extension and dormer window in relation to the terraced property and wider Conservation Area.
- 8.3 Extensions to existing buildings will be permitted if they reflect or successfully contrast with their form, use of materials and architectural detailing as set out within Local Plan policy 3/14. Roof extensions of this scale and proportion, which project beyond the rear roof plane forming a 3 storey extension, are rarely acceptable in a Conservation Area. The rear roofscape is partially visible from both the historic park and garden of Mill Road Cemetery, and from Emery Road. This proposal is identical to the originally submitted application in 2009 for a rear dormer window and 3 storey extension.
- 8.4 The previous case officer negotiated removal of the third storey projection from the 2009 application, which was considered out of scale with the character of the property and to detract from the character and appearance of the Conservation Area. I agree with this assessment. The size and scale of the rear dormer and third storey extension would dominate the roof of this modest terraced property, and set an undesirable precedent for similar roof extensions in the vicinity.
- 8.5 The proposed ground floor extension is identical to that approved in 2010 and in my view is acceptable.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.6 The proposed box dormer window will have some visual impact on the adjoining neighbours numbers 13 and 15 Emery Street. I do not however consider the harm to be so significant as to justify refusal.
- 8.7 The ground floor rear infill extension will have some visual impact upon number 15 Emery Street. However the eaves level is relatively low at 2.3m and will not in my view create a harmful

visual impact. The 8m depth is identical to that approved in 2010.

- 8.8 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Third Party Representations**

- 8.9 The issues raised in the representation received have been considered in above report.

### **9.0 CONCLUSION**

- 9.1 The proposed rear dormer window with its third storey rear projection, will, in my view, detract from the character and appearance of the Conservation Area. REFUSAL is recommended.

### **10.0 RECOMMENDATION**

#### **REFUSE for the following reason:**

1. The proposed rear box dormer window, by reason of its size, scale, and third storey rear projection beyond the roof plane, would result in a disproportionate roof extension in relation to the terraced property, detracting from the character and appearance of the dwelling and the wider Conservation Area. As such, the development has not used the key characteristics of the locality to inform its design and is therefore contrary to Cambridge Local Plan policies 3/4, 3/14 and 4/11.

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

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

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

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





**11/0535/FUL**  
**14 Emery Street Cambridge Cambridgeshire CB1 2AX**



<b>Application Number</b>	11/1097/EXP	<b>Agenda Item</b>	
<b>Date Received</b>	19th September 2011	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	14th November 2011		
<b>Ward</b>	Abbey		
<b>Site</b>	71 - 73 New Street Cambridge CB1 2QT		
<b>Proposal</b>	Extension of time for the implementation of planning permission reference 09/0063/FUL for change of use of existing vehicle workshop and storage site to residential to create six flats with five car parking spaces, refuse and cycle storage.		
<b>Applicant</b>	20 Water Lane Histon Cambridge CB24 9LR		

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### 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site forms an irregular quadrilateral on the north-eastern corner of the junction of New Street and Occupation Road. It is currently used as a vehicle repair workshop. The vehicle access is off New Street, and the single-storey building occupies the western third of the site, with the remainder of the site area being open and in use for parking and storing vehicles.
- 1.2 The area is one of mixed use, in which residential and business uses are intermingled. A terrace of two-storey houses lies to the east. To the north is a workshop building, which does not appear to be in use at present. Across Occupation Road to the west is a three-storey building providing student residential accommodation. To the south, on the other side of New Street, and partly screened by trees, is the Howard Mallett Centre, part of which is in use as offices. The car park of the Centre lies between the building and New Street.

- 1.3 At the south-west corner of the site is a large advertising hoarding, 4.5m high and 13m long. The hoarding is aligned diagonally, at about 30° to New Street, further from the carriageway at the western end. This advertising hoarding, and the narrow triangle of land on which it stands, do not form part of the application site, and are not in the same ownership.
- 1.4 The site lies within the boundary of site 7.01 of the Proposals Schedule in the Cambridge Local Plan (2006), which is allocated for employment B1 use, housing and student accommodation. The site lies outside, but immediately adjacent to, the City of Cambridge Conservation Area No.1 (Central), the boundary of which runs along the median line of New Street. The site also lies within the Controlled Parking Zone (CPZ).

## **2.0 THE PROPOSAL**

- 2.1 This application seeks the replacement of an existing permission, reference 09/0063/FUL, with a new permission to allow longer for implementation. The permission was considered by East Area Committee on 12 March 2009 and was approved following the completion of a section 106 Agreement on 20 March 2009. The consent expires on 20 March 2012. The details of the application are unchanged and the development is described as change of use of existing vehicle workshop and storage site to residential to create six flats with five car parking spaces, refuse and cycle storage.
- 2.2 The development was described in the previous report as follows: -
- 2.3 The application proposes a building 21m by 17m. It would have four storeys, the plan area of each being smaller than that below. The main pedestrian entrance to the development would face New Street, slightly towards the eastern end of the site. The entrance lobby would be served by narrow windows to each side of the door, and a further window to the rear court. Two blank window spaces to the New Street elevation could be opened up in the event that the hoarding was removed. The main stairs and lift would lead off the entrance lobby. To the west on the ground floor would be a single one-bedroom flat (Unit 2) measuring 8.5m x 8m, with a 'front' door and kitchen/living room and bedroom windows facing Occupation Road, and a small kitchen window looking on to the rear of the

advertising hoarding. Beyond this unit along the Occupation Road frontage would be the gated access drive, and, within the same void beneath the first floor, 13 cycle parking spaces served by a pedestrian gate. To the east of the entrance lobby would be the two bedrooms of Unit 1, whose living space would be reached by a private staircase to the first floor. The remainder of the site, to the rear of the building, would be occupied by car parking for four cars, including one space suitable for disabled users, and a waste and recycling store.

- 2.4 Part of the western section of the first floor would be occupied by a single-bedroom flat (Unit 3), with bedroom and living room windows overlooking Occupation Road. There would also be a two-bedroom flat with the windows of one bedroom on the Occupation Road side, and the living/kitchen and second bedroom served by windows leading onto a 5m x 2.5m deck above the car parking court. The south-eastern part of the first floor would be occupied by the living rooms of Unit 1. They would be reached by a private staircase, and would look out onto a small deck between two bays of the building. The living/kitchen would also overlook New Street and the Howard Mallett Centre.
- 2.5 The second floor would have a more limited 14m x 13m floor plan, and would form two two-bedroom flats. The living room of the northern flat (Unit 5) would look out on to a small deck area above Unit 4; the bedrooms would be served by windows overlooking Occupation Road. The southern flat (Unit 6) would also have bedroom windows overlooking Occupation Road, and internal stairs leading to a 6m x 6.5m kitchen/living area which would take up the whole of the third floor of the building, with a balcony overlooking Occupation Road.
- 2.6 A 2m x 14m landscaped strip would separate the building from Occupation Road, and a similar 2m x 6.5m strip would separate the main entrance from the path to the bin store, on the New Street frontage.
- 2.7 From Occupation Road the building would appear as a main block with a hipped roof, 7.7m above ground level at the eaves, and 9.3m at the ridge. To the south side, the elevation, projected slightly forward, would extend up to the fourth storey, surmounted by its own hipped roof (eaves 10.5m above ground, ridge 12m). From New Street, the building would step up from

east to west, with the 6.5m high ridge of Unit 1 on the east side of the main entrance, and the 9.2m high central section, and 12m high fourth storey further west, appearing above the advertising hoarding.

### 3.0 SITE HISTORY

Reference	Description	Outcome
91/0491	Outline application for business use, 34 dwellings and car parking	Withdrawn
91/0790	38 Flats	Withdrawn
07/0626	Five flats	Refused, appeal dismissed
09/0063/FUL	Change of use of existing vehicle workshop and storage site to residential to create six flats with five car parking spaces, refuse and cycle storage	A/C

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

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

**5.3 Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

**Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)

**5.4 Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a

sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

- 5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.6 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

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

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

5.7 **East of England Plan 2008**

SS1: Achieving Sustainable Development  
E2: Provision of Land for Employment  
T1: Regional Transport Strategy Objectives and Outcomes  
T2: Changing Travel Behaviour  
T4 Urban Transport  
T9: Walking, Cycling and other Non-Motorised Transport  
ENV6: The Historic Environment  
ENV7: Quality in the Built Environment  
WM6: Waste Management in Development

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision  
P9/8 Infrastructure Provision



## 5.9 Cambridge Local Plan 2006

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/6 Ensuring co-ordinated development
- 3/7 Creating successful places
- 3/11 The design of external spaces
- 3/12 The design of new buildings
- 4/11 Conservation Areas
- 4/13 Pollution and amenity
- 5/1 Housing provision
- 7/3 Protection of industrial and storage space
- 8/2 Transport impact
- 8/4 Walking and Cycling accessibility
- 8/6 Cycle parking
- 8/10 Off-street car parking

### Planning Obligation Related Policies

- 3/8 Open space and recreation provision through new development
- 5/14 Provision of community facilities through new development
- 8/3 Mitigating measures
- 10/1 Infrastructure improvements

## 5.10 Supplementary Planning Documents

**Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change

adaptation, water, materials and construction waste and historic environment.

## 5.11 Material Considerations

### Central Government Guidance

#### Draft National Planning Policy Framework (July 2011)

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

The Draft NPPF includes a set of core land use planning principles that should underpin both plan making and development management (precised form):

1. planning should be genuinely plan-led
2. planning should proactively drive and support the development and the default answer to development proposals should be "yes", except where this would compromise the key sustainable development principles set out in the Draft NPPF
3. planning decisions should take into account local circumstances and market signals such as land prices, commercial rents and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business community
4. planning decisions for future use of land should take account of its environmental quality or potential quality regardless of its previous or existing use
5. planning decisions should seek to protect and enhance environmental and heritage assets and allocations of land for development should prefer land of lesser environmental value
6. mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land should be promoted

7. the reuse of existing resources, such as through the conversion of existing buildings, and the use of renewable resources should be encouraged
8. planning decisions should actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable
9. planning decisions should take account of and support local strategies to improve health and wellbeing for all
10. planning decisions should always seek to secure a good standard of amenity for existing and future occupants of land and buildings.

The Draft NPPF states that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.

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

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

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

Includes the following statement:

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

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

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

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

**Cambridge City Council (2004) – Planning Obligation Strategy:** Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

**Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)** Sets out how all residential developments should make provision for public open space, if not on site then by commuted payments. It incorporates elements from the Planning Obligations Strategy Supplementary Planning Document (2010) and the Open Space and Recreation Strategy (2006).

## **6.0 CONSULTATIONS**

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

6.1 No objection.

### **Highways Agency**

6.2 No objection.

### **Head of Environmental Services**

6.3 No objection.

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

## **7.0 REPRESENTATIONS**

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

- Petersfield Area Community Trust

7.2 The representations can be summarised as follows:

- The existence of the hoardings impedes good design

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Disabled access
4. Residential amenity
5. Refuse arrangements

6. Highway safety
7. Car and cycle parking
8. Third party representations
9. Planning Obligation Strategy

### **Principle of Development**

- 8.2 This application should be assessed against current Development Plan policy, taking into account any changes in policy or circumstance since the approval of planning reference 09/0063. The Development Plan has not changed but the Planning Obligations Strategy 2010, the CIL Regulations 2010 and the draft NPPF and other government guidance have been produced. I do not consider that this guidance affects the principle of development, which remains acceptable.
- 8.3 Policy 7/3 of the Cambridge Local Plan (2006) states that loss of industrial and storage floorspace will not be permitted except in certain circumstances. However the application premises are part of allocated site 7.01 in the Cambridge Local Plan (2006). The site is allocated for mixed use comprising B1 employment, housing and student accommodation. The application premises only form a small part of the allocated site, and there is no requirement that any particular mix of the allocation uses be provided on any particular part of the overall site. In his decision on 07/0626/FUL, the inspector made it clear that he considered use of the site for residential development to be appropriate.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 7/3 of the Cambridge Local Plan (2006) and the allocation of site 7.01 in the proposals schedule at Appendix F of that plan.

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

- 8.5 The continued presence of the advertisement hoarding on this corner is an impediment to the creation of a well-designed building. However, the building approved under reference 09/0063 is in my view successful in meeting the requirement for a design that not only responds as positively as possible to the severe constraint created by the hoarding, but also offers the possibility of an enhancement of the townscape if the later removal of the hoarding can be secured.

- 8.6 The proposal creates an active street frontage on New Street through the siting of the principal entrance on that street, but also retains some vitality on the Occupation Road frontage by the insertion of a separate 'front' door for Unit 2 and the creation of a separate pedestrian and cycle gate. The possibility for natural surveillance of the street is exploited to the maximum by siting the windows of habitable rooms along the whole of the frontage not obscured by the hoarding, and the possibility is retained of the insertion of additional windows to living rooms, bedrooms and the entrance lobby if the hoarding is removed.
- 8.7 The height, massing and roof forms of the building proposed are in most respects similar to the earlier residential scheme that was dismissed at Appeal. At the appeal on that application (07/0626/FUL), the inspector indicated that these aspects of the building were acceptable and dealt well with the change in scale from the terrace of houses on the east of the site to the student accommodation on the opposite side of Occupation Road. In my view, the same view must be taken of the building proposed here.
- 8.8 Although the arrangements for providing sunlight to rooms currently obscured by the hoarding are unorthodox, I do not consider that they would result in unacceptable living conditions for future occupiers. Similarly, although the decks and terraces to provide outdoor amenity spaces are very limited in scale, and in some cases awkwardly configured, I accept the applicants' contention that these spaces are carefully designed to allow privacy, and that the provision of outdoor amenity space, even if very limited, is desirable.
- 8.9 The context of the site has remained unchanged. In my opinion the design is appropriate and compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

### **Disabled access**

- 8.10 The application proposes flush thresholds to all entrances, a lift providing access to the doors of all the flats proposed, and a disabled parking space. The City Council's access officer suggests that the car park layout does not conform to Part M of the Building Regulations, and also recommends that the vehicle

entrance gates be automatic. These matters can in my view be addressed by informatives.

- 8.11 The arrangements for disabled access are unchanged and in my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Residential Amenity**

- 8.12 There are no residential premises to the south, and no amenity issues arise with respect to the land uses in these directions.
- 8.13 There are currently no residential premises to the north. The owner of the land immediately to the north has previously indicated that the site might be redeveloped in the near future and that all windows in the north elevation should be omitted. The application drawings are unclear as to whether these windows are blanked out, or actual windows. In my view, the existence of windows in this elevation would not seriously prejudice appropriate development on the land to the north, but since all the rooms concerned have alternative sources of daylight, I suggest that a condition to ensure that these windows are at high level or have outward visibility otherwise limited could avoid any possibility of hindering co-ordinated development.
- 8.14 The proposed building would lie between 12m and 14m from the student accommodation on the opposite side of Occupation Road. As it would be significantly taller than the existing building, this might result in some reduction of morning sunlight to the existing building, but I do not consider that this is likely to be significant. With respect to privacy, the separation across Occupation Road, window-to-window, is relatively small. However, such proximity is characteristic of residential streets in the Petersfield area of the city, and I do not consider this to represent an unacceptable loss of privacy for occupants of the student accommodation opposite.
- 8.15 N<sup>o</sup>. 77 New Street has a second-floor dormer window in the hipped roof facing the application site. This window would only be 6.5m from the kitchen window of the proposed Unit 4. Although this distance is quite small, the dormer is on the floor above the small kitchen window, and any views would be at an



upward angle, I do not consider that an unacceptable loss of privacy would result. The dormer window at No.77 would be 9.5m from the edge of the second-floor deck of the proposed Unit 5, and 13.5m from the hall window of that unit. Given that the deck would be screened up to about 1.7m above floor level by the roof of the kitchen of Unit 4, I do not consider the potential for overlooking to be significant; the issue could be resolved by a condition to ensure that the balustrade of this deck is high enough to limit overlooking.

8.16 The application drawings are not clear with regard to the eastern edge of the second-floor deck to Unit 6. The floor plans appear to show glazing at this point, whereas the elevation does not. Glazing at this point might give an opportunity for overlooking the neighbouring window. However, a condition would be sufficient to resolve this issue. I do not consider these are any other issues of privacy, overshadowing or visual domination in this direction.

8.17 The relationship between the new development and existing residential development is unchanged and in my opinion, subject to conditions, the proposal adequately respects the residential amenity of its neighbours and I consider that in this respect it is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policy 3/4.

### **Refuse Arrangements**

8.18 The application proposes space for two wheeliebins for each unit, with space above for recycling boxes. Space is also available for additional bins to accommodate the city's move away from boxes for recycling. I do not consider that the space allocated for waste storage is ideally placed, but it is reasonably convenient for users and collection teams, and will not impinge on the street scene. This provision remains unchanged in comparison with the extant application.

8.19 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.20 Although the Highway Authority has reservations about the access drive and gates, I do not consider that these constitute a reason for refusal. Occupation Road is a cul-de-sac, and it is my view that vehicle movements associated with the development would be conducted at low speed. I do not consider there is a serious danger to cyclists from sudden reversing. The highway authority does not recommend refusal on these grounds.
- 8.21 I concur with the view of the highway authority that manoeuvring in the parking court would be difficult. In my view this would encourage low speeds. I do not consider that this shortcoming of the application is sufficiently serious as to warrant refusal.
- 8.22 Access arrangements remain unchanged and in my opinion the proposal is compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.23 The proposal provides four car parking spaces for six units. This is within the maximum permitted under the City Council's car parking standards. I note the view of the highway authority that car parking provision at a level less than one per unit could lead to additional pressure on on-street car parking, but I also consider it likely that future occupants, given the proximity of the site to bus routes and the city centre, might choose not to keep a car.
- 8.24 The City Council cycle parking standards in Appendix D of the Cambridge Local Plan (2006) require 10 cycle parking spaces for a development of four two-bedroom units and two one-bedroom units. The application proposes thirteen secure spaces under cover for residents and two further spaces outside the front entrance for visitors.
- 8.25 The arrangements for car and cycle parking remain unchanged and in my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

- 8.26 I have addressed the issue of constraining development on the site to the north under the heading of residential amenity. Although I share the view of the local Community Trust that the hoarding represents an impediment to good design, the Inspector's decision on 07/0626/FUL does not provide any support for the view that residential development on the site is unacceptable unless the hoarding is removed. This situation remains unchanged in the context of this application to allow for an extended time period.

## **Planning Obligation Strategy**

### **Planning Obligations**

- 8.27 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

8.28 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 formal open space, informal open space and children's play areas. The total contribution sought has been calculated as follows.

8.29 The application proposes the erection of four two-bedroom flats and two one-bedroom flats. No residential units would be removed, so the net total of additional residential units is six. 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 children's play space are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

<b>Outdoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	238	357	2	714
2-bed	2	238	476	4	1904
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>2618</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	269	403.50	2	807
2-bed	2	269	538	4	2152
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>2959</b>

<b>Informal open space</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	242	363	2	726
2-bed	2	242	484	4	1936
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>2662</b>

<b>Provision for children and teenagers</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
1 bed	1.5	0	0	2	0
2-bed	2	316	632	4	2528
3-bed	3	316	948		
4-bed	4	316	1264		
<b>Total</b>					<b>2528</b>

8.30 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

8.31 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:

<b>Community facilities</b>			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	2	2512
2-bed	1256	4	5024
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>7536</b>

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 5/14 and 10/1 and the Planning Obligation Strategy 2010.

### Waste

8.33 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:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75		
Flat	150	6	900
<b>Total</b>			<b>900</b>

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

## Education

- 8.35 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.36 In this case, six additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education/primary education/secondary education/lifelong learning (*delete as applicable*). Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

<b>Pre-school education</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	2	2
2+-beds	2		810	4	3240
<b>Total</b>					<b>3240</b>

<b>Life-long learning</b>					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	2	320
2+-beds	2		160	4	640
<b>Total</b>					<b>960</b>

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

#### Transport

8.38 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. On the basis that each residential unit can be expected to generate 8.5 trips per day by all modes, the total daily trip generation of the proposed building would be 51. Since the existing use of the building clearly generates more than one trip daily, the proposal would not result in a net growth in trips large enough to require contributions to ECATP.

#### Monitoring

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

#### Planning Obligations Conclusion

8.40 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. I have adjusted the commuted sums that are necessary to reflect the guidance contained in the Planning Obligations Strategy 2010.



## 9.0 CONCLUSION

- 9.1 In my view, by creating a satisfactory elevation on the New Street frontage, incorporating a main entrance, and enabling the possibility of a much greater enhancement of the street scene if the hoarding is removed, this application overcomes the sole reason given by the Inspector for the dismissal of the appeal on 07/0626/FUL. This application to allow a further period of time for the commencement does not raise any additional issues and therefore I conclude that it should be approved.

## 10.0 RECOMMENDATION

**1. APPROVE subject to the satisfactory completion of the s106 agreement by 15<sup>th</sup> March 2012 and subject to the following conditions:**

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

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

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

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

3. The eastern balustrade of the second-floor deck to Unit 5 shall be at a level at least 1.7m above the floor level of the deck, and shall be so maintained unless agreement to any variation is first given in writing by the local planning authority.

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

4. The side panel on the east side of the second-floor deck to Unit 6 shall be constructed of either an opaque material or obscure glazing, and shall be so maintained unless agreement to any variation is first given in writing by the local planning authority.

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

5. Notwithstanding the approved drawings, if windows are to be inserted in the positions shown on the north wall of Units 4 and 6, their design, including sill height and glazing, shall be submitted to, and approved in writing by, the local planning authority, before occupation of those units. Windows shall only be inserted in these positions subject to the approved details.

Reason: To avoid prejudicing co-ordinated development over the wider area. (Cambridge Local Plan (2006) policy 3/6)

6. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

(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.

(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: To avoid pollution (Cambridge Local Plan 2006, policy 4/13)

7. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228 Part 4: COP for noise and vibration control applicable to piling operations.

Reason: To avoid noise pollution (Cambridge Local Plan 2006, policy 4/13)

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

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

9. 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: 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)

10. No development shall commence until a programme of measures to minimise the spread of airborne dust and mud from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

To avoid harm to residential amenity. (Cambridge Local Plan 2006 policy 3/4)

11. No units shall be occupied until full details of the proposed landscaping, including a planting plan and a 5-year management plan, have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented before occupation takes place, and shall be maintained in accordance with the approved plan.

Reason: To ensure satisfactory external spaces (Cambridge Local Plan 2006 policy 3/11)

12. No development shall take place until details at 1:50 or larger of the pedestrian/cycle gate have been submitted to and approved in writing by the local planning authority. The gate shall be installed only in accordance with the approved details, and shall be so maintained unless agreement to any variation is first given in writing by the local planning authority.

Reason: To ensure that access for cycles is adequate. (Cambridge Local Plan 2006 policy 8/6)

**INFORMATIVE:** The applicant / agent should make the following contacts:

Building Control at The Guildhall, 01223 457200 with regard to noise insulation

Jen Robertson, Waste Strategy Officer, Mandela House, 4 Regent Street, 01223 457658 with regard to waste provision.

The Housing Standards Team, Mandela House, 4 Regent Street, 01223 457880.

**INFORMATIVE:** The applicant is advised that to provide for the needs of disabled occupiers or visitors, all toilet and bathroom doors should either open outwards or slide. The applicant is also advised that the parking layout should conform with Part M of the Building Regulations, and that the needs of disabled drivers would be best served by automatic gates to the access drive.

### **Reasons for Approval**

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

East of England plan 2008: policies ENV7 and WM6

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

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/6, 3/7, 3/11, 3/12, 5/1 and 7/3

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

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

**2. Unless prior agreement has been obtained from the Head of Development Services, and 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 15th March 2012 it is recommended that the application be refused for the following reason.**

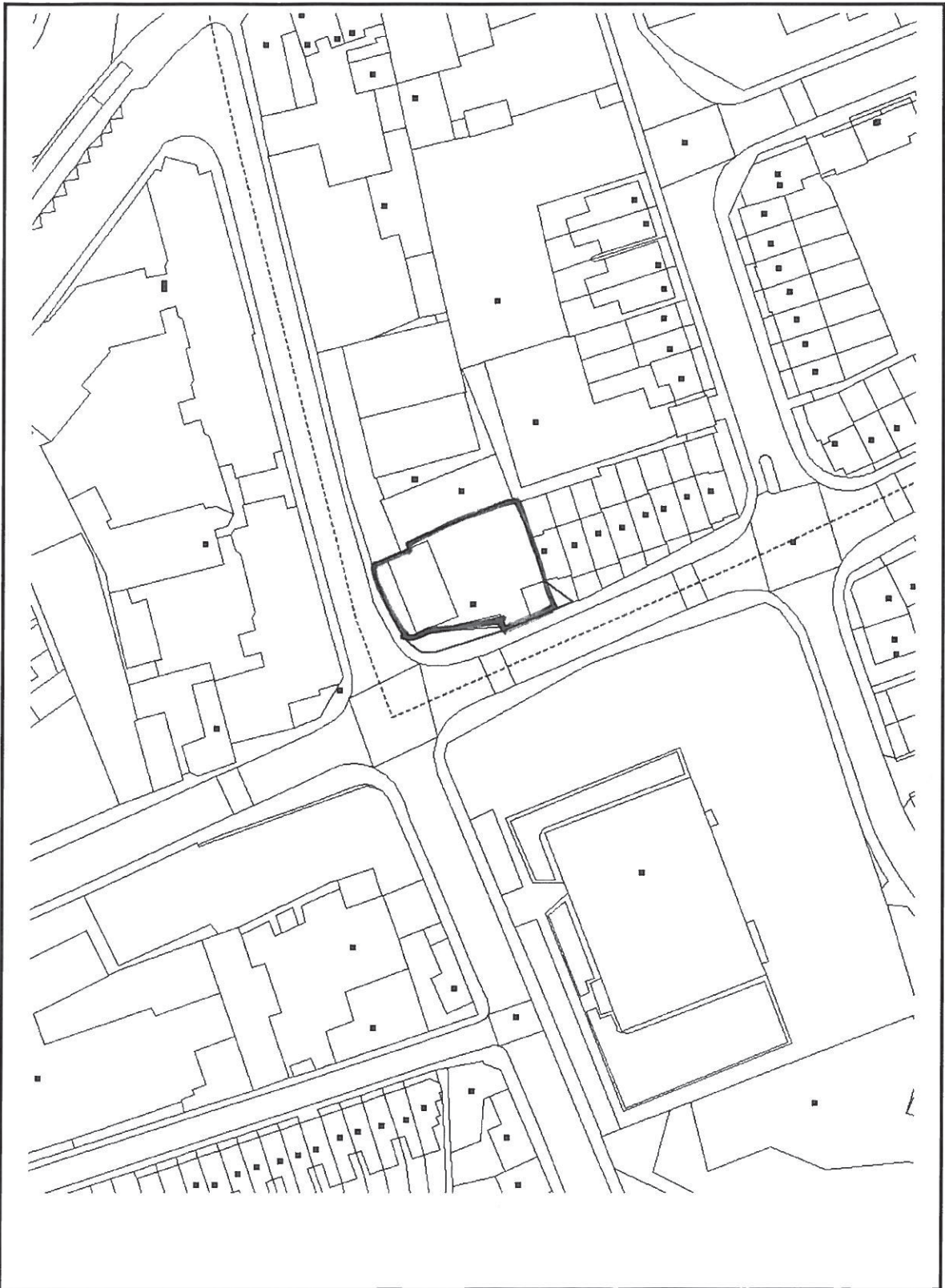
The proposed development does not make appropriate provision for open space/sports facilities, community development facilities, education and life-long learning facilities, waste facilities and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010 and the Open Space Standards Guidance for Interpretation and Implementation 2010.

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

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

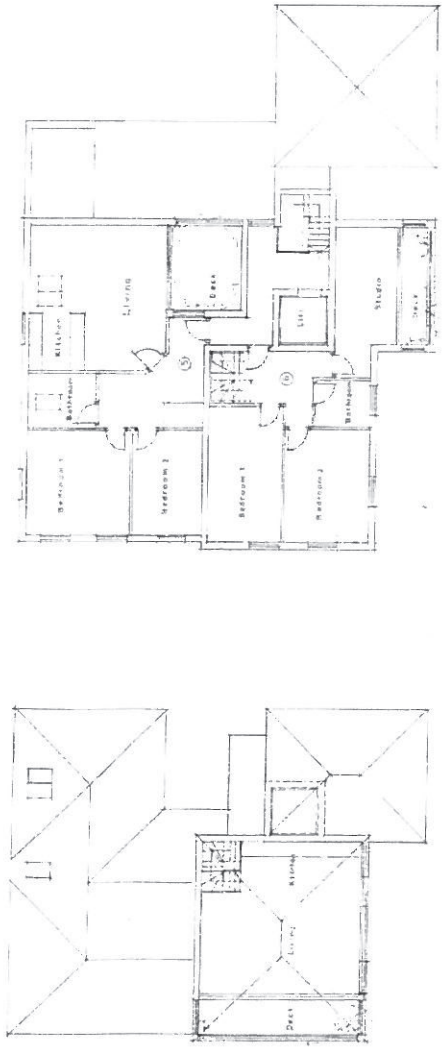
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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

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

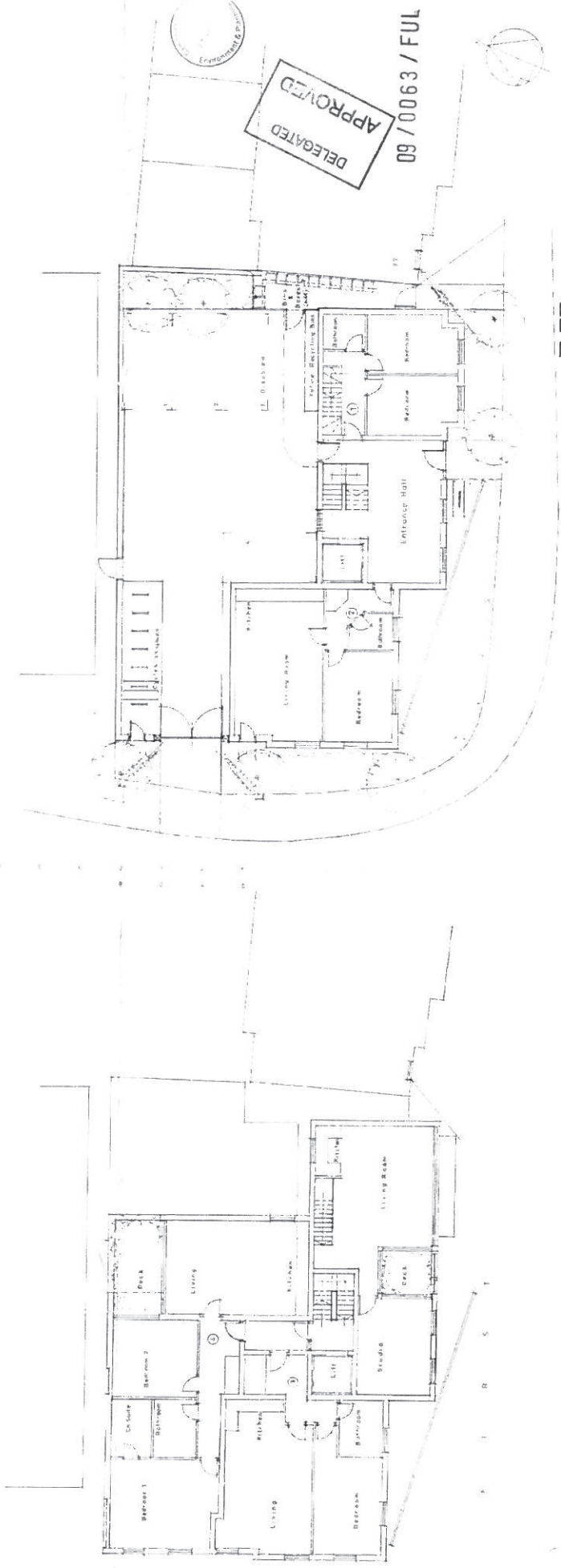


**11/1097/EXP**  
**71 - 73 New Street Cambridge CB1 2QT**





S E C O N D



DELEGATED  
APPROVED

08 / 0063 / FUL



THE TEAM SHED, East Beach, Cambridge, CB1 1EU  
 NALIE ASSOCIATES  
 ARCHITECTS  
 Client F P L J CLARK Date October 2008  
 Project OCCUPATION 4/0/08 NEW STREET Scale 1:100  
 Drawing PROPOSED FLOOR PLANS DWG No. 08/0063\_012



DELEGATED  
APPROVED

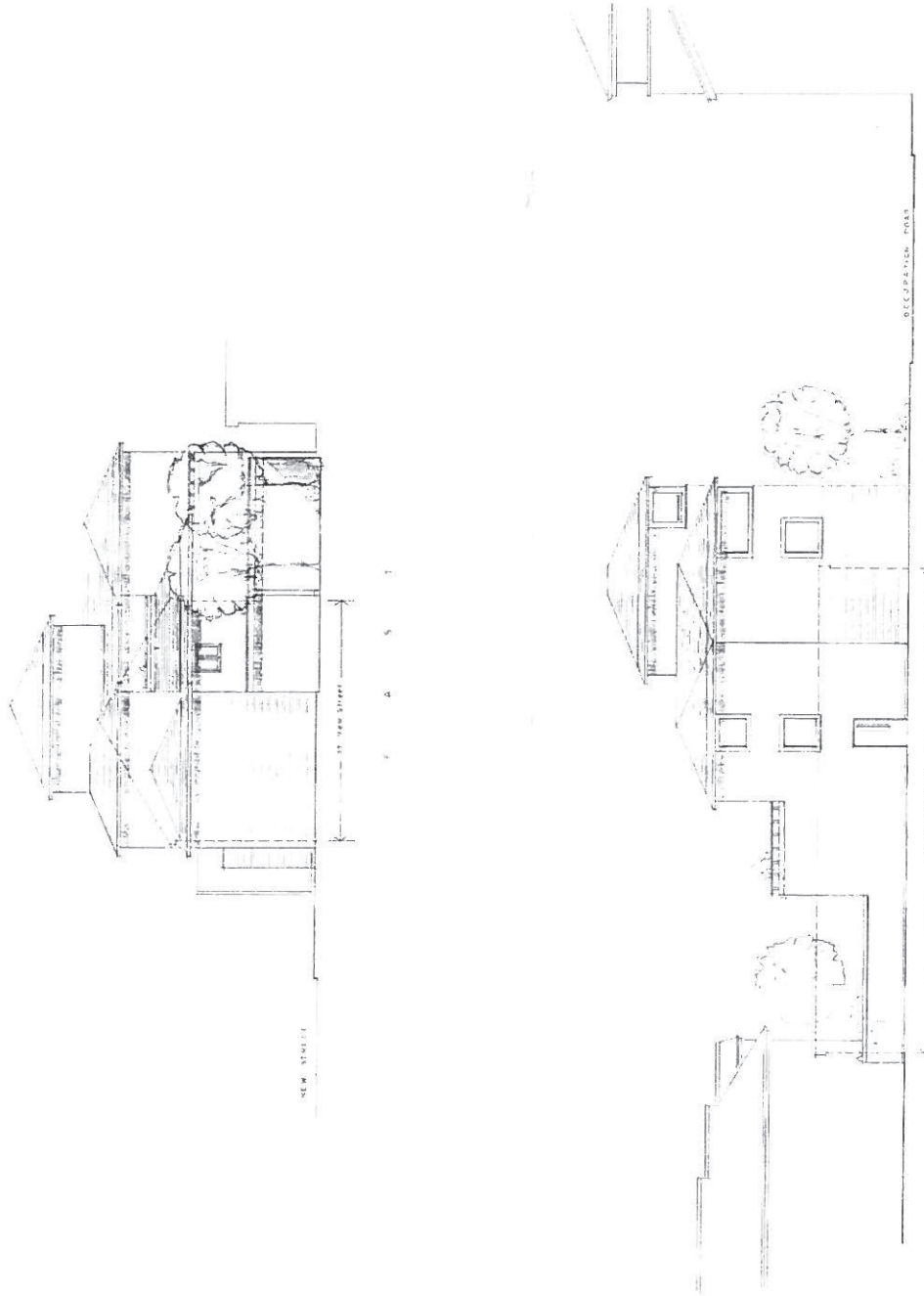
09 / 0063 / FUL



THE TEAM: SHED, East Road, Cambridge, CB1 1EQ. TEL: 01223 353333 FAX: 01223 353334

Client	E. P. J. CLARKE	Date	01/03/04	Drawn	JKW
Project	OCCUPATION ROAD	NEW SHEET	Scale	1:100	
Drawing	ELEVATIONS	SHEET 1	Dwg No.	09 / 0063 / 001	

This drawing is copyright. Do not reuse from this drawing. The contractor is responsible for securing any permissions to the architect.



09 / 0063 / FUL



THE TRAM SHED, East Road, Cambridge, ON, 18G 34-6177 (416) 754-4077 (416) 754-4077  
 Client: E F T / CLASH Date: 07/20/04 2004  
 Project: OCCUPATION ROAD, NEW STREET Scale: 1/8" = 1'-0"  
 Drawing: ELEVATIONS SHEET 7 Dwg No: 09/0063-022  
 Not shown in copyright. (As per standards for drawings) The contractor is responsible for securing any requirements in the Act/Code.

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**EAST AREA COMMITTEE**

**Date: 15<sup>th</sup> December 2011**

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<b>Application Number</b>	11/0872/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	25th July 2011	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	19th September 2011		
<b>Ward</b>	Romsey		
<b>Site</b>	292 Mill Road Cambridge Cambridgeshire CB1 3NL		
<b>Proposal</b>	Erection of 5 houses and conversion/extension to provide student accommodation (sixteen units).		
<b>Applicant</b>	C/o 6 New Street Square New Fetter Lane London EC4A 3BF		

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

- 1.1 The application site is a broadly rectangular shaped plot situated at the junction of Mill Road and Malta Road, occupied by the former Royal Standard Public House.
- 1.2 The existing building was previously occupied by an Indo-Thai restaurant but is currently vacant. To the rear is the former car park for the restaurant which is accessed from Malta Road and forms part of the application site.
- 1.3 The area is predominantly residential in character, with terraced houses along the length of Malta Road and Cyprus Road. There are some other uses such as retail and a community centre on Mill Road, close to the site.
- 1.4 The site falls within the Central Conservation Area. There is 1 significant tree on the site, a Malus tree in the north west corner, which is protected from felling by reason of being within a Conservation Area. The site is not within a Local or District Centre.

## 2.0 THE PROPOSAL

- 2.1 This application seeks consent for the erection of a terrace of 5 houses, and the conversion and extension of the existing restaurant to provide 16 student units.
- 2.2 The proposed extensions to the former Royal Standard provide 2 new wings projecting 11.2m to the south and 8.5m to the west, containing 3 levels of accommodation.
- 2.3 The proposed terraces have an eaves height of 5.2m and an overall ridge height of 9m. They contain 5 pitched roof front dormer windows within each roof plane.
- 2.4 The materials of construction for the extensions to the former Royal Standard are to match the existing building. The terraces are to be constructed with a buff brick with a slate roof.
- 2.5 The application is accompanied by the following supporting information:

1. Design and Access Statement

### **Amended Plans**

Since the original submission amended plans have been received making minor alterations to the detailed design of the development. These changes were not so significant as to justify further consultation. The changes are as follows:

- Provision of downpipes to divide each property vertically.
- Retention of 'Royal Standard' lettering and lamps to the front elevation.
- Details of proposed public art to the south west elevation of the extended student accommodation.

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/95/0812	Single storey side extension to provide new bar extension and toilets, at existing Public House	Approved
07/1285/FUL	Single storey side extension.	Approved

09/0946/FUL Partial change of use of an existing restaurant car park to a use to operate a daytime car washing Refused

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

##### 5.1 Central Government Advice

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

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children,

single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

5.4 **Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed.

5.5 **Planning Policy Statement 5: Planning for the Historic Environment (2010)**: sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information. Planning Policy Statement 9: Biodiversity and Geological Conservation (2005)



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

5.7 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

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

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

(b) directly related to the development; and

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

5.9 **East of England Plan 2008**

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

5.10 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision

P9/8 Infrastructure Provision

5.11 **Cambridge Local Plan 2006**

3/4 Responding to context

3/7 Creating successful places

3/10 Subdivision of existing plots

3/11 The design of external spaces

3/12 The design of new buildings

4/4 Trees

4/11 Conservation Areas  
4/12 Buildings of Local Interest  
5/1 Housing provision  
5/2 Conversion of large properties  
5/7 Supported Housing/ Housing in Multiple Occupation  
8/2 Transport impact  
8/6 Cycle parking

#### 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*)  
10/1 Infrastructure improvements (*public open space, recreational and community facilities, waste recycling*)

### 5.12 **Supplementary Planning Documents**

Cambridge City Council (March 2010) – Planning Obligation Strategy

### 5.13 **Material Considerations**

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

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

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

Includes the following statement:

When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.

Where relevant and consistent with their statutory obligations they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

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

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

## **6.0 CONSULTATIONS**

### **Historic Environment Manager**

6.1 The Mill Road area is characterised by its densely built properties with very few gaps. The Royal Standard car park is not an important gap and the proposed development of this area is in keeping with the character and appearance of the conservation area. This application is supported.

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

- 6.2 Whilst the car parking spaces on Malta Road are close to the junction, they are outside the 10 metres minimum that the Highway Authority would normally require, and so no objection is raised to the proposal on these grounds.

Similarly the frontage access has removed the bollard obstruction and has thus addressed the Highway Authority's concern.

The proposal provides parking spaces at less than one space per dwelling, which has potential to increase parking demand on the surrounding residential streets in direct competition with existing residential uses.

The area suffers intense competition for on-street parking and this proposal would exacerbate the situation.

### **Head of Environmental Services**

- 6.3 No objections regarding noise and contaminated land, subject to appropriate conditions.

Waste: Drawing P-1084-02, shows a proposed bin store, but as the number of bins needed is not known it cannot be determined if this will be adequate.

There is insufficient information in the application to show that the waste and recycling provision will be adequate. Inadequate waste and recycling provision will harm the amenity, through litter, vermin and odours.

### **Arboriculture**

- 6.4 The tree on the north boundary is a Pear. It is only protected by its Conservation Area location as there is no TPO on the tree. I would not describe it as being in poor health but do not consider it to be of sufficient value to be a significant constraint to, an other acceptable, development.

Providing adequate provision is made, therefore, for the tree's replacement, I have no formal objection to the proposal.

## **Design and Conservation Panel (Meeting of 26 October 2011)**

- 6.5 The erection of 5 houses and conversion/extension to provide student accommodation (16 units). Presentation by Philip Kratz of Birketts LLP.

The site is within the newly extended Mill Road & St Matthews Conservation Area, which now includes Malta Road. The scheme proposes the retention of the former Royal Standard Public House (designated as a Building of Local Interest). It was noted that the concerns expressed previously by the Senior Conservation & Design Officer had been addressed by the applicants.

Carolyn Gohler declared an interest as Cambridge PPF have submitted a letter of objection.

The Panel's comments are as follows:

- The presentation of the scheme was marred by the limited use and reference made to drawn material.
- The Panel regard the BLI's Malta Road and Mill Road elevations to be of equal importance. The chimneystacks currently visible are an example of late Victorian high quality design and should not be obscured.
- The Panel expressed doubt as to whether the Malta Road/Mill Road corner should be developed at all, as a landscaped space would be appropriate to both the setting of the BLI and make a positive contribution to the amenity of the area. The Panel noted the assertion made by the presenter that the proposed extension onto the corner plot had 'marginal viability'. The creation of a landscaped area at this corner location would also provide scope to re-position the proposed southern extension to the BLI towards Malta Road and thereby provide more generous space at its eastern boundary.
- Faux Dutch gables. The Panel would urge caution here, as pastiche has to be of the highest quality in order to be successful.
- Terraced accommodation (along Malta Road). These were seen as acceptable in general terms although the detailing would need to be precise e.g. flushed bonds and snapped headers etc. Although not a requirement, solar panels on the

south facing roofs should be explored, as they would not impact adversely on the Conservation Area.

'Secure by Design.' The gates providing access from /to Malta Road and Mill Road should be brought forward to be in line with best practice.

Visitor cycle parking. The Panel questioned the adequacy of the provision.

### **Conclusion.**

The proposal suggests an upstaging of the Royal Standard PH by the perceived dominance of the proposed extensions. The opportunity to provide landscaped open space on the corner plot should be thoroughly examined for the reasons stated.

**VERDICT – RED (1), AMBER (6) with 1 abstention.**

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

6.6 All toilet/bathroom doors to open outwards.

Good colour contrast required.

### **Cambridgeshire County Council Archaeology**

6.7 Our records indicate that the site lies in an area of high archaeological potential. The plot is situated within an area of known Roman occupation, with contemporary findspots to the south and north (such as Historic Environment No.s MCB5886 & MCB5582), a possible Roman military camp to the west (HER No. MCB6256), and the Roman road Via Devana to the sites south-west (HER No. MCB9602). It is suspected that remains from this period onwards will be found within the bounds of the new application area.

We therefore consider that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition such as the model condition 'number 55' contained in DoE Planning Circular 11/95.

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: 7 Montreal Road, 6a, 9, 11, 13, 17, 28, 39, 47 Malta Road, 6, 10 Cyprus Road, 17, 18 Romsey Road, 273 Mill Road, 80 Brackyn Road, 13 Sedgwick Street,

7.2 The representations can be summarised as follows:

### Objections in Principle

- Object in the strongest possible terms.
- Overdevelopment of the site.
- Demand for student accommodation is decreasing in the area.
- The loss of the pub is detrimental to the area. There is no reason why the pub should not be viable.
- The beer garden around the pub is an important green space and part of the setting of the Royal Standard. As an amenity and a visual highlight it should be preserved.
- There is nowhere in Malta Road for young children to play.
- The loss of the open space around the pub is of great concern.
- The site should be used as a community area.
- Numerous beautiful old trees have been removed from the site.
- The building and land should be put to community use.
- The Localism Bill is to give people greater say in what is wanted in an area.

### Design comments

- The poor quality additions will detract from the character of the Royal Standard.
- The proposal would change the standalone character of the former Royal Standard.

### Amenity Concerns

- Students have no consideration for other residents.

- Student residents will generate music and noise at night.
- The overturn of student accommodation is short term which is ruining the community.
- Noise pollution for number 10 Cyprus Road.
- Further student housing will bring more management and rubbish problems.
- The houses are too high and will overlook and block light to number 6 Cyprus Road.
- There is little landscaping and open space for the students.
- Concerns regarding rear lighting of the student accommodation.
- Concerns regarding noise and safety during the works.

### Parking concerns

- All of the proposed new occupants will bring cars which will make car parking more difficult.

### **Campaign for Real Ale (CAMRA)**

- Although the premises is a restaurant, it was used as a pub for many years.
- There is no obvious reason why it could not be restored as a pub.
- Bringing the Royal Standard back into a pub would give local people an increased choice of places to meet and socialise.

### **Mill Road Society**

- The proposal is clearly contrary to Council policy regarding buildings in Conservation Areas and buildings of Local Interest.
- The extensions would damage the appearance of the Royal Standard.
- Significant overdevelopment of the site.
- Failure to provide sufficient car parking would generate a negative impact upon surrounding streets.

### **SUSTRANS**

- Cycle parking for 4 of the houses is very inconvenient.
- Cycle parking should be improved on the scheme.
- The student block should be served with more cycle parking.



## **Cambridge Past Present and Future**

- Strongly object.
- Object to the loss of green space.
- CPPF believe that in the right hands the pub could be a successful business.
- The building should be retained for community use.
- The extensions are an overdevelopment of the site.
- The garden for the new flats is too small.

### **A petition has been received by 152 local residents who wish to see the open space on the Royal Standard site preserved or improved.**

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. Disabled access
8. Third party representations
9. Planning Obligation Strategy

### **Principle of Development**

8.2 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. 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 This site is a former pub beer garden, rather than a domestic dwelling, so the site should not in my view be considered as 'garden land'. The proposal nevertheless involves the subdivision of an existing plot for residential purposes, whereby the criteria of policy 3/10 is relevant.
- 8.4 Local Plan 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. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f). The character and amenity sections of policy 3/10 are considered in the relevant subsections below.
- 8.5 The criteria of Local Plan policy 5/2, Conversion of large properties, is also a material consideration, many of the principles of which closely relate to policy 3/10. Local Plan policy 5/7 permits the development of supported housing and houses of multiple occupation subject to; the potential impact upon residential amenity; the suitability of the building or site; and the proximity of bus stop cycle routes and other services. The site is in relatively close proximity to ARU East Road campus and bus connections and is therefore in a suitable location. An analysis of the design and amenity issues associated with this form of housing is considered in the relevant subsections below.

- 8.6 Some concerns have been raised regarding the potential loss of the building as an A4 Use, drinking establishments. The premises was however last used as an Indo-Thai restaurant falling within Use Class A3. Local Plan policy 5/11 does not offer protection to A3 uses because they are not defined as 'community facilities'. I also do not consider the existing restaurant to fall within the scope of a 'leisure facility' which are protected under Local Plan policy 6/1.
- 8.7 Local Plan policy 7/10 states that the development of speculative purpose-built student hostels will only be permitted if there are occupancy conditions restricting the facility to The University of Cambridge or Anglia Ruskin students. In addition, that there are suitable management arrangements in place to ensure students do not keep cars. The proposed student accommodation will be formerly linked by condition to ARU in accordance with policy 7/10.
- 8.8 There is no policy justification for preserving this previous pub beer garden for community use. In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 5/2, 5/7 and 7/10.

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

- 8.9 The key design issue relates to the detailed design and appearance of the proposed extensions to the former Royal Standard, a Building of Local interest, and the design of the new terraces within their setting.

#### Extensions to the former Royal Standard

- 8.10 New buildings should have a positive impact upon their setting in terms of height, scale, form, materials, detailing and wider townscape views, in accordance with Local Plan policy 3/12. New developments should also demonstrate that they have drawn positive inspiration from their setting in accordance with Local Plan policy 3/4. In addition, development within Conservation Areas should preserve or enhance its setting by faithfully reflecting its context or providing a successful contrast within it. In my view the proposed 2 storey rear extension to the former Royal Standard will not detract from the character and appearance of the original building. The gap in the street scene between the existing former Royal Standard and the existing

terraces of Malta Road is not considered so important as to justify refusal. The 2 storey extension is set back from Malta Road by 9m and would not therefore be unduly intrusive in the street scene. The gables and roof form would reflect the existing building which I consider a positive design response.

- 8.11 The proposed side extension to the former Royal Standard has been designed as a subservient addition. The eaves level and overall ridge height is subordinate in size and scale to the former Royal Standard. I note concerns from the Council's Design and Conservation Panel regarding the obscuring of the late Victorian chimney stacks. On balance, I do not feel that significant harm would result to the character and appearance of the Locally Listed Building. The proposed extensions incorporate chimneys which will break up the roofline and make a positive contribution. I recognise the symmetry of the former Royal Standard would be altered as a result of these proposals, but I do not consider this to be unduly harmful.
- 8.12 Internally, the scheme is subdivided in a logical fashion. The 3 wings of the extended Royal Standard would have 3 separate entrances, 2 of which are accessed from Malta Road. This arrangement results in no more than 3 flats being accessed off each landing, avoiding an overly institutional layout, to the benefit of the living accommodation of future occupiers in accordance with Local Plan policy 5/2.
- 8.13 In terms of detailed design, materials are intended to match the existing building which can be ensured through the imposition of a suitable planning condition. The amended plans retain the lettering and lamps on the main elevation of the former Royal Standard as requested by the Council's Conservation Officer. The amended plans also indicate proposed public art positioned on the south west elevation of the extended Royal Standard. Public art is not a formal requirement of 'minor' applications; the proposal would nevertheless make a positive contribution to the development.
- 8.14 The development will involve the loss of the Malus tree to the north west corner of the site. The tree contributes to the amenity of the street scene but it should not constrain development of the site. I consider its replacement acceptable, which can be ensured through the imposition of a suitable planning condition.

### The proposed terrace

- 8.15 The proposed new terrace is a logical extension of the existing residential terraces along Malta Road. Their siting and layout abutting the pavement edge is in my opinion the correct approach, as compared with the adjacent terraces on the west side of Malta Road, which provide off street car parking.
- 8.16 Their design and appearance, with modest traditionally designed front dormer windows is similar to houses approved in 2001 at the southern end of Malta Road. In my view they will make a positive contribution to the character and appearance of the Conservation Area. The loss of open space from the existing car park would not in my view be harmful to character of the street scene.
- 8.17 The Council's Conservation Officer has some concerns with the detailed design of the terrace. Amended plans have been received detailing the drainpipes to 'divide' the properties so that they read as separate dwellings within the street scene. The small canopy over each front door has also been removed because it is considered unnecessary clutter to the front elevation.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12 and 4/11.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

#### Extensions to the former Royal Standard

- 8.19 The proposed extensions will have some visual impact and will create some overshadowing on the rear garden of the flats at number 292 Mill Road, and number 2 Cyprus Road to the east of the site. I do not however consider the proportions of the new rear extension to be so unneighbourly as to justify refusal.
- 8.20 Numerous concerns have been raised regarding the increase in general noise and disturbance from the use of the extended building for student accommodation. The proposed student accommodation will be a managed facility by ARU and in my

view the potential noise from coming and goings of future occupants is not so significant as to justify refusal of the application.

#### The proposed new Terrace

- 8.21 The rear projecting wing of the southern end of terrace property will not in my view create a harmful visual impact for the occupants of number 5 Malta Road. Given number 5 is to the south of the new terrace, there will not be any overshadowing created. I consider this relationship acceptable.
- 8.22 The rear wing of the proposed southern most end of terrace will also create some overlooking upon number 10 Cyprus Road to the east. However, given the distances involved, which total 22m between the rear outlook of each property, and roughly 17m to the centre of the rear garden of number 10 Cyprus Road, I do not consider the harm to be so great as to justify refusal.
- 8.23 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, 3/10, 3/12 and 5/2.

#### Amenity for future occupiers of the site

- 8.24 The proposed student accommodation offers a satisfactory level of amenity for further occupiers. The development provides 2 communal garden areas of adequate size.
- 8.25 The proposed new terraced houses are served with useable rear garden areas and provide appropriate levels of floorspace
- 8.26 In my opinion the proposal provides 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**

- 8.27 The proposed student accommodation provides refuse storage in 2 separate outbuildings to the east and west and of the site. While I note concerns from the Council's Waste Officer that the

application does not contain waste capacity calculations, this can be adequately controlled through the imposition of a suitable planning condition. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.28 The County Council has considered the scheme and do consider any significant adverse impact on highway safety to result. The parking spaces are outside the minimum 10m distance to the junction. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.29 The development provides 1 off street disabled car parking space to serve the student accommodation, and 3 off street car parking spaces for the new terraced houses. Two of the new terraced properties will not therefore have any off street car parking. On street car parking on Malta Road is in high demand, so this proposal would exacerbate competition with existing residents. However, the site is located in close proximity to public transport links and local shops and services. As such, I consider a scheme with a reduced car parking provision acceptable in this location.
- 8.30 The proposed student accommodation provides 2 separate bicycle stores, providing parking for 20 cycles. This is in accordance with the Council's adopted standards.
- 8.31 The proposed terraced houses have adequate space within their rear garden to accommodate a shed outbuilding for bicycles. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Disabled access**

- 8.32 The Council's Access Officer has commented on internal fixtures and fittings which has been brought to the attention of the applicant. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Third Party Representations**

- 8.33 The issues raised in the representations received have been discussed in the above report.

## **Planning Obligation Strategy**

### **Planning Obligations**

- 8.34 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 community infrastructure and I will set out the details of this on the Amendment Sheet.

## **9.0 CONCLUSION**

- 9.1 The proposed development would not in my view be harmful to either the character and appearance of the former Royal Standard or the wider Conservation Area. I do not consider there to be significant adverse harm to the amenities of neighbour residential properties. APPROVAL is recommended.



## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

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

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

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

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

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

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

4. Except with the prior 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: 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)

5. Prior to occupation of the development, full details of all proposed replacement tree planting (to replace the pear tree), and the proposed times of planting, to be submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

6. No development shall take place within the site until the applicant, or their agent 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)

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

Reason: In the interests of the amenities of future occupiers, Cambridge Local Plan 2006 policy 3/12.

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 commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.
- 10. Details of any proposed external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of neighbouring residents, Cambridge Local Plan 2006 policy 3/4.

- 11. The change of use and extended former Royal Standard hereby permitted shall be used only as a hostel for the provision of residential accommodation for students attending full-time courses of education at Anglia Ruskin University.

Reason: Inadequate off-street parking provision is available on the site to meet the car parking standards of the City Council for any use other than a sui generis hostel use, the occupation of which is restricted to students who are subject to a system of parking control administered by the Anglia Ruskin University. (Cambridge Local Plan 2006 policy 8/10).

12. Prior to occupation of the approved student accommodation, 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. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

## **Reasons for Approval**

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

East of England plan 2008: ENV6, ENV7

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

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

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

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

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

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

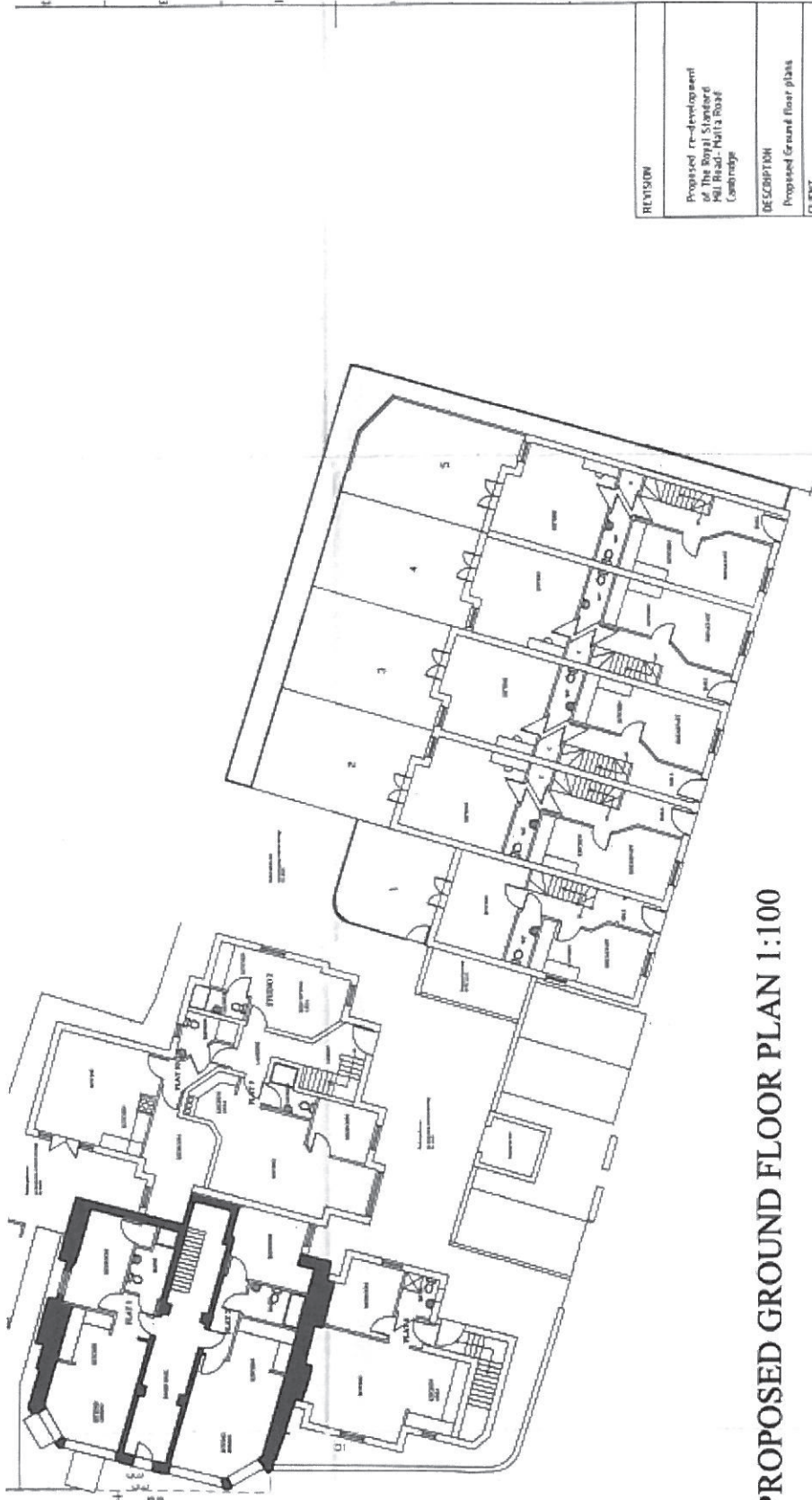
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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

5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

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



11/0872/FUL  
292 Mill Road Cambridge



PROPOSED GROUND FLOOR PLAN 1:100

REVISION	Proposed re-development of the existing Mill Lane, Mill Lane Cambridge
DESCRIPTION	Proposed Ground floor plans
CLIENT	Beechwood Estates/Development Ltd
DATE	SCALE April 2011 1/100
The Charles Sells Partnership Architects & Planners Limited Lambourn Arts Centre Horsehill Road, Harsheath	



<b>Application Number</b>	11/0288/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	16th March 2011	<b>Officer</b>	Miss Amy Lack
<b>Target Date</b>	11th May 2011		
<b>Ward</b>	Abbey		
<b>Site</b>	15 Swann's Road Cambridge Cambridgeshire		
<b>Proposal</b>	Change of use to car hire business and erection of associated office and wash down canopy on land off Swann's Road.		
<b>Applicant</b>	Roundwood Restorations Ltd. Unit 9 Martells Quarry Slough Lane Ardleigh Colchester Essex CO7 7RU		

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## **INTRODUCTION**

- 0.1 This matter is being brought back to Committee because in the interval between your resolution to accept the officer recommendation to approve and issuing the decision notice a letter was received from solicitors acting for an objector which threatened judicial review.
- 0.2 In summary this letter argued that the Council had failed to:
- carry out a comprehensive screening assessment
  - publish the screening questionnaire which it had carried out .
  - consider the project cumulatively with other operations on the rest of the area.
- 0.3 Officers did not and do not think it necessary to carry out a comprehensive screening exercise as the preliminary exercise (the screening questionnaire) led to the conclusion that the application project did not fall within the relevant statutory criteria which would trigger a screening. At their last meeting the Committee did not address the other operations (i.e. the scrap metal storage and sorting ) on the rest of the area ("the Area") because it was not thought to be material.

- 0.4 However in the light of this letter and further information supplied since 18<sup>th</sup> August, the Committee has the opportunity to consider the following matters and if necessary review their earlier resolution. Officers have also looked at this additional material but remain of the opinion that this application does not present the risk of any significant environmental impact either alone or in conjunction with the current lawful activities on the remainder of the site.

Further information.

- 0.5 The Area is shown on the attached plan (Appendix A). The red line denotes the application site (“the Site”) which together with the blue line comprises the Area which the objector’s solicitors maintain is the area in respect of which the Council should consider whether there is the likelihood of a significant environmental impact.
- 0.6 Land to the northern part of the Area is used (under a Certificate of Lawful Use or Development 1994) for a scrap metal yard for non-ferrous metals and materials. The southern part of the Area has planning permission from the City Council (planning permission C/81/0033 dated March 1981) for storing of scrap metal, waste skips and heavy goods vehicles, shearing and baling of scrap metal. This application to the City Council is on 0.18 hectares of land adjacent to the scrap yard and would share access with it.
- 0.7 There is a history of civil litigation on the Area .In 2010 Objectors/Claimants brought an action for nuisance arising from the level of noise emanating from the scrap yard .The decision of the High Court judge was that Nationwide Metal Recycling Ltd had been committing a noise nuisance but this discontinued when they erected acoustic barriers along the boundary. In July 2011 the Objectors appealed to the Court of Appeal on a point of law which failed .As part of this action a Noise Impact Report and Synopsis on barrier effects were commissioned by the Claimants, which were sent to this Council on 11 November 2011 (Appendix B).
- 0.8 Subsequently a retrospective planning application was made, in December 2010, to the County Council to retain the noise barriers :48m length of 5m high fence and 42m length of 5.1m high stacked shipping containers. Prior to deciding the

application, the objectors required the County Council to make a Screening Opinion but the County was of the opinion that this was not needed as it did not reach the statutory trigger points under the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999. The objectors went to the Secretary of State to challenge the County decision .The Secretary of State decided (his letter of 22 September 2011) that the erection of the barriers was not likely to have a significant environmental impact. In reaching his view the Secretary of State considered the location of the development .He was not persuaded that the barriers when considered cumulatively with the scrap yard would result in significant environmental effects .He directed that the County planning application could proceed without the submission of an environmental statement. The objectors asked the Secretary of State to review his screening direction by letter dated 25 October 2011, but the Secretary of State declined by letter dated 9 November 2011. The County application for the retention of the barriers is yet to be decided.

- 0.9 We understand that the scrap metal yard operates under the terms of a license issued and monitored by the Environment Agency.
- 0.10 In summary, the objector's solicitors say that in deciding this application the Council should take into account the cumulative impact of the change of use from car sales to car hire (and associated development) on the whole Area and whether all the activities together would give rise to a likely significant environmental impact.
- 0.11 In the light of the above officers remain of the view that the application should be supported for the reasons set out in this report. The contents of the report and the recommendation set out a paragraph 10 remain unchanged

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

- 1.1 Swann's Road is accessed off the northern side of Newmarket Road, immediately west of railway sidings and the bridge of Newmarket Road which passes over the railway line. Swann's Road joins Mercers Row to the northwest.

- 1.2 The application site shares access off the east of Swann's Road with Nationwide Metal Recycling Limited (NMR). This recycling scrapyards currently operates from two defined areas linked by a private road. In a similar way the application site is comprised of two separate areas which use the same private road to link the two. This has resulted in an elongated site, a significant proportion of it along the shared boundary with the railway sidings to the east because the irregular shape stretches from Newmarket Road northwards between the sidings and the scrapyards.
- 1.3 The site falls within a wider area which includes development along Mercers Row and Swann's Road that is allocated as a Protected Industrial Site under policy 7/3 in the Cambridge Local Plan (2006).

## **2.0 THE PROPOSAL**

- 2.1 This application seeks permission for a change of use from car sales, to use by a car hire company. Ancillary provisions to the use are proposed which include an office, a canopy over a car washing area and car parking for the hire fleet and staff.
- 2.2 The submitted plans separate the application site into Area A and Area B. Area A is the parcel of land which sits closest to Newmarket Road. Area B is the parcel of land which sits furthest from the road, to the north of the NMR scrapyards.
- 2.3 Under the proposal, Area A will accommodate the office, canopy and 8 car parking spaces, inclusive of one disabled car parking space. The proposed office is a single storey building. This has a flat roof with a very shallow mono-pitch to the south and south-west elevations which slopes towards Newmarket Road with an eaves height of 3.6 metres. The building has a maximum height of 4.4 metres. It is 'L' shaped, with each length of the building 5.5 metres in depth and a maximum length of 10.4 metres. It will be constructed of white facing brick and blue semi-engineering brick with metal sheet roof.
- 2.4 To the east of the office building a 3.1 metre high canopy is proposed, 5metres in width and 5.5metres in depth, constructed of galvanised steel with a fabric roof coloured grey. This will provide a washing facility for the car hire fleet.

- 2.5 Area B is designated for car parking for staff and the car fleet. This makes provision for the parking of 18 vehicles. 2.1 metre high palisade fencing and gates demarcate the boundary and secure this area.
- 2.6 The application is accompanied by the following supporting information:
1. Design and Access Statement;
  2. Trip data.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/80/0445	Use of land for display and sale of motor vehicles	A/C

### 4.0 PUBLICITY

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

### 5.0 POLICY

#### 5.1 Central Government Advice

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

5.3 **Planning Policy Statement 23: Planning and Pollution Control (2004):** States that 'any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to impacts on health, is capable

of being a material planning consideration, in so far as it arises or may arise from or may affect any land use'. It highlights the fact that the planning system has a key role in determining the location of development which may give rise to pollution. Appendix A sets out those matters which may be material in taking decisions on individual planning applications including the environmental benefits of reducing the need for travel and the existence of Air Quality Management Areas.

5.4 **Planning Policy Guidance 24 - Planning and Noise (1994):** States at paragraph 12, that planning authorities should consider carefully whether new noise-sensitive development would be incompatible with existing activities. At paragraph 13, a number of mitigation measures are suggested which could be introduced to control the source of, or limit exposure to, noise.

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

5.6 **East of England Plan 2008**

SS1: Achieving Sustainable Development

T1: Regional Transport Strategy Objectives and Outcomes

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV7: Quality in the Built Environment

WM6: Waste Management in Development

5.7 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/12 The design of new buildings

4/13 Pollution and amenity

4/15 Lighting

- 7/2 Selective management of the economy
- 7/3 Protection of industrial and storage space

- 8/2 Transport impact
- 8/6 Cycle parking
- 8/10 Off-street car parking

## 5.8 Supplementary Planning Documents

**Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

## 5.9 Material Considerations

### Central Government Guidance

### 5.10 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.

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

Includes the following statement:

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

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

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

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

## **6.0 CONSULTATIONS**

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

31 March 2011



- 6.1 It is unclear from the submission how the site will operate. Will customers be able to park their own vehicles on site whilst hiring a vehicle, and if so, is the customer parking and vehicle storage adequate for the number of customers? Details are required of the vehicle classes that are available for hire and details of the trip generation of all modes for a 24 hour day, existing and proposed use.

21 June 2011

- 6.2 From the trip generation data supplied the proposal would not trigger the requirement for payments under ECATP.

### **Head of Environmental Services**

- 6.3 Environmental Health have investigated complaints of lighting and noise from this area. Whilst this is a largely commercial area bordering a busy road and railway line there are domestic properties close to the site. Their amenity should be protected by the imposition of conditions.
- 6.4 The wash down area is assumed to be for washing cars down with detergent. Paragraphs 4.05 and 6.02 of the Design and Access Statement state areas A and B of the application site will be covered in loose chippings and self-drain, the Environment Agency should be consulted.
- 6.5 There is no objection to the principle of the application but it is advised that conditions to: restrict the hours of construction and demolition; provide details of commercial waste; provide details of lighting; and assess land contamination should be imposed.

### **Environment Agency**

- 6.6 A narrow strip along the site's eastern boundary is identified as being with flood zones 2 (medium) and 3 (high risk). The agent has satisfactorily demonstrated that the site is not at risk of flooding and confirmed that in any event no raising and confirmed no raising of the ground level will be carried out by this proposal.
- 6.7 In terms of pollution control, wash water and parking specifically are acceptable in principle. In view of the site's previous commercial usage and its proximity to the railway it is

recommended that either conditions be imposed to satisfy the requirements of PPS23, or a desktop study prior to the determination of the application.

- 6.8 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:

- Station House and Station Lodge, Barnwell Junction, Cambridge c/o Richard Buxton, Environmental & Public Law, 19B Victoria Street, Cambridge CB1 1JP.

- 7.2 The representations can be summarised as follows:

Noise nuisance and disturbance

- It is understood that there are currently extensive building-type operations taking place in an area close to the application site and on land adjacent to the scrapyard. This requires the use of heavy building and moving equipment and the movement of considerable amounts of earth and gravel. These operations are causing considerable noise and disturbance to occupiers of Station House and Station Lodge. These operations appear to be carried out without planning permission. These operations and those proposed by this application will cumulatively have a significant impact;
- There is a history of seeking to prevent noise and nuisance from the scrapyard. High court judgements in 2009 and 2010, both of which have recognised a nuisance, have failed to remedy this and the matter is now before the Court of Appeal. On balance a car hire business would be preferable to the scrapyard use but this is for a car hire in addition to the scrapyard;
- The car hire will operate up until 18:00 and on Saturday mornings. The scrapyard operates Monday to Friday until 16:30. The proposed use will therefore reduce the quiet time which is so important to these nearby occupiers;
- The proposed use will result in additional vehicular movements directly opposite Station House and Station

Lodge, some vehicles may also have automated warning messages or beep when reversing. On a gravel surface this is made noisier and generates dust;

- Potential sources of noise from loud radios, security alarms, pressure washers, vacuum cleaners and car alarms;

#### Lighting

- Light intrusion from powerful security lights, left on throughout the night at the scrapyard (which has been raised with the City Council's Environmental Health Department) is likely to be made worse by the car hire business with additional security lighting and vehicle headlights

#### Signage

- The excessive amount of signage on the junction of Swann's Road and Newmarket Road, of which it is likely some do not have permission, is likely to be added to by another company operating from this site.

#### Privacy

- The elevated position on the site and the glazing on the entrance elevation is likely to result in a loss of privacy for the occupiers of Station House and Station Lodge;

#### Visual impact

- The proposed new building is likely to reflect glare back towards the occupiers of Station House and Station Lodge.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces

3. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Third party representations

### **Principle of Development**

- 8.2 The application site is allocated as a Protected Industrial Site. Therefore policy 7/3 of the Cambridge Local Plan (2006) applies. This seeks to retain floorspace within Use Classes B1(c), B2 and B8. The current car sales use which operates from the site and the proposed vehicle hire use are both *sui generis* uses, which do not fall within these classifications. The proposed change of use from car sales to vehicle hire will therefore not result in the loss of any Class B1, B2 or B8 floorspace, and will not be in conflict with Cambridge Local Plan (2006) policy 7/3.
- 8.3 Policy 7/2 of the Cambridge Local Plan (2006) sets limits on the type of employment development proposals which are appropriate to ensure a balanced economy. This proposal would increase employment at the site from three full-time equivalent to six full-time equivalent, and it is therefore an employment development proposal albeit a very limited one. Subsection (c) of policy 7/2 supports employment development within Use Classes B1(c), B2 and B8 where it would contribute to a greater range of local employment opportunities. The use here proposed does not fall within these specific use classes, but in my view, it is comparable, and the increase in employment proposed here would be in line with the objectives of Policy 7/2.
- 8.4 I consider the proposal acceptable in principle, and in accordance with policies 7/2 and 7/3 of the Cambridge Local Plan (2006).

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

- 8.5 The application site sits within a protected industrial estate. This accommodates commercial and industrial uses and includes existing vehicle hire businesses similar to that proposed. As such, I consider the proposed use in keeping with

its immediate context and the character of Swann's Road and Mercer's Row.

- 8.6 Area A of the application site, positioned adjacent to Newmarket Road, is more visible to the higher footfall and vehicular movement along this main arterial road than the other units along Swann's Road but despite the utilitarian, industrial form of the proposed office building I consider it a significant improvement upon the existing building on the site. This is a single storey semi-permanent structure, finished in white, which appears tired and requires maintenance. This existing building is detrimental to the character of the surrounding area. The proposed building is designed for purpose and whilst rather uninspired it is appropriate to its context.
- 8.7 Whilst it is located on a corner plot, 2.1-metre-high paladin fencing demarcates the shared boundary between the site and the footpath along this section of Newmarket Road which screens the site to a greater extent than might be expected. The ground level of the site also falls away from Newmarket Road, which means the proposed building is unlikely to rise much above the existing fencing when viewed from Newmarket Road. When I conducted my site visit, nine cars were parked in this location of the application site. The proposed use proposes the parking of eight vehicles in this area, the single storey office building and canopy. As such, I believe the character of the site will be improved by the new building but on the whole largely appear as existing.
- 8.8 In my opinion the proposal is in keeping with the character of the context and the function of the proposed use. I therefore consider it compliant with East of England Plan (2008) policies SS1 and ENV7 and Cambridge Local Plan (2006) policies 3/1, 3/4, 3/7 and 3/12.

### **Disabled access**

- 8.9 The proposed single storey building is orientated on 'Area A' so the entrance would be clearly visible. It is likely that this will be emphasised by corporate signage but this will be subject to the consideration of an application for Advertisement Consent, submitted independently of this application for planning permission. The entrance door has an opening width of 0.90 metres compliant with the requirements of Approved Document

M of the Building Regulations (Access to and Use of Buildings). A dedicated customer car parking space for disabled people is allocated adjacent to the building entrance. I am satisfied that the proposal has satisfactorily given consideration to inclusive access for all and the requirements for disabled access and is therefore compliant with East of England (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 The buildings in the immediate surrounding area are occupied by commercial uses, extending along Swann's Road and Mercer's Row to the north and west. To the east are the railway sidings which run the length of the eastern boundary of the site; and to the south is Newmarket Road, a busy arterial road. In view of these surroundings the application site sits within an active and relatively noisy context. Given this setting and the character of the protected industrial site, my view when visiting the site was that the proposed use and number of staff and vehicles proposed was well suited to this location, and I am satisfied that the proposal is unlikely to have any significant impact upon any neighbouring residential occupiers.
- 8.11 A third party representation has been received from occupiers of two residential properties to the east of the site objecting to the proposal. They are of the view that in principle the proposal is acceptable and would be preferable to the existing metal recycling scrapyards use, but if implemented in addition to the scrapyards use, would have a cumulative impact upon the residential amenity of the occupiers at Station Lodge and Station House in terms of noise and disturbance.
- 8.12 I acknowledge that these nearby residents currently suffer from noise and disturbance from the scrapyards. However, I do not consider that the proposed use would have any significant impact in this respect in the context of the busy Newmarket Road to the south, the industrial nature of Swann's Road/Mercer's Row to the north and west and the railway to the east. I appreciate the cumulative impact which developments can have. However, the residential site concerned is in excess of 30 metres from Area B, which will serve only as a parking area, and almost 150 metres from Area A, where the

majority of the operator's activity will be. Furthermore, I do not consider that the proposed car hire use is likely to generate significantly more noise and disturbance from headlights, alarms, security lighting, and movement across gravel than the existing car sales use.

- 8.13 The representation received considered an Environmental Impact Assessment (EIA) necessary. I have undertaken an EIA screening questionnaire and am satisfied that that the proposed use does not require an EIA.
- 8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site. Conditions to restrict the hours of construction and demolition (condition 2) and to provide details of any external lighting (condition 3) should be imposed to safeguard the nearby occupiers from any unreasonable nuisance. Subject to such conditions, I consider that it is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

- 8.15 Given a number of different commercial uses on this site it has been recommended by the Environmental Health Officer and the Environment Agency that conditions be imposed (conditions 4 and 5) in order to safeguard future customers and staff at the site from any ground contamination, and to protect the water environment. Subject to these conditions, I am satisfied that the proposed use on this site will provide an appropriate level of amenity for these users and consider in this respect it is compliant with East of England (2008) policy ENV7 and Cambridge Local Plan (2006) policy 3/12.

#### **Refuse Arrangements**

- 8.16 No refuse provision has been indicated on the submitted plans. I am satisfied that there is ample room on site to find a successful location to position a dedicated refuse and recycling store and that this can be secured by a condition (condition 7). Subject to agreeing these details by condition I am satisfied that the proposal is compliant with East of England Plan (2008) policies ENV7 and WM6 and Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety and trip generation.**

- 8.17 The highway authority has raised no objection to the proposal on highway safety grounds, and I consider the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policy 8/2.
- 8.18 The highway engineer consulted on the proposal requested further information with regard to the proposed vehicle fleet and the number of trips generated as to whether or not the proposed use would require contributions towards the Eastern Area Corridor Transport Plan. Further information has been submitted and the highway authority has now confirmed that no contributions are required for this proposal.

## **Third Party Representations**

- 8.19 I have addressed the concerns raised by the third party representation received under the heading 'Residential Amenity' above, from paragraph 8.7.
- 8.20 I have also consulted with the planning enforcement team with regard to any possible ongoing unlawful development as implied in the third party representation received. It is our understanding that the clearance works referred to in the representation as being 'an area close to the application site and on land adjacent to the scrapyards' were enabling works in conjunction with this current application in 'Area B'. We are satisfied that this has ceased pending the outcome of this application. With regard to the various banner advertisement signs that have been attached to the boundary fencing fronting Newmarket Road, the planning enforcement team have been made aware and are assessing the situation.

## **9.0 CONCLUSION**

- 9.1 The proposed use is acceptable in principle and in keeping with the industrial use on the wider Mercer's Row industrial estate. I believe it will result in a visual improvement relative to the existing use of the site and subject to conditions will not have any significant adverse impact upon any nearby residential occupiers. I recommend the application be approved.



## 10.0 RECOMMENDATION

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

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

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

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

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

3. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

4. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the local planning authority for approval.

(a) The contaminated land assessment shall include a desk study to be submitted to the local planning authority 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 local planning authority 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 local planning authority. The local planning authority 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.

(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 local planning authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the local planning authority. 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: To avoid adverse effects of pollution. (Cambridge Local Plan (2006) policy 4/13)

5. No development shall commence until such time as full details of a scheme for the provision and implementation of pollution control to the water environment which shall include foul and surface water drainage has been submitted to, and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment (Cambridge Local Plan 2006 policy 4/13).

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

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan 2008 policies ENV7 and WM6, and Cambridge Local Plan 2006 policy 3/12)

### **Reasons for Approval**

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

East of England plan 2008: Policies SS1, T1, T9, T14, ENV7 and WM6

Cambridge Local Plan (2006): Policies 3/1, 3/4, 3/7, 3/12, 4/13, 4/15, 8/2, 8/6 and 8/10

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

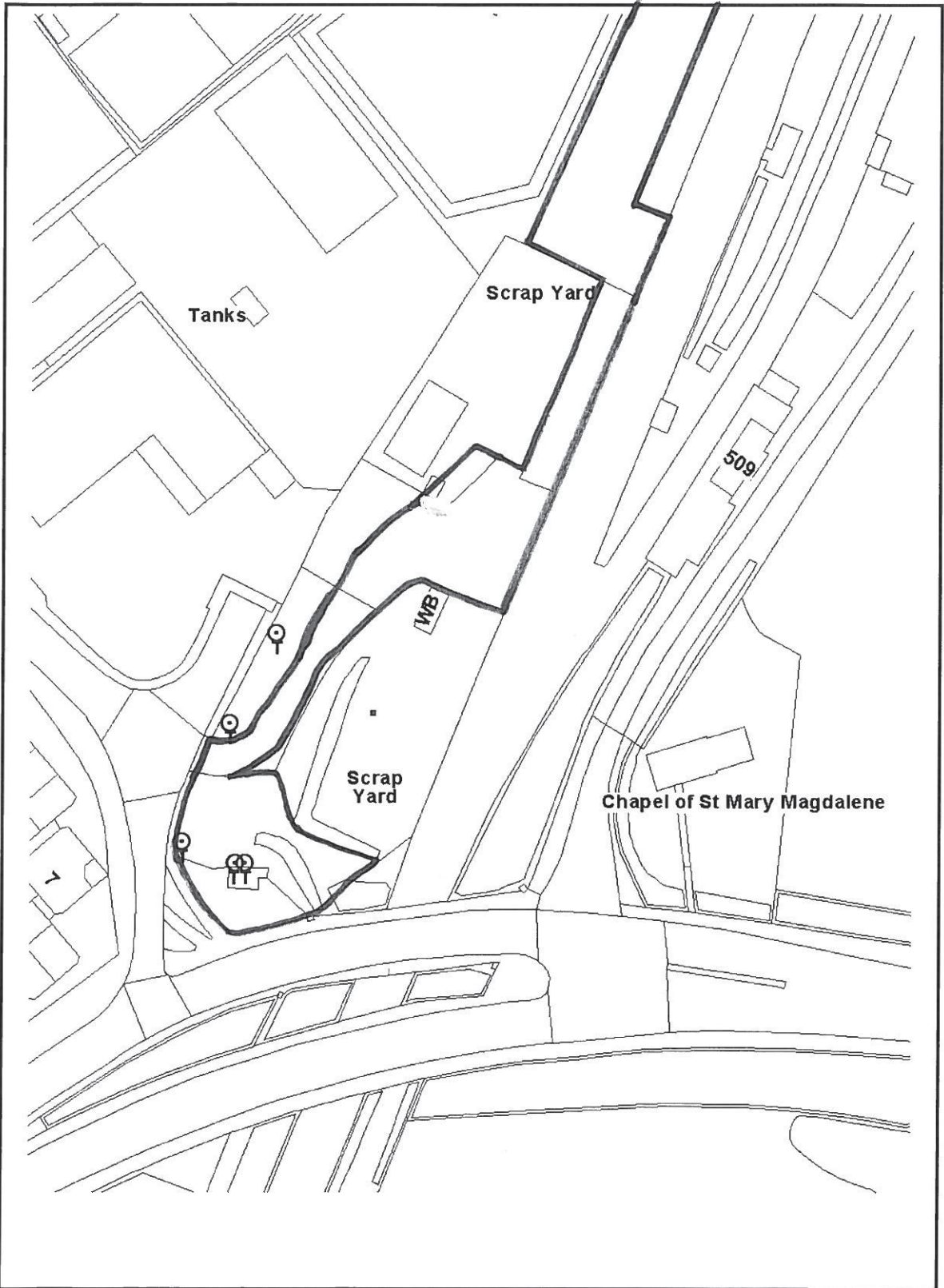
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre,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

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

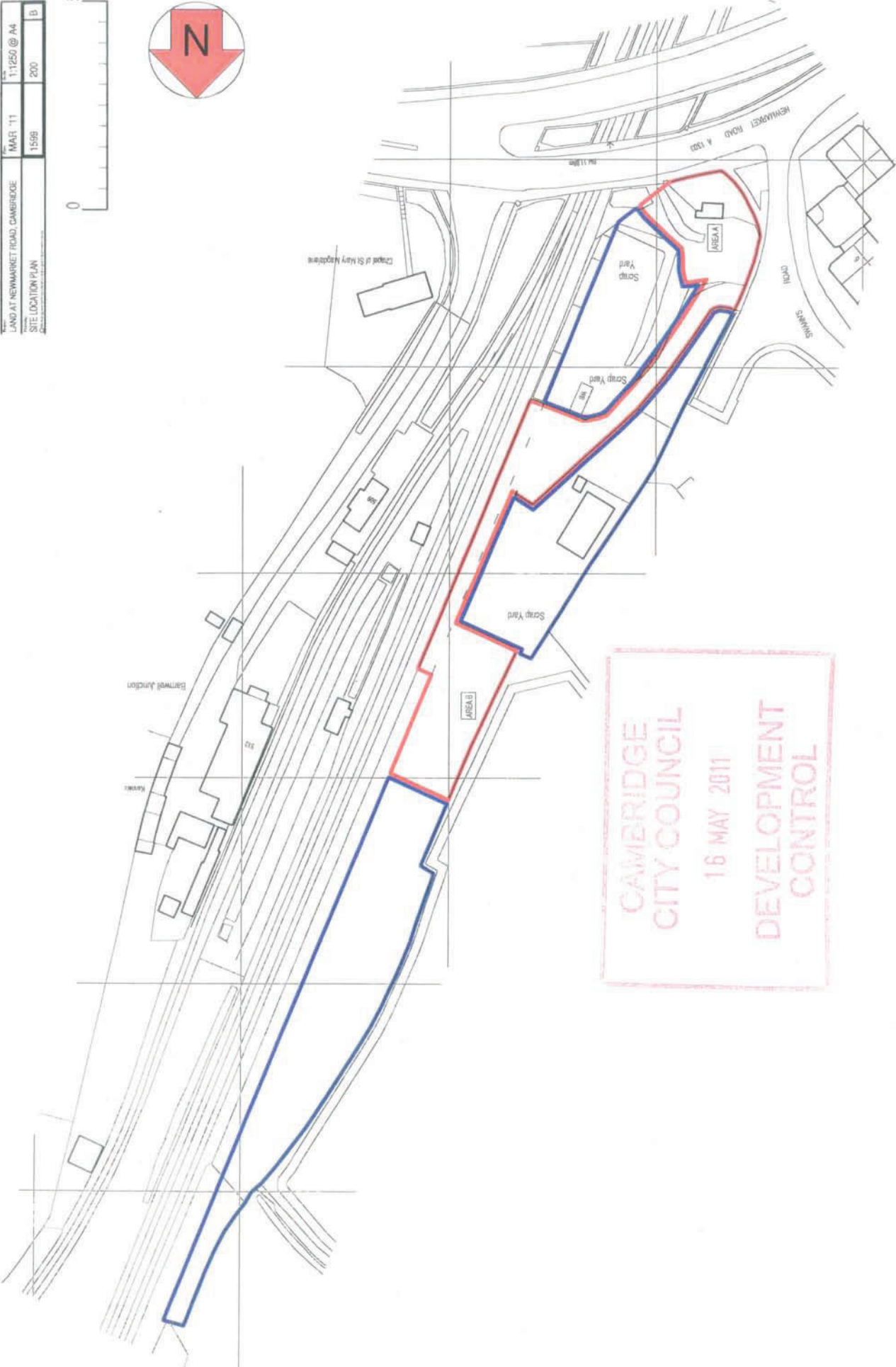
Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

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



**11/0288/FUL**  
**15 Swann's Road Cambridge**



CAMBRIDGE  
CITY COUNCIL  
16 MAY 2011  
DEVELOPMENT  
CONTROL

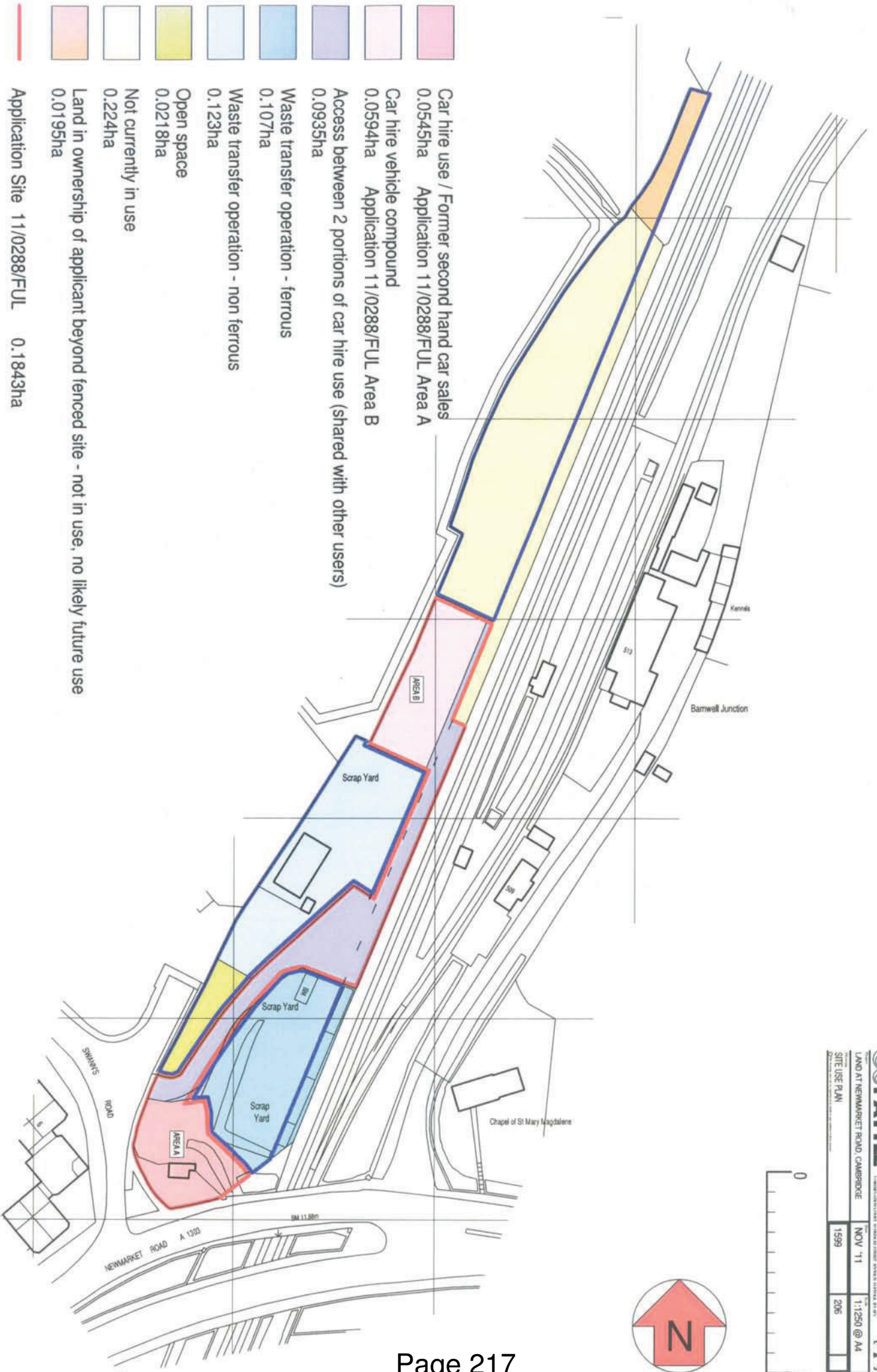
15th December 2012

**POOLE & PATTIL** chartered architects

LAND AT NEWMARKET ROAD, CAMBRIDGE

NOV '11	1:1250 @ A4
1999	206

SITE USE PLAN



Richard Buxton Environmental & Public Law

Station Lodge, Barnwell Junction, Cambridge  
Noise Impact Assessment Report

Issue	Date
1.0	7 July 2011

HILSON MORAN  
ONE DISCOVERY PLACE  
COLUMBUS DRIVE  
SOUTHWOOD WEST  
FARNBOROUGH  
HAMPSHIRE GU14 0NZ



**Richard Buxton Environmental & Public Law**  
**Station Lodge, Barnwell Junction, Cambridge**  
**Noise Impact Assessment Report**

Project:	12384.02.02
Issue:	1.0
Status:	Final
Date:	7 July 2011

Originator:	Mark Brightwell Principal Acoustic Consultant
Approved:	Nicholas Jones Head of Acoustics
Copies to:	Richard Buxton Environmental & Public Law  hmp104 – Acoustics

This report is confidential to the party to whom it is addressed and their professional advisers for the specific purpose to which it refers. No responsibility is accepted to third parties, and neither the whole nor any part of this report nor reference thereto may be published or disclosed.

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## 1 EXECUTIVE SUMMARY

Hilson Moran has been instructed to assess the noise impact associated with activities at the NMR Ltd scrap metal site, Swanns Road, Cambridge (referred to hereafter as NMR Ltd) .

Station Lodge is a residential property located on the western side of Barnwell Junction, a private residential road accessed off Newmarket Road in Cambridge. The NMR Ltd site is located to the west of Station Lodge beyond a railway line.

Hilson Moran has undertaken a fully manned noise survey at the site and subsequent assessment of the noise impact of noise from activities on the NMR Ltd site.

Throughout the survey period, the noise climate was generally dominated by activities at the NMR Ltd site.

The majority of noisy events noted are due to one, or a combination of the following:

- Crane operations in southern scrap yard (moving/crushing and loading scrap metal onto trucks)
- Forklift loading scrap metal onto trucks
- Vehicle (trucks and forklift) movements.

Noise impact assessment criteria have been proposed based on BS 4142 guidance.

The results of the noise levels measurements and assessment indicate that during key periods of activity on the NMR site, the noise impact was greater than the BS 4142 “*complaints are likely*” threshold a positive indication of a noise nuisance.

## 2 INTRODUCTION

### 2.1 Background

Hilson Moran has been instructed to assess the noise impact associated with activities at the NMR Ltd scrap metal site, Swanns Road, Cambridge (referred to hereafter as NMR Ltd).

Station Lodge is a residential property located on the western side of Barnwell Junction, a private residential road accessed off Newmarket Road in Cambridge. The NMR Ltd site is located to the west of Station Lodge beyond a railway line.

Noise measurements and subjective observations have therefore been made in order to quantify the noise levels from NMR Ltd, so as to assess the extent of any noise nuisance.

### 2.2 Content

Following this introductory section, a description of the area around Station Lodge, including the NMR Ltd site, is given in Section 3. Section 4 gives a description of the environmental noise survey methodology, with results presented in Section 5 and Appendix B. Section 6 proposes noise impact assessment criteria whilst Section 7 analyses in detail the measured noise levels in conjunction with noted observations.

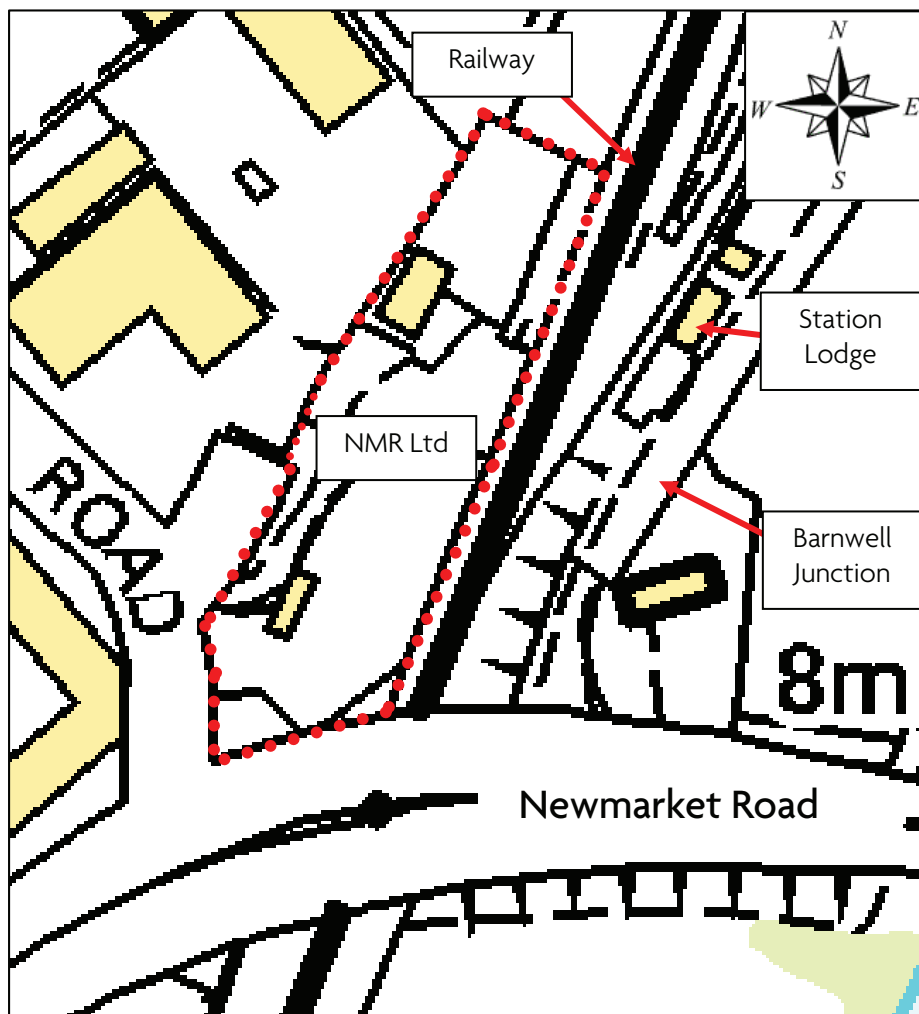
Appendix A presents an explanation of the acoustic terminology used in this report.

### 3 SITE DESCRIPTION

Station Lodge is a residential property located on the western side of Barnwell Junction, a private residential road accessed off Newmarket Road in Cambridge. The NMR Ltd site is located to the west of Station Lodge, beyond the railway line.

Figure 3.1 shows the locations of Station Lodge and the NMR Ltd site.

Figure 3.1 Site Plan



## 4 ENVIRONMENTAL NOISE SURVEY

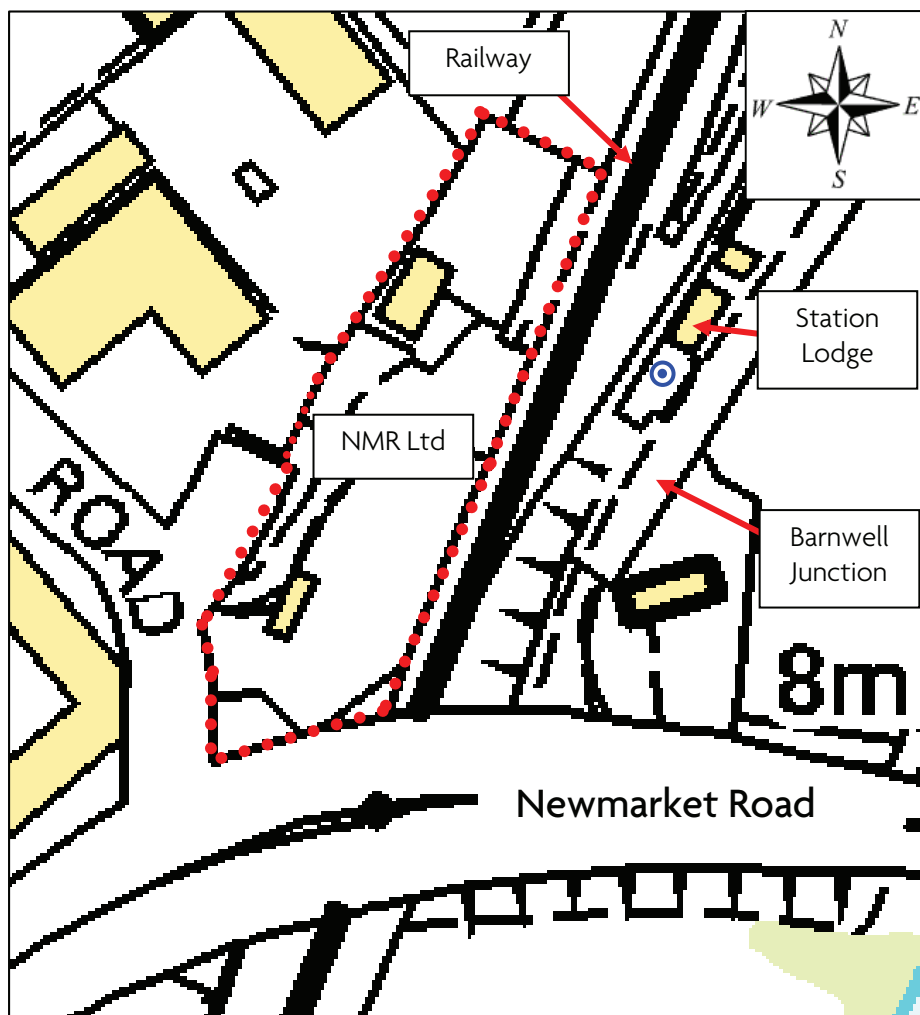
A fully manned environmental noise survey was undertaken by Hilson Moran between approximately 08:00 hours and 12:30 hours on Monday 4<sup>th</sup> July 2011.

$L_{Amax}$ ,  $L_{Aeq}$  and  $L_{A90}$  (dB) noise levels were measured throughout the environmental noise survey. The measurements were undertaken over contiguous 100 millisecond intervals.

The noise measurements were undertaken with the measurement sound level meter and microphone attached to a tripod in the rear garden of Station Lodge, to the south of the house. The microphone was mounted approximately 1.4m above the level of the ground towards the centre of the garden, approximately 5m from the house façade.

The measurement position is indicated on Figure 4.1 by the symbol .

Figure 4.1 Site Plan Indicating Measurement Position



The measurement position was selected as being the most appropriate position that would be representative of noise levels affecting Station Lodge.

The equipment used for the noise survey is summarised in Table 4.2.

**Table 4.2 Description of Equipment used for Noise Survey**

Equipment	Description	Quantity	Serial Number
01 dB Solo	Type 1 automated logging sound level meter	1	60673
01 dB PRE 21	Type 1 ½" microphone and pre-amplifier	1	103452/14979
01 dB CAL 21	Calibrator	1	35183004

There was only light wind during the noise survey (less than 3m/s) generally from a southerly direction, the sky was generally clear with patchy cloud. There was no rainfall during the survey and the roads were dry.

The noise monitoring equipment used was calibrated before and after the noise survey. No significant change was found.

## 5 SURVEY RESULTS & OBSERVATIONS

### 5.1 Noise Survey Results

Appendix B presents time history graphs showing the  $L_{Amax}$ ,  $L_{Aeq}$  and  $L_{A90}$  (dB) noise levels measured by Hilson Moran throughout the noise survey. Noise levels have been measured in 100 millisecond intervals, but are shown as 10 second periods for presentation purposes.

### 5.2 Observations

Observations of significant events throughout the survey are annotated on the time history graphs in Appendix B.

Throughout the survey period, the noise climate was generally dominated by activities at the NMR Ltd site, including vehicle movements (trucks and forklift truck), crane activities (moving/crushing scrap metal, as well as loading trucks with scrap metal), as well as forklift operations also (moving/crushing scrap metal, as well as loading trucks with scrap metal).

In addition to the key periods of activity noted on the time history graphs, intermittent noises were noted to emanate from the NMR Ltd site throughout the entire survey period. These included noise from occasional vehicle movements (trucks and forklift) as well as occasional “crashes” of materials being moved around site.

During periods when noise from the NMR Ltd scrap yard was not audible, the background noise level was noted to be dominated by noise from traffic movements on surrounding roads (predominantly Newmarket Road), as well as bird noise and occasional planes and trains passing by.



## 6 NOISE IMPACT ASSESSMENT CRITERIA

For noise sources of an industrial nature (such as those associated with the activities at the NMR Ltd scrap yard), it is typical to assess the noise impact in accordance with the methodology and guidance given in British Standard (BS) 4142: 1997 “*Rating Industrial Noise affecting Mixed Residential and Industrial Areas*”.

BS 4142 presents a method for assessing the likelihood of complaints due to a current or future noise source, based on a comparison of the noise levels due to the source and the existing background noise level, both of which are measured/predicted at a noise sensitive receiver e.g. a residential property.

The specific noise level due to the source is determined as an  $L_{Aeq,T}$  (the noise level due specifically to the source in question, in the absence of ambient levels) and a correction added if the source is tonal, intermittent or emits distinguishable rattles, clicks, bangs, etc. The specific noise level plus the correction gives the rating level. The rating level is then compared to the background noise level ( $L_{A90,T}$ ) and the likelihood of complaints determined in accordance with BS 4142 advice as follows:

- if the rating noise level is 10 dB greater than the background noise level, this indicates that “*complaints are likely*”
- if the rating noise level is 5 dB greater the background noise level, then this is of “*marginal significance*”
- if the rating noise level is 10 dB less than the background noise level, then this is a positive indication that “*complaints are unlikely*”.

BS 4142 advises that the reference time period, T, should be 1 hour for daytime periods (07:00 – 23:00 hours).

## 7 ANALYSIS OF MEASURED NOISE LEVELS AND RECORDED OBSERVATIONS

Appendix B presents time history graphs showing the  $L_{Amax}$ ,  $L_{Aeq}$  and  $L_{A90}$  (dB) noise levels measured by Hilson Moran throughout the noise survey.

The graphs also describe the noise sources that were noted to affect the measured noise levels.

The significant periods of activity observed and the associated measured noise levels are summarised in Table 7.1.

**Table 7.1 Summary of Significant Activities**

Time Period, T	Observations	Measured Total Noise Level $L_{Aeq, T}$ (dB)	Corrected Total Noise Level $L_{Aeq}$ (1 hour) (dB)
08:24 – 09:34	Trucks arriving and manoeuvring. Crane operating in southern yard (moving/crushing materials and loading trucks)	54	54
09:45 – 10:57	Truck manoeuvring near boundary, forklift operating and loading truck	55	54
11:26 – 12:26	Trucks manoeuvring. Crane operating in southern yard (moving/crushing materials and loading trucks). Forklift operating	54	54

The  $L_{Aeq}$  noise levels presented in Table 7.1 are the total  $L_{Aeq}$  noise levels for each measurement period, with noise from train movements excluded.

During periods of little or no activity at the NMR Ltd site the  $L_{A90}$  background noise level (excluding noise from train movements) was noted to be approximately 46dBA.

In addition to the key periods of activities described in Table 7.1, intermittent noises were noted to emanate from the NMR Ltd site throughout the entire survey period. These included noise from occasional vehicle movements (trucks and forklift) as well as occasional “crashes” of materials being moved around site.

The following sections present a BS 4142 assessment for each of the key periods of activity presented in Table 7.1.

### 7.1.1 08:24 – 09:34 hours

Activities observed at the NMR Ltd site during this period included trucks arriving and manoeuvring as well as crane operations in the southern yard (moving/crushing materials and loading trucks).

The  $L_{Aeq}$  (1 hour) measured during this period was 54 dB. As noted above, during periods of little or no activity at the NMR Ltd site the  $L_{A90}$  background noise level (excluding noise from train movements) was noted to be approximately 46 dB. The Specific Noise Level during this hour can therefore be calculated to be 53 dB.

Given the nature of the noise, i.e. containing distinct, impulses (bangs, clicks, clatters, or thumps), the BS 4142 feature correction (+5 dB) would apply, resulting in a Rating Level of 58 dB.

Using the Background Noise Level of 46dB it can be seen that the difference is + 12 dB.

According to BS 4142 guidance, this would indicate that “*complaints are likely*”.

#### 7.1.2 09:45 – 10:57 hours

Activities observed at the NMR Ltd site during this period included trucks manoeuvring as well as forklift operations (loading truck parked close to eastern boundary of NMR site).

The  $L_{Aeq}(1\text{ hour})$  measured during this period was 54 dB. As noted above during periods of little or no activity at the NMR Ltd site the  $L_{A90}$  background noise level (excluding noise from train movements) was noted to be approximately 46 dB. The Specific Noise Level during this hour can therefore be calculated to be 53 dB.

Given the nature of the noise, i.e. containing distinct, impulses (bangs, clicks, clatters, or thumps), the BS 4142 feature correction (+5 dB) would apply, resulting in a Rating Level of 58 dB.

Using the Background Noise Level of 46 dB it can be seen that the difference is + 12 dB.

According to BS 4142 guidance, this would indicate that “*complaints are likely*”.

#### 7.1.3 11:26 – 12:26 hours

Activities observed at the NMR Ltd site during this period included trucks arriving and manoeuvring, crane operations in the southern yard (moving/crushing materials and loading trucks) and forklift operations.

The  $L_{Aeq}(1\text{ hour})$  measured during this period was 54 dB. As noted above during periods of little or no activity at the NMR Ltd site the  $L_{A90}$  background noise level (excluding noise from train movements) was noted to be approximately 46 dB. The Specific Noise Level during this hour can therefore be calculated to be 53 dB.

Given the nature of the noise, i.e. containing distinct, impulses (bangs, clicks, clatters, or thumps), the BS 4142 feature correction (+5 dB) would apply, resulting in a Rating Level of 58 dB.

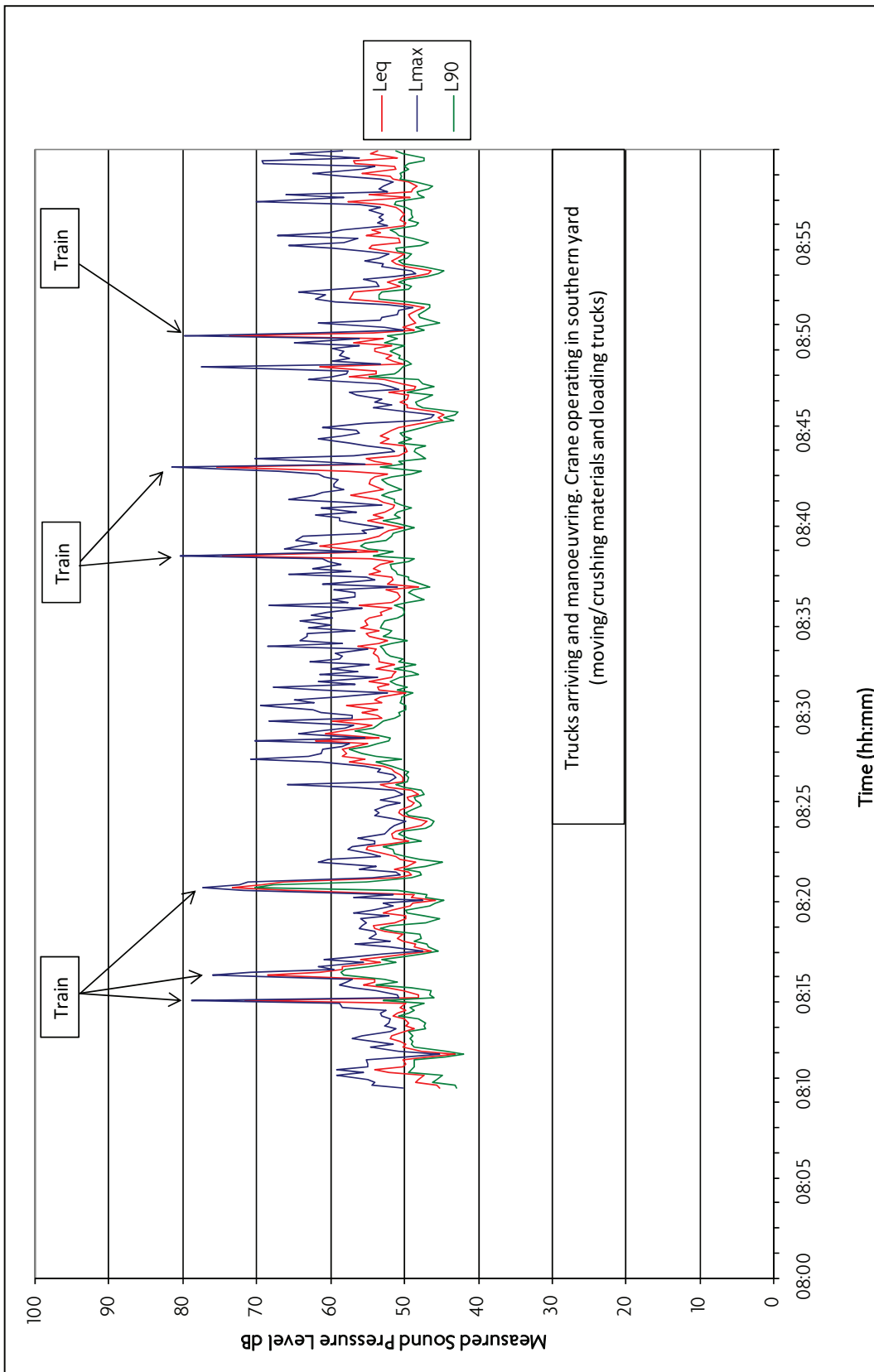
Using the Background Noise Level of 46 dB it can be seen that the difference is + 12 dB.

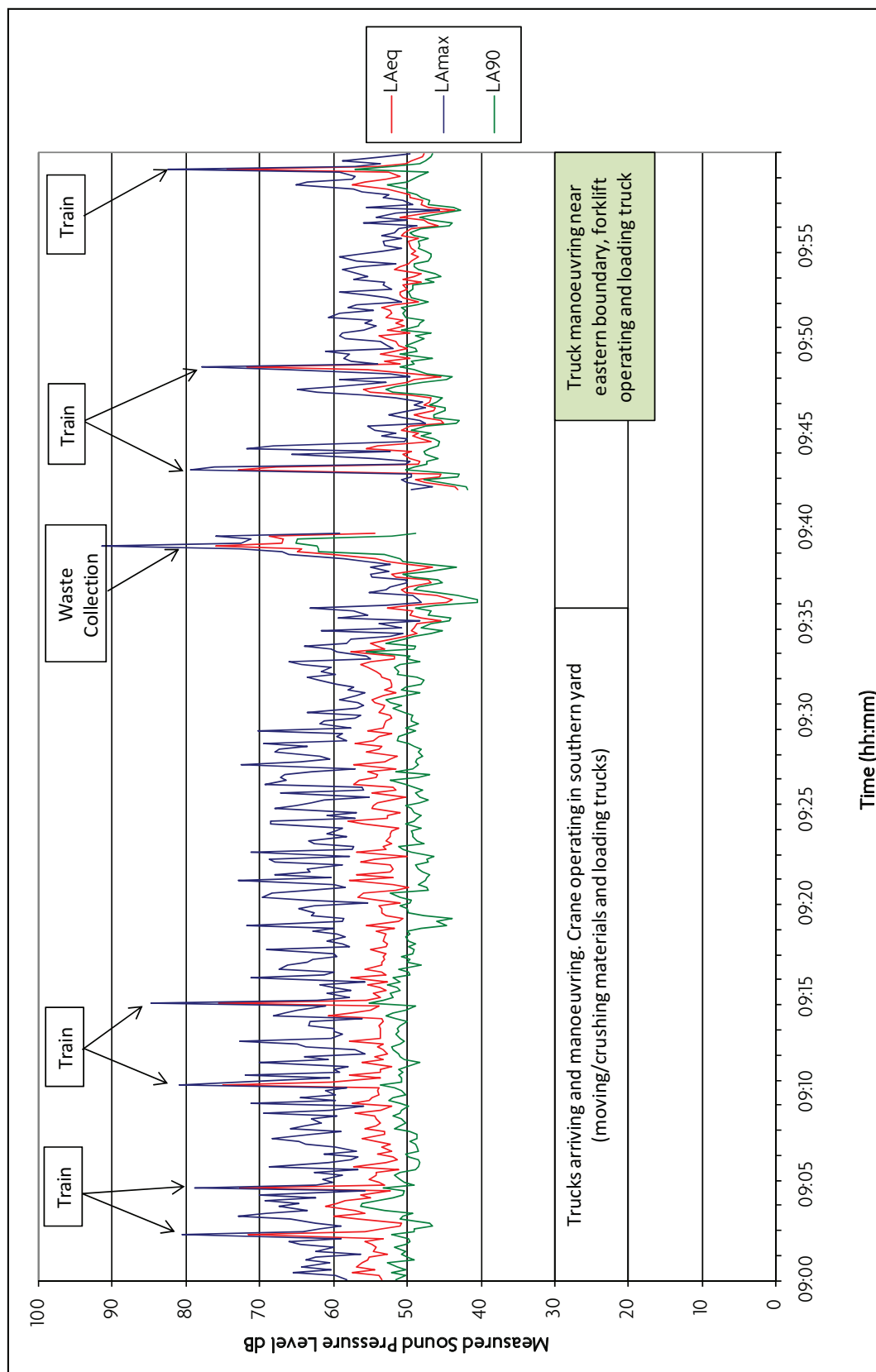
According to BS 4142 guidance, this would indicate that “*complaints are likely*”.

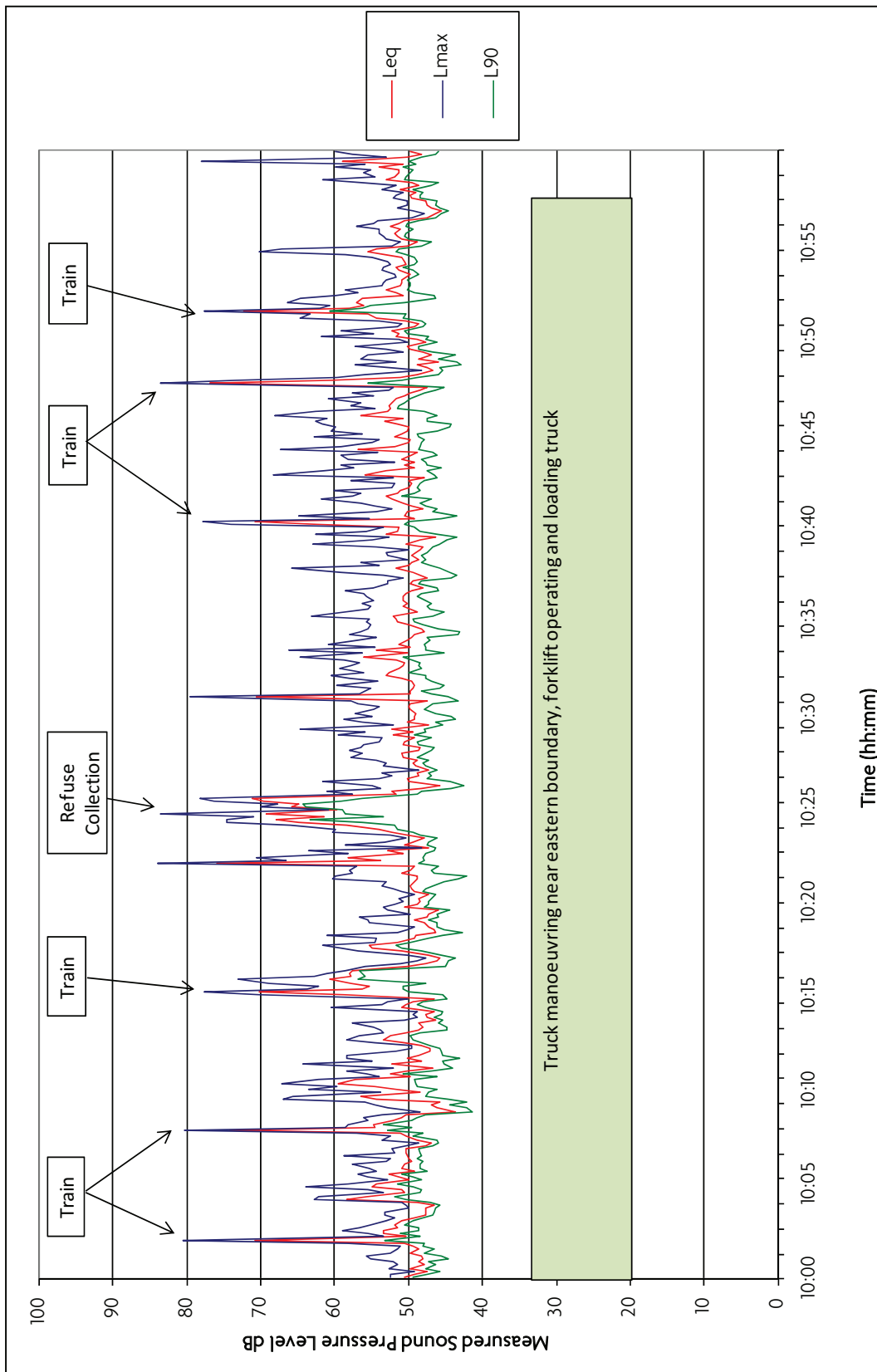
## APPENDIX A: ACOUSTIC TERMINOLOGY

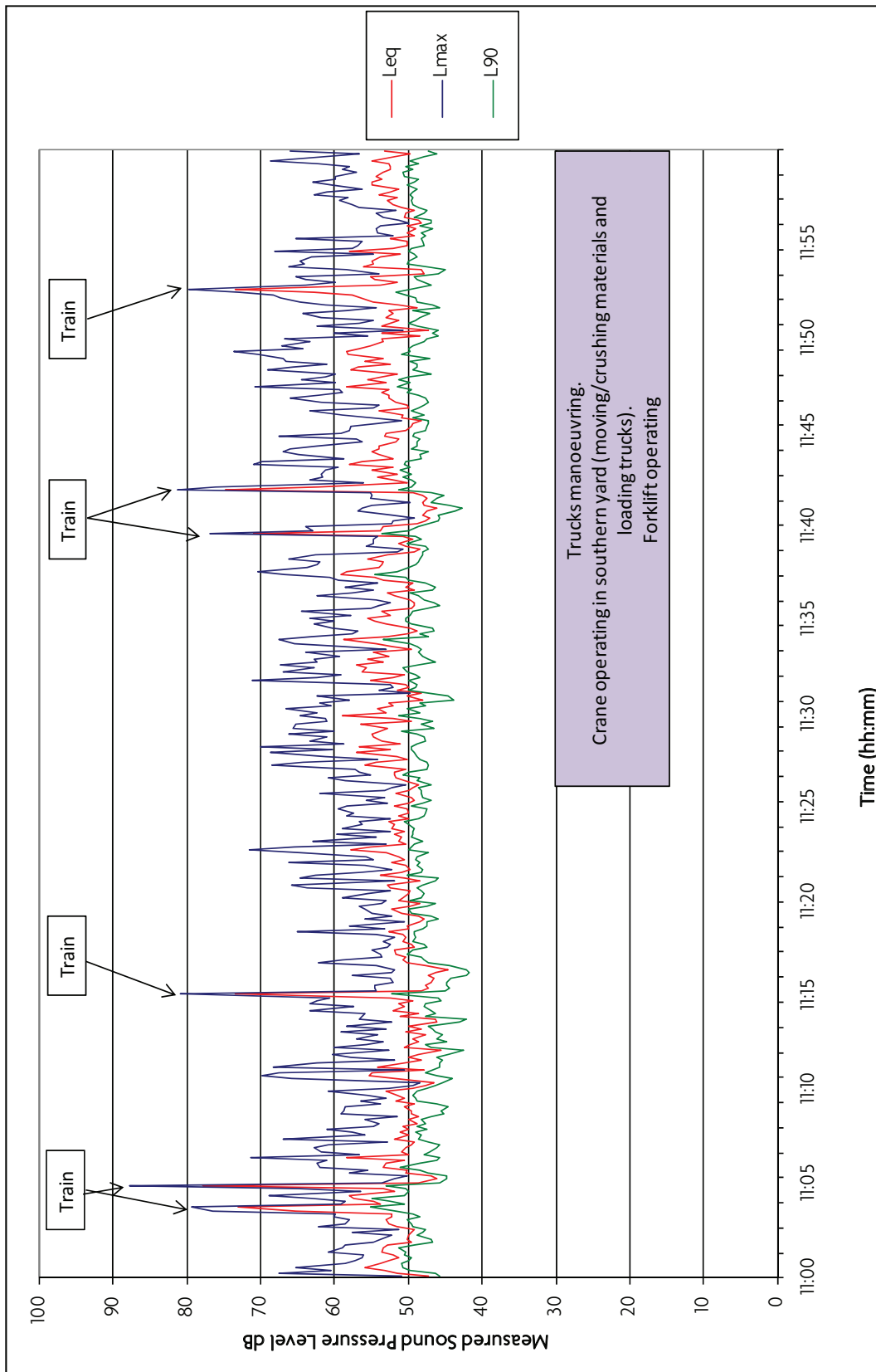
Parameter	Description
Decibel (dB)	A logarithmic scale representing the sound pressure or power level relative to the threshold of hearing ( $20 \times 10^{-6}$ Pascals).
Sound Pressure Level ( $L_p$ )	The sound pressure level is the sound pressure fluctuation caused by vibrating objects relative to the threshold of hearing.
A-weighting ( $L_A$ or dBA)	The sound level in dB with a filter applied to increase certain frequencies and decrease others to correspond with the average human response to sound.
$L_{n,T}$	The noise level exceeded for n% of the time over a given period T.  e.g. $L_{90}$ , the noise level exceeded for 90% of the time (background noise level).
$L_{Aeq,T}$	The A-weighted equivalent continuous noise level over the time period T. This is the sound level that is equivalent to the average energy of noise recorded over a given period.
$L_{Amax}$	The A-weighted maximum noise level measured during the measurement period.

**APPENDIX B: NOISE MONITORING RESULTS**

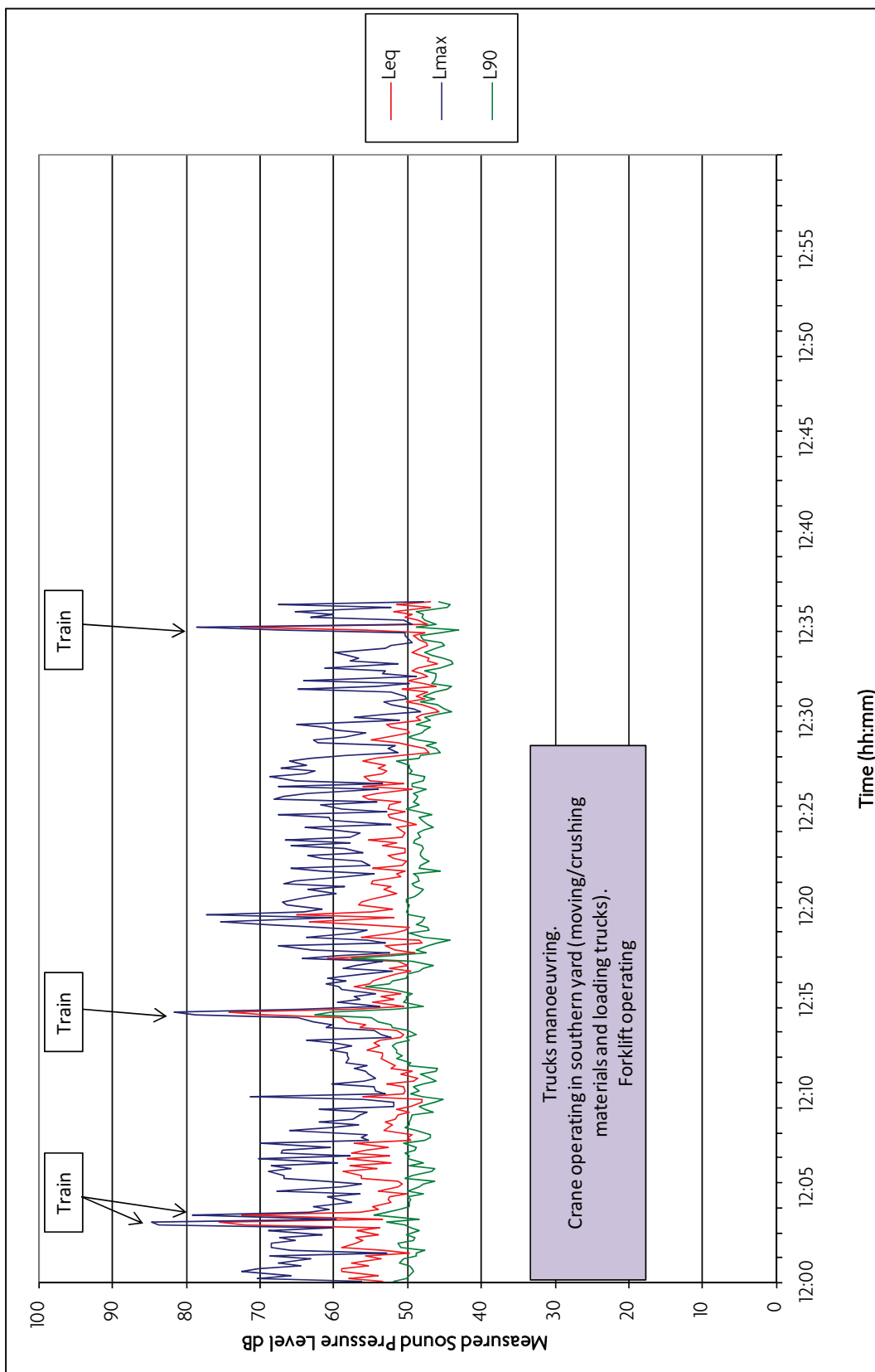












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## DOCUMENT CONTROL & REFERENCES

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### Change History

Issue 0.1	6 July 2011	Document prepared by Mark Brightwell and forwarded to Nicholas Jones for review.
Issue 0.2	7 July 2011	Document reviewed by Nicholas Jones and returned to Mark Brightwell with some minor comments and amendments.
Issue 1.0	7 July 2011	Document issued.

### Changes Forecast

None.

**Synopsis on barrier effects**  
**Station Lodge, Barnwell Junction**  
**Monitoring of metals handling noise**  
**arising from NMR site**  
**Swanns Road Cambridge**  
  
**Monitoring 8 September 2010**  
**and 4 October 2010**  
  
**Mike Stigwood, MAS Environmental**

Report date 11<sup>th</sup> January 2011

**1.0 Purpose of this synopsis**

- 1.1 This synopsis report has been prepared following a request by Richard Buxton Solicitors, the legal representatives of residents of Barnwell Junction. It reports on the assessment of noise levels received at Station Lodge following the installation of two barriers at the NMR Ltd scrap metal site Swanns Road, Cambridge. This analysis follows nuisance proceedings in the High Court in 2010 where the installation and apparent benefit of the barriers were an important aspect of the findings of the court.

## 2.0 Discussion on noise impact

- 2.1 Just prior to the hearing in relation to the nuisance proceedings, two barriers were erected on the NMR site which the Defendant intended would help to mitigate the noise nuisance. Joint monitoring was undertaken by Sharps Redmore and MAS Environmental to assess the resulting mitigation provided by these barriers. I expressed concern during the nuisance proceedings that any finding using the measurements at the joint monitoring in relation to the effectiveness of the barriers was preliminary. This concern arose because: (i) the post construction measurements were undertaken with full knowledge of the operators, (ii) the materials which generate worst-case noise were not handled, and (iii) the atmospheric conditions did not reflect worst-case propagation. Consequently, the joint post-barrier monitoring exercise did not allow a like-with-like comparison of noise levels before and after the installation of the barriers. The joint measurements were also conducted on a day when nearby traffic flow was high and so background noise levels were at their highest.
- 2.2 At the joint assessment, the experts had agreed a typical or average noise level emanating from the ferrous (southern yard) during crane operations was about 61dB LAeq without the barriers, for the duration of an operation / event, when measured in the south garden of Station Lodge. It was generally considered the event duration was about 40 minutes. This gave an hourly value of 59dB LAeq. Subsequent measurements on 8<sup>th</sup> September 2010 and 4<sup>th</sup> October 2010 have produced an hourly value of 56dB LAeq (1hour). This is only a 3dB improvement.
- 2.3 In my report to the court of 21<sup>st</sup> March 2010 I addressed in detail noise attenuation predictions and the limited measurements. The predictions suggested a reduction in the range of 5-7dB was probable but I identified this could be lower, especially when taking downwind effects into account as was required for comparison. The monitoring results

obtained from the three separate periods, assessed since the construction of the barriers and without any knowledge of monitoring by the operators indicate a reduction of only 3dB compared to the existing / previous screens / fences. This supports my analysis that any noise attenuation benefits may be relatively small and insufficient to render noise what was otherwise accepted to be a nuisance not to be a nuisance. The main reason the benefits are nominal are because there was existing screening at two separate points; there was reduction due to the garden fencing and also the site fencing, the joint monitoring assessment was not originally undertaken under downwind conditions and the operators were aware of the tests and handled materials which generate less noise.

- 2.4 To ensure correct comparison of results the procedures set out in BS7445 2003 need to be followed.
- 2.5 BS7445 2003 effectively provides two measurement procedures; one addresses long term values averaged over a prolonged period, typically of several months or seasons. This is not used in the UK. The second is for short-term noise measurements typically of a day or less. In this case measurements are used for comparison with the complaint prediction levels provided in BS4142 1997 which looks at short duration noise levels of an hour for daytime noise. In these circumstances, to compare with the guidance in BS4142 1997 and meet BS7445 2003, the receiver needs to be downwind of the source. Where this does not arise the levels determined need to be increased to reflect the difference. The joint test undertaken before the hearing was not under downwind conditions and thus reduction in noise was partly due to wind.
- 2.6 The data obtained from the joint monitoring procedure identified a complaint prediction level, determined using BS4142 1997 prior to the construction of the barriers of 18dB and post the barrier a reduction in

the southernmost garden of Station Lodge to a complaint prediction value of 16dB.<sup>1</sup>

2.7 In order to check the resulting noise impact arising post the decision of the court visits were undertaken on Wednesday 8<sup>th</sup> September 2010 and Monday 4<sup>th</sup> October 2010. The measurements and data analysis is set out below but the outcome of the assessment is that the resulting complaint prediction level obtained is consistently at about 16dB, which indicates an improvement of only 2dB and source noise reduction of only 3dB. This is 4dB less than identified in the judgement and a very positive indication of complaints remains.

### **3.0 Summary of findings**

3.1 Noise measurements were undertaken at Station Lodge in the garden on three occasions.

3.2 On 8<sup>th</sup> September 2010 measurements were made between 9.25-10:00 hours. On 4<sup>th</sup> October 2010 measurements were between 09:54-11:00 hours and again between 11:54-12:45 hours. On 8<sup>th</sup> September and the first occasion on 4<sup>th</sup> October scrap metals were being handled by the crane in the area marked in blue below. This is the area screened by the shipping containers. The corresponding noise monitoring location is marked by the blue square and is representative of the noise levels in the main garden and the position used for joint monitoring undertaken by Sharps Redmore and MAS Environmental for the nuisance proceedings. These measurements are therefore directly comparable.

3.3 The second measurement period on 4<sup>th</sup> October 2010 recorded scrap metals being handled by the crane in the area marked in red below. The corresponding noise monitoring location is marked by the red

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<sup>1</sup> This is only a 2dB reduction compared to a 3dB reduction in source noise. This arises as background noise varies and complaint prediction depends on which background noise value is used.

square and is representative of noise levels at the kitchen patio of Station Lodge. It should be noted that as the barrier for this area is open to its southern end then noise levels are likely to be higher in the southern garden of Station Lodge than at this location. The complaint prediction analysis is therefore conservative.



- 3.4 Although there was no rainfall during the monitoring periods there had been heavy rainfall in the night prior to 4th October 2010. The roads were still wet and traffic noise is expected to be higher than under dry conditions<sup>2</sup>.
- 3.5 On 8<sup>th</sup> September 2010 the wind was northerly. On 4<sup>th</sup> October 2010 it was south-westerly but not strong (less than 5m/s) during both assessments. Thus, the September values will be higher under downwind conditions. The downwind criterion for October are met.

<sup>2</sup> Tyre noise interaction with a wet road leads to increased noise emission.

3.6 The noise from the scrap yard dominated the noise environment on all occasions, when the scrap yard noise did cease briefly, road traffic noise was the main contributor to the ambient noise environment. There was some noise from the occasional plane and wildlife noise from birds although there was no significant contribution from these sources to the average noise level (LAeq). Trains passing by were infrequent but did significantly impact the LAeq; as a result all train-affected noise has been removed from calculations along with the road traffic noise.

3.7 **Noise monitoring 9.25-10:00, 8<sup>th</sup> September 2010.** The noise was operating some time before I started recording. The event continued in excess of 50 minutes. The background noise level was obtained after crane operations ceased at 45dB LA90.

Total noise from all sources	60.1dB(A)
Specific noise level LAeq(60min) – excl trains and ambient	56dB(A)
Acoustic feature correction:	5dB
Rating level (57 +5):	61dB(A)
Background level LA90 (23min)	45dB(A)
Excess of rating level over background level:	<b>16dB</b>

3.8 Adjustment for wind direction would increase the source noise and background noise levels. The increased source should be higher than any increased background noise as the latter is a result of noise from a wider range of directions. Assessment indicates complaints are likely and resulting noise impact is significantly higher than identified in the court proceedings.

3.9 **Noise monitoring 09:54-11:00 4<sup>th</sup> October 2010.** An hourly LAeq was calculated for the period 09:53 - 10:53. Background noise levels were also determined for this hourly period but are not considered truly representative due to the impact on noise levels from the whine of the crane whilst operating. Background noise levels were therefore



determined from shorter periods, during the hour measurement period, when the crane was not operating.

Total noise from all sources	58.4dB(A)
Specific noise level LAeq(60min) excl trains & ambient	56dB(A)
Acoustic feature correction:	5dB
Rating level (56 +5):	61dB(A)
Background level LA90 (23min)	45dB(A)
Excess of rating level over background level:	<b>16dB</b>

3.10 Assessment indicates complaints are likely and the level is only 2dB lower than the original complaint prediction value of 18dB relied upon by the experts. This is a minor reduction in noise and indicates excessive noise impact continues greater than identified in the court proceedings. The reduction is consistently less than indicated to the court from the joint monitoring of March 2010.

3.11 **Noise monitoring 11:54-12:45.** Activity was noted by the residents as having been present for at least 10 minutes before the commencement of the measurement period. An hourly average noise level (LAeq) was calculated using data for the 50 minutes measured and taking a 10 minute average (LAeq) estimated using the 10 minute period from the beginning of the measurements. Background noise levels were also determined for this hour but are not considered truly representative due to the impact on noise levels from the whine of the crane whilst operating and the scrap handling. As a consequence background noise levels were taken for a period during the measurements when the crane was not operating and handling / site noise had subsided to some extent.

Total noise from all sources	60dB(A)
Specific noise level LAeq(60min):	57dB(A)
Acoustic feature correction:	5dB
Rating level (57+5):	62dB(A)

Background level LA90 (10min)	46dB(A)
Excess of rating level over background level:	<b>16dB</b>

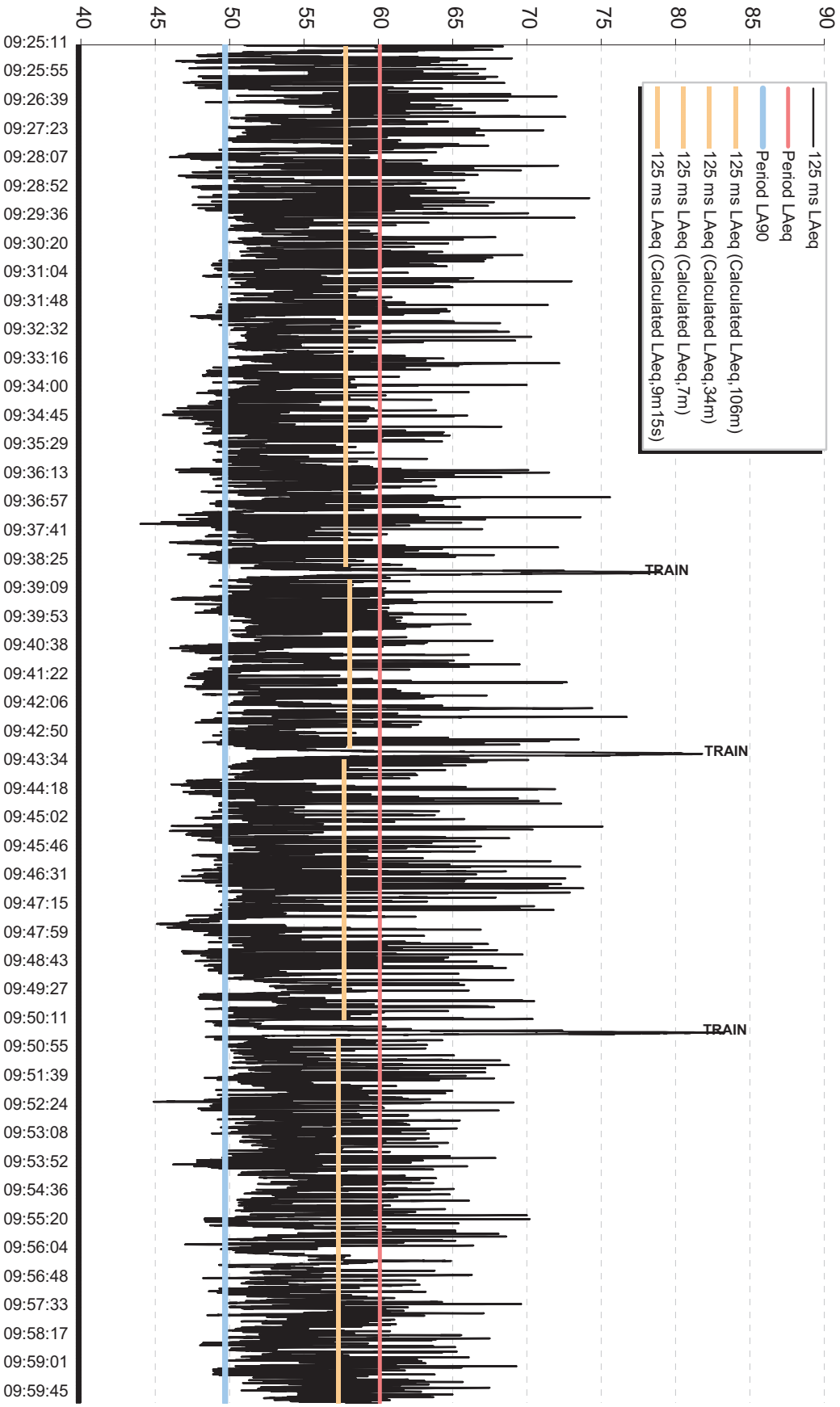
- 3.12 These results are consistent and in agreement with the findings on each occasion monitoring has taken place post the decision. The benefit of the barriers over the previous screening features is identified as about 3dB and provides only minor and insignificant improvements over the situation found to constitute a nuisance. The greater reductions believed to have occurred from the installation of the barriers have not materialised in practice. The barriers need to be increased substantially in height to achieve any expected reductions. Further, the large gaps in the barriers in the central area would need to be infilled if the alleged reductions previously indicated are to be achieved.
- 3.13 The complaint prediction values of 16dB should be compared to the criterion usually applied by local planning authorities or the Environment Agency which look for values of 3-5dB to avoid the likelihood of excessive harm to amenity. There is substantial disparity.

#### **4.0 Conclusions**

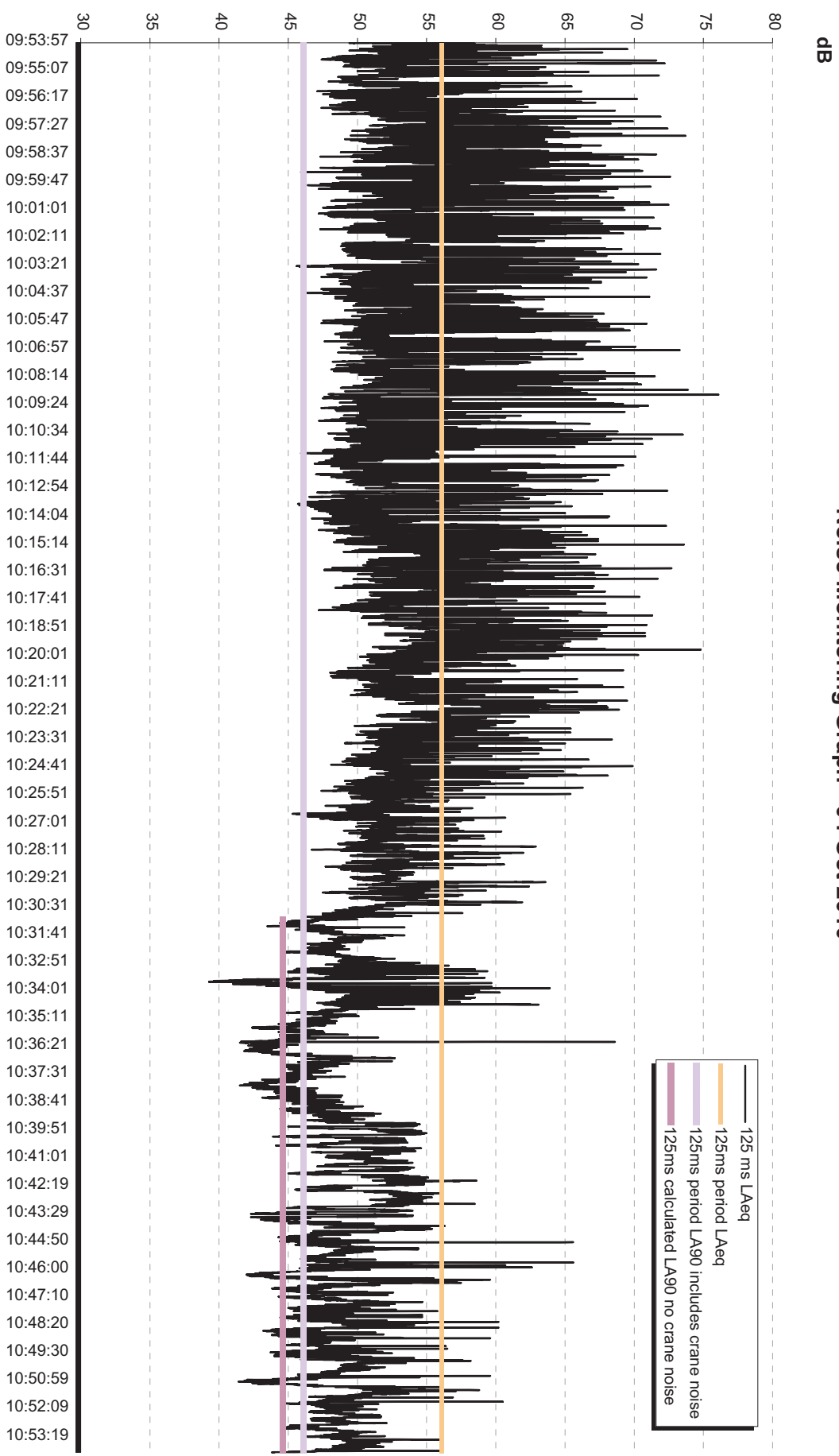
- 4.1 The measurement evidence obtained since the installation of the barriers and without prior knowledge of the operators is consistent.
- 4.2 The barriers have provided minimal improvement in noise levels, and far less than predicted. This possible outcome was identified in the nuisance proceedings.
- 4.3 The lower attenuation of noise arises as there was previously attenuation due to solid fencing and test conditions did not reflect typical operations / conditions.

- 4.4 Substantial increases in barrier height are required over those currently provided to attempt to achieve the resultant levels perceived to have occurred in the court proceedings.
- 4.5 The post proceedings assessment indicates noise complaints are likely and the complaint prediction values are substantially in excess of the normal criterion of acceptability applied under the Town and Country Planning Acts.
- 4.6 In my opinion, the level of noise experienced at Station Lodge continues to be unacceptable. If it is experienced for the periods and duration permitted further to the Defendant's undertaking to the Court (i.e. for periods of up to 2.5 hours in any one day and for up to 10 hours in any week), which is not untypical according to the Defendant's evidence before the court, then this constitutes significant interference with the Claimants' use and enjoyment of their home.

**Noise Monitoring Graph - 08 Sep 2010**  
**Station Lodge Barnwell Junction - Scrap handling noise from NMR**



Noise Monitoring Graph - 04 Oct 2010



**Noise Monitoring Graph - 04 Oct 2010**

