



## NORTH AREA COMMITTEE



### AGENDA

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

**County Councillors:** Manning, Pellew, Sales and Wilkins

*Dispatched: Wednesday, 19 September 2012*

**Date:** Thursday, 27 September 2012

**Time:** 6.30 pm

**Venue:** Buchan Street Community Centre, 6 Buchan Street, CB4 2XF

**Contact:** Glenn Burgess

**Direct Dial:** 01223 457169

### PLANNING ITEMS

#### 1 APOLOGIES FOR ABSENCE

**Development Plan Policy, Planning Guidance And Material Considerations**

#### 2 MINUTES OF THE LAST MEETING *(Pages 13 - 24)*

To approve the minutes of the meeting held on 26 July 2012.

#### 3 DECLARATIONS OF INTEREST (PLANNING)

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

## **4 PLANNING APPLICATIONS**

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

4a 12/0626/FUL - 1 Searle Street, Cambridge (*Pages 25 - 42*)

4b 12/0204/FUL - 82-84 Victoria Road, Cambridge  
(*Pages 43 - 68*)

# Meeting Information

## Public Speaking on Planning Items

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

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

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

For further information on speaking at committee please contact Democratic Services on 01223 457013 or [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk).

Further information is also available online at

<http://www.cambridge.gov.uk/public/docs/Having%20your%20say%20at%20meetings.pdf>

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

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

## **Representations on Planning Applications**

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

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

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

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

## **Filming, recording and photography**

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

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

**Fire Alarm**

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**Facilities for disabled people**

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A loop system is available on request.

Meeting papers are available in large print and other formats on request prior to the meeting.

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**Queries reports**

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

**General Information**

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## DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS

### 1.0 Central Government Advice

- 1.1 **National Planning Policy Framework (March 2012)** – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.
- 1.2 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 1.3 **Community Infrastructure Levy Regulations 2010** – places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.

### 2.0 East of England Plan 2008

SS1: Achieving Sustainable Development  
SS2: Overall Spatial Strategy  
SS3: Key Centres for Development and Change  
SS6: City and Town Centres

E1: Job Growth  
E2: Provision of Land for Employment  
E3: Strategic Employment Locations  
E4: Clusters  
E5: Regional Structure of Town Centres  
E6: Tourism

H1: Regional Housing Provision 2001to 2021  
H2: Affordable Housing

C1: Cultural Development

T1: Regional Transport Strategy Objectives and Outcomes  
T2: Changing Travel Behaviour  
T3 Managing Traffic Demand  
T4 Urban Transport

T5 Inter Urban Public Transport  
T8: Local Roads  
T9: Walking, Cycling and other Non-Motorised Transport  
T13 Public Transport Accessibility  
T14 Parking  
T15 Transport Investment Priorities

ENV1: Green Infrastructure  
ENV3: Biodiversity and Earth Heritage  
ENV6: The Historic Environment  
ENV7: Quality in the Built Environment

ENG1: Carbon Dioxide Emissions and Energy Performance

WAT 2: Water Infrastructure  
WAT 4: Flood Risk Management

WM6: Waste Management in Development

CSR1: Strategy for the Sub-Region  
CSR2: Employment Generating Development  
CSR4: Transport Infrastructure

### 3.0 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

P6/1 Development-related Provision  
P9/8 Infrastructure Provision  
P9/9 Cambridge Sub-Region Transport Strategy

### 4.0 **Cambridge Local Plan 2006**

*3/1 Sustainable development*  
*3/3 Setting of the City*  
*3/4 Responding to context*  
*3/6 Ensuring coordinated development*  
3/7 Creating successful places  
3/9 Watercourses and other bodies of water  
3/10 Subdivision of existing plots  
3/11 The design of external spaces  
3/12 The design of new buildings  
3/13 Tall buildings and the skyline  
3/14 Extending buildings  
3/15 Shopfronts and signage

4/1 Green Belt  
4/2 Protection of open space  
4/3 Safeguarding features of amenity or nature conservation value



4/4 Trees  
4/6 Protection of sites of local nature conservation importance  
4/8 Local Biodiversity Action Plans  
4/9 Scheduled Ancient Monuments/Archaeological Areas  
4/10 Listed Buildings  
4/11 Conservation Areas  
4/12 Buildings of Local Interest  
4/13 Pollution and amenity  
4/14 Air Quality Management Areas  
4/15 Lighting

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

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

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

8/1 Spatial location of development  
8/2 Transport impact  
8/4 Walking and Cycling accessibility

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

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

10/1 Infrastructure improvements

#### Planning Obligation Related Policies

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

## 5.0 Supplementary Planning Documents

### 5.1 Cambridge City Council (May 2007) – Sustainable Design and

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

- 5.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential and commercial developments. It provides advice on assessing planning applications and developer contributions.
- 5.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.
- 5.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.
- 5.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.
- 5.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

**Eastern Gate Supplementary Planning Document (October 2011)** Guidance on the redevelopment of the Eastern Gate site. The purpose

of this development framework (SPD) is threefold:

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

## **6.0 Material Considerations**

### **Central Government Guidance**

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

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

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

Includes the following statement:

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

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

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

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

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

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

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

### 6.3 City Wide Guidance

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

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

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

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

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

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

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

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

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

**Cambridge City Council (2011) - Open Space and Recreation Strategy:** Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study

in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **6.4 Area Guidelines**

**Cambridge City Council (2003)–Northern Corridor Area Transport Plan:**

**Cambridge City Council (2002)–Southern Corridor Area Transport Plan:**

**Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:**

**Cambridge City Council (2003)–Western Corridor Area Transport Plan:**

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

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

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

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

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

Historic open space guidance.

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

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

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

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

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

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



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

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**NORTH AREA COMMITTEE**

26 July 2012

6.30 - 8.05 pm

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

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

**FOR THE INFORMATION OF THE COUNCIL****12/39/NAC Appointment of Chair and Vice**

Nominations for Chair were received for Councillor Todd-Jones and Councillor Tunnacliffe.

**Resolved** (by 6 votes to 5) that Councillor Todd-Jones be Chair of the North Area Committee for the ensuing year.

Nominations for Vice Chair were received for Councillor Price and Councillor Tunnacliffe.

**Resolved** (by 6 votes to 5) that Councillor Price be Vice Chair of the North Area Committee for the ensuing year.

**12/40/NAC Apologies for Absence**

Apologies were received from City Councillor Brierley and County Councillors Pellew and Sales.

**12/41/NAC Minutes of the last meeting**

The minutes of the 17 May meeting were approved and signed as a correct record.

**12/42/NAC Declarations of Interest (Planning)**

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Manning	12/43A/NAC	Personal: Member of CAMRA and lives opposite the pub.
Gawthrope	12/43A/NAC	Personal: Member of CAMRA

**12/43/NAC Planning Applications****12/0428/CAC - Penny Ferry, 110 Water Street**

The committee received an application for conservation area consent.

The application sought approval for the demolition of the Penny Ferry public house and clearance of the site.

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

- Clare Blair (on behalf of the Friends of Stourbridge Common)

The representation covered the following issues:

- i. The committee must determine the application on its own merits.
- ii. The building has historical and social significance and is in a conservation area.
- iii. The application does not comply with the National Planning Policy Framework (NPPF).
- iv. The application does not comply with the Cambridge Local Plan (Policies 4/10 and 4/11).

- Caroline Gohler (on behalf of Cambridge Past, Present and Future)

The representation covered the following issues:

- i. The site is of historic value and significance.
- ii. The site is key to the future of the Local Plan.

- Lynette Gilbert (on behalf of Riverside Area Residents Association)

The representation covered the following issues:

- i. The historic pub has a big impact on the character of the conservation area.
- ii. The application does not comply with the Cambridge Local Plan (Policies 4/10 and 4/11) and other options should be looked at.

- Ms Buchholz (on behalf of Save our Open Spaces)

The representation covered the following issues:

- i. The loss of the pub and five additional houses would have a detrimental affect on the riverside views.
- ii. As the only wild green open space in the City this area needed to be protected.

- Michael Bond (on behalf of Old Chesterton Resident's Association)

The representation covered the following issues:

- i. The Inspector had ignored the upcoming provisions of the new National Planning Policy framework (NPPF).
- ii. The scale and attitude of the proposal were out of character with the area.

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

Councillor Ian Manning (Ward Councillor) spoke in opposition to the application.

The representation covered the following issues:

- i. In a letter from the Minister responsible for the National Planning Policy Framework (NPPF) he states that “the interpretation and application of the Frameworks policies is for the decision taker” and when referring to paragraphs 28 and 70 states that “it may be appropriate for the decision taker to take into account these policies where the application involves or relates to a pub.”
- ii. People in the community had expressed an interest in running the pub.

#### The Committee:

**Resolved** (by 0 votes to 8) to reject the officer recommendation to approve the application.

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

Because of its role in the community and historical position in the Riverside and Chesterton environment, the scale of the building, and context, set back from the river, providing views from Stourbridge Common and from Fen Road, the building makes a significant contribution to the special character of the Riverside and Stourbridge Common section of the City of Cambridge Conservation Area No.1 (Central). Its demolition would therefore cause harm to the conservation area, contrary to policy ENV 7 of the East of England Plan (2008), policy 4/11 of the Cambridge Local Plan (2006), and government guidance in section 12 of the National Planning Policy Framework 2012.

#### **12/0604/FUL - 75 Histon Road**

The committee received an application for full planning permission.

The application sought approval for the demolition of an existing garage and the erection of a 1 and a half storey 1 bedroom with studio house, with access from North Street along with car parking, and bins/cycle store.

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

- Mr Sadler

The representation covered the following issues:

- i. The proposal was not in keeping with the surrounding area.
- ii. Due to the width of the road the proposal would cause additional parking and traffic problems.
- iii. Ongoing development has already led to the loss of wildlife in the area.
- iv. This would set a precedent for future developments.

The Committee:

**Resolved** (by 8 votes to 0) to accept the officer recommendation to approve planning permission subject to the addition of the following amendment.

No development shall take place until details of the provision for the storage and collection of refuse and recycling have been submitted to and approved in writing by, the local planning authority. The approved arrangements shall be put in place prior to occupation and shall not be changed thereafter.

Reason: to ensure satisfactory waste storage provision. (Cambridge Local Plan (2006) policy 3/12)

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. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to

Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays. Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

4. Except with the prior written agreement of the local planning authority in writing no deliveries or collections in connection with the construction work or demolition shall be carried out or plant operated other than between the following hours: 0700 hours to 1900 hours Monday to Saturday and at no time on Sundays, Bank or Public Holidays. Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. Prior to the commencement of the use hereby permitted, details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences. Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

6. The car parking space laid out within the site in accordance with the approved plans shall be retained and shall not be used for any purpose other than the parking of vehicles. Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission. Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority. Reason: To protect the amenity of adjoining properties.  
(Cambridge Local Plan 2006 policies 3/4 and 3/14)



9. Prior to the first occupation of the development hereby permitted, the two velux windows, which serve the first floor bedroom as approved on drawing 11/1295:010, shall be located so that no part of the windows are lower than 1.7 m from finished first floor level. These windows shall not thereafter be altered in size and position. Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policy 3/7)

10. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in the Technical Guidance to the National Planning Policy Framework, and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall: provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development. Reason: To control surface water management. (East of England Plan (2008) polices WAT2 and WAT4 and Cambridge Local Plan (2006) policy 8/18).

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

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

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

**INFORMATIVE:** The Housing Act 2004 introduces the HHSRS as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors. Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc. The applicant/agent is advised to contact The Housing Standard Team of the Refuse and Environment Service at Cambridge City Council on telephone number (01223) 457890 for further information.

### **Reasons for Approval**

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

East of England plan 2008: SS1, SS2, T1, T14, ENV7, WAT2, WAT4 and WM6 Cambridgeshire and Peterborough Structure Plan 2003: P6/1, P9/8 and P9/9

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/13, 5/14, 8/2, 8/3, 8/4, 8/5, 8/6 and 8/10

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

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.

**12/0381/FUL - 19 Alpha Road**

The committee received an application for full planning permission.

The application sought approval for change of use from C3 Dwelling House to a House in Multiple Occupation (Sui Generis) (seven bedrooms).

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

- Mrs Boyle

The representation covered the following issues:

- i. She was attending the meeting to represent the views of many local residents.
- ii. There were ongoing issues relating to student disturbance and noise.
- iii. The area abuts a conservation area.

Mrs Jacklin (Applicant) addressed the committee in support of the application.

The Committee:

**Resolved** (by 9 votes to 0) to include an additional condition requiring a Management Plan.

**Resolved** (by 8 votes to 1) to accept the officer recommendation to approve planning permission subject to the addition of the following amendment.

No development shall take place until a management plan for the operation of the building as an HMO, which includes measures to avoid the creation of noise nuisance, has been submitted to and approved in writing by, the local planning authority. The approved arrangements shall be put in place prior to occupation and shall not be changed thereafter except with the written approval of the local planning authority.

Reason: to protect neighbour amenity. (Cambridge Local Plan (2006) policy 3/4)

And subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.
2. The proposed House in Multiple Occupation (19 Alpha Road) shall not be occupied by more than 7 persons at any one time. Reason: In the interest of residential amenity. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 4/13 and 5/7).
3. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, recycling boxes or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority. Reason To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 4/13 and 5/7).
4. No development shall commence until details of facilities for the covered, secure parking of 7 number bicycles for use in connection with the development hereby permitted have been submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences. Reason: To ensure satisfactory provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)
5. The existing outbuilding to the rear shall only be used for storage purposes and not for habitable accommodation. Reason: To protect the amenity of the neighbouring occupiers. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policy 5/7).

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

## Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies: East of England plan 2008: SS1 and ENV7 Cambridge Local Plan (2006): 3/1, 3/4, 4/13 and 5/7
2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

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.

## 12/0674/FUL - 74 Alex Wood Road

The committee received an application for full planning permission.

The application sought approval for the erection of a PVCU White Conservatory with double glazed window sealed units.

### The Committee:

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

## Reasons for approval

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture. Reason: To ensure that the extension is in keeping with the existing building. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies: East of England plan 2008: ENV7 Cambridge Local Plan (2006): 3/4 and 3/14

4. 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.

The meeting ended at 8.05 pm

**CHAIR**

<b>Application Number</b>	12/0626/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	17th May 2012	<b>Officer</b>	Natalie Westgate
<b>Target Date</b>	12th July 2012		
<b>Ward</b>	Arbury		
<b>Site</b>	1 Searle Street Cambridge Cambridgeshire CB4 3DB		
<b>Proposal</b>	Alterations and additions to ground floor accommodation following part demolition of existing garage/store and existing extension.		
<b>Applicant</b>	Dr And Mrs Arthur Hibble 1 Searle Street Cambridge Cambridgeshire CB4 3DB		

SUMMARY	The development will have an adverse effect on the visual amenity of the Conservation Area.
RECOMMENDATION	REFUSAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site comprises a two-storey, end of terrace dwelling located on the south-eastern side of Searle Street, on the junction of Searle Street and Fisher Street. The property has a garage at the end of the rear garden, which fronts onto Carlyle Road. The area is residential in character, mainly consisting of terrace dwellings. The application dwelling is finished in Cambridge stock bricks and slated roof.
- 1.2 The houses on Searle Street have two-storey projecting wings to the rear. The rear projecting wings of 1 and 3 Searle Street, which adjoin one another are the same depth. 1 Searle Street has a single storey extension at the end of the projecting wing (which steps down from a mono-pitched roof to a flat roof), which brings the house 1.6m from the rear of the garage.

1.3 The site falls within the Castle and Victoria Road Conservation Area. The site is not a listed building and there are no tree preservation orders on the site. The site falls within the controlled parking zone.

## **2.0 THE PROPOSAL**

2.1 It is proposed to remove the existing flat roof garage/store and incorporate the existing rear lean to extension into a single storey part pitched and part flat roof extension. The application follows on from an earlier application that was refused under delegated powers in August 2011.

2.2 The pitched roof part would project 6.1m from the existing two-storey projecting wing, at the same width (3.3m). The side wall of the existing lean to extension would be incorporated into the extension. This side wall projects 2.5m along the boundary with 3 Searle Street and the roof of the new extension will be 2.6m to eaves and 4m to ridge. The flat roof extension extends to the Carlyle Road frontage 1.2m beyond the existing garage and runs along the Fisher Street frontage for 8.5m. A small yard area is retained which measures 5.5m by 2.5m (average width). The extension accommodates living space and a workshop/refuse store/cycle parking space.

2.3 The application is accompanied by a Planning Statement and photographs of walls in the area.

2.4 Both Councillor Ward and Councillor Todd-Jones have requested that the application be considered by Committee. Councillor Todd-Jones' comments are set out in paragraph 7.2. Councillor Ward's request is based on the fact that the Conservation Area has recently been extended and the Committee should have the opportunity to debate the merits of the application.



### 3.0 SITE HISTORY

Reference	Description	Outcome
11/1163/FUL	Part single storey, part one and a half storey rear/side extension, including roof terrace following demolition of existing store/garage and existing extension.	REFUSED
C/04/1034	Roof Extension and two dormer windows to existing dwelling house.	WITHDRAWN
C/00/0151	Extension to existing boundary wall around dwelling.	APPROVED

3.1 A copy of the Decision Notice for the previous refusal (11/1163) is attached to this report.

### 4.0 PUBLICITY

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

### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6, ENV7
Cambridge Local Plan 2006	3/4, 3/14, 4/11

5.3 Relevant Central Government Guidance and Supplementary Planning Documents

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Sustainable Design and Construction Castle and Victoria Road Conservation Area Appraisal 2012

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 The proposals results in the loss of parking provision within the site. Demand for car parking will be decanted onto the street, increasing competition with other residents. Conditions are recommended relating to encroachment onto the highway and works to a highway requiring highways consent.

### Historic Environment Manager

- 6.2 The application is not supported due to the boundary wall detailing. This is a very visible location within a Conservation Area and the proposal will have a detrimental impact and there is no justification for this. The proposed extensions are acceptable.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## 7.0 REPRESENTATIONS

- 7.1 Councillor Ward has commented on this application and notes that it is within a recent conservation area where there is many existing extensions and modern garages.
- 7.2 Councillor Todd-Jones has commented on this application and notes that the proposal further develops an already very constrained site, with a structure and walls to a height of at least one storey running the complete length of the boundary with the neighbouring property (3, Searle Street) and causing loss of light in the rear garden. The height, scale and massing along the entire length of the boundary wall within such a constrained site results in domination of the rear and rear garden of the

neighbouring property and leads to a significant sense of enclosure and loss of amenity. In addition, the proposal removes an existing garage resulting in the decanting of a parking space within the curtilage of the property into the nearby street where the existing Residents Parking Scheme is already under severe pressure from current use. In conjunction with the loss of rear garden and amenity space as a result of over-developing such a constrained site. Overall, the proposal unreasonably dominates the rear of the neighbouring property resulting in a heightened sense of enclosure in a very restricted site and causing significant loss of residential amenity to the neighbouring property.

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

### **Objection**

3 Hale Avenue  
3 Searle Street  
5 Searle Street  
7 Searle Street  
2 The Chilterns, Gloucester Green, Oxford (Purchasers of 3 Searle Street)

The representations can be summarised as follows:

This area is relatively open in character and the proposal will enclose this due to the amount of extensions proposed;  
The proposal is an over development of the site;  
Design is unsympathetic to the existing Victorian building because the roof pitch is steeper than the existing and therefore the ridgeline is too long and high.  
The glazed hipped element is at odds with the character of the area;  
Design of the foundation needs to be considered carefully as this development has the potential to affect nearby trees;  
The proposal will be enclosing and dominant in neighbouring gardens;  
The design has failed to take the opportunity to reduce crime and improve safety;  
Design of the boundary adjoining house and garage;  
High wall lead to loss of light and enjoyment of the home and garden;

Design of the roof will create a tunnel effect;  
The cycle parking is not adequate;  
Loss of the off street car parking will lead to more competition for on street car parking;

### **Support**

2 Searle Street  
4 Fisher Street

The representations can be summarised as follows:

The proposal will not have a detrimental view into Fisher Street. The impact of the proposal will not be detrimental as this is a ground floor extension only;

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

## **8.0 ASSESSMENT**

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

1. Planning History
2. Context of site, design and external spaces and impact on the Conservation Area
3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Third party representations

### **Planning History**

- 8.2 The previous refusal on the site is a significant material consideration. This application was refused for the following reasons:

1) There are no existing roof terraces on houses in the surrounding area. The proposed roof terrace would therefore be out of character with its surroundings and incongruous in the street scene. For these reasons the proposal is contrary to

policies 3/4 and 3/14 of the Cambridge Local Plan (2006) and to advice provided by Planning Policy Statement 1 - Delivering Sustainable Development (2005).

2) Due to its height, scale, and proximity to the common boundary with 3 Searle Street, the proposed extension would have a detrimental impact on the residential amenity of the occupiers of 3 Searle Street. It would reduce the outlook from this dwelling and would dominate the rear aspect and garden of that property in an unreasonable manner, causing the neighbouring occupiers to suffer an unacceptable sense of enclosure, to the detriment of the level of amenity they should reasonably expect to enjoy. For these reasons the proposal is contrary to policies 3/7 and 3/14 of the Cambridge Local Plan (2006) and to advice provided by Planning Policy Statement 1 - Delivering Sustainable Development (2005).

8.3 The current scheme has been amended to address these reasons for refusal as follows:

1) the proposed roof terrace which was on top of the flat roof part of the extension has been removed and the relationship of the extension with the boundary wall to Fisher Street has changed. This boundary wall was previously to be extended from 1.7m high to 2.6m high with the roof terrace railing adding a further 0.8m. The boundary wall is now to be increased in height to 2m and the extension set back behind it by 0.1m. The extension will be 2.5m to eaves and will therefore project 0.5m above the wall.

2) the pitched roof extension has been reduced in height from 5.2m to ridge to 4m and now incorporates a hipped end.

8.4 Since the earlier application two significant events have occurred, the site now falls into a Conservation Area and the National Planning Policy Framework has been produced. I have addressed these as part of my Assessment.

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

8.5 The site is located on a prominent corner at the junction with Fisher Street and Carlyle Road within the Conservation Area. The roof terrace element of the earlier scheme has been

removed and the visual impact of the extension has been reduced. However the proposals still include an increase in height to boundary wall to Fisher Street. The view of the Conservation Officer is that the proposed height and the additional impact arising from the view of the extension behind the wall will be imposing in the streetscene and would be harmful to the visual amenities of the Conservation Area.

- 8.6 The ground floor plan of the extension, the combination of pitched roof and flat roof elements and the amount to external space that is retained is no different than the previous scheme. These matters were not regarded as contentious previously and I do not consider that they have an adverse impact on the Conservation Area. I do not share the view that has been expressed by third parties that the extensions will be visually enclosing or amount to overdevelopment.
- 8.7 In my opinion the proposal is contrary with East of England Plan (2008) policies ENV6 and ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.8 The occupiers and future occupiers of 3 Searle Street are most affected by the development. In my view the reduction in height of the pitched roof extension from 5.2m to ridge to 4m and the incorporation of a hipped end reduces the impact of the extension significantly. The extension would enclose the garden to 3 Searle Street and there would be a change to the outlook from the house and garden. However in my view these impacts would not have a significant impact on the level of amenity currently experienced by the occupiers of 3 Searle Street.
- 8.9 The removal of off street car parking provision which results from the loss of the garage was not a contentious issue in relation to the earlier application. There have been no changes in policy or site circumstances that would justify a change in this assessment for the current application. I do not consider that the impact on residential amenity arising from increased competition for on street parking will be significant.

8.10 In my opinion the current proposal overcomes the second reason for refusal of the earlier scheme and 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**

8.11 I have addressed the issues raised by residents in my Assessment. It should be noted that there is some support for the application.

## **9.0 CONCLUSION**

9.1 The proposed extension will be highly visible in the street and the Conservation Area. The extension will be higher than the existing boundary wall and out of context with the character of the Conservation Area. Refusal is recommended.

## **10.0 RECOMMENDATION**

### **FOR RECOMMENDATIONS OF REFUSAL**

#### **REFUSE for the following reasons:**

1. The proposed development includes an increase in the height of the boundary wall to Fisher Street and the projection of the side elevation of the proposed extension above the new boundary wall which would have a dominant and enclosing effect on the streetscene. In so doing the extension would be out of character with the area and detrimental to the visual amenities of the streetscene. The development is contrary to East of England Plan (2008) policies ENV6 and ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/11 and to guidance provided by the National Planning Policy Framework.

### **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.



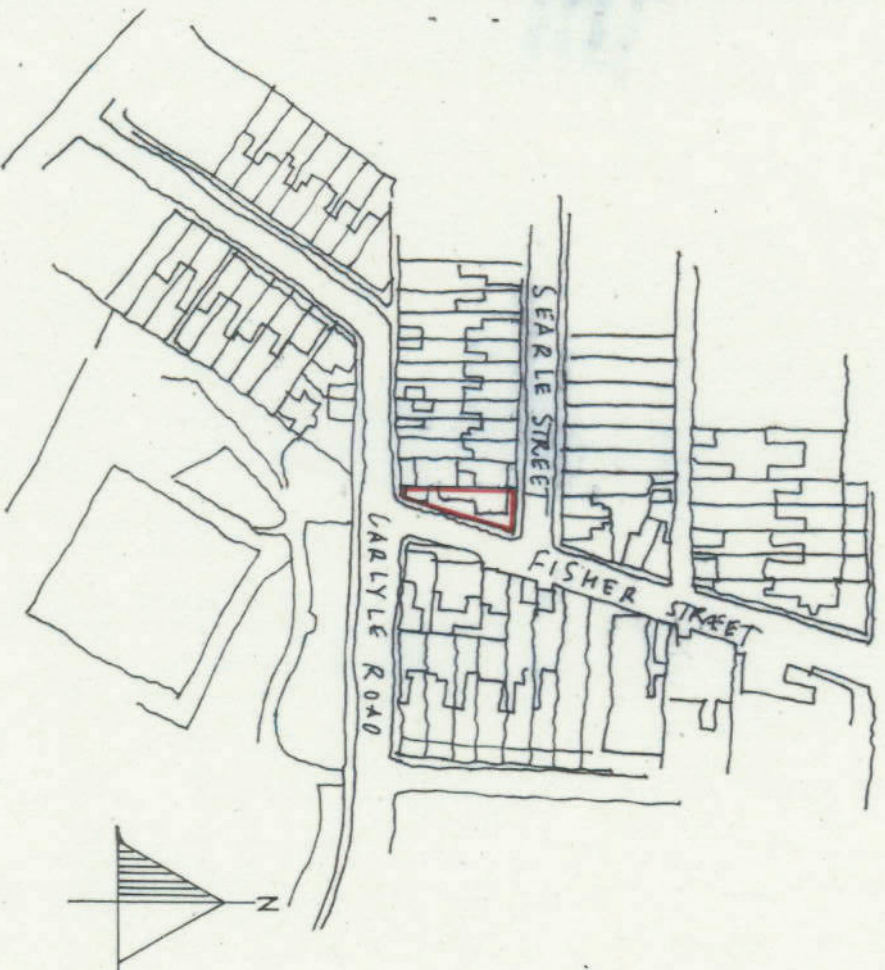
**MORRIS & PARTNERS**

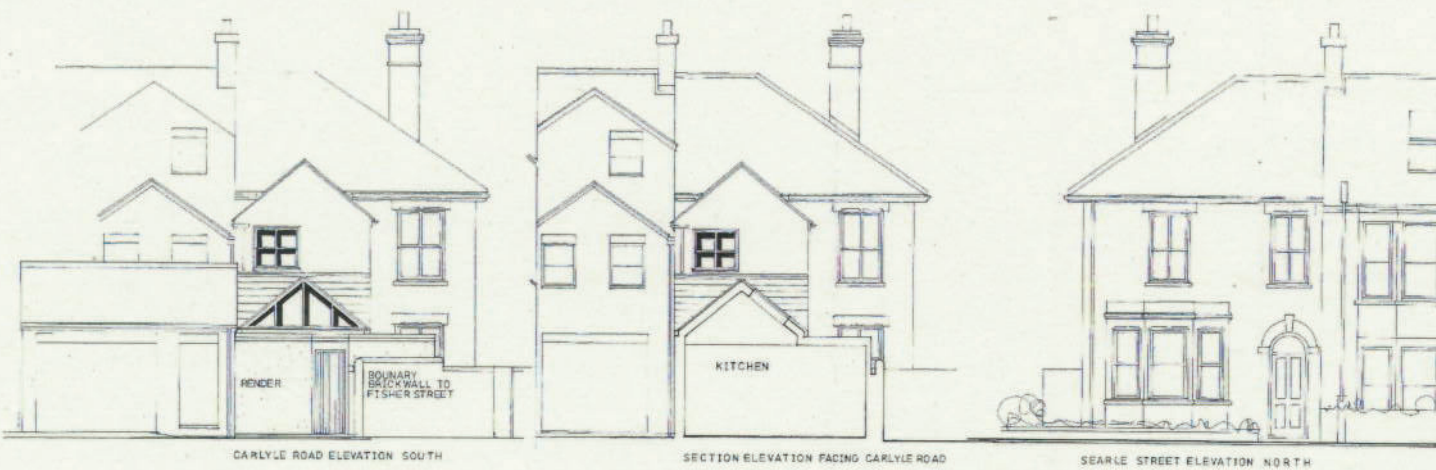
Architects

**NOTES.** Work: 1 SEARLE STREET, GAMBRIIDGE Client: DR A AND MRS. L HIBBLE

Reference No.: BC.105. Notes made by: RMh. Date: 4.10.2011 Sheet No.: 105.1.

Description of notes: KEY LOCATION PLAN SCALE: 1:1250





Drawn by *J. G. G. G.*  
 Checked by *D. M. M.*  
 Returned by *D. M. M.*

D 6/9/2012 FURTHER DESIGN REVISIONS  
 C. 15/8/2012 DESIGN REVISIONS

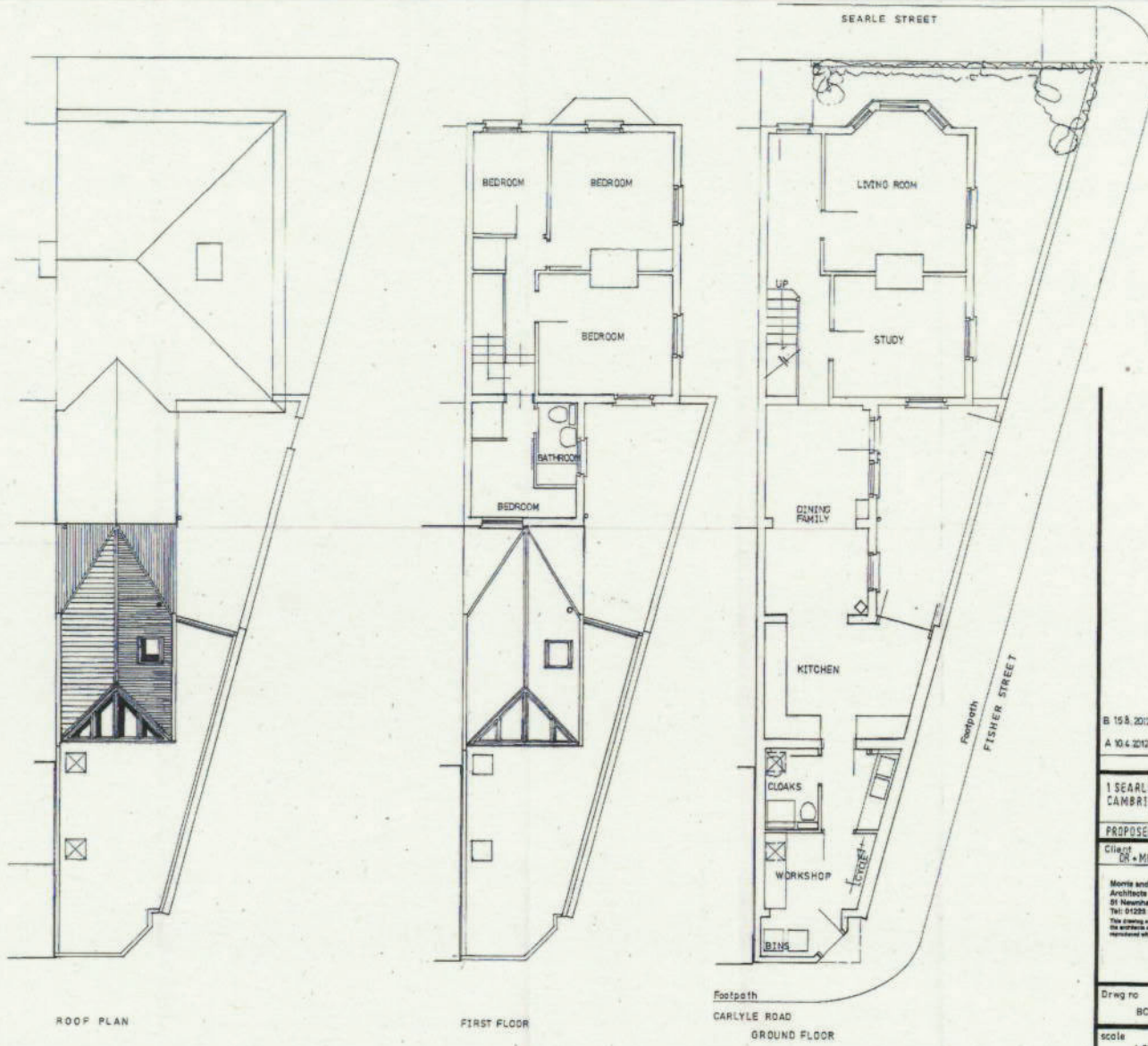
1 SEARLE STREET  
 CAMBRIDGE  
 PROPOSED ELEVATIONS

Client DR. MRS A HIBBLE

Morris and Partners,  
 Architects  
 51 Newmarket Road, Cambridge, CB3 9EY  
 Tel: 01223 351888 Fax: 01223 351888  
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Draw no	BC.105.9	D
scale	1:50	date 1.2.2012





Scan to AutoCAD  
 Use type *Extrusion*  
 Refer to *Detailing*

B 15.8.2012 *Tim West* R000644  
 A 10.4.2012 *AMP* R000644

1 SEARLE STREET  
 CAMBRIDGE

PROPOSED PLANS

Client  
 DR + MRS A HIBBLE

Monte and Partners,  
 Architects  
 81 Newmarket Road, Cambridge, CB3 9EY  
 Tel: 01223 351686 Fax: 01223 341688  
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## CAMBRIDGE CITY COUNCIL

The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACT 1990

### REFUSAL OF PLANNING PERMISSION

Ref:11/1163/FUL

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Morris and Partners  
51 Newnham  
Cambridge  
CB3 9EY

---

The Council hereby refuse permission for

**Part single storey, part one and a half storey rear/side extension, including roof terrace following demolition of existing store/garage and existing extension.**

at

**1 Searle Street Cambridge Cambridgeshire CB4 3DB**

in accordance with your application received 18th October 2011 and the plans, drawings and documents which form part of the application, for the following reasons:

1. There are no existing roof terraces on houses in the surrounding area. The proposed roof terrace would therefore be out of character with its surroundings and incongruous in the street scene. For these reasons the proposal is contrary to policies 3/4 and 3/14 of the Cambridge Local Plan (2006) and to advice provided by Planning Policy Statement 1 - Delivering Sustainable Development (2005).



2. Due to its height, scale, and proximity to the common boundary with 3 Searle Street, the proposed extension would have a detrimental impact on the residential amenity of the occupiers of 3 Searle Street. It would reduce the outlook from this dwelling and would dominate the rear aspect and garden of that property in an unreasonable manner, causing the neighbouring occupiers to suffer an unacceptable sense of enclosure, to the detriment of the level of amenity they should reasonably expect to enjoy. For these reasons the proposal is contrary to policies 3/7 and 3/14 of the Cambridge Local Plan (2006) and to advice provided by Planning Policy Statement 1 - Delivering Sustainable Development (2005).

This decision notice relates to the following drawings: **BC.105.3 REV A, 105.1, BC.105.4, BC.105.5.**

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

For further information please go to [www.cambridge.gov.uk/planning](http://www.cambridge.gov.uk/planning) to view the 'Your Decision Notice' leaflet. If you require a hard copy please contact the Application Support Team on (01223) 457200.

Dated: 9 December 2011



Guildhall, Cambridge, CB2 3QJ

Head of Planning  


SEE NOTES ATTACHED



## PLANNING PERMISSION

### 1. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development' or to grant permission subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal then you must do so within 6 months of the date of this notice or within 12 weeks of the date of the decision notice against a refusal of any householder planning application that was valid on or after 6<sup>th</sup> April 2009, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

The Secretary of State can allow for a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, he does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

### 2. Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be permitted. In these circumstances, the owner may serve a purchase notice on the council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

## LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

### 3. Notification of Demolition

If listed building consent has been granted and any demolition is to take place, you must in accordance with Section 8(2)(b) of the Planning (Listed Building and Conservation Areas) Act 1990 complete a Final Notice of Demolition Form and send it to English Heritage at least one month before demolition occurs.

### 4. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse listed building or conservation area consent, or to grant either subject to conditions then you may appeal to the Secretary of State for the Environment in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Appeals must be made within 6 months of the date of the decision (see notes under 1 above).

### 5. Purchase Notice

If listed building or conservation area consent is refused, or if either is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring the council to purchase his interest in the land in accordance with section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

### 6. Compensation

In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

## CONSENT TO DISPLAY AN ADVERTISEMENT

### 7. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse consent to display an advertisement, or to grant consent subject to conditions then you may appeal to the Secretary of State for the Environment under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. Appeals must be made within 8 weeks of the date of the decision (see notes under 1 above)







<b>Application Number</b>	12/0204/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th February 2012	<b>Officer</b>	Mrs Angela Briggs
<b>Target Date</b>	23rd April 2012		
<b>Ward</b>	West Chesterton		
<b>Site</b>	82-84 Victoria Road Cambridge CB4 3DU		
<b>Proposal</b>	Change of use from HMO and A1 shop to sui generis 9 bedroom HMO.		
<b>Applicant</b>	Mr PETER CLARK 3 HOME FARM 89 HIGH STREET HARSTON CAMBRIDGESHIRE CB22 7PZ UK		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposal would not affect the character or appearance of the Conservation Area;</li> <li>2. The proposal would not have a detrimental impact on the residential amenities of neighbours;</li> <li>3. The proposal would provide adequate amenities for the occupants</li> </ol>
<b>RECOMMENDATION</b>	<b>NOT TO CONTEST THE APPEAL</b>

## **INTRODUCTION**

- A.1 This application is now the subject of an appeal on the grounds of non-determination of the application by the City Council, within the prescribed period. This application will now be determined at appeal by an Inspector appointed by the Planning Inspectorate.

- A.2 Despite that, it is still necessary that the Committee consider today what determination it would have reached in respect of the application. The reason for this is that the Council must decide whether or not it wishes to contest the appeal. In the event that the Committee decide it should refuse the application, it must give clear and precise reasons why it would have done so, and these reasons would form the basis of the case upon which the Council would contest the appeal. Should Committee decide that it should be approved, it must also give clear and precise reasons why it would have done so, but would not then contest the appeal.

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

- 1.1 82-84 Victoria Road is a two storey building situated on the corner of Victoria Road and Primrose Street. It is an end of terrace property. The premises formerly operated as a retail unit (farm shop) at ground floor level, with residential above, and judging from the address, it is likely that the building was originally built as a pair of dwellings before it was converted into a retail unit. The retail space occupied 70m<sup>2</sup> at ground floor with a five bedroom flat behind and above. The front elevation of the property has a strong retail character with large floor to ceiling height display windows and a central entrance. To the rear of the property is a single storey extension which projects into a courtyard garden area. The area is characterised mainly by residential properties of a similar time period, and the retail element appears discordant with this prevailing character. The residential element of the building is currently operating as a 6 bed House in Multiple Occupation (HMO), whilst the retail space is vacant. To the rear of the site is a car park, once affiliated with the retail use. This area is not included within the application site but is within the control of the applicant, and therefore is edged in blue on the location plan.
- 1.2 The site falls within the Central Conservation Area (as extended on 26<sup>th</sup> June 2012) and the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 The application proposes to change the use from a Class C4 HMO (3-6 occupants) use and A1 shop, to a nine bedroom HMO (sui generis). The application seeks to extend the HMO use by a further three bedrooms, including the conversion of the

retail space to residential use. The proposal would include the demolition of the existing store to the rear and the provision for the storage of cycles and bins to the rear of the property. Access to these areas would be from Primrose Street. It is intended to keep the retail façade of the building, so that the building could be re-converted into a retail space in the future. No further external alterations are proposed.

2.2 The application is accompanied by the following supporting information:

1. Design and Access Statement

2.3 Further information and amended plans has been received which show the following revisions:

- Alteration in the application description (for the purpose of clarity);
- Confirmation of the occupancy levels of the proposed HMO;
- Amendment to the bin storage area.

### 3.0 SITE HISTORY

#### Application site:

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
11/0220/FUL	Change of use from retail to residential (9-bed House in Multiple Occupation).	Application withdrawn
C/76/0645	Erection of single storey extension to existing off licence. Cambridge.	Approved

#### Adjacent Land:

09/0015/FUL	Erection of one 2-bed house (following demolition of existing outbuilding)	Approved
08/1151/FUL	Erection of 2 bed house (following demolition of existing outbuilding)	Refused
05/0433/FUL	Erection of 2 storey 3 bed house with ancillary spaces on land to	Refused

C/70/0224 rear of shop.  
Construction of car park at rear Approved  
for patrons

#### 4.0 PUBLICITY

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

#### 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	SS1 ENV6 ENV7 WM6
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridge Local Plan 2006	3/1 3/4 3/7 4/11 4/13 5/7 8/6 10/1

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

Central Government Guidance	National Planning Policy Framework March 2012  Circular 11/95  Community Infrastructure Levy Regulations 2010
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Supplementary Planning Documents	Sustainable Design and Construction Waste Management Design Guide Planning Obligation Strategy
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Cycle Parking Guide for New Residential Developments
	<u>Area Guidelines:</u> Conservation Area Appraisal: Cambridge Historic Core (extended 26 <sup>th</sup> June 2012)

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Engineering)

- 6.1 Comments are awaited. These will be reported on the amendment sheet or verbally at the meeting.

#### Head of Environmental Services

No objections subject to conditions relating to waste storage, noise insulation and details of ventilation.

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:

- 72 Victoria Road
- 76 Victoria Road
- 86 Victoria Road
- 7 Primrose Street

7.2 The representations can be summarised as follows:

- Inappropriate for the character of the area;
- Overdevelopment;
- Lack of communal open space for the residents;
- Insufficient waste storage;
- Increase in noise and disturbance;
- Lack of bathrooms;
- The proposal would exacerbate parking along Primrose Street and compromise highway safety on Victoria Road;
- Loss of a retail unit;
- The retail unit has not been re-marketed to ascertain any interest in continuing the retail use.

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. Impact on the character and appearance of the Conservation Area
4. Residential amenity
5. Refuse arrangements
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

## **Principle of Development**

- 8.2 The principle of Housing in Multiple Occupation is generally supported by policy 5/7 of the Local Plan subject to:
- The potential impact on the residential amenity of the local area;
  - The suitability of the building or site; and
  - The proximity of bus stops and pedestrian and cycle routes, shops and other local services.

I will explore each of these areas in more detail in my report.

The site does not fall within a protected shopping frontage or a Local Centre, and as such its loss would not affect the viability or vitality of the area, particularly as the area is predominantly residential.

- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policy 5/7 of the Cambridge Local Plan.

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

- 8.4 The site is located within a predominantly residential area. The property is an end of terrace and is set back from the road. The property is currently being used as a small HMO housing up to six residents (C4 use). At the time of my site visit the retail space at the front of the property was vacant, although internal changes had taken place such as the installation of stud walls etc.
- 8.5 In my view, I do not consider that the proposal to transform the property into a nine bedroom HMO would detract from the residential character of the area. In terms of its visual impact on the street scene, the property would not appear significantly different. It is intended to keep the existing shop frontage and treat the internal space accordingly to retain a degree of privacy for the occupants who would live in this part of the building. Retaining the shop façade would allow the property to be converted back into retail in the future. Whilst the façade is out of character with the residential character of the area, I do not consider that its retention would significantly harm the character of the area to the extent that the application should be refused

on this basis. Provided that the façade is treated suitably, I see no reason to insist that the façade should be altered or removed.

- 8.6 The main alterations to the building would take place at the rear. The existing store is proposed to be demolished and the rear yard would be re-configured to accommodate cycles and bin storage. A communal open space area for the residents would be retained, although this will be reduced to allow adequate provision of the cycles and the bins.

In my view, I consider that the ratio between the building and the communal space area is acceptable.

- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Impact on the character and appearance of the Conservation Area**

- 8.8 When the application was submitted, the site was not included within the Central Conservation Area. However the Conservation Area has since been extended (26<sup>th</sup> June 2012) and the site now falls within the Conservation Area. The impact of the development on the Conservation Area is therefore relevant in my assessment of the application.

- 8.9 In my view, the proposal would have a minimal impact on the character and appearance of the Conservation Area. Whilst I acknowledge that it would introduce a more intensive use within the area, I do not consider that the use would be so significantly different as to alter the character of the Conservation Area. Furthermore, I do not anticipate that the proposed use would generate an excessive level of traffic that would detract from the character of the Conservation Area.

- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/11.



## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.11 The proposal includes the insertion of three roof lights to serve one of the bedrooms on the first floor. These would be at high level and would not allow views out of them towards neighbouring gardens. The proposal proposes no other alterations to the building along the boundary with the neighbour at 86 Victoria Road. There will be some alterations along the Primrose Street side including the new bin store, however, this will be approximately 7m away from the neighbour on the opposite corner of Victoria Road (no.80).
- 8.12 I note that nearby residents are concerned about the impact the proposed use would have on Primrose Street, which is relatively narrow compared to Victoria Road, in terms of traffic generation. In my opinion, I do not consider that the proposed use would generate an excessive level of traffic that would cause significant harm to the amenity of neighbours.
- 8.13 Some neighbours have raised concerns about the possibility of anti-social behavior occurring from the proposed use, and some claim that there is noise and disturbance from all night parties, currently taking place at the property. This matter is not one which is within our remit of control as we cannot control who occupies the property. A condition is recommended to request a management plan to include the means by which details of who to contact in case of any complaints relating to noise and disturbance (condition 7). I consider this to be reasonable to ensure that any noise and disturbance experienced by nearby residents can be managed appropriately and hopefully minimise further instances. I am also recommending a condition to restrict occupancy of the bedrooms to a maximum of nine people (condition 8). This seeks to ensure that the impact on the amenities of neighbours are minimised and that the use of the site does not become over-intensive.
- 8.14 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

### Amenity for future occupiers of the site

- 8.15 I consider that the standard of living accommodation is acceptable. I consider that the outdoor space is adequate and that the cycle and bin provisions are sufficient for the number of people who would be accommodated.
- 8.16 The Environmental Health Officer has made comments relating to possible noise impact from the road to the units, which face onto Victoria Road at both ground and first floor levels. Both the Environmental Health Officer and I consider that these issues can be controlled by way of conditions. I am therefore recommending conditions, to require a noise insulation scheme and a ventilation scheme to be submitted for approval (conditions 3 and 4).
- 8.17 In my opinion the proposal provides an acceptable standard of 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) policy 3/7.

### **Refuse Arrangements**

- 8.18 The application has been amended to ensure that the bin storage facility functions adequately and to reflect the guidance contained within the RECAP Waste Management Design Guide 2011. The amendment involves a re-design in the access to the bins from Primrose Street and from the communal garden area. Both the Environmental Health Officer and I consider that these amendments demonstrate that adequate bins can be accommodated and are therefore acceptable, however a condition is recommended to ensure that the design of the store is acceptable.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Car and Cycle Parking**

#### Car Parking

- 8.20 The proposal does not appear to provide any parking for the proposed use, which is confirmed in the Design and Access Statement. The Council does not have specific car parking

standards for HMOs, and therefore I need to assess whether this would have a detrimental impact on the area. The Local Highways Authority have identified this area as being heavily used for car parking and that the proposal may increase the intense competition for available parking amongst existing residential uses. Whilst I do not disagree with this view, I consider that the site is in close proximity to public transport routes which provides an alternative mode to the private car. However greater emphasis has been made on the provision of cycle parking on the site which, in my view, will help to encourage the residents to use this mode of transport over the private car. I do not consider it reasonable to refuse the application on the basis that the proposal does not provide off-street car parking. A condition is recommended to ensure that no development encroaches onto the public highway (condition 6), particularly in light of the location of the bin storage.

### Cycle Parking

- 8.21 The proposed plans indicate provision for cycle parking which are adequate to meet the needs of existing and future occupants. The Council's cycle parking guidance requires that the cycle store must be secure. Details of the security measures have not been submitted, therefore a condition (condition 2) is recommended requesting further details of the cycle store.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.23 I have addressed most of the concerns raised by third parties, however they have also raised an issue relating to the loss of the retail unit and that no marketing exercise has been carried out to ascertain any interest in continuing the retail function.

### **Planning Obligations**

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

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

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

#### Open Space

- 8.25 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities and informal open space. The total contribution sought has been calculated as follows.
- 8.26 The application proposes nine single bedrooms in total. The contributions are calculated on the basis of a net total of three additional **single occupancy** bedrooms. 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	3	714
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
<b>Total</b>					<b>714</b>

<b>Indoor sports facilities</b>					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	3	807
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
<b>Total</b>					<b>807</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	3	726
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
<b>Total</b>					<b>726</b>

8.27 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

8.28 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	3	3768
2-bed	1256		
3-bed	1882		
4-bed	1882		
<b>Total</b>			<b>3768</b>

8.29 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

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

## Planning Obligations Conclusion

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

8.32 At the time of writing the Unilateral Undertaking is not complete, however the applicant is aware that we require the document to be returned quickly and complete prior to the committee meeting. An update will follow on the amendment sheet or orally at the meeting.

## **9.0 CONCLUSION**

9.1 In conclusion, the application responds appropriately to the context. It would provide a high quality living environment, improve the quality of the area, and avoid any significant harm to the residential amenity of neighbours and to the character and appearance of the Conservation Area.

## **10.0 RECOMMENDATION**

**NOT TO CONTEST THE PRESENT APPEAL against non-determination and to advance the following conditions as the Council's approved list, and subject to the completion of a Unilateral Agreement.**

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

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



3. Prior to the commencement of refurbishment/ development works, a noise report that considers the impact of noise, particularly from traffic, on the Victoria Road fa de upon the proposed development shall be submitted in writing for consideration by the local planning authority. Following the submission of a noise report and prior to the occupation of the development, a noise insulation scheme for protecting the affected room from the high ambient noise levels on the Victoria Road fa de, having regard to acoustic ventilation and due regard to the air quality condition, shall be submitted to and approved in writing by the local planning authority. The scheme shall detail the acoustic noise insulation performance specification of the external building envelope of the affected residential units (having regard to the building fabric, glazing and ventilation) and achieve the internal noise levels recommended in British Standard 8233:1999 Sound Insulation and noise reduction for buildings-Code of Practice. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and prior to occupation of the residential units and shall not be altered without prior written approval from the Local Planning Authority.

Reason: In the interest of residential amenity (Cambridge Local Plan 2006 Policy 4/13)

4. Prior to the commencement of development/construction, details of the ventilation scheme for the residential units on the fa de fronting Victoria Road, having due regard to the noise insulation condition, shall be submitted to and approved in writing by the local planning authority. The scheme shall be installed before the use hereby permitted is commenced and shall not be altered without prior written approval from the Local Planning Authority.

Reason: In the interest of residential amenity (Cambridge Local Plan 2006 Policy 4/13)

5. Prior to the commencement of the use hereby permitted, the on-site storage facilities for waste including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall thereafter be maintained unless alternative arrangements are agreed in writing by the local planning authority.



Reason: In the interest of residential amenity (Cambridge Local Plan 2006 Policy 4/13)

6. No part of any structure shall overhang or encroach under or upon the public highway and no gate / door / ground floor window shall open outwards over the public highway

Reason: In the interest of highway safety (Cambridge Local Plan 2006 Policy 8/2)

7. Prior to occupation, a management plan for the building shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the means by which details of who to contact in case of any complaints relating to noise and disturbance shall be circulated to neighbours. The plan shall be implemented as agreed.

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

8. The bedrooms of the property shall be restricted to single occupancy only.

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

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

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

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

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

10. **INFORMATIVE:** Levels of pollutants in ambient air intake to be lower than the thresholds set out in the National Air Quality Objectives.

The Council has produced a guidance document to provide information to developers on how to deal with air quality and air pollution issues. The document, 'Developers Guide to Air Quality in Cambridge' can be downloaded from the City Council website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/air-pollution/air-quality-guide-for-developers.en>.

Hard copies can also be provided upon request.

### **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, ENV6 and ENV7

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

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

## **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:

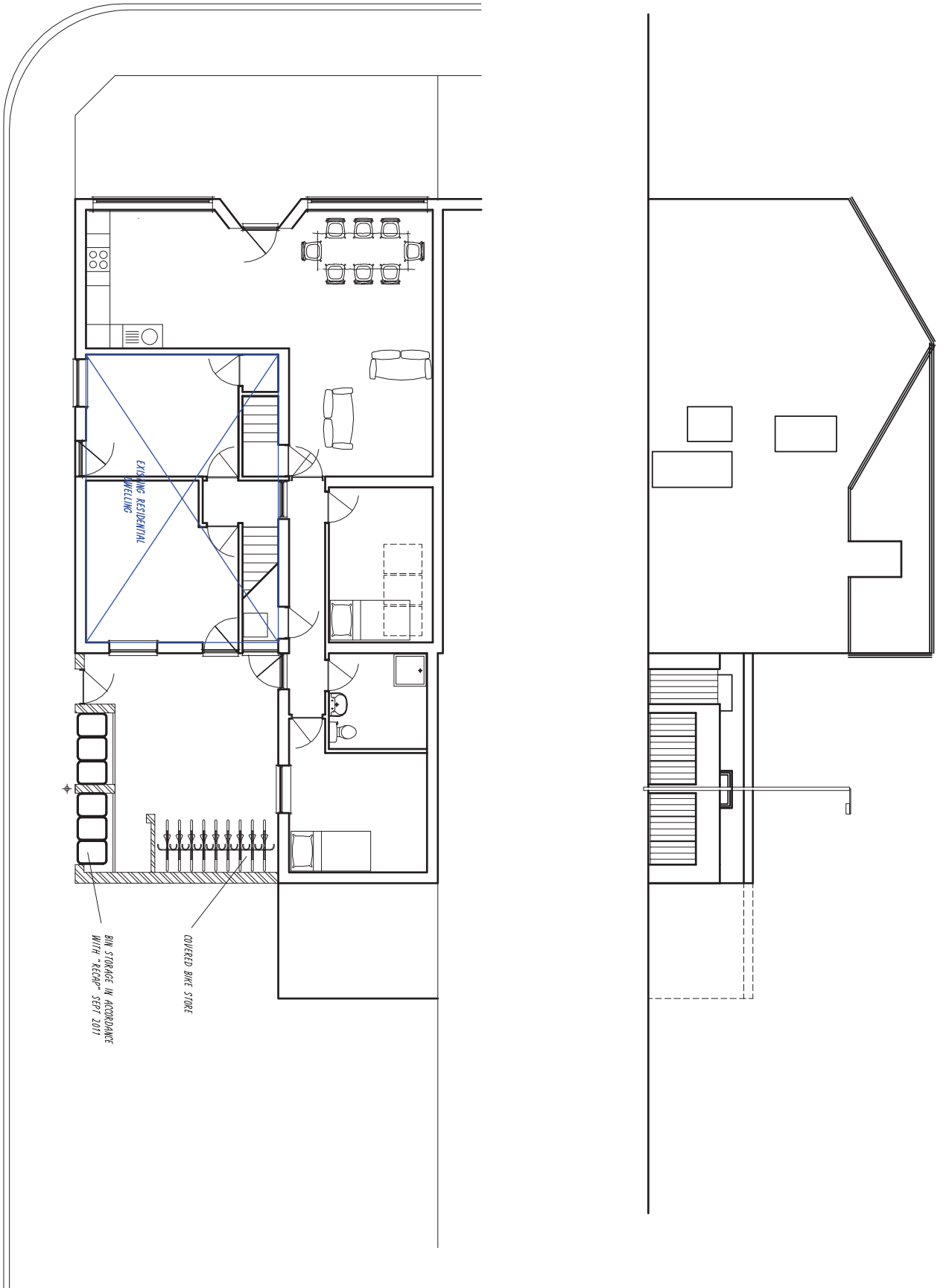
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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

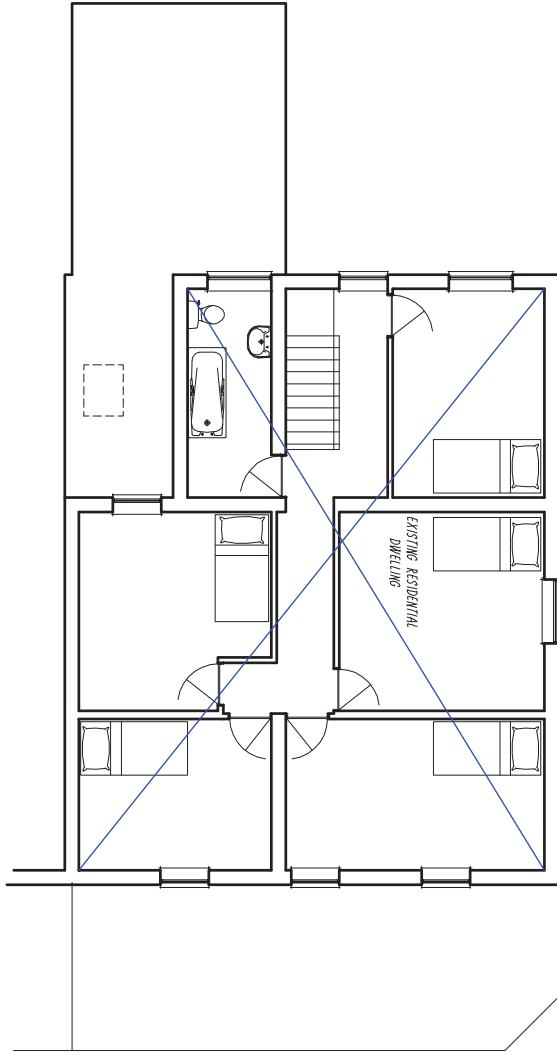
[www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess)

or by visiting the Customer Service Centre at Mandela House.

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Job	87-86 VICTORIA RD CAMBRIDGE
Title	EXISTING 1ST FLOOR PLAN
Date	FEB 2012
Scale	1:100 A3
Dwg No	8001-21
Rev	8
Drawn	786

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**82 84 VICTORIA ROAD CAMBRIDGE**  
**LOCATION PLAN 1:1250 AT A4**

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