



WEST / CENTRAL AREA COMMITTEE
CHAIR COUNCILLOR



AGENDA

To: City Councillors: Smith (Chair), Kightley (Vice-Chair), Bick, Cantrill, Hipkin, Reid, Reiner, Rosenstiel and Tucker

County Councillors: Brooks-Gordon, Nethsingha and Whitebread

Dispatched: Wednesday, 26 October 2011

Date: Thursday, 3 November 2011

Time: 7.00 pm

Venue: Castle Street Methodist Church, Castle Street, Cambridge, CB3 0AH

Contact: Toni Birkin

Direct Dial: 01223 457086

1 APOLOGIES

2 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 should be sought **before the meeting**.

3 PLANNING APPLICATIONS

3a 11/1053/FUL Cambridge Lawn Tennis and Hockey Club, Wilberforce Road
(Pages 1 - 30)

3b 11/0784/FUL The Earl Grey, 60 King Street, Cambridge, CB1 1LN (Pages
31 - 56)

3c 11/0921/FUL 82 Richmond Road (Pages 57 - 94)

Main agenda items will not be considered before 8.00pm

4 DECLARATION OF INTEREST (MAIN AGENDA)

5 MINUTES *(Pages 95 - 104)*

To confirm the minutes of the meeting held on 25th August 2011. *(Pages 95 - 104)*

6 MATTERS AND ACTIONS ARISING FROM THE MINUTES

7 OPEN FORUM

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

8 REVIEW OF TRIAL PERIOD OF A 7.00PM START TIME FOR THIS MEETING.

The June meeting of this committee agreed a two meeting trial of a 7.00pm start time. That decision is due for review.

9 AREA COMMITTEE DATES

The Committee is recommended to approve the dates of the West Central Area Committee meetings for the municipal year 2012 – 13.

Dates: 21st June 2012, 23rd August 2012, 1st November 2012, 10th January 2013 and 25th April 2013.

10 PUNT TOUTING IN THE CITY CENTRE *(Pages 105 - 110)*

11 COMMUNITY DEVELOPMENT LEISURE GRANTS 2011/12 *(Pages 111 - 116)*

12 STREET LIGHTING PRIVATE FINANCE INITIATIVE CONTRACT

Presentation on the recently awarded street lighting PFI contract. The contract will replace the present orange light source and those columns beyond their design life with white light. This will reduce the energy usage by around 50%. The improved quality of lighting also allows for a slight reduction in the numbers of units to be put back as part of the project.

The contract delivers a consistent level of lighting on the road surface and for the urban area has the added advantage of a central management system which monitors outages and reduces the need for night time scouting.

13 ENVIRONMENTAL IMPROVEMENT PROJECTS *(Pages 117 - 134)*

INFORMATION FOR THE PUBLIC

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

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

Public speaking rules relating to planning applications:

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

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

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

REPRESENTATIONS ON PLANNING APPLICATIONS

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

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

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

The same deadline will also apply to the receipt by the Department of additional

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

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

To all members of the Public

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

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

Additional information for public: City Council officers can also be emailed firstname.lastname@cambridge.gov.uk

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

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

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Application Number	11/1052/FUL	Agenda Item	
Date Received	2nd September 2011	Officer	Miss Sophie Pain
Target Date	28th October 2011		
Ward	Newnham		
Site	Cambridge Lawn Tennis & Hockey Club Wilberforce Road Cambridge Cambridgeshire CB3 0EQ		
Proposal Applicant	Floodlighting to three existing tennis courts. Mr J Mills Wilberforce Road Cambridge Cambridgeshire CB3 0EQ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Cambridge Lawn Tennis and Hockey Club lies towards the southern end of Wilberforce Road on the western side. The site is accessed off Wilberforce Road via a short access road. The site comprises a single storey clubhouse, ten all weather full size courts, two all weather mini courts and six full size grass courts and a car parking area.
- 1.2 Adjacent to the site to the north of the tennis courts are hockey pitches and northeast is the Emmanuel College Sports Ground. To the east Wilberforce Road and predominantly large detached residential dwellings. Land to the immediate south accommodates the University Athletics Centre, which comprises a two-storey pavilion building, athletics track and field, a hockey pitch and car parking areas. To west of the site is the residential area of Perry Court and Clark Maxwell Road.
- 1.3 The site is located within Cambridge City Conservation Area No.2 (West) and allocated within the Cambridge Local Plan (2006) as a protected open space. The site falls outside the controlled parking zone (CPZ).

1.4 There is a protected belt of trees along the eastern boundary between the application site and Emmanuel College Sports Ground and two protected trees on the western boundary with Perry Court.

2.0 THE PROPOSAL

2.1 The applicants seek planning permission for the installation of twelve floodlighting columns, which each measure 8 m in height to illuminate courts 3, 4 and 5 which are located on the southern most row of courts.

2.2 The proposed floodlights provide two luminaries to each pole on the north and south boundaries of the courts and the two poles, one between court 3 and 4 and one between court 4 and 5. The remaining six poles, three to each the east and west boundaries of the courts will have a single luminary, providing 18 luminaries in total.

2.3 Each of the floodlights will have a green painted box with front baffles in order to reduce the light spillage and light pollution in the area. These baffles assist in focusing the light towards the courts. The columns will be finished in green in order to allow them to blend with the surrounding area.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Ecology Report
3. Topographic surveys
4. Lighting Design Report

3.0 SITE HISTORY

Reference	Description	Outcome
11/1058/FUL	Construction of three all-weather synthetic clay tennis courts.	Approved
10/0914/FUL	Erection of floodlights to courts 3, 4 and 5.	Application returned
09/0648/FUL	Erection of floodlights to courts, 3, 4 and 5.	Refused and Appeal

08/0591/FUL	Floodlighting to tennis courts.	Dismissed
07/1244/FUL	Installation of floodlighting to Tennis Courts.	Refused
C/95/0580	Erection of twelve 8 metre high columns supporting nineteen floodlights illuminating three tennis courts.	Withdrawn
C/93/0899	Erection of floodlights and masts to 2 tennis courts.	Refused
		Approved

3.1 The previous planning application (09/0648/FUL) was refused for failing to provide sufficient justification for the proposed height, frequency and duration of use together with the potential for light spillage to the surrounding area that would be likely to have an adverse impact on the residential amenities currently enjoyed by the occupiers of adjacent dwellings. The application was appealed and the appeal was subsequently dismissed.

3.2 The Inspector concluded that there was no objection to the principle of the floodlights of the three courts. In relation to assessing the impact on living conditions, the Inspector was satisfied that the levels of proposed light spillage was acceptable. However, she dismissed the appeal on the basis that as there was no existing information provided about the existing lights on courts 1 and 2 it was difficult to compare. Together with the use of metal halide lighting and the height of the proposed poles, it would be likely to result in a significant increase in glare. From the information provided it was difficult to assess whether or not the proposed lighting would be harmful for the neighbouring residents and that the upper floors of the residential properties would be at significant risk of glare from the proposed lights.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

Planning Policy Statement 5: Planning for the Historic Environment (2010)
PPS9: Biodiversity and Geological Conservation (2005)
PPG17 Planning for Open Space, Sport and Recreation (2002)
Circular 11/95 – The Use of Conditions in Planning Permissions

5.2 East of England Plan 2008

ENV6: The Historic Environment
ENV7: Quality in the Built Environment

5.3 Cambridge Local Plan 2006

3/4 Responding to context
3/7 Creating successful places
3/11 The design of external spaces
4/2 Protection of open space
4/3 Safeguarding features of amenity of nature conservation value
4/4 Trees
4/11 Conservation Areas
4/13 Pollution and amenity
4/15 Lighting
6/2 New leisure facilities

5.4 Material Considerations

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

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

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

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

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

Includes the following statement:

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

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;
- (v) ensure that they do not impose unnecessary burdens on development.

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

City Wide Guidance

Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001)
Cambridge City Nature Conservation Strategy (2006)

Area Guidelines

West Cambridge draft Conservation Area Appraisal (2011)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Comment

Head of Environmental Services

6.2 As light travels in straight lines it can be easily modelled and it is noted that the number of poles allow for a high number of luminaries which target the light. The proposed luminaries with deflectors are shown as being installed so that they are parallel to the ground, preventing a direct view of the lamp, which would cause glare. The installation also minimises spill and direct upward light. However, I can find no confirmation that the lighting will meet the requirements of the Lawn Tennis Association (LTA) or the details in table 16 A of British Standard BS EN 12193:2007 Light and Lighting - Sports Lighting. I advise clarification is obtained.

Recommendation that the hours of use should be conditioned as suggested in the amended design and access statement.

The area is made up of similar sporting facilities including the athletics track, hockey pitches and Emmanuel College Sports Ground as well as neighbouring residential accommodation.

Considering these existing activities and the sound of the tennis coaches and games being played at the time of my visit, I do not believe noise from extended use of the courts, with the suggested restriction to the hours of use, will cause noticeable harm to the amenity.

Sport England

- 6.3 We remain of the view that these latest proposals will allow the club to grow in terms of participation in tennis, as it will allow members to use the facilities on offer for longer periods, particularly in the winter months.

We note that the submitted details make compromises with regard to the details of the floodlighting scheme put forward and the proposed hours of use of the floodlit courts. Sport England welcomes these compromise solutions put forward in an attempt to satisfy concerns from local residents.

From the above information it is clear that there is a real need for the club to expand in terms of level of court use it can offer its members and we believe that the latest proposals can deliver these qualitative improvements without adversely affecting residential amenity for local residents.

Sport England therefore fully supports this application, which will offer opportunities to increase participation in tennis in the Cambridge area, thus meeting wider government objectives to increase participation in sport generally. Any consent should be subject to conditions restricting hours of use of the proposed floodlights in line with the proposals put forward by the applicants in their planning statement.

Historic Environment Manager

- 6.4 There will be more masts visible during the day and more illumination in the area but it is considered that the impact on the character of the Conservation Area will be modest. It has been recommended that a condition controlling the hours of use would be appropriate.

Natural England

- 6.5 This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils. However, the protected species survey has identified that reptiles may be affected by this application and that a detailed mitigation and monitoring strategy for grass snakes needs to be undertaken prior to the commencement of works. As a result, such guidance can be conditioned appropriately.

Nature and Conservation Project Officer

- 6.6 The ecology report identified no habitats of particular significance that would be affected. The report suggests that the proposed flood lighting would not increase light fall on the boundary hedges due to appropriate light sources and deflectors. This appears to be the case when looking at the Lux figure. However, it would be useful to be able to compare with a map showing existing Lux levels on the boundary features.

Landscaping Officer

- 6.7 As the proposal stands, the landscape team would recommend refusal of this application on landscape and visual amenity grounds. However, should this application be approved, we would suggest that the lighting columns should be limited to 6m in height and painted black, to enable them to be more readily absorbed into the existing daylight landscape.
- 6.8 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Councillor Reid has requested that this application be determined at West/Central Committee in the event that Officers are minded to recommend approval given the history of the site and the need to discuss the concerns regarding the floodlights and their potential impact upon the neighbouring residents.

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

5 Drake Way, Impington
21 Chesterton Hall Crescent
37 Carisbrooke Road
27 Brookside
5 Fulbrooke Road
27 Fulbrooke Road
27 Newmarket Road
16 West Road, Histon
3 Templemore Close
10 Templemore Close
48 Halifax Road
34 Victoria Park
26 Aylestone Road
8 Cavendish Avenue
65 Gough Way
87 Beaumont Road
Kendal House, Scotland Road, Dry Drayton
25 Greystoke Road
2 Woodlark Road
35 Church Street
22a Church Street, Harston
141 Cambridge Road, Great Shelford
75 High Street, Girton
Mill House, Farm Lane, Thriplow
8 Cavendish Way, Highfields Caldecote
46 Weavers Field, Girton
125 High Street, East Chesterton
129 Town Street, Newton
4 Bird Farm Road, Fulbourn
17a Home Close, Histon
66 Glisson Road
11 Chapel Street, Waterbeach
12 Milford Street
11 Church Street, Haslingfield
3 Perry Court
10 Perry Court
15 Perry Court
43 High Street, Oakington
111 Granchester Meadows
8 James Carlton Close, Milton
4 St Stephens Place

27 Champneys Walk
10 The Lawns, Clerk Maxwell Road
26 Briars End, Witchford
33 High Street, Trumpington
The Terrace, Hampden Gardens
14 Gilbert Road
11 Storeys Way
1A Roland Close
6a Church Lane, Abington
59 Richmond Road
4 The Precincts, Ridley Hall, Ridley Hall Road
11 Courtney Way
58 Rustat Road

5 provided no postal address, but have e-mail addresses.

- 7.3 The following local Resident's Associations made representations in support of the application;

North Newnham Residents Association
Clerk Maxwell Road Residents Association

- 7.4 The representations can be summarised as follows:

The floodlights would improve facilities at the club and allow evening play, which has been prevented until now due to the lack of lit courts;

It allows members to play the year round and provides evening coaching sessions for juniors and adults; and
Providing a condition is imposed for the hours of use of the lights and that the lights are installed in accordance with the submitted specification, it is considered that nearby residents will not be harmed by the proposal;

- 7.5 The owners/occupiers of the following addresses have made representations objecting to the application;

19 Clarkson Road

- 7.6 The representation can be summarised as follows:

Excessive lighting disturbs the evenings and will exacerbate the existing light spill, which is seen from the Athletics Track.

7.7 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. The type of floodlighting
3. Context of site, design and external spaces
4. Residential amenity
5. Wildlife and trees
6. Third party representations

Principle of Development

8.2 The principle of floodlighting and the appropriateness of such development on this site has already been accepted by the granting of previous permission C/93/0899 for the erection of floodlights and masts to serve tennis courts 1 and 2.

8.3 Cambridge Local Plan 2006 policy 6/2 states that development for the improvement of a leisure facility will be permitted if it improves the range, quality and accessibility of facilities, is of an appropriate scale for the locality, and would not have a negative impact on the vitality and viability of the City Centre. Intensive-use sports facilities such as floodlit multi-use games areas and synthetic turf pitches contribute greatly to sports development. Proposals for these will be supported provided there would not be undue intrusion or significant adverse impact on the immediate locality or wider environment.

8.4 This application must, therefore, demonstrate that the proposed lighting is appropriate to the surrounding area, and that this would improve the quality of the existing sports facility. I am satisfied that this application appears to firmly enhance sporting provision in Cambridge by developing an existing facility to ensure that its use is maximised to make the best use of land and facilities. I consider that the improvement and enhancement of existing facilities that allow these facilities to

evolve with changing needs over time are not unreasonable and are supported by policy 6/2 of the Cambridge Local Plan 2006 that notes the scarcity of land for such developments and promotes the efficient use of land for such uses in suitable locations. There is no intrinsic harm in the development of this existing sports site to meet contemporary requirements and this is the most efficient and effective use of such sites.

- 8.5 Sport England has stated that they are supportive of the proposal which is in compliance with Sport England policy and wider government objectives to raise participation in sport and physical activity. They state that there is a strong strategic case for improving these facilities and acknowledge the compromises made by the applicant in an attempt to satisfy the concerns from local residents.
- 8.6 In making my recommendation I am also mindful of planning application 07/0939/FUL which proposed the erection of floodlights to serve the athletics track and existing and proposed hockey pitches at the University Sports and Athletics Track adjacent to the south of the application site.
- 8.7 The Inspector when considering the appeal (planning reference 09/0648/FUL) considered that it was evident from the club's submission that there was a clear need for additional floodlighting to make effective use of the facilities during winter months and to satisfy the needs of the rapidly growing membership and would be consistent with Policy 6/2. The same evidence has been submitted with this application and I consider that it remains clear that there is indeed a need for floodlighting and that Sport England also support this view.
- 8.8 I consider that the use of the site for sports and recreation purposes has already been accepted and this function is part of the existing landscape character and appearance of surrounding area, and that tennis clubs such as these are primarily suburban institutions and their presence is to be expected in such areas. I consider the installation of the proposed floodlights to be beneficial to this existing site, significantly enhancing its quality and accessibility. As such, the development is considered acceptable, in principle, and is therefore in accordance with policies 4/2 and 6/2 of the Cambridge Local Plan 2006.

Levels and Use of Floodlighting

- 8.9 Policy 4/15 requires proposals including new external lighting to demonstrate that the lighting proposed is the minimum required to undertake the task. The Lawn Tennis Association (LTA) Factsheet 'Floodlighting Outdoor Tennis Courts' provides guidance on the installation of floodlights. It indicates that the minimum standard of illumination should be an average of 300 lux on the total playing area (TPA), which means the court and the areas outside it at the ends and sides which form part of the playing area. The recommended average is 400 lux.
- 8.10 In the previous application the floodlighting scheme exceeded the recommended standard with an average of 562 lux for the TPA. This proposal seeks an average of 300 lux, which is considered acceptable and meets the minimum standard of illumination on the TPA.
- 8.11 The guidance also refers to the principle playing area (PPA) where the minimum average is 400 lux with a recommended average of 500 lux. The previous proposal sought an average of 604 lux. This application seeks 400 lux, again meeting the minimum requirement for the PPA.
- 8.12 It is also proposed to install a switch, which reduces the overall light level when all three courts are lit so that two of the light fittings will switch off. This will ensure that the flood lighting does not cumulatively exceed the recommended standards within the LTA guidance.
- 8.13 In order to maintain the correct light levels on the court in accordance with the above guidance, there has been a need to increase the number of poles and luminaries in order to achieve a consistent light level across the courts.
- 8.14 The applicant has also proposed hours of use of the floodlights, which take into consideration the effect that the proposed lights may have upon astronomical observation evenings, which occur on Wednesday nights throughout the winter at the Institute of Astronomy located nearby. The proposed hours of use are;

No use at any time on a Sunday throughout the year;
March through to October – Monday to Saturday no use after 10.00 pm;

November and February: Monday to Tuesday & Thursday to Saturday no use after 10.00 pm, with Wednesday no use after 8.00 pm; and
December and January: Monday to Tuesday & Thursday to Saturday no use after 10.00 pm with Wednesday no use after 7.00 pm.

- 8.15 Such hours of use are considered to be appropriate and are reflected at the Athletics ground adjacent to the site. As such, the development is considered acceptable, in principle, and is therefore in accordance with policy 4/15(a) of the Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.16 Cambridge Local Plan policy 3/4 states that development must positively respond to its context, and Local Plan policy 6/2 that development for sports or leisure facilities must be of an appropriate scale for its locality. Policy 4/2 of the Local Plan states that development will not be permitted which would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance.
- 8.17 Policy 4/15 of the Cambridge Local Plan 2006 specifically refers to lighting and states that development which includes new external lighting or changes to existing external lighting should provide details of the lighting scheme demonstrating that it is the minimum required to undertake the task (taking into account safety and crime), light spillage is minimised, the impact on residential amenity is minimised and the impact on wildlife and the landscape is minimised, particularly on sites at the edge of the City.
- 8.18 The site is visible from Wilberforce Road itself, but is located behind the Emmanuel Sports Field, which also has a variety of sports equipment and lighting in the foreground. The site is visibly developed as a sports ground and is notably a manmade landscape including the clubhouse, associated car parking, hard surfacing and existing flood lighting to serve the two eastern most tennis courts closest to the club house and the residential estate of Perry Close.
- 8.19 The application proposes to use 12 x 8 m high poles to mount the proposed floodlights. This application proposes 4 poles

more than the previous application, in order to reduce glare, and the Inspector was aware that 8 poles would be the smallest number of poles, which could be used to light the 3 courts. The existing poles on Courts 1 and 2 are 6 m in height and as a result the proposed poles will be 2 m higher. An alternative scheme using 6 m high poles has been explored with the applicants, but if these were proposed then a greater number of poles would be required in order to light the courts correctly without increasing the light spill. Given that the poles will be aligned with the nets, that they will be well spaced and finished in green, as well as the fact that the lighting poles at the adjacent Athletics ground are up to 16 m, the proposed 8 m high poles are considered to be acceptable in this volume, height and location.

- 8.20 It is acknowledged that there will be some visual impact upon the area when the floodlights are in use, but the Inspector considered that as the area proposed in the previous application was relatively small, any harm would be slight upon the established recreational character of the area. As the proposed number of courts to illuminate has not increased, I consider that this view remains valid.
- 8.21 I am satisfied that vegetation which serves to significantly screen the existing courts and lighting columns from Perry Close and Wilberforce Road will similarly serve to mitigate the visual impact of the proposed floodlighting during hours of natural light upon the street scene of Wilberforce Road and the surrounding Conservation Area and as such I am of the opinion that the proposal is compliant with East of England Plan (2008) policies ENV6 and ENV7, and Cambridge Local Plan (2006) policies 3/4, 4/2, 4/11, 4/15 and 6/2.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.22 One of the key considerations in the assessment of this planning application is whether the submitted scheme would result in a significant material detriment to the amenity of nearby residential properties.
- 8.23 To the east, Wilberforce Road is about 175 m away and it is clear that these dwellings are too far away for the proposed

development to be harmful to the living conditions of their occupants.

- 8.24 The nearest housing to the proposed development is Perry Court about 45 m to the west of the site. Courts 1 and 2, which are already floodlit lie between the proposed development and these houses. The appearance of the lighting poles during daylight will be clearly visible from properties in Perry Court, but they will not be prominent or intrusive, despite the increase of 4 poles from the previous application. The key assessment is that of light emanating from the site and whether this would result in significant harm to nearby residential occupiers.
- 8.25 I am aware that the area of illuminated space will be significantly greater than the area currently illuminated and as such there may be a greater visual awareness of the site when it is illuminated. Information submitted with the application demonstrates that given the contours of the site the lux levels will fall to 0 on the edge of the site, closest to Perry Court, which is an improvement on the previous application where lux levels were 10 in the same location. However, in the previous application, the Inspector was concerned as there was not sufficient information to determine if the glare from the proposed lights would be harmful to the upper floors of properties in Perry Court.
- 8.26 Information has been submitted with the current application from the Institution of Lighting Engineers, who recommend that to keep glare to a minimum, the main beam angle of all lights directed towards any potential observer is no more than 70 degrees. Higher mounting heights enable the compliance with 70 degrees and can assist in reducing glare. The submitted drawings show the luminaries at no more than 70 degrees, which is considered acceptable. The Environmental Health Officer has recommended a condition to provide suitable control over the angle of the lighting heads, which I do not consider is reasonable.
- 8.27 Environmental Health have raised no objection to the proposal. With that response in mind, and given that no further conditions have been recommended by that section other than that suggested above, I am satisfied that there will be no significantly detrimental impact from the lighting upon the

residential occupiers of the nearby residential occupiers in relation to the specific aspects of this scheme to warrant refusal.

- 8.28 In my opinion the proposal adequately respects the residential amenity of its neighbours and constraints of the site and as such consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Wildlife and Trees

- 8.29 It is acknowledged that artificial lighting can affect a range of species, and so their presence in and around the site should be considered in relation to any potential effects the lighting may have upon them. The applicant has submitted an Ecological Scoping Survey given the ecological sensitivity of the site and its location near to the green belt. Based on the information provided in this survey Natural England raises no objections to the proposed development but requests conditions be imposed as recommended by the survey. These include the filling of gaps in the existing hedgerow to the south of the site and allowing the hedgerow to thicken in order to help screen any light spillage towards nearby ponds and ensuring that directional hoods are installed to the proposed luminaries in order to minimise the impact upon wildlife whilst the lights are in use. Natural England acknowledges that the survey was undertaken at the correct time of year and has recommended a condition, which requires a detailed mitigation and monitoring strategy for grass snakes. Subject to the imposition of the above recommended condition I consider the proposal compliant with policy 4/3 of the Cambridge Local Plan (2006).
- 8.30 The Nature and Conservation Project Officer is relatively comfortable with the results of the ecology report although has requested existing lux levels for Courts 1 and 2. These have been provided and forwarded on to the Officer and any additional comments will be reported on the amendment sheet prior to Committee.
- 8.31 Given that the protected trees are between 15 m and 35 m away from the courts it is considered that the proposals will not have any detrimental impact upon the health and life of the trees. I consider the proposal compliant with policy 4/4 of the Cambridge Local Plan (2006).

Third Party Representations

8.32 I consider that I have addressed all points raised within the letters of objection and support from neighbours, members of the club and resident associations.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

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

2. The floodlights hereby approved shall be switched off when not in use or by the following times unless the local planning authority gives written consent to any variation;

No use at any time on a Sunday throughout the year;
March through to October: Monday to Saturday no use after 10.00 pm;
November and February: Monday to Tuesday & Thursday to Saturday no use after 10.00 pm, with Wednesday no use after 8.00 pm; and
December and January: Monday to Tuesday & Thursday to Saturday no use after 10.00 pm with Wednesday no use after 7.00 pm.

Reason: To protect the amenities of nearby residents (Cambridge Local Plan 2006 Policy 4/13 and East of England Plan 2008 policy ENV7)

3. The hedgerow along the southern boundary of the site shall be improved by way of planting with the same species during the next practicable planting season following this permission. All planting works shall be carried out to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice and agreed in writing with the local planning authority. Any planting that, within a period of five years after planting, is removed, dies or becomes damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number unless the local planning authority gives written consent to any variation. These improvements shall be made in accordance with the approved details.

Reason: To thicken the hedgerow in order to mitigate against the impact of light spillage upon nearby pond life (Cambridge Local Plan 2006 policy 4/7).

4. Except with the prior written agreement of the local planning authority, the approved lighting columns, luminaries and baffles as specified in the submitted Lighting Design by Luminance Pro Lighting Systems Lts, Reference 2760e and dated 12/07/2010 shall be installed.

Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan policies 3/4 and 4/13)

5. Prior to the first use of the approved floodlights, a mitigation and monitoring strategy for the protection of grass snakes in accordance with Natural England Technical Information Note TIN102, Reptile Mitigation Guidelines shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the protection of a protected species habitat (Cambridge Local Plan 2006 policy 4/6).

Reasons for Approval

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

East of England plan 2008: ENV6 and ENV7

Cambridge Local Plan (2006):
3/4,3/7,3/11,4/2,4/3,4/4,4/11,4/13,4/15 and 6/2

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

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 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 paper” for each report on a planning application:

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

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

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Appeal Decision

Site visit made on 13 October 2010

by **Richard High BA MA MRTPI**

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

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

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

Decision date:
27 October 2010

Appeal Ref: APP/Q0505/A/10/2128707
Cambridge Lawn Tennis and Hockey Club, Stacey Lane, Wilberforce Road, Cambridge, Cambridgeshire, CB3 0EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Cambridge Lawn Tennis Club against the decision of Cambridge City Council.
- The application Ref 09/0648/FUL, dated 14 July 2009, was refused by notice dated 31 December 2009.
- The development proposed is erection of floodlights to courts 3,4 and 5.

Decision

1. I dismiss the appeal.

Main issues

2. The main issues are:
 - 1) whether the proposed floodlighting is acceptable in principle;
 - 2) the effect of the proposed floodlighting on the living conditions of neighbouring residents and the character of the area;
 - 3) whether the type of floodlighting proposed is the minimum required to provide an adequate facility.

Reasons

The Principle of Additional Floodlighting

3. The Council's reason for refusal does not question the case made by the club for additional floodlighting and most of the third party objectors to the proposal share this view. However some of the submissions raise issues which relate more to the principle of more floodlighting in a sensitive area.
4. Cambridge Lawn Tennis Club lies within the Cambridge City Conservation Area No.2 (West). However, this part of the Conservation Area is characterised by a wide range of sports facilities. The club is separated from Wilberforce Road by the Emmanuel College Sports Ground, while to the north is a hockey field and to the south, beyond a small landscaped area including a pond, is the Cambridge University athletics track and hockey ground. While historically these have been mainly fairly open areas of grassland, over time they have evolved to reflect contemporary requirements associated with more intense year round use. The existing facility reflects this with its club house, hard

tennis courts, parking provision and the floodlighting of courts 1 and 2. Other developments nearby include the floodlighting of the Cambridge University athletics track and hockey ground to the south of the site.

5. It is evident from the club's submissions that there is a clear case for additional floodlighting to make effective use of the facilities during the winter months and to satisfy the needs of the rapidly growing membership. In these respects the proposal would be consistent with Policy 6/2 which seeks to provide for the improvement of sports and leisure facilities in Cambridge. Moreover the floodlighting of courts 1 and 2 does not appear to have given rise to problems with the living conditions of the occupants of houses in Perry Court. In this context I find no objection to the principle of the floodlighting of these three courts.

Living Conditions

6. To the east Wilberforce Road is about 175m away and it is clear to me that these dwellings are too far away for the proposed development to be harmful to the living conditions of their occupants. The comments of the objectors from Wilberforce Road and Adams Road relate more to the effect on the character of the area which I shall consider later.
7. The nearest housing to the proposed development is at Perry Court about 45m to the west. Courts 1 and 2 which are already floodlit lie between the proposed development and these houses. I will deal with the visual impact of the lighting columns in daylight first. The floodlighting columns, 8m high compared to 6m on the courts already floodlit, would be clearly visible in daylight from houses in Perry Court. However they would not be prominent or intrusive, particularly as the proposed arrangement would mean a total of just eight poles which would be situated at the corners of each court, whereas the use of lower poles would require 12.
8. Turning to the effects of the lights while in use, the arrangement of the luminaires would direct light towards the middle of the courts and the absence of light's shining across the courts would mean that light would not be directed towards the houses in Perry Court. The plots of the overspill of light show that at ground level, notwithstanding the use of projector rather than box fittings, the level of illumination would fall quickly from 500 lux at the edge of the playing area to about 10 lux 15-20m away. This indicates that the level of direct light spillage would not be sufficient to cause harm to the living conditions at the neighbouring properties and would therefore be consistent with Policy 4/15b of the Cambridge City Council Local Plan 2006.
9. The proposal would more than double the total floodlit area but there is no information on the level of the existing lighting to provide any comparison with that proposed. The metal halide lighting proposed would generate a whiter light than the high pressure sodium ones used on courts 1 and 2. These factors coupled with the higher poles would be likely to result in a significant increase in glare. From the information available to me it is difficult to assess whether or not this would be harmful for neighbouring residents as there is no clear indication or measurement of the amount of glare that would result. The substantial hedge along the western boundary would screen the rooms on the ground floor from the light. However, there seems to me to be a significant

risk that from the upper floors the glare associated with the proposed form of lighting would be harmful.

10. For these reasons I conclude that the evidence before me is insufficient to allow me to conclude whether or not the proposed floodlighting would result in a level of glare that would be harmful to the living conditions of the occupants of the nearby dwellings. I am therefore not satisfied that the proposal would be consistent with Policy 4/15c.

Character and Appearance

11. I have already concluded that I find no harm in the principle of floodlighting in this location where sports facilities are an intrinsic part of the character. The main factors to be considered in terms of the effect of the proposal on the character of the area are the appearance of the lighting columns in daylight and the effect of any glare from the lighting when in use.
12. The 8 x 8m high poles proposed would be the smallest number of poles which could be used to light the 3 courts and the absence of lighting poles aligned with the nets on the courts would mean that they would be well spaced and uncluttered making them unobtrusive in daylight hours. Although they would be 2m higher than those used to light courts 1 and 2, the majority of the lighting poles at the athletics and hockey ground are 15 or 16m high and the rest are 8m high. In this context I am satisfied that the lighting columns would not be harmful to the character of the area.

13. When the floodlights are in use the larger pool of light would clearly be visible from some distance. It would be partly screened by the hedging to the south and east, but the greater height of the columns, compared to those on courts 1 and 2 and the use of metal halide lighting would mean that it would be rather more apparent when viewed from Wilberforce Road. Nonetheless, it would remain a relatively small area of floodlighting and in my view any harm would be slight given the established recreational character of the area and the existence of much larger areas of floodlighting quite nearby. Any increased impact as a result of the greater height would be balanced by the reduced visual impact of the smaller number of columns. The development would therefore preserve the character and appearance of the Conservation Area within which it lies in accordance with Policy 4/11 of the Local Plan.

The Type of Floodlighting

14. Policy 4/15 requires proposals including new external lighting to demonstrate that the lighting proposed is the minimum required to undertake the task. The LTA Factsheet "Floodlighting Outdoor Tennis Courts" provides guidance on the installation of floodlights. It indicates that the minimum standard of illumination should be an average of 300 lux on the total playing area (TPA) which means the court and the areas outside it at the ends and sides which form part of the playing area. The recommended average is 400 Lux. For the principal playing area (PPA) the minimum average is 400 lux and the recommended standard is 500 lux. In each case the least well lit area should be no less than 0.6 of the average. In the proposed scheme the average on each court would exceed the recommended standard with a TPA average of 562 lux and a PPA average of 604 lux. The minimum lighting would be about

0.8 of the average. If all three courts were lit the standards would be significantly higher because of overspill from one court to part of its neighbour.

15. I accept that it is reasonable for the club in making a significant new investment and aiming to provide a high quality facility to seek to meet the LTA recommended standard and that this should be regarded as "the task" for the purposes of Policy 4/15. However the standard of the proposed scheme would comfortably exceed this standard. The standard refers to a maintenance factor of 0.8 but it is not clear whether this has been factored into the results or whether it should be applied to the figures which have been produced. Even if the latter is the case the TPA standards would exceed the recommended standard.

16. It has been suggested by local objectors that high pressure sodium rather than metal halide lighting should be provided. It is clear from the information before me that there are advantages and disadvantages associated with both forms of lighting. While sodium lighting may well provide a somewhat softer light with less glare there are advantages in functional terms associated with halide lighting in relation to reflection from the court surface, particularly a coloured surface, and the courts here are green. No information is before me which would allow a comparison of the level of illumination of high pressure sodium lighting and it is therefore unclear whether this is a material factor in considering the minimum level of lighting necessary.

17. It has also been suggested that the hours of use of the floodlighting should be restricted to prevent use on Wednesday and Sunday evenings in accordance with the voluntary agreement which I understand exists for the use of the athletics and hockey club lights. The justification for this appears to be based on the possible effect of the floodlighting on astronomical observation but the Institute of Astronomy although not originally consulted has indicated that the lighting of three more courts in the same manner as courts 1 and 2 would be unlikely to be harmful but that higher columns and the angle of lighting may cause considerable damage. This statement is too vague to allow me to conclude that the proposal would justify more restricted hours but here again the evidence before me is inconclusive.

18. I conclude on this issue that there are clear advantages with the use of corner poles as proposed but there is insufficient information to allow this to be balanced against the lighting characteristics of other methods. I am therefore unable to conclude that the proposed scheme would be consistent with the requirement of Policy 4/15a that the floodlighting proposed would be the minimum required to achieve the task.

Other Matters

19. Concerns have also been raised about the effect of the lighting on wildlife but the ecological report and the response of Natural England provide no evidence that this would be the case. Beyond the footpath and cycle track which runs along the southern boundary of the site there is a pond which forms part of a wildlife corridor running out from the city to the countryside. The evidence suggests that the spillage of light to this area would be minimal but the imposition of a condition requiring the intensification of planting in the hedgerow along the southern boundary would ensure that this is the case.

There is therefore no reason to question the compliance of the development with Policy 4/15d of the Local Plan.

20. I have noted the concerns about additional traffic movement associated with the more intense use of the courts. However, the level of use would remain considerably less than in the summer months when up to 12 courts could be in use in the evenings and I find no reason to object to the proposal on these grounds.

Conclusion

21. I find that the principle of floodlighting these courts is acceptable and I am satisfied that, because of the limited scale of the proposal and the established character of the area as one with many sports facilities, the proposed floodlighting would not be harmful to the character of the area. However there is insufficient information available to me for me to be able to conclude that the glare associated with the height, level and type of lighting proposed would not be harmful to the living conditions of the residents of nearby properties or that the scheme is the minimum necessary to provide the required facilities.

22. For these reasons and having considered all other matters raised, I conclude that the appeal should be dismissed.

Richard Tigh

INSPECTOR

Application Number	11/0784/FUL	Agenda Item	
Date Received	18th July 2011	Officer	Miss Amy Lack
Target Date	12th September 2011		
Ward	Market		
Site	The Earl Grey 60 King Street Cambridge Cambridgeshire CB1 1LN		
Proposal	Change of use from betting office (Use Class A2) to restaurant (Use Class A3) and takeaway (Use Class A5) with alterations to front windows and door and installation of extract fan and ducts.		
Applicant	Mr Amin Rahman 11 Montgomery Road Cambridge Cambridgeshire CB4 2EQ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is situated on the south side of King Street, in the city centre. The building is two storeys in height, and is currently vacant although it was previously occupied by Labrookes, a betting shop (Use Class A2) at ground floor level for in excess of 10 years up until 2008, with a residential use above at first floor level, typical of many properties in King Street.
- 1.2 King Street has a wide range of uses, including a diverse and eclectic range of public houses, and a range of restaurant and café (Use Class A3) uses. At ground floor level the southern side of this part of the street is predominantly commercial. Immediately opposite the site, on the north side of the road, is Manor Place comprising residential properties that front directly onto the street, albeit that they are set up slightly from pavement level. To the south of the site are the grounds of Christ's College, a Grade II Historic Park and Garden.

1.3 The site is within City of Cambridge Conservation Area N^o1 (Central) and falls within a secondary shopping frontage in the City Centre. The building is not listed.

2.0 THE PROPOSAL

2.1 The application seeks a change of use from a betting office (Use Class A2) to restaurant (Use Class A3) and takeaway (Use Class A5).

2.2 External alterations are also proposed. These include alterations to the windows on the front elevation at ground level which are lengthened downwards by 0.3 metres. The width of the entrance door located to the west of the front elevation is to be increased to 1 metre from 0.9 metres.

2.3 To the rear of the building a flue, 2.4 metres high is proposed protruding from the flat roof of an existing a single storey element, 2.7 metres high, that will accommodate a new kitchen in place of existing toilets which are to be relocated.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement

3.0 SITE HISTORY

Reference	Description	Outcome
C/84/0510	Change of use from offices to three bed-sitting rooms	A/C
10/1096/FUL	Change of use from A1 (shop) to A3 (Restaurant Cafe)/A4 (Drinking Establishment).	A/C

3.1 Previous planning application reference 10/1096/FUL was approved at West Central Committee on 24 February 2011. This granted permission for a change of use from a shop (Use Class A1) to a Restaurant/café (Use Class A3) and Drinking Establishment (Use Class A4).

3.2 This current application originally proposed a change of use from a former public house (Use Class A4) and betting office

(Use Class A2) to a restaurant (Use Class A3) and drinking establishment (Use Class A4). The previous application, reference 10/1096/FUL, proposed a change of use from a shop (Use Class A1). The inconsistency of the applications in describing the existing use raised questions over the current lawful use of the site.

3.3 Further to entering the building as part of my site inspection and receiving confirmation from the City Council's Business Rates, it has been established that the lawful use of the property is Use Class A2, last occupied by betting shop Labrookes. Labrookes operated at the site from at least the year 1994 up until the year 2008 when the company vacated the ground floor and it has since sat unoccupied.

3.4 Accordingly the applicant has amended the description of the proposal to read:

'Change of use from betting office (Use Class A2) to restaurant (Use Class A3) and takeaway (Use Class A5) with alterations to front windows and door and installation of extract fan and duct'.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

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

determined in line with the plan, unless material considerations indicate otherwise.

- 5.3 **Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009):** sets out the government's planning policies for economic development, which includes development in the B Use Classes (offices, industry and storage), public and community uses and main town centre uses. The policy guidance sets out plan-making policies and development management policies. The plan-making policies relate to using evidence to plan positively, planning for sustainable economic growth, planning for centres, planning for consumer choice and promoting competitive town centres, site selection and land assembly and car parking. The development management policies address the determination of planning applications, supporting evidence for planning applications, a sequential test and impact assessment for applications for town centre uses that are not in a centre and not in accordance with the Development Plan and their consideration, car parking and planning conditions.
- 5.4 **Planning Policy Statement 5: Planning for the Historic Environment (2010):** sets out the government's planning policies on the conservation of the historic environment. Those parts of the historic environment that have significance because of their historic, archaeological, architectural or artistic interest are called heritage assets. The statement covers heritage assets that are designated including Site, Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas and those that are not designated but which are of heritage interest and are thus a material planning consideration. The policy guidance includes an overarching policy relating to heritage assets and climate change and also sets out plan-making policies and development management policies. The plan-making policies relate to maintaining an evidence base for plan making, setting out a positive, proactive strategy for the conservation and enjoyment of the historic environment, Article 4 directions to restrict permitted development and monitoring. The development management policies address information requirements for applications for consent affecting heritage assets, policy principles guiding determination of applications, including that previously unidentified heritage assets should be identified at the pre-application stage, the presumption in favour of the conservation

of designated heritage assets, affect on the setting of a heritage asset, enabling development and recording of information.

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

5.6 **East of England Plan 2008**

SS1: Achieving Sustainable Development

ENV6: The Historic Environment

ENV7: Quality in the Built Environment

T1: Regional Transport Strategy Objectives and Outcomes

WM6: Waste Management in Development

5.7 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

4/11 Conservation Areas

4/13 Pollution and amenity

6/10 Food and drink outlets.

5.8 **Supplementary Planning Documents**

5.9 **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.

5.10 **Material Considerations**

Central Government Guidance

5.11 **Draft National Planning Policy Framework (July 2011)**

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

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

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

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

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

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

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

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

Includes the following statement:

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

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

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

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

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

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

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

5.14 City-wide guidance

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

5.15 Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2005) - Guidance relating to development and the Conservation Area.

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No significant adverse effect upon the Public Highway should result from this proposal.

Head of Environmental Services

- 6.2 No objection subject to conditions. Noise and odour should be controlled by condition to protect the amenity of nearby occupiers at Manor Place. The fume filtration/extraction condition should also be imposed.
- 6.3 To limit the noise of patrons opening hours should be limited to those proposed by the applicant of 0800-2300hours 7 days a week. Refuse and recycling has not been shown on the plans, this should be conditioned.
- 6.4 The applicant is advised to discuss licensing with the Licensing Manger; this should be advised by informative. The Food and Occupational Safety (FOS) team should also be contacted, advised by informative.

Design and Conservation Team

- 6.5 No objections to the principle of the application. However, there are inconsistencies between the Design and Access Statement and the plans submitted with the application. The lowering of the windows may be acceptable and the uncovering of the windows as was proposed by planning application reference 10/1096/FUL would enhance this building and the conservation area.
- 6.6 The widening of the entrance door is not supported. There are two doors which 'bookend' this shopfront. Both should be altered in the same way to retain the balance of the frontage.
- 6.7 The extract to the rear of the building appears very tall. As such there is concern that this will be visible from the grounds of Christ's College, which is a Grade II Historic Park and Garden. The impact needs to be clarified for it is not easy to assess from the submitted plans. The duct should be kept to the minimum

height possible and the colour changed to matt black so that light does not bounce off so that it draws attention to itself.

Head of Policy

- 6.8 There are no national policy restrictions on a change of use from A4 (mixed with A2 in this case) to another use. Cambridge Local Plan (2006) policy 5/11 seeks to protect existing community facilities falling within Class D1 'Non-residential institutions'. Public Houses fall within use class A4 so this policy is not applicable in this case. Policy 6/6 refers to change of use from A1 to A2, A3, A4 or A5. The site is already outside of the A1 use class having housed a betting office (A2) and public house (A4). This policy would not restrict a further change of use to A3/A5.
- 6.9 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:

- 4, Manor Place
- 12, Manor Place
- 29, Manor Place
- 32, Manor Place
- 58, Manor Place

- 7.2 The representations can be summarised as follows:

Noise and odour

- Noise from existing customers of takeaways, restaurants and pubs along this road will be exacerbated by another commercial premises;
- Additional traffic will generate more late night noise;
- Cooking smells are already a nuisance to residents of Manor Place, this proposal will make this situation worse.
- It will encourage loitering, anti-social behaviour and littering;

Highway safety

- An increase in traffic on an already busy road will lead to more illegal parking

7.3 Cambridge Past, Present and Future has made a representation. This welcomes the prospect of a building being brought back into use after being closed for 3 years. However, they believe the scheme should seek to enhance the frontage by improving the detailing of the windows and doors.

7.4 The King Street Neighbourhood Association c/o 32 Manor Place has objected to the proposal. Objections are similar to those third party comments summarised above. Conditions are also requested should the application be approved. These relate to the following: the premises should only be open until 23:00, by 00:00 the premises should be vacant of customers and staff; entrances should have double opening doors and a lobby to reduce sound; extract equipment for the kitchen should be hidden from the street to protect the character of the conservation area; the Conservation Manger should be involved regarding the appearance of the building.

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. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Disabled Access
5. Refuse Arrangements
6. Car and cycle parking
7. Highway safety
8. Third party representations

Principle of Development

- 8.2 The application seeks a change of use from betting office (Use Class A2) to restaurant (Use Class A3) and take away (Use Class A5) within the City Centre. The relevant policy in this case is policy 6/10 of the Local Plan. This states:

Cambridge Local Plan (2006) policy 6/10 Food and Drink Outlets

Development for Use Classes A3, A4 and A5 (food and drink) will only be permitted:

- a – where the proposal will not give rise to unacceptable environmental problems or nuisance and the individual and cumulative impact of the development is considered acceptable; and
- b - it is in an existing centre or is part of a mixed use area in an urban extension or the Station Area.

- 8.3 Policy 6/10 aims to restrict food and drink outlets to the City Centre or local centres as opposed to encouraging such uses in predominantly residential areas. This site is located within the City Centre and therefore complies with this policy. However, I am mindful that the application site is surrounded by residential properties. Residents of Manor Place, which is a residential development located across the street from the application site have submitted a number of third party representations in objection to the proposed change of use. As such, the potential for the proposal to give rise to unacceptable environmental problems of noise and odour nuisance must be given special consideration and whether the individual and the cumulative impact of the development is considered acceptable.
- 8.4 The Environmental Health Officer consulted on this application has raised no objection to the proposal, subject to conditions which they consider will adequately protect nearby residential occupiers. With regard to the cumulative impact resulting from an additional restaurant (Use Class A3) and takeaway (Use Class A5) in the street, I am of the opinion that the character of the street, which has a large number of drinking and eating establishments and a lot of movements during the evening hours, is such that the addition of this relatively small establishment would not materially have an adverse impact upon the locality to the extent that would justify refusal of the application.

- 8.5 Bringing this building back into commercial use as a restaurant (Use Class A3) and take away (Use Class A5) does have the potential to be a noise, disturbance and odour nuisance and would in my view need to be strictly controlled. The Environmental Officer has not raised any objection to the proposal, but this is subject to conditions to safeguard residential amenity.
- 8.6 It is also a material consideration that the premises have recently been granted permission (planning reference 10/1096/FUL) for a change of use to a restaurant (Use Class A3) and drinking establishment (Use Class A4). This was subject to conditions suggested by the Environmental Health Officer to restrict opening hours, hours of use of the courtyard to the rear and control the entertainment in the public house and precluding the taking of drinks out into the street. The last of these was considered particularly important because of the issue of patrons, especially those who wish to smoke, congregating outside and creating noise in the street. I believe the restaurant (Use Class A3) and takeaway use (Use Class A4) proposed by this current application is far less likely to result in noise nuisance and disturbance to the extent that occupation by a public house (Use Class A4) potentially would.
- 8.7 On balance, I am of the opinion that the introduction of the proposed uses in this location need not give rise to unacceptable environmental problems or nuisance, subject to conditions. I will address these in the section below under the heading 'Residential Amenity'. I am also mindful that it is a material consideration that the site benefits from an extant permission under planning reference 10/1096/FUL and this permits similar types of use. In light of this and the other reasons given above I consider the principle of the development acceptable and in accordance with Cambridge Local Plan (2006) policy 6/10, and East of England Plan (2008) policies SS1 and ENV7.

Context of site, design and external spaces

- 8.8 The only elements of the application which have a visual impact in the Conservation Area within the streetscene are alterations to the fenestration at ground floor level.

- 8.9 The Conservation Officer does not support the increase in the width to the entrance door which is to the east of the frontage given a similar door to the west. I agree with the Conservation Officer that the symmetry of the doors in this frontage give a 'bookend' appearance that is visually pleasing in the street scene. However, the other door serves as the entrance to 62 King Street and is not included within the site boundary of this application. It is therefore outside of the control of the applicant and it is not possible to insist that this door is also widened to retain this symmetry. Despite the widening of the door to 60 King Street, this feature will be retained, albeit not as uniform in appearance. This building is not listed and the increase in the width of the door will serve to allow more inclusive access onto the premises. I consider the imposition of conditions to control the details of the appearance of the building (conditions 9 and 10) will serve to protect the character of this part of the area the Conservation Area.
- 8.10 To the rear of the site, installed on the flat roof of a 2.7 metre high single storey element, a flue is proposed. This will rise 2.4 metres to its maximum height from the roof. However, this will not be visible from the immediately adjacent fellows garden of Christ's College to the south due to a 5.4 metre high brick wall along the shared boundary. The Conservation Officer has raised concern at the potential visual impact of the flue upon the grounds of the college which is a Grade II Listed Historic Park and Garden. However, given the unusually high brick wall I am satisfied that the flue will only be visible within the back garden areas of neighbouring buildings along this side of King Street and also from windows to upper floors of this row. As recommended by the Conservation Officer I suggest a condition is imposed that requires the finish of the flue is black in colour (condition 7) this will serve to eliminate any glare from the flue which is likely when finished in stainless steel.
- 8.11 In my opinion, subject to conditions as suggested above, the proposal is compliant with East of England Plan (2008) policies ENV6 and ENV7, Cambridge Local Plan (2006) policies 3/4 and 4/11, and with government advice contained within PPS1 and PPS5.

Residential Amenity

- 8.12 A number of the third party representations received express concern at the potential for the proposed use to have a harmful impact upon the residential amenity of neighbours, particularly for those opposite the site living in Manor Place. They believe the proposal will exacerbate noise and disturbance from customers and additional vehicles already experienced as a result of the existing commercial establishments along King Street. However, as considered above under the heading 'Principle of Development' I do not consider the impact of a single, modestly-sized additional premises to be significantly detrimental especially if satisfactorily controlled by conditions. Conditions to restrict the hours of construction (condition 2); control noise insulation (condition 3); the details of the storage of trade waste (condition 5) and opening hours (condition 6) will serve to protect the residential amenity of nearby occupiers.
- 8.13 Cooking at the premises could potentially result in odour nuisance outside of the site. This has been raised by a number of the objections received from local residents. Environmental Health have suggested a condition to safeguard against pollution by odour fumes (condition 4) and I am satisfied that this will protect the residential amenity of neighbours. Odours can also be managed through environmental health legislation.
- 8.14 In my opinion, subject to the conditions recommended, the proposal adequately respects the residential amenity of its neighbours and I consider that, in this respect, it is compliant with East of England (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Disabled access

- 8.15 This application proposes to increase the width of the entrance door to provide a clearance width of 1metre. This will not provide level access from the street but it will improve the existing access arrangements. As such, I consider the proposal compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policy 3/7.

Refuse Arrangements

- 8.16 No details have been provided for the storage of waste and recycling but I consider there to be adequate space to the rear of the property in an external courtyard. However, there is not any external access to the rear to manoeuvre bins to and from this area to the street for collection. As such, bins will have to be taken internally through the building. This is not at all desirable but it is the only practicable way to store waste and facilitate its removal and I am mindful that any use which generates waste would face the same predicament and that this is how previous uses of this unit have had to operate. Given that there is no alternative for more successfully storing waste and recycling, subject to the imposition of a condition as suggested by the Environmental Health officer (condition 5) requiring full details of these arrangements, I consider the proposal compliant with East of England Plan (2008) policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.17 The premises does not have any car or cycle parking associated with it and the applicant does not propose to provide any due to the constrained nature of the site. Despite this, for customers visiting to stay and use the restaurant I am satisfied that the very central location of this site in the City Centre offsets this shortfall. The good provision for secure cycle parking, really accessible public transport and car parking available in nearby designated car parks all within this central location overcomes the lack of provision made by the site.

Highway safety

- 8.18 The highway officer raises no concern with regard to highway safety. As such, I am satisfied that the proposal accords with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/1.
- 8.19 The third party representations received do not cite highway safety as a cause for concern but a couple do refer to the potential increase in illegal parking that the proposed use will encourage in order for people to stop outside and pick up takeaways. I am mindful that such uses can result in customers stopping for short periods of time, however, this part of King

Street is controlled by double-yellow lines painted along the highway, thereby prohibiting waiting or parking. Circular 11/95 explains that the planning system should not seek to duplicate the effect of other controls that are in place. In my opinion, considering the parking restrictions already in place here, the refusal of planning permission on the grounds of highway safety would represent duplication of this control.

Third Party Representations

8.20 I consider that all the issues raised through the representations have been addressed above. Issues of noise and disturbance and odour have been addressed under the headings 'Principle of development' and 'Residential Amenity'; and issues of Character under the heading 'Context of site, design and external spaces'.

9.0 CONCLUSION

9.1 I am of the view that the proposed use is appropriate at this site which currently stands unoccupied, and it can be satisfactorily controlled by conditions in a way which will make it acceptable in this location. I recommend the application be approved.

10.0 RECOMMENDATION

APPROVE, subject to the following conditions

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

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

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

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

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

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

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

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

5. Prior to the commencement of the use hereby permitted, the on-site storage facilities for trade 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 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 in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

6. The Class A3/A5 premises to which this permission relates shall only be open to the public between 08:00 hours and 23:00 Monday to Sunday.

Reason: To protect the amenities of nearby residential occupiers (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 Policies 3/4, 3/7 and 4/13)

7. No boiler flues, soil pipes, waste pipes or air extract trunking, etc. shall be installed until the means of providing egress for all such items from the new or altered bathrooms, kitchens and plant rooms has been submitted to and approved in writing by the local planning authority. Flues, pipes and trunking, etc. shall be installed thereafter only in accordance with the approved details.

Reason: To preserve the character of the Conservation Area (Cambridge Local Plan 2006 policy 4/11)

8. Notwithstanding the details shown on the approved plan the details of the colour finish of the flue hereby approved shall be agreed in writing with the local planning authority. Colours shall be specified by means of the RAL or British Standard (BS 4800: 1989). Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To preserve the character of the Conservation Area (Cambridge Local Plan 2006 policy 4/11)

9. Full details of the colours to be used in the external finish of the building are to be submitted to and approved in writing by the local planning authority. Colours shall be specified by means of the RAL or British Standard (BS 4800: 1989). Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To preserve the character of the Conservation Area (Cambridge Local Plan 2006 policy 4/11)

10. The use hereby permitted shall not commence until details (in the form of an elevational drawing at 1:50 or larger scale) of any proposed changes to the arrangement of ground-floor front elevation windows and doors have been submitted to and approved in writing by the local planning authority. Changes to these windows shall be made thereafter only in accordance with the approved details, and any windows altered in accordance with the approved details shall be retained thereafter.

Reason: To preserve the character and appearance of the conservation area. (Cambridge Local Plan 2006 policy 4/11)

INFORMATIVE: To satisfy conditions relating to fume filtration/extraction, it is recommended that an effective and appropriate odour/fume extract system be installed to ensure an odour nuisance is not caused to the occupiers of neighbouring premises. The system will need to deal with the two main phases of contaminants within cooking emissions: the particulate (grease, small food and smoke particles) and gaseous (odour vapour/volatile organic compounds).

It is recommended that flue terminals do not impede the final discharge termination point.

The flue / duct height should terminate at least one metre above the roof ridge level to which it is attached and a minimum operating efflux velocity of 10 to 15 metres a second should be achieved. However, the effectiveness of this system is dependent on buildings nearby. If buildings nearby are likely to have an effect on the dispersion and dilution of odour, the flue height should be at least one metre above the ridge of those buildings.

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

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

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

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

INFORMATIVE: The applicant is advised that any granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

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, ENV6, ENV7, WM6 and T1

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

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.

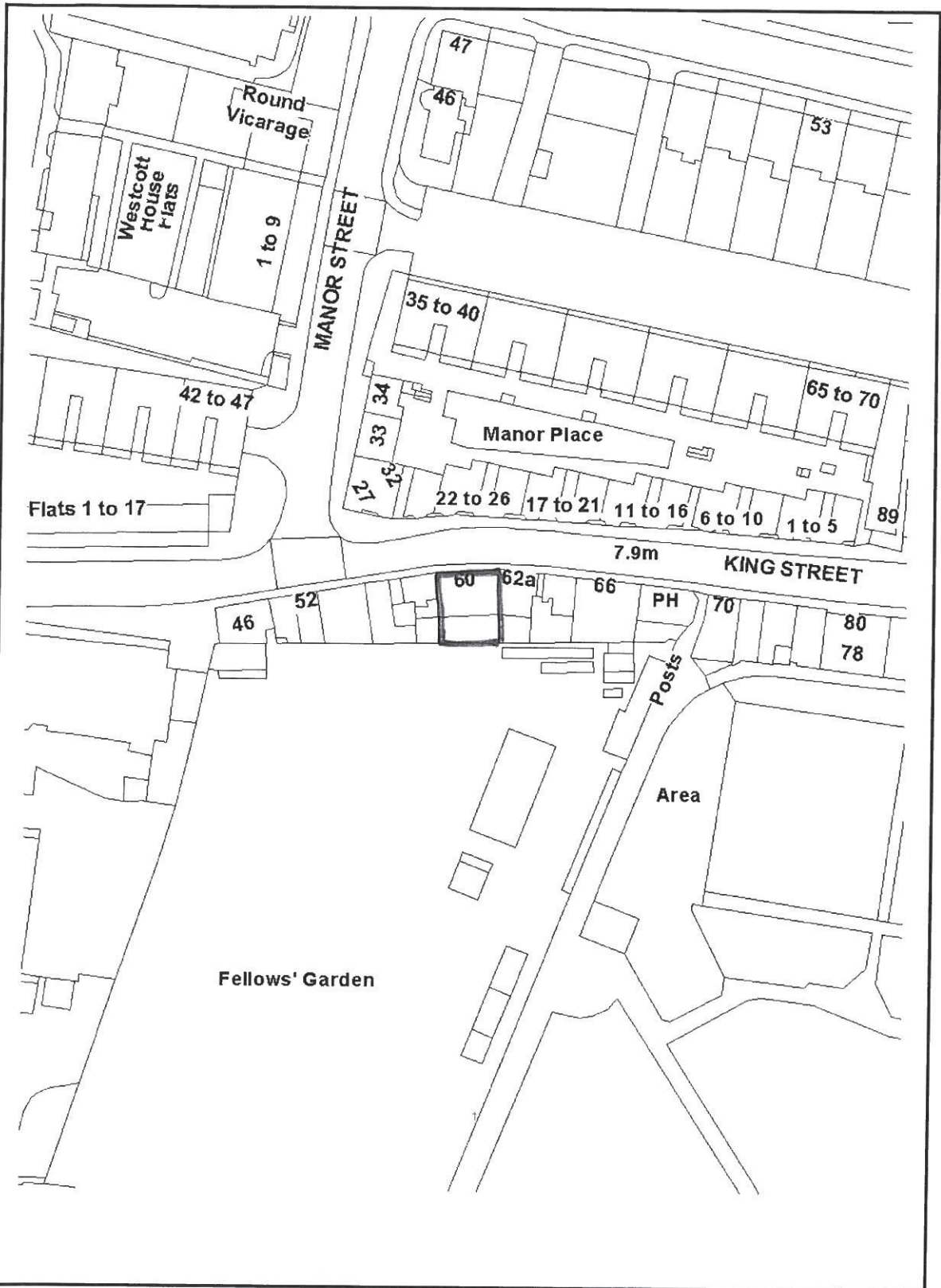
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 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:

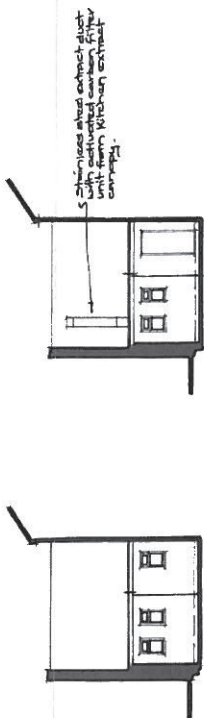
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received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



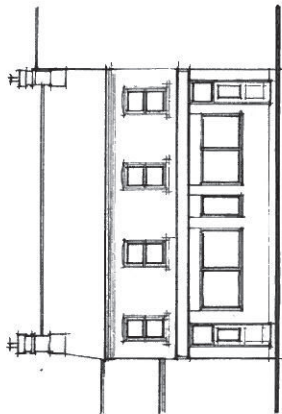
11/0784/FUL
The Earl Grey 60 King Street Cambridge Cambridgeshire

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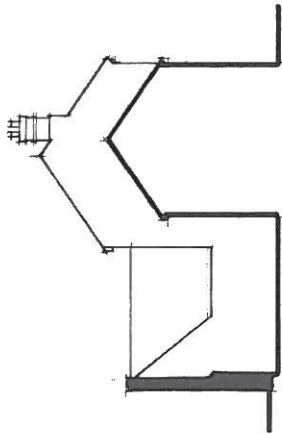


EXISTING SIDE
from courtyard

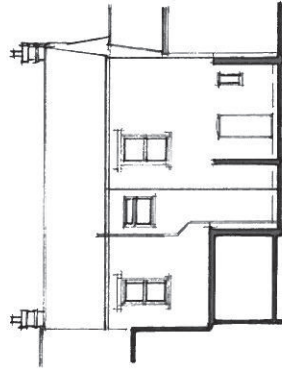
PROPOSED SIDE



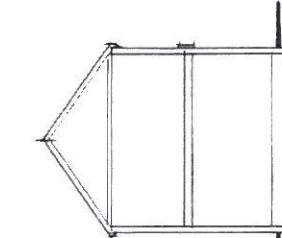
EXISTING FRONT.



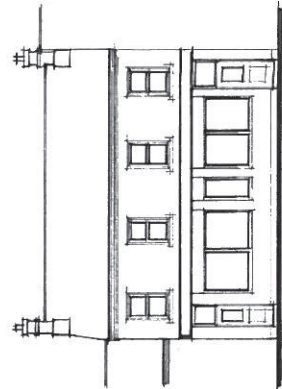
EXISTING SIDE.



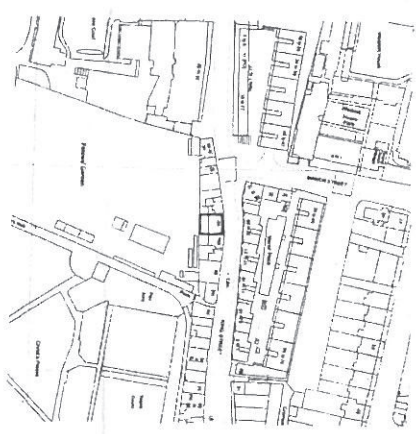
EXISTING REAR.



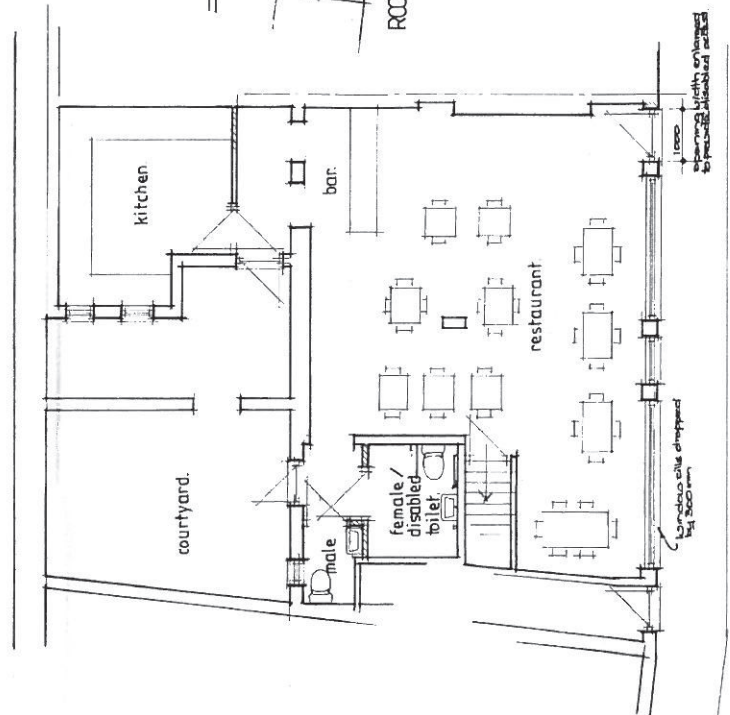
SECTION



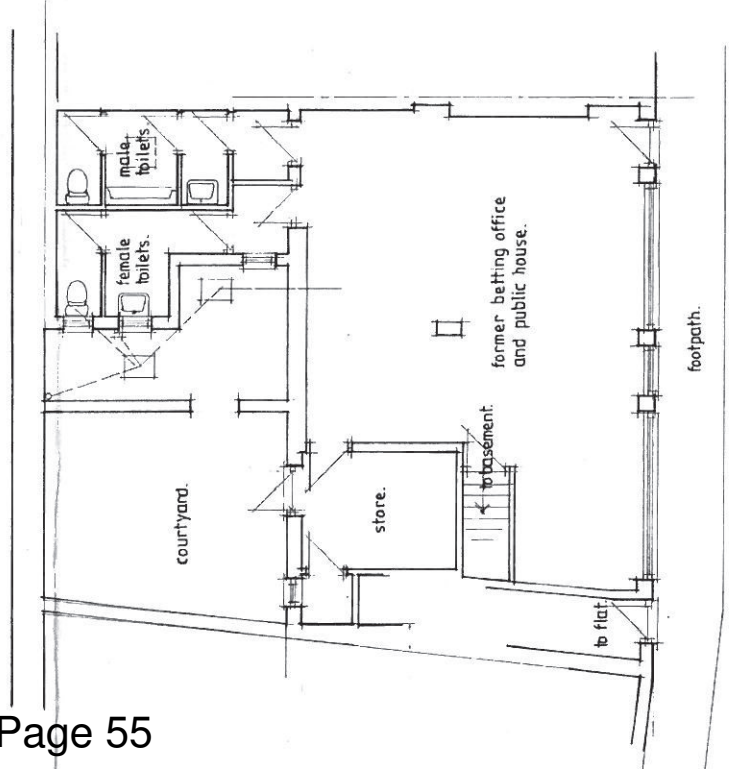
PROPOSED FRONT.



LOCATION PLAN.



PROPOSED GROUND FLOOR PLAN.



EXISTING GROUND FLOOR PLAN.

STEPHEN R. FRIDAY FORC
Building Design Service
46 Willow Way, Haveron, Cambridge CB2 3JF Tel: 01223-871062

PROPOSED ALTERATIONS AND CHANGE OF USE TO FORM RESTAURANT AND TAKEAWAY AT 60, KING STREET, CAMBRIDGE, CB1 1LN.

CLIENT: **MR RAHMAN.**
DATE: **JUNE 2011.** SCALE: **1:50, 1:100, 1:200** DRAWING No: **SF 11 023 . 1.**

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Application Number	11/0921/FUL	Agenda Item	
Date Received	2nd August 2011	Officer	Mr John Evans
Target Date	27th September 2011		
Ward	Castle		
Site	82 Richmond Road Cambridge Cambridgeshire CB4 3PT		
Proposal	Erection of four 4-bed semi-detached residential units, together with 9 car parking spaces, cycle parking and associated landscaping works (following demolition of existing outbuildings to the side and rear of 82 Richmond Road).		
Applicant	Richmond Road (Cambridge) LLP & Mr E Seaby C/o 7 Dukes Court 54 - 62 Newmarket Road Cambridge CB5 8DZ		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated on the south east side of Richmond Road. The site is currently occupied by 22 lock up garages and storage buildings, all of which are vacant. The site has 2 accessways onto Richmond Road, adjacent to numbers 82 and 90 Richmond Road.
- 1.2 Number 82 Richmond is a dwelling house, which has also been vacant for many years. It has a single storey rear extension some 18m in depth, which is within the application site and which is in commercial use.
- 1.3 Richmond Road is characterised by 2 storey terraced dwelling houses set in relatively deep and narrow plots. To the south east is Proposals Site 5.07, which is a 1.47 hectare site allocated for housing in the 2006 Local Plan.
- 1.4 The site is not within a Conservation Area. Richmond Road is not within the Controlled Parking Zone.

1.5 There are 8 trees protected by TPO's within and immediately adjacent to the site.

2.0 THE PROPOSAL

2.1 This application seeks consent for the erection of 4, four bedroom semi detached dwelling houses, arranged over 3 levels of accommodation. The dwellings have a rectangular plan form and stand 6m to the parapet of the first floor, rising to an overall height of 9m at the top of the 3rd floor sloping, recessed mansard style roof.

2.2 The dwellings have a modern contemporary design with stained cedar shingle cladding and areas of buff brickwork. The roof will be constructed with a smooth slate in blue/black.

2.3 Each house has a garden area containing an outbuilding for bicycles. Refuse collection is provided in a communal store to the rear of number 82 Richmond Road.

Amended Plans

2.4 Since the original submission amended plans have been received with the following alterations:

- Minor alterations to the accessway adjacent to number 82 extending the block paving.
- Following the applicants consultation exercise there has been a revised materials palette. The materials as proposed are described in paragraph 2.2.
- Proposed 2 new birch trees along the common boundary with 78 Richmond Road.

These changes are not considered so significant as to justify reconsultation of the scheme.

2.5 The application is accompanied by the following supporting information:

1. Design and access Statement
2. Planning Statement
3. Site Waste Management Plan
4. Archaeological desk assessment

5. Environmental Noise assessment
6. Phase 1 desk study
7. Utilities report
8. Phase 1 habitat and biodiversity report
9. Transport statement
10. Tree Survey

3.0 SITE HISTORY

No history.

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

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

5.3 **Planning Policy Statement 3: Housing (2006):** Sets out to deliver housing which is: of high quality and is well designed; that provides a mix of housing, both market and affordable, particularly in terms of tenure and price; supports a wide variety of households in all areas; sufficient in quantity taking into account need and demand and which improves choice; sustainable in terms of location and which offers a good range of community facilities with good access to jobs, services and infrastructure; efficient and effective in the use of land, including the re-use of previously developed land, where appropriate. The

statement promotes housing policies that are based on Strategic Housing Market Assessments that should inform the affordable housing % target, including the size and type of affordable housing required, and the likely profile of household types requiring market housing, including families with children, single persons and couples. The guidance states that LPA's may wish to set out a range of densities across the plan area rather than one broad density range. 30 dwellings per hectare is set out as an indicative minimum. Paragraph 50 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. Applicants are encouraged to demonstrate a positive approach to renewable energy and sustainable development.

- 5.4 Planning Policy Statement 3: Housing** has been reissued with the following changes: the definition of previously developed land now excludes private residential gardens to prevent developers putting new houses on the brownfield sites and the specified minimum density of 30 dwellings per hectare on new housing developments has been removed. The changes are to reduce overcrowding, retain residential green areas and put planning permission powers back into the hands of local authorities. (June 2010)
- 5.5 Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.
- 5.6 Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

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

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and

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

5.7 **East of England Plan 2008**

ENV7: Quality in the Built Environment
WM6: Waste Management in Development

5.8 **Cambridgeshire and Peterborough Structure Plan 2003**

Planning Obligation Related Policies

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

5.9 **Cambridge Local Plan 2006**

3/4 Responding to context
3/6 Ensuring coordinated development
3/7 Creating successful places
3/10 Subdivision of existing plots
3/11 The design of external spaces
3/12 The design of new buildings
4/4 Trees
4/13 Pollution and amenity
5/1 Housing provision
7/3 Protection of Industrial and Storage Space
8/2 Transport impact
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*)
5/14 Provision of community facilities through new development
10/1 Infrastructure improvements (*public open space, recreational and community facilities, waste recycling*)

5.10 **Supplementary Planning Documents**

Cambridge City Council (March 2010) – Planning Obligation Strategy

5.11 **Material Considerations**

Central Government Guidance

Draft National Planning Policy Framework (July 2011)

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

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

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

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

Includes the following statement:

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

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

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

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

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

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

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

City Wide Guidance

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

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

6.1 The Transport Statement is clear that the proposed development will result in a reduction in motor vehicles movements to and from the site and therefore the development will not be detrimental to highway safety.

Contractors access should be agreed.

Head of Environmental Services

- 6.2 No objections subject to demolition, construction and contamination conditions. The refuse pulling distances from the dwellings to the bin store exceed good practice. There is however no practical solution to this, but minor alterations to the proposed access will mitigate this issue.

Environment Agency

- 6.3 No objections, subject to ground contamination and runoff related conditions.

Cambridge City Council Arboriculture

- 6.4 The layout allows for construction without causing material damage to trees, providing tree protection methods are adopted. My only concern therefore is for future pressure for trees to be pruned to improve light or stop conkers dropping. From a visual perspective it is the trees T1, T2 and T3 that offer the greatest amenity contribution. With suitable fenestration to the front of the houses the impact of these trees on the development can be minimised.

T6 to the rear of the site, will shade the adjacent new garden and drop conkers, which I suspect will be a nuisance to residents. The tree is however afforded additional protection as it is located off site.

Cambridgeshire County Council (Archaeology)

- 6.5 Further investigations required, imposition of condition necessary.
- 6.6 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 John Hipkin has commented on this application. I have set out his comments below:

I am pretty sure that a decision has already been made to have this application determined by the WC Area Committee but for the removal of doubt I should like it to be brought forward to the committee for determination on the grounds outlined in Richard Footitt's letter to you.

- 7.2 Councillor Simon Kightley has also commented on this application. I have set out his comments below:

It seems likely that the development would have a considerable impact within a localised area and I would request that this comes to committee if you are minded to approve.

- 7.3 The owners/occupiers of the following addresses have made representations: 38 Oxford Road, 73, 74, 76, 78, 84, 85, 96, 104 Richmond Road.

- 7.4 I have summarised the representations below:

Comments on the principle of development

- General support for some form of residential development.
- This proposal is extremely alarming. (1 letter)
- The latest plans are an improvement on those of 6 July.
- No problems with the proposed 4 houses (1 letter).
- Return to occupancy of number 80 welcomed.
- Firmly support the proposal. (1 letter).

Design comments

- The development does not adequately respond to the characteristics of the area.
- The buildings will be higher than those on Richmond Road and have completely different materials.
- The buildings have a completely different roof form.
- The glazed stairwell and unbroken window lines is totally inappropriate.
- The proposed development will be visible from Richmond Road.
- The design should be less office like.

Amenity issues

- The increase in traffic movements will create a considerable increase in noise levels for number 78.

- The end building would overlook number 76.
- The development should be lower in height.
- Boundary planting is essential within the boundaries of the application site adjacent to number 78.
- The gardens of the proposed development will receive little sunlight.
- Massive loss of privacy to number 96, the balcony comes within 10 feet of the boundary.
- Loss of planting when demolition starts.
- Increase in noise and disturbance to number 73 Richmond Road from the access road. The occupiers would like the developers to offer compensation by planting a hedge or suitable plants in the front garden of number 73.

Access Concerns

- The site currently has very few vehicle movements. The current claim of 84 vehicle movements per day is not recognised.
- The vehicle movement figures are contrived and totally misrepresentative.
- The construction of only 2 family homes would reduce vehicle movements.
- The development will lead to an increase in traffic and noise. The planning committee should obtain independent data of traffic numbers.

Other issues

- There is no confidence that there is a satisfactory gradient to drain sewerage.

Richmond Road Residents Association

- The Richmond Road residents Association is supportive of sensitive housing development.
- The association recognises the diversity of property styles and appearances in Richmond Road.
- The development is a little too intense for the restricted site.
- The overall impression is of a scheme that is not as harmonious as it might be and therefore fails to integrate fully with its surroundings.
- Different views have been expressed on the proposed number and design of the dwellings.
- Planting and screening is important.

- The before and after predicted traffic movements are disputed.
- There will be noise and disturbance during construction.
- Cycle parking is welcomed.
- The association supports the idea of a restricted one way system, although there are concerns about its safety.

7.5 The representations can be summarised as follows:

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

8.0 ASSESSMENT

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

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

Principle of Development

8.2 The provision of higher density housing in sustainable locations is generally supported by central government advice contained in Planning Policy Statement (PPS) 3: Housing. Policy 5/1 of the Cambridge Local Plan 2006 allows for residential development from windfall sites, subject to the existing land use and compatibility with adjoining uses, which is discussed in more detail in the amenity section below. The proposal is therefore in compliance with these policy objectives.

8.3 Local Plan policy 3/10 sets out the relevant criteria for assessing proposals involving the subdivision of existing plots. Such proposals will not be permitted where: a) there is a significant adverse impact on the amenities of neighbouring properties, through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels

of traffic or noise nuisance; b) they provide inadequate amenity space, vehicular access arrangements and car parking spaces for the proposed and existing properties; c) where they detract from the prevailing character and appearance of the area; d) where they adversely affect the setting of Listed Buildings; e) where there is an adverse impact upon trees, wildlife or architectural features within or close to the site; f) where development prejudices the comprehensive development of the wider area, of which the site forms part. The scheme represents a 'windfall' development and could not form part of a wider development in accordance with 3/10 (f). The character and amenity sections of policy 3/10 are considered in the relevant subsections below. This site is used for commercial storage and light industrial use, and is not 'garden land'. The proposal nevertheless involves the subdivision of an existing plot for residential purposes, whereby the criteria of policy 3/10 are relevant.

- 8.4 The site has a lawful use for commercial offices within Use Classes B1c and B8. Local Plan policy 7/3 seeks to protect industrial uses and their loss is only permitted subject to a number of criteria. The proposed redevelopment of this site clearly satisfies point Part e of policy 7/3, whereby redevelopment for housing in this residential context would be more appropriate.
- 8.5 There is no objection in broad principle to residential development, but the proposal has to be assessed against the criteria set out in policy 3/10 and other relevant development plan policies. In my opinion, the principle of the development is acceptable and in accordance with policy 5/1, 3/10 and 7/3 Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.6 The acceptability of this scheme in terms of design turns on the detailed design and appearance of the new buildings in relation to the surrounding context.
- 8.7 Local Plan policy 3/12 considers that new buildings should have a positive impact on their setting in terms of location on the site, height, scale, form, materials, detailing and wider townscape views. The dwellings are arranged in logical fashion with their principal front elevations facing north west. In my view the site

can adequately carry four dwellings in the proposed layout. I do not consider that this layout will adversely affect the future development of the allocated housing site 5.07, to the south east.

- 8.8 In terms of scale and massing, I consider the proposed dwellings to have a positive impact on their setting. I recognise that they are larger than the existing lock up garages that occupy the site, but I do not consider this to be harmful. Their design is articulated to break up the mass of the buildings, with the recessed upper mansard roof set back 1m from the main parapet height of 6m. As such, although the buildings rise to 9m at their highest point, I do not consider that their presence will be out of scale with the surrounding residential context.
- 8.9 Government Guidance contained within PPS1 does not prevent contemporary design, the guiding principle as rehearsed within Local Plan policy 3/4 is that buildings sit comfortably and harmoniously within their setting. The proposed buildings have a contrasting detailed design in relation to the main Richmond Road frontage, but again, I consider this approach acceptable in this context. The use of timber shingles for the first floor is intended to reflect the secluded position of the site, which is framed by a number of protected trees. The proposed buff brick to the ground floor will complement the modern appearance of the buildings, providing a reference to other dwellings in the locality. The upper mansard roof of the buildings is prominent, but will not in my opinion detract from the overall composition of the design. PPS1 is clear that Planning Authorities should not seek to impose architectural styles or particular tastes. As such, given the appropriate scale and massing of the buildings, I consider their contemporary detailed design acceptable in accordance with East of England Plan policy ENV7 and Local Plan policies 3/4 and 3/12.

External spaces and trees

- 8.10 There are a number of mature trees on the site. The Council's Arboriculture Officer has considered this scheme and does not object to the proposals, subject to suitable protection methods during the construction. The 1 tree which is to be removed (T004) is considered to have limited amenity value and it should not constrain development of the site.

- 8.11 Car parking is located in reasonably close proximity to each dwelling and is positioned to support the new inner street scene. In my opinion the design of the proposal is an appropriate subdivision of this plot and is compliant with East of England Plan policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/7, 3/10, 3/11, 3/12 and 4/4.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.12 The proposed new dwellings have their principal outlook towards the backs of numbers 82 and 90 Richmond Road. The overall front to back distance of 32m is acceptable and will not give rise to significant interlooking of windows. There will be a distance of 22m between the first floor windows of the proposed new dwellings and the centre of the gardens of numbers 82 to 90 Richmond Road. Given the angle of potential overlooking, the thick tree and vegetation screening, and the overall distances involved, I do not consider this relationship to significantly detract from the amenities of residential properties to the north west.
- 8.13 The western most new dwelling will be visible from the rear garden of number 78 Richmond Road. The applicant has provided an amended plan detailing 2 new birch trees to be planted on the common boundary which will reduce the visual impact and prominence of the development for the occupants of this property. I do not consider that the proximity of the building will have a harmful effect on the amenities currently enjoyed by the occupiers of 78 Richmond Road.
- 8.14 Concerns have been raised regarding the potential noise and disturbance created by the daily traffic movements and comings and goings associated with four new dwelling houses. While I note that the lock garages currently give rise to limited numbers of trips, a commercial use such as this could in the future be used to a far greater intensity, which may not be compatible with the surrounding residential context. This notwithstanding, I do not consider the likely trip numbers from the development to create significant noise and disturbance for those residential properties either side of the access at numbers 78, 80, 90 and 94 Richmond Road.

- 8.15 I do not consider there to be any harm to the amenities of number 73 on the north west side of Richmond Road. Further tree planting to the front garden of this property is neither reasonable nor necessary.
- 8.16 The new dwelling to the north east of the site will be sited approximately 7m from the rear garden of number 96 Richmond Road. The garden of number 96 Richmond Road is relatively deep, the rear south section of which abuts the application site. However I do not consider this part of the garden would be unduly dominated by the development, and there will be no windows in the flank elevation of the new building that might cause overlooking.
- 8.17 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

- 8.18 The proposed dwellings will provide desirable accommodation suitable for family occupation. They benefit from generous rear gardens and south east facing 2nd floor balconies.
- 8.19 The rear gardens of plots 2 and 3 will be in some shadow during the day from the protected tree T006. I do not consider this to be so harmful as to justify refusal. The tree is located on the adjacent site, which gives greater protection against future pressure for pruning. In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.20 The houses are intended to store bins within their curtilage and a communal bin store is provided for collection day. While the pulling distances slightly exceed good practice guidance, it is considered unavoidable in this instance. Amended plans have been received ensuring smooth surfaces to the access and around the bin store. The Council's Waste Officer is content

that refuse vehicles could enter the site and collect from the proposed bin store. In my opinion the proposal is compliant with East of England Plan policy WM6 and Cambridge Local Plan (2006) policy 3/12.

Highway Safety

8.21 The Highways Authority is content that the proposed use of the site for 4 dwellings will result in a reduction of vehicle movements and officers do not therefore object to the proposals. I recognise concerns that the data provided in the applicants transport statement overstate the reality of the current use of the site. While the majority of the lock up garages are vacant at present, the site has the potential to be used in a significantly more intense manner. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.22 The development provides 8 car parking spaces. Adequate provision is made for bicycles within outbuildings in the rear gardens of each house. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.23 The majority of the points made in the representations have been considered in the above report. The following issue has been raised.

There is no confidence that there is a satisfactory gradient to drain sewerage.

The applicant has submitted a service report to accompany the application and is confident the development can integrate with existing drains.

Planning Obligation Strategy

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 Affordable Housing Supplementary Planning Document 2008 provides guidance in terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

- 8.25 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, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.
- 8.26 The application proposes the erection of 4 four-bedroom houses. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952	4	3808
Total					3808

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076	4	4304
Total					4304

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968	4	3872
Total					3872

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0

2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264	4	5056
Total					5056

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:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882	4	7528
Total			7528

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.

Waste

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

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	4	300
Flat	150		
Total			300

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

Monitoring

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

Planning Obligations Conclusion

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

9.0 CONCLUSION

- 9.1 The proposed redevelopment will make a positive improvement to the character and appearance of this backland commercial site. The development will not in my view adversely affect neighbouring amenity or highway safety. Approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the satisfactory completion of the S106 Agreement by 31 January 2012 and subject to the following conditions:

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

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

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

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

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

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

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

Reason: To protect the amenity of residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

5. 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)

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

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

ii) contractors site storage area/compound,

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

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

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

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

7. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

8.
 - 1) No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.
 - (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
 - (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

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

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

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

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

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

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

10. No demolition work shall be undertaken on the site until measures for the suppression of dust during demolition have been submitted to and approved in writing by the local planning authority.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan 2006, policy 4/13)

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

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

12. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

Reasons for Approval

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

East of England plan 2008: ENV6, ENV7, WM6

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/8, 3/10, 3/11, 3/12, 4/4, 4/13, 5/1, 5/14, 7/3, 8/2, 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 or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

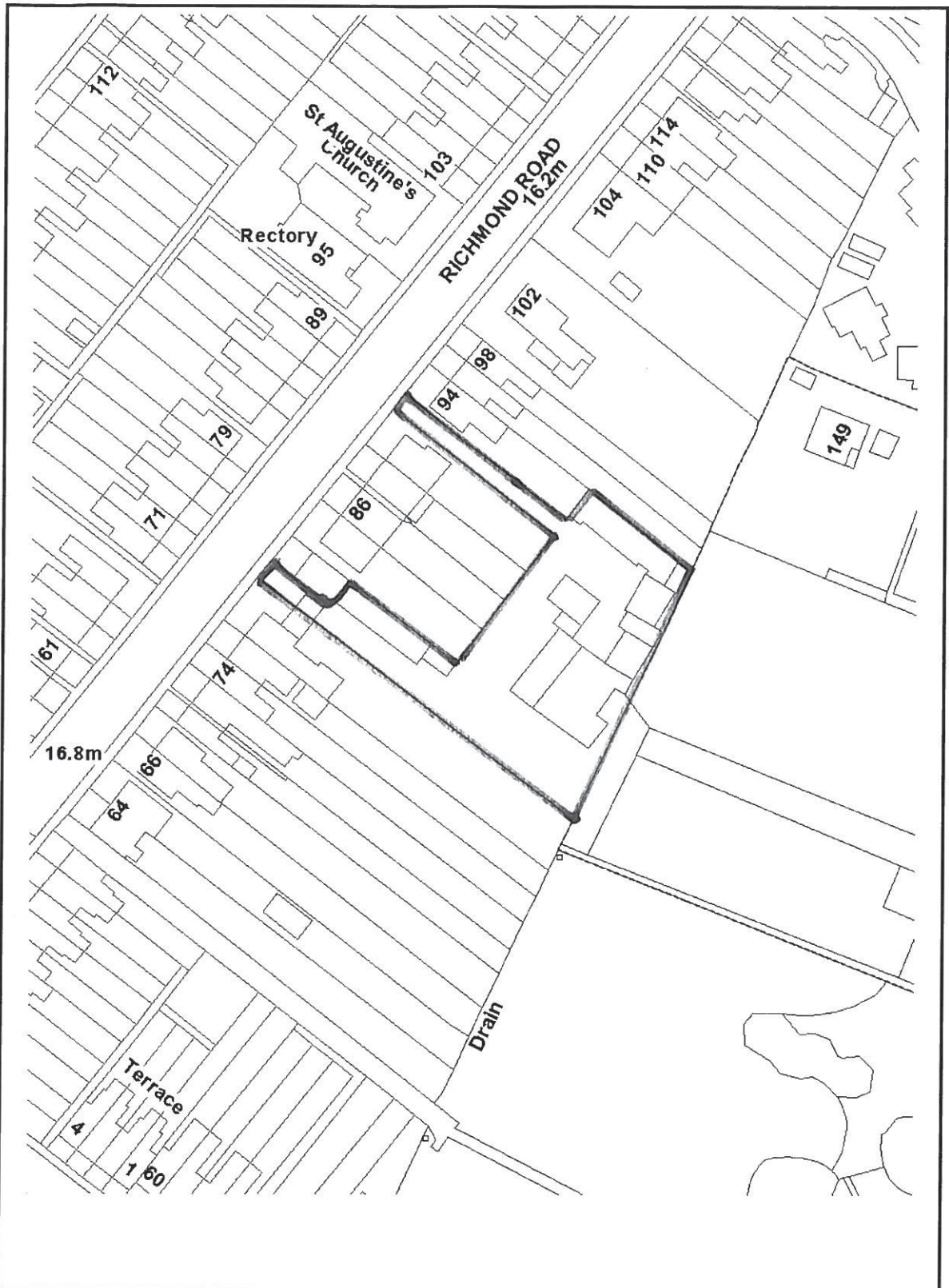
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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
or by visiting the Customer Service Centre at Mandela House.

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11/0921/FUL
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Our ref: CWB/ME/
Your ref:

13 October 2011

Dear John

**11/091/FUL - PROPOSED ERECTION OF 4no. FOUR BED DETACHED RESIDENTIAL UNITS, TOGETHER WITH 9 CAR PARKING SPACES, CYCLE PARKING AND ASSOCIATED LANDSCAPING WORKS (FOLLOWING DEMOLITION OF EXISTING OUTBUILDINGS TO THE SIDE AND REAR OF 82 RICHMOND ROAD)
82 RICHMOND ROAD, CAMBRIDGE, CB4 3PT**

I write further to our meeting at The Guildhall on 28th September also attended by Neil Davison of Enterprise Property Group Limited, Simon Somerville-Large of Laragh House and Mariano Cavaleri of Cavaleri Partnership.

We were reassured by the discussion we had at the meeting to the effect that, for the most part, the application seems to be moving forward positively, and we found the discussion to be productive in terms of hopefully closing down one or two issues that are still slightly at large.

As you know, my clients have consulted extensively with the local community regarding the proposal, and in addition to a public consultation event which took place before the application was submitted, we held a further exhibition of the application proposals after the submission, on 23rd August 2011. This was a well attended event, and presented us with an opportunity of explaining how the scheme had evolved from the pre-application consultation event, whereby a number of points raised by local residents have been taken into account in arriving at a final scheme solution.

Naturally, some of the matters that have subsequently been raised in representations to you were aired at the meeting, and there were some further comments regarding scheme specific matters such as the choice of materials, and we are once again responding positively to those comments in order to arrive at a satisfactory solution for the site.

With this in mind, I now attach some revised drawings, as follows:

- 1107-RR-DR-100A - General Arrangement Plans
- 1107-RR-DR-101A - Roof Plan
- 1107-RR-DR-110A - Site Plan
- 1107-RR-DR-200A - Elevations

Directors: John Callin • Simon Dazeley • Colin Brown • David Foord • Desmond Hirsch

Associates: Sally Fletcher • Nicholas Muncey • John Russell • Justin Bainton • Paul Belton • Graham Smith Consultant: David Ward

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Registered Office: York House, 7 Dukes Court, 54-62 Newmarket Road, Cambridge CB5 8DZ VAT No. 844 2715 27

We also attach a 3D visualisation of the scheme, and an updated copy of the Design and Access Statement, having regard to the design changes now made.

I also attach a drawing (1107-RR-SK-Entrance 01) which was utilised in discussions with Chloe Hipwood from the Council's Refuse Department, together with copy emails from Oliver Chambers of Cavaleri Partnership to Chloe and a further email from Patrick Lanaway of SLR (our client's Highway Consultant) dealing with one or two matters arising.

In terms of the changes to the scheme, these are relatively limited, but in essence comprise the following:

1. Having regard to the discussions held with Chloe Hipwood, the access arrangements alongside 82 Richmond Road have been modestly revised, in a number of ways. Firstly, a surface finish is now proposed, to adoptable standards, for the area of land between the road kerb, to a point just beyond the frontage of 82 Richmond Road. Secondly, and in concert with this, the boundary wall on the site frontage is being reduced in extent (across the frontage) in order to create a wider mouth into the scheme, and a low level wall will be constructed, projected off the western corner of the property at 82 in order to provide a reference point for the refuse vehicle driver who would be reversing into the site in order to access the bin store. Thirdly, and in accordance with the request from Chloe Hipwood, the block paving into the site has been extended as far as the bin enclosure, where bins will be taken by owners on collection day for convenient collection by the refuse vehicle.
2. In accordance with discussions held with local residents at the consultation event on 23rd August, the opportunity has been taken to adjust the materials used in the elevational treatment of the proposal. As you will see (and as is perhaps best illustrated by the computer-generated image), three principal materials are now being used. These comprise a Cambridge Buff brick, to be utilised as the plinth for the houses (below the ground floor windows), and also wrapping around the units and applied within the entrance pods, and the staircase element giving access to upper floors. At first floor level, the proposal is to apply the timber shingles, in a stained cedar or similar, whereas the uppermost floor is now proposed to be finished with a roofing slate, of a smooth texture, approximately 5mm thick in a blue/black colour. The various application drawings have been adjusted to illustrate these changes, and it is considered that the finished product now blends better with the site and its surroundings, and is accordingly more contextual than previously proposed.
3. In the context of concerns expressed by one or two residents to the south (76 and 78 Richmond Road in particular), the opportunity has been taken to introduce two new Birch trees along the common boundary between the site and the adjoining garden at 78 Richmond Road. It is considered that these trees will afford a degree of screening between the frontage of the southernmost plot of the four proposed, and neighbouring gardens at 76 and 78 Richmond Road, and therefore will improve privacy between the existing houses and those now proposed.

Having dealt with those changes, I now turn to one or two further matters which merit comment. At our recent meeting you commented that one of the issues that you needed to resolve in your own mind was the question of the relationship between the four dwellings proposed and the rear gardens and the rear elevations of the properties that are contained within the interior of the "U" shape of the application site, namely Nos. 84-90 Richmond Road.

In this regard, I think that it is very pertinent to note that there have been no objections submitted to the Council from any of those occupiers, who we believe are potentially most affected by the proposal, albeit not (in our submission) in a manner that is unacceptable from a planning point of view.

Nevertheless, we have taken the opportunity of preparing a more detailed site section, and this is also attached to this further submission, being Drawing 1107-RR-SK-Site Section. You will see that this drawing, in addition to identifying the various floor and roof levels of the proposed development (8.53 metres to the highest point of the roof on the front elevation facing 84-90 Richmond Road, and 6 metres to the small parapet at first floor level), also identifies that the front to back distance between the proposed units and the rear of the Richmond Road houses is a little under 32 metres, whilst boundary planting intervenes, therefore further reducing the propensity for overlooking between the two developments.

It is accepted that these days the Council does not apply typical distances between properties backing onto one another in terms of protecting reasonable expectations of amenity or privacy, although historically a rule of thumb of about 20 metres used to be adopted. In our estimation, having regard to the distance of nearly 32 metres, the boundary planting, and the limited views that will be available from bedrooms only within the development, are all factors that indicate that there is no material issue here. Moreover, the lack of objection from any of the residents in question is, we believe, telling, and indeed the occupier of 84 Richmond Road has indicated that he is perfectly content with the proposals.

Whilst dealing with potential issues regarding overlooking and loss of privacy, it is of course also appropriate to readdress such considerations in relation to properties immediately to the south and to the north of the site, where it is noted that some residents have written expressing their concerns. On the south side of the development, the potentially affected properties are Nos. 76 and 78 Richmond Road, whereas to the north it is Nos. 92 and 94 that are conceivably impacted upon.

We obviously addressed the whole question of potential impact on these properties within the Planning Statement that accompanied the initial planning application, but it is, in our view, very relevant to note that any views from the proposed dwellings into those properties will be at oblique angles, and at some distance away from the most private parts of the properties, (i.e. their rear elevations and the immediate garden areas at the back of the houses).

In any event, as you are aware, any windows facing in the direction of neighbouring properties at upper floor levels are bedroom windows, which are rarely occupied during the day, and when occupied during the evening and over night, curtains are invariably drawn. Added to the new Birch trees that are proposed to be planted alongside the boundary with No.78 Richmond Road, it is not considered that this relationship is so significant that it would justify a withholding of planning permission. With regard to the properties to the north, the fact is that the proposed development is slightly off-set, being positioned more to the south of the development site, and away from the common boundary with the immediate property to the north. This is primarily as a consequence of the need to design the houses so as not to interfere with protected trees (T002 and T003) as per the Arboricultural Assessment. In this regard, we note that Joanna Davis has confirmed that she is content with the proposals in relation to the trees, which is obviously very welcome. The trees themselves provide a strong visual screen between the pair of northernmost houses within the scheme and the adjoining gardens, and therefore we think that the issue of overlooking and any loss of privacy in relation to those properties is negligible in the extreme.

I turn now to the question of access, and whether or not the development will give rise to an increased number of trips compared to previous uses. In this regard, I would wish to make clear that my clients relied entirely, in preparing their Transport Assessment, on data provided to them by the current site owner, who was asked to give a profile of comings and goings from the site on a typical day.

Many of your representors' have suggested that the figures that have been quoted are excessive and that it is considered that the number of trips likely to have been associated with the previous uses on the site have been overstated.

In the circumstances of residents local knowledge, we are happy to accept the points that have been made, and accordingly we do not seek to rely on the traffic data that was presented to the Council by us in submitting the application, albeit entirely in good faith based on the information we have been given.

Notwithstanding this, our Highways Consultants at SLR have reassured us that there is no issue on this site relating to traffic generation. Based on the TRICS assessment within the Transport Statement (Section 5.1), four houses such as this will generate on average two movements in each peak hour, and SLR are satisfied that there are no limitations in terms of the capacity of Richmond Road or its junction with Huntingdon Road at these times to cope with an additional two vehicles.

SLR have also advised that we are then left with the matter of the access arrangements. Notwithstanding the comments of local residents regarding actual flows, SLR have commented that there are 22 garages on site and a small commercial unit, all of which have the potential to generate traffic and were the site to be reused in an intensive way in the future, then the flows that had been given would, in practice, be wholly realistic for a small business and 22 lock-up garages. Even if the garages were rented by local residents, traffic would still use the existing access arrangements to get into and out of the site, so compared with the current use of the site, even if it has been vacated for a while, the traffic potential to serve the site in its current form would more than likely be more significant than for four houses as now proposed.

The Local Highway Authority has confirmed that it is content with this argument, and it offers no objection to the proposal either in terms of its access arrangements, or the traffic generation.

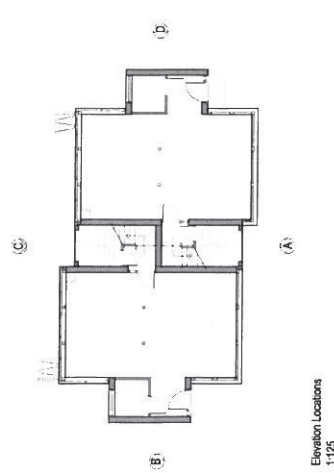
In light of this, we would hope that you will be able to support the application, and will be able to recommend it for approval at the Committee Meeting in early November. If, however, you have any further queries, please do come back to me at your earliest convenience.

Yours sincerely

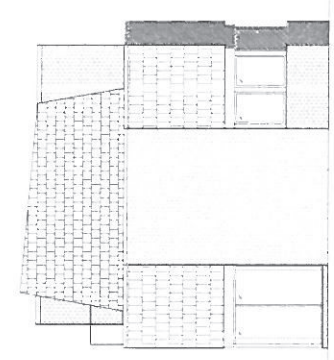
DATE	DESCRIPTION	BY	CHKD
17/05/17	Final Design
17/05/17	Design Review
17/05/17	Final Approval

NO. 10	DATE	DESCRIPTION
1	17/05/17	Final Design

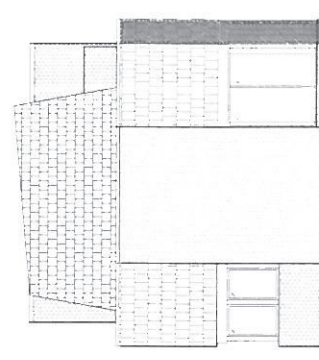
PLANNING



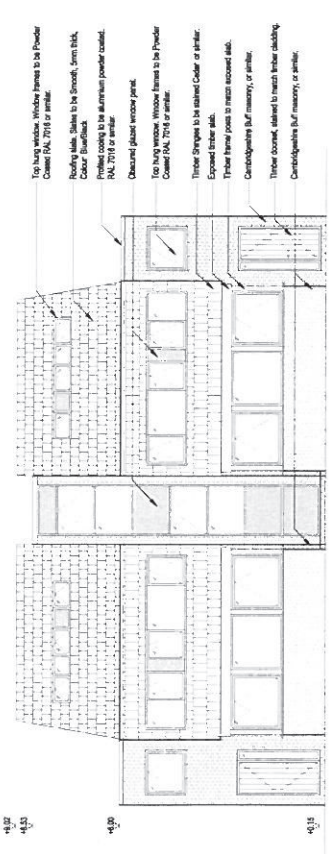
Elevation Locations
1:125



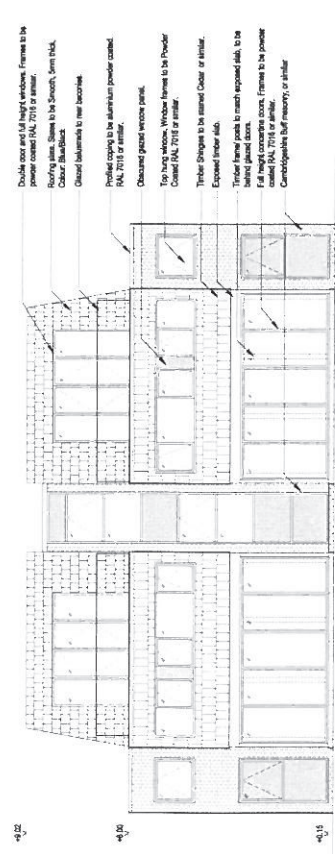
Side Elevation (Elevation B)
1:75



Side Elevation (Elevation D)
1:75



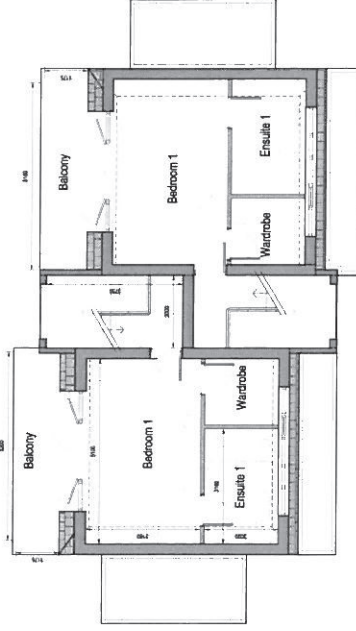
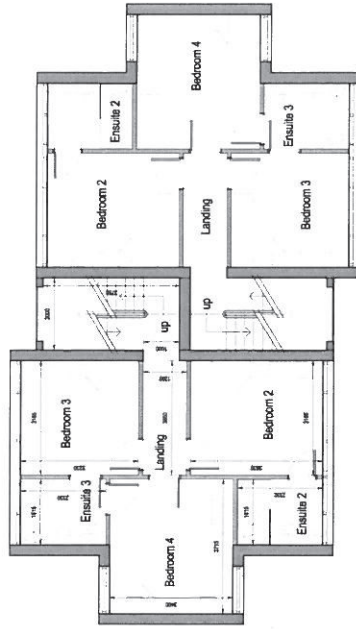
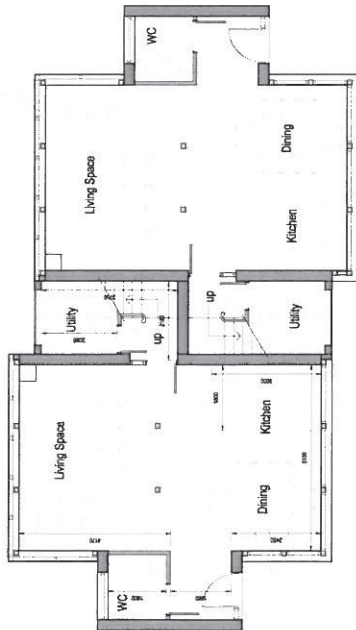
Front Elevation (Elevation A)
1:75



Rear Elevation (Elevation C)
1:75

- Top hung window. Window frames to be Powder Coated (RAL 7016 or similar).
- Roofing tiles. Slates to be smooth, 5mm thick, Colour: Bushblack.
- Profile coating to be aluminium powder coated, RAL 7016 or similar.
- Decorative glaze window panel.
- Top hung window. Window frames to be Powder Coated (RAL 7016 or similar).
- Thinner sashes to be stained Cedar or similar. Exposed timber sash.
- Thinner frame joints to match sash.
- Cartridge/sash buff masonry, or similar.
- Thinner doors, stained to match timber cladding. Cartridge/sash buff masonry, or similar.

- Double door and full height windows. Frames to be powder coated (RAL 7016 or similar).
- Roofing tiles. Slates to be smooth, 5mm thick, Colour: Bushblack.
- Clad externally to rear facade.
- Profile coating to be aluminium powder coated, RAL 7016 or similar.
- Obscured glaze window panel.
- Top hung window. Window frames to be Powder Coated (RAL 7016 or similar).
- Thinner sashes to be stained Cedar or similar. Exposed timber sash.
- Thinner frame joints to match sash. To be stained glaze doors.
- Full height concrete door. Frames to be powder coated (RAL 7016 or similar).
- Cartridge/sash buff masonry, or similar.



Ground Floor Net Area: 56.75m² = 610.85ft²
 First Floor Net Area: 56.75m² = 610.85ft²
 Second Floor Net Area: 35m² = 376.7ft²
 Total Net Area: 148.5m² = 1598ft²

PLANNING

		CLIENT Enterprise Property Group Limited PROJECT: Redwood Road Cambridge	DATE 01/02/2011	SCALE 1:100	NO. 1107-488-045-100	REV. A
Do not scale from this drawing, use figured dimensions only. All dimensions to be checked on site. All drawings to be read in conjunction with other contract documentation. Any discrepancies to be reported to the Contract Administrator before any work commences. © Copyright Cavalleri Partnership Ltd		TITLE Ground, First and Second Floor General Arrangement Plan	DATE 15/07/11	SCALE 1:100	NO. 1107-488-045-100	REV. A
CAVALLERI PARTNERSHIP 148, A, Ferry Road Farm, Redwood Estate, Madingley Road, Cambridge, CB4 1TD, UK T: 01223 425041 F: 01223 425042 www.cavalleri.co.uk Registered Number 02628245						
Rev. A	Date 01/02/11	Description Final, locked as per client request.	OTC MC	Drawn DM	Checked MC	

WEST / CENTRAL AREA COMMITTEE25 August 2011
7.00 - 10.15 pm**Council Members Present:****City Councillor for**

Castle (John Hipkin, Simon Kightley and Phillip Tucker)

Market (Tim Bick and Andrea Reiner)

Newnham (Julie Smith and Rod Cantrill)

Co-opted non-voting members:

County Councillors: Belinda Brooks-Gordon (Castle)

Sarah Whitebread (Market)

Officers Present:

Principal Planning Officer: Toby Williams

Environmental Improvements Manager: Andrew Preston

Committee Manager: Toni Birkin

Also Present:

Richard Preston: Cambridgeshire County Council, Head of Road Safety and Parking.

The Neighbourhood Policing Sergeants Mike Barnshaw (Central Neighbourhood) and Jayne Drury (West Neighbourhood); John Fuller, Police Community Engagement Manager; Ruth Joyce, member of Cambridgeshire Police Authority

FOR THE INFORMATION OF THE COUNCIL**11/46/WAC Apologies**

Apologies were received from City Councillors Reid and Rosenstiel and County Councillor Nethsingha.

11/47/WAC Declarations of Interest (Planning)

No interests were declared on planning issues.

11/48/WAC Planning Applications

11/0726/FUL - Victoria House, 1 Victoria Street

The committee received an application for a change of use from a 6 bedroom residence to a 4 bed sustainable boutique bed and breakfast including private residential accommodation for proprietor.

The applicant, Ms Cameron, addressed the committee and stated that she was happy to conform to the new conditions.

RESOLVED (unanimously) to approve the application, in accordance with the conditions as proposed and amended through the amendment sheet for the following reasons:

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: T9, T14, ENV6, ENV7 and WM6 Cambridge Local Plan (2006): 3/4,3/7,4/11,4/13,5/4,6/3,8/2,8/6,8/10

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 or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

11/0653/FUL- 68 Maids Causeway

The committee received an application for the construction of a one storey side and front extension.

Dr Hunter addressed the committee and made the following points in objection to the application:

- She had no objection to the plans to change the fabric of the house.
- Objection related to boundary wall which abuts a busy public road.
- The new wall will be anti-social, oppressive and intimidating.
- She raised concerns about road safety and visibility.
- A low wall with railing would be more in keeping with the character of the area.

The applicant, Dr Davis, addressed the committee and raised the following points:

- The house was not built at the same time as the earlier properties in the area.
- Design is of its time and is currently not aesthetically pleasing.
- There has never been a right of way over the land.
- Visibility on the corner will be improved by the new wall.
- Suggested materials are in keeping with other properties in the area.
- Velux windows and weatherboarding is also common in the area.

RESOLVED (unanimously) to approve the application, in accordance with conditions, subject to revising Condition 2 in line with the recommendations of the Conservation Officer, to be approved by the Chair, for the following reasons:

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

East of England plan 2008: ENV6 and ENV7 Cambridge Local Plan (2006): 3/4,3/7,3/14 and 4/11

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

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

11/49/WAC Minutes

The minutes of the meeting held on the 21st June 2011 were agreed as a correct record subject to minor corrections.

11/50/WAC Matters and Actions arising from the Minutes

11/37/WAC – Richardson Candles

The Head of Planning has contacted Mr Lawton and discussions are on-going.

11/37/WAC – Tree on Jesus Green

The Green Spaces Manager would discuss options for replanting in the autumn with Jesus Green Association.

11/37/WAC – Publishing information on Licensing Matters

Councillor Smith stated that she supported the suggestion that as much information as possible should be made public. A report on this matter would be considered at the Full Licensing Committee in October to allow the matter to be fully debated.

11/39/WAC – Observation Figures

Full details of the speeding surveys had been circulated.

11/39/WAC – Concerns to taken to Area Joint Committee

The comment of this committee had been passed on and were shared by members of the AJC.

11/40/WAC – Bollards Outside the Co-op

Councillor Smith reported some progress with this matter. However, the issue of ongoing maintenance of the bollards remains unresolved. Councillor Smith would continue to pursue this matter.

Action: Councillor Smith

11/51/WAC Declarations of Interest (Main Agenda items)

Councillor Hipkin declared a personal interest in item 11/54/WAC (Environmental Improvements) as a resident of Oxford Road.

Councillor Kightley declared a personal interest in item 11/54/WAC as a resident of Sherlock Road.

County Councillor Brooks-Gordon declared a personal interest in item 11/52/WAC as a member of the ACPO (Association of Chief Police Officers) National Working Party on Prostitution.

11/52/WAC Open Forum**1) Dick Baxter (Chair FoMSC)**

Over the last 8 months the new manager of the Fort St George pub has turned part of Midsummer Common into a public car park. Many people have complained but the Council has failed to correct the situation. This is the third time that this failure has been brought to the attention of this Area Committee.

Such is the Council's tardiness in resolving this matter, it has been

referred to the Local Government Ombudsman. The Ombudsman has given the Council until the 17 October to resolve this complaint before mounting a full investigation. How will the Executive Councillor deal with this?

Members agreed that the problems of parking on the Common were of long standing and a range of approaches had been tried. Any solution would have to meet the needs of a range of users of the space.

Councillor Cantrill stated that a stepped approach was being taken to the current dispute with Green King regarding the right to park on common land. The Ombudsman has ruled that the complaint is premature and allowed more time for a solution to be reached. Wheel clamping and asking the Police to take action had been investigated.

Interested parties had been consulted and an electric gate is currently being investigated. This would need to fit with the current visual aspect of the railing.

2) Jeremy Waller – Punting Touts

Punting touts continue to be problematic in Garret Hostel Lane. The County Council have no claim on the land and therefore riparian rights cannot be used to control the situation.

A survey was needed to assess the level of nuisance being caused and this is in hand. Investigation into ownership of the land is ongoing as this had been the main factor in addressing similar problems in the quayside area.

3) Mr Lawton – Planning consent for work on 8 Maids Causeway

Radical work appears to be taking place in this property and the planning department appear to have permitted this with very limited local consultation or suitable controls.

Councillor Bick was aware of the situation and had spoken to the planning department on the matter. Councillor Bick agreed to address this matter with Mr Lawton outside the meeting.

Action: Councillor Bick

4) Carol Leonard (Neighbourhood Watch Co-ordinator) – Prostitution

The issues of prostitution in Belmore close and Histon Road causes concern for local residents. This situation has been ongoing for a number of years.

Members agreed that the problem had increased in recent months. Considered action was needed and the street workers are a vulnerable group and heavy-handed action has been demonstrated to make the situation worse and to increase violent behaviour. The North Area Committee had also been discussing this issue. The police and other agencies are aware of the issue and are working together to find a solution. The City Rangers had been helpful in cleaning discarded condoms and drug taking paraphernalia from the streets. The committee understood Ms Leonard's frustration at the time taken to find a solution.

5) Richard Taylor – Jesus Green Lottery Bid

What progress has been made with the bid for lottery funding for improvements to Jesus Green and will the wider community have an opportunity to take part in the discussions? To date only the Jesus Green Association have been involved and they may not represent all user groups, for example, cyclists.

Councillor Cantrill responded. This issue has a long history. The current submission was essentially to assess the viability of making a full application; if acceptable in principle, a wider consultation process would take place. In addition to the Lottery, other improvements are planned. The Jesus Green Association had supported initiatives for facilities for many user groups. It is likely that further improvements would include some work to the footpaths. However, users of Jesus Green have varying views on priorities for the paths.

6) Richard Taylor – Round Church Street Wall

The wall has been repaired. Who did this?

This was not known.

11/53/WAC Policing and Safer Neighbourhoods

The Neighbourhood Policing Sergeants Mike Barnshaw (Central Neighbourhood, covering Market Ward) and Jayne Drury (West Neighbourhood, covering Newnham and Castle) presented a report on crime and policing for the three wards and made recommendations for the forthcoming period. Priorities agreed in April were discussed.

Speeding in Maid's Causeway

Police Community Engagement Manager John Fuller, reported that Speedwatch training had been completed and the volunteers had begun to

work in the area. To date no follow-up letters had been sent due to delays in the submission of paperwork. Data had been received that evening which would be considered. However, he stated that data submission needs to be timely, as a prompt follow up to check increases the likelihood that letters are acted upon.

Speedwatch volunteers reported that motorists they spoke to were not aware of the 20mph limit. It was agreed that improved signage, education and awareness was needed before this initiative achieved its desired results. A decision was expected imminently from the County Council on increased signage. Members asked for more detailed information on speeding trends and a cost-benefit analysis of the 20mph limit. The Community Engagement Manager directed members to the Cambridgeshire Police website where detailed information on speeding surveys was available:

https://www.cambs-police.co.uk/roadsafety/speed_surveys/survey_results.asp

Concerns were raised that the priority had changed from citywide to Maid's Causeway.

RESOLVED: Members agreed to retain support for the implementation of the 20mph limit as a citywide priority.

Alcohol-related crime in Sussex Street and environs

Members felt that this priority had produced the desired results. Some concerns about displacing the problem to other areas, such as Parkers Piece, were raised. The situation would be monitored and the police would continue to patrol the area. Councillor Hipkin was concerned that highlighting a priority had no impact on police actions. It was explained that the priorities allowed the police to draw on additional resources to deal with issues that intelligence from the public had raised as area of concern.

RESOLVED: To discharge this priority.

Cycle Theft in Castle and Newnham Wards

Members felt this matter should be retained as a priority.

RESOLVED: Continue the priority of reducing the number of cycles stolen in the west of the city and to bring offenders to justice.

Dwelling Burglary in Castle and Newnham Wards

RESOLVED: Discharge this priority.

Speeding in Castle and Newnham

RESOLVED: Discharge this priority.

Members discussed added additional priorities. Adding action to address prostitution as discussed in the open forum was agreed. This is already a priority for the North Area Committee.

RESOLVED: New priority of action to address prostitution and associated ASB in the Belmore Close area.

Councillor Bick recommended adding alcohol related ASB in the Grafton Centre area as a priority. This was thought to be linked to street life in the area.

RESOLVED: New priority of addressing alcohol related ASB in the Grafton Centre area.

Summary of Agreed priorities

1. Support for the implementation of the 20mph limit as a citywide priority.
2. Cycle theft in Castle and Newnham wards
 - Reduce the number of cycles stolen in the west of the city.
 - Bring offenders to justice.
3. Action to address prostitution and associated ASB in the Belmore Close area.
4. Alcohol related ASB in the Grafton Centre area.

Mr Taylor – Ruth Joyce member of Cambridgeshire Police Authority is present. Why is she not invited to the table to take part in the discussion? Recent decisions have allowed the police to use restorative justice for a much broader range of offences and this allows them too much scope to use this form of justice.

Councillor Bick responded. The city takes a positive view of restorative justice but the point is noted. The County Council can question and challenge police decisions.

Ruth Joyce stated that the Chief Executive and the Chair of the Police Authority meet regularly with the County Council.

Written Question from Vicky Hornby - Representing Cambridge Business Against Crime

Shop theft accounts for 20% of reported crime in Cambridge and 10% in Market Ward.

Much of the theft is used to fund a drink and/or drug addiction and is linked to variety of other crimes, such as drug abuse, drug dealing and anti-social behaviour, which are all mentioned regularly at these meetings.

On behalf of the local retailers, please may Cambac request Shop Theft is made an NPT priority for West/Central Area Oct-Dec?

Councillor Bick requested that the police look at this in detail with a view to adding it as a priority at the next priority setting meeting.

11/54/WAC Environmental Improvement Projects in the Highway

The committee received a report from the Project Delivery and Environment Manager regarding a recent County Council decision to request commuted sums to fund their increased maintenance liabilities created by third party funded projects within the highway and the approval of a joint highways budget with the City Council.

Councillor Cantrill reassured the committee that this was a positive situation and an opportunity that should not be missed. It presented a success in accessing funding from the County Council. It would require a reallocation of funding from some schemes to match fund. However, it should be possible to fund agreed schemes in other ways.

Councillor Hipkin proposed a new scheme for consideration. Oxford Road would require traffic mitigation measures when new developments in the area were completed. The developers would be expected to pay for these measures. However, a small sum (£1,000) now would allow a desk-top study to be undertaken on what would be required and what was achievable. This would be used to inform later debates with the developer.

Councillor Whitebread also proposed an additional item. Residents in the Kite area suffer from a lack of residents' parking bays. The area has streets with single yellow lines, which could be used for resident parking when the line is not in force, such as overnight. The cost of implementation would be relatively small.

It was noted that the Project Delivery and Environment Manager was working with the County on a number of Traffic Regulation Orders as there are economies to be made when advertising these en masse, meaning that a larger number of projects could be delivered.

Members agreed to progress all items in appendix B of the report plus the two additional schemes discussed above. However, it was noted that it may not be possible to deliver them all in this financial year.

RESOLVED (unanimously)

1. To approve funding of the commuted sums identified for increased maintenance liabilities associated with the Grantchester Road and Prospect Row Traffic Calming Schemes, totalling £7,610 from the EIP budget;
2. To allocate the required funding from the West / Central EIP budget by reducing the current funding allocated to the midsummer Common & Jesus Green Path refurbishment by £7610 to £15,676, which is currently on hold whilst sources of further funding are established;
3. To allocate £2,750 of the County Council contribution towards the Canterbury Street Traffic Calming scheme whilst maintaining a total project budget of £15,000 and to allocate the subsequent saving in EIP budget allocation to provide match funding for the remaining £2,750 County contribution;
4. To select minor highway schemes, taking into account those identified in Appendix B as amended above, for further development and consultation, with a view to providing match funding of the remainder of the County Council's £5500 contribution from the EIP budget.

The meeting ended at 10.15 pm

CHAIR



To: West Central Area Committee
Report by: John Milne, Guided Tours Manager
Relevant scrutiny committee: WEST CENTRAL AREA COMMITTEE
Wards affected: West Central Area

03/11/2011

Punt touting in the city centre

1. Executive Summary

1.1 On 28 April 2011, West Central Area Committee considered a report from the Safer Communities Manager regarding punt touting and related anti-social behaviour issues. The Committee agreed that the Council should:

- Assess the degree to which punt touting on King's Parade is detrimental to the visitor/resident experience.
- Assess whether the ownership of the land by Garrett Hostel Bridge, which is used for embarkation, can be identified.
- Talk to the County Council about how they might use any powers of control they have as a highway authority.

It was also agreed that the Council would continue to lobby the Secretary of State regarding the power to create by-laws.

1.2 This report provides an update on the steps currently being investigated and considered to address concerns about punt touting. The report includes the results of a visitor survey, an update on possible legal solutions and an update on the ownership status of Garret Hostel Lane. The report concludes that there is a mixed reaction to touting, but also that it's an irritant for a significant number of people and concludes that the Council should continue to investigate possible solutions.

2. Recommendations

2.1 It is recommended that members and others consider the contents of the report and the possible solutions and associated implications on Council resources.

3. Background

3.1 Punt touting started in Cambridge in 1993 at the Silver St/Mill Pond end of the river and gradually expanded until 2004/5 when a voluntary Code of Conduct was put in place to limit the numbers and areas that touts could operate in this vicinity.

3.2 There is still a gentlemen's agreement in place between two of the companies operating from the Mill Pond, Scudamore's and Cambridge Chauffeur Punts, which divides Silver St into 2 areas where each will have their touts. Both companies

restrict their touts to this area, the other company operating from the Mill Pond, Granta Punts, rarely employ touts.

- 3.3 Companies operating from Quayside and La Mimosa have touting restrictions placed on them by Cambridge City Council as landowner and Trinity College Punt Scheme, which operates from Trinity College frontage, has not employed touts to date.
- 3.4 Few official complaints regarding the behaviour of punt touts have been received by Visit Cambridge or the Safer Communities team, however this is not seen as a true indication of the problem as dissatisfaction arises from repeated approaches rather than by an individual. A higher number of unofficial “word of mouth” complaints are received by Visit Cambridge.
- 3.5 There are a limited number of stages from which punts can legitimately operate. From our knowledge, the last remaining area of the historic city riverbank where there are no restrictions (or no restrictions currently being applied) is at Garrett Hostel Bridge. It is from this area that many of the smaller operators work, and it is from this area that any new entrant to the industry would likely have to work. As a consequence this part of the river can become crowded
- 3.6 The main summer seasons of 2010 and 2011 have seen a large increase in the number of touts operating in the King’s Parade area, the vast majority of the touts are employed by the businesses operating from Garret Hostel Lane.
- 3.7 The regulation of craft on the river is the responsibility of the Cam Conservators. The Conservators are the statutory navigation authority for Cambridge between the Mill Pond at Silver Street to Bottisham Lock. They also have some lesser responsibilities upstream of the Mill pond to Byron’s Pool. The Conservators’ role is to ensure that the river is kept in a “navigable state;” that a balance is maintained between the needs of the various river users and the river users and owners of the riverbank, and to manage the river environment.
- 3.8 Arising from their role, the Conservators enforce the byelaws of the River Cam. Considering only those elements of the byelaw that relate to punting, this requires that any “pleasure boat” using the Cam must be registered annually with the Conservators. As a condition of registration, punt owners are required to accept a Code of Conduct that relates largely to safety and identification.
- 3.9 The Council has been working closely with the Cam Conservators on the issues raised. At their meeting on 29th September the Cam Conservators decided that persons seeking to operate commercial punts must operate from an officially recognised punt station. The Conservators identified the following sites as recognised punt stations:

- Granta Mill Pond
- Mill Pit east
- Mill Pit west
- Trinity College frontage
- Quayside
- La Mimosa

The conservators also stipulated that operators must be able to provide evidence that he or she has the permission of the land owner or occupier to use that punt operating station.

- 3.10 The new policy will take effect from April 1st 2012 with the effect that businesses operating from Garret Hostel Lane will not be granted a commercial license.
- 3.11 The Conservators new policy is a very important development that has the potential to considerably improve the position but might also present us with new difficulties (for example trespass).

Punt Survey

- 3.12 Survey was carried out by Visit Cambridge to assess the degree to which punt touting on King's Parade is detrimental to the visitor/resident experience.
- 3.13 The survey was conducted in July and August and 94 visitors, 65 residents/city centre workers and 39 businesses were questioned regarding their experience of touting in the city centre.
- 3.14 The survey showed that, on the whole, visitors did not feel that touting had an adverse effect, although a small but significant number felt that it did. However a much larger proportion of residents/city centre workers and businesses felt that punt touting adversely affected their experience of the city centre and had a negative impact on their business.
- 3.15 The survey also included a "head count" of the number of touts operating in the King's Parade area on 10 separate days between late June and late July. The maximum number of touts observed on any one day was 29, the average over the 10 days was 23.

Visit Cambridge Ticket Sales Agreement

- 3.16 The Council is proposing to broaden the range of operators for whom it sells tickets through the Visit Cambridge toursim service, through the introduction of a punt ticket sales agreement. This agreement will include a set of criteria and Code of Conduct to which all punt operators will need to comply in order that the Visit Cambridge service can sell tickets on their behalf.
- 3.17 The criteria will be aimed at improving the level of customer service, reducing touting and ensuring a high quality and safe experience. The agreement will be developed through close consultation with the Cam Conservators and the punt operators. All operators who currently hold a commercial punt license will be consulted on the criteria in November and a report setting out these proposals will go to the Strategy and Resources Scrutiny committee on 16th January 2011.

Legal powers available to control punt touting

3.18 Byelaws

- 3.18.1 There is a byelaw in place that prohibits touting "in such a manner as to cause obstruction or give reasonable grounds for annoyance to any person in that street or public place." It has proved difficult to gather evidence that would support

prosecution of punt touts under the byelaw and, to date, only one prosecution has been brought.

3.18.2 One possible option would be to seek to regulate punt touts to a greater extent through a byelaw; for instance by seeking to prohibit touting in designated areas. However, consultation would be needed before making a byelaw of this nature. A byelaw would also be subject to confirmation by the Secretary of State.

3.18.3 Enforcement would be by way of prosecution, with a maximum penalty of £200. The introduction of powers to enforce byelaws by way of fixed penalties would aid enforcement.

3.18.4 The Council has been lobbying the Government strongly for the implementation of powers introduced in legislation passed in 2007, which would give local authorities greater freedom to make byelaws to address local needs and which would apply fixed penalties to byelaws. Representations have been made to the Secretary of State for Communities and Local Government and to the Permanent Secretary.

3.19 Local legislation

3.19.1 Some local authorities have sought to tackle problems of this nature by local legislation extending the scope of street trading laws.

3.19.2 Current legislation outside London limits street trading laws to the sale of goods. Some councils have used local Acts of Parliament to extend their remit to include the sale of services.

3.19.3 Canterbury City Council has gone further by promoting a local Bill that, if passed by Parliament, would allow the City Council there to prohibit touting in designated areas, with breach punishable by a maximum fine of £1,000.

3.19.4 The cost of promoting local legislation of this kind is likely to be between £30,000 and £40,000 – possibly more.

3.19.5 The report of the Select Committee which considered earlier bills extending street trading powers, allowed those bills to proceed but expressed "strong reservations about the use of piecemeal private legislation to remedy perceived problems in national legislation" and recommended that "the Government should undertake an urgent review of the law on trading in the streets and selling from door to door with a view to producing national legislation which reflects current conditions." It would be open to the Council to lobby for the touting issue to be addressed on a national basis.

3.20 Land ownership

The Council has incorporated touting restrictions in the lease to Scudamores at Quayside and within the La Mimosa licenses. (There is also a voluntary agreement among the businesses operating from the Mill Pond regarding touting.)

Ownership of Garret Hostel Lane

3.21 The Council have commissioned research into the ownership of this land. This is not straightforward, as it involves investigation into historical records going back more than 200 years. The research is close to completion, requiring only the

inspection of some early 19th Century documents held by Trinity College. Once this is complete, we will be able to form a view of the implications.

Conclusion

- 3.22 Punt touting is an irritant for a small but significant number of visitors and a larger proportion of residents and business and warrants further work into the measures available to address the issues.
- 3.23 The Council should continue to lobby Central Government to review the national legislation regarding the laws on trading in the streets and also to implement the powers introduced in legislation passed in 2007, giving local authorities greater freedom to make byelaws to address local needs.
- 3.24 The Council should monitor the effect of the of new regulations introduced by the Cam Conservators and work with the Conservators to monitor and develop responses to any breaches of the regulations.
- 3.25 The Council should draft and promote a Code of Conduct for all companies operating commercially on the river. The code would be used to promote best practice and limit touting to specific areas of Cambridge. Although the code would be voluntary, those signing up to the code would receive a form of Kite Mark to indicate that they are operating to agreed standards. The Code of Conduct would be compulsory for those companies wishing to have their tickets sold through the Tourist Information Centre and those operating from land owned by Cambridge City Council.

Contact Details

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Visit Cambridge
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Report by: Cambridgeshire Community Foundation

To: Area Committee – West / Central, Nov 2011

Wards: Castle, Newnham and Market

Community Development /Leisure Grants 2011/12
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1. Introduction

This report reminds members of the process for the allocation of Community Development and Leisure grants by Area Committees, seeks approval for applications which have been assessed and, merely for background information, lists all applications which have been / are under review in the current year.

The application process has been managed by Cambridgeshire Community Foundation (CCF) from April 09. CCF advertise available funds; support potential applicants; assess applications; present recommendations to Area Committees; advise applicants of Area Committee decisions; make grant payments and seek feedback and monitoring from the funded projects. *CCF does not therefore make decisions on the grants awarded from the Area Committee funds.*

2. Background

The Executive Councillor has approved the following allocation of 10% of the total Community Development grants budget and 5% of the total Leisure grants budget for area committee grants. It has been calculated using population levels and is also weighted to give additional funds to areas of economic disadvantage as defined by the City Council's *Mapping poverty* research report.

2011-12						
Area	Population	Mapping Poverty score	Combined score	Community Development £	Leisure £	Total £
North	29%	40%	36.5%	17,200	4,570	21,770
East	29%	35%	32.8%	14,930	3,970	18,900
South	21%	20%	20.4%	9,250	2,460	11,710
West Central	21%	5%	10.3%	4,720	1,250	5,970
Total				46,100	12,250	58,350

3. Recommendation to be considered for funding from the 2011-12 budgets.

3.1

West / Central Area Community Development 2011-2012 spend to date: £3,800

West / Central Area Leisure 2011-2012 spend to date: £0

3.2 To consider the grant applications and agree recommendations detailed below.

CCF ID	Group	Project	Requested £	Recommended by CCF from Area Funds £
WEB30309	St Augustine's Church	to help fund a programme of running events.	£2,000	£2,000 (being £920 from Community Development budget and £1,080 from the Leisure budget)

4. Grant application background information

West / Central Area Committee 2011-12 grants	CCF ref WEB30309
Date received by CCF: 31 Aug 2011	
Applicant: St Augustine's Church	Ward(s) : Castle
<p>Purpose of group: The church seeks to serve the spiritual and other needs of the community in this part of north west Cambridge. One of its principal aims is to work with local residents' associations and voluntary bodies to provide a programme of events to which all are welcome : this includes talks, concerts and other events at the church hall for which there is no entry charge or a nominal one only. It forms part of our mission to develop the church as a centre for the local community : already it offers a venue for about 20 local groups meeting regularly throughout the week. The majority of the groups are in effect subsidised by church members through reduced rents for the hire of the hall. The Friday Nights at St Augustine's events programme fits within that general mission.</p>	
<p>Project: Friday Nights At St Augustine's</p> <p>Breakdown of costs: Fees £1,200, Refreshments £750, Hall rents £400, Publicity £600 –(flyers for each event £20 plus posters and programme advertisement,) Licence £20, and catering materials £30.</p>	
Total cost: £3000	Requested: £2,000

Expected benefits or outcomes as a result of funding as described by the applicant: “The programme aims to build up this local community and is doing so by being inclusive and offering local people ready access to a building which has served the community for over 100 years as an infant school and church - there is no council run community centre within easy reach and we understand that we are not a priority area.

The church is working hard with other groups locally to support them in terms of what they are able to offer the local community - ranging from uniformed organisations to residents' associations to specialist interest groups. All have a place in a diverse and vibrant community and this programme of events and the further activities which it may spawn can be a catalyst for them - by encouraging participation for example in other group activities at the hall or in the wider community.” **Number of beneficiaries:1000**

Background information: CCF Comments:
 Feedback from last year show the events were well supported by the community (the average audience was over 50 with 75 attending one of the talks and a 100 one of the concerts) and the events represented a strong match to the Area Committee Fund criteria as they attracted “*people whose opportunities are restricted by disability, low income or discrimination*”
 The events have led to an increase in new bookings for the hall and new courses being available locally, building up the community base of the area.

Previous funding from this Area Committee: £1500 awarded in 10/11 to cover the cost of musicians and publicity for events held at the church,

CCF recommendation: £2000

5. Status of other recent applications from groups based in, or working in the West/Central Area

CCF ID	Group	Project	Status
WEB 13132b	Friends of Histon Road Recreation Ground.	To fund a one day community event in July.	Awarded £1,500 via Chair’s action.
WEB18175	Castle Community Action Group	to fund meetings and social events.	Awarded £450 at April Area Committee meeting
WEB17950c	Friends of Histon Road Cemetery	to cover a third of the costs of an open day in July 2011	Awarded £450 at April Area Committee meeting
WEB24336	Windsor Road Residents Association	for administration, communication and social activities and meetings.	Awarded £400 at April Area Committee meeting
WEB25381	Oxford Road Residents Association	entertainment for fete.	Awarded £500 at April Area Committee meeting
WEB25215	Kettle's Yard	to fund the Tea Kettle project, a partnership between Kettle’s Yard, the	Awarded £500 at April Area Committee meeting

		Cambridge & County Folk Museum and Storeys House.	
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6. Summary

If the above recommendations are agreed, the following budget will be available for later applications

2011-2012	Budget £	Allocated £	Remaining £
Community Development	4,720	4,720	0
Leisure	1,250	1,080	£170
Total	5,970	5,800	£170

BACKGROUND PAPERS and research used in the preparation of this report:
 Grant applications.
 Monitoring from previous grant awards
 Telephone interview.

To inspect these documents contact Marion Branch on 01223 410535 or marion@cambscf.org.uk

Appendix 1

Area Committee grant conditions

Community development grants enable projects which provide services or activities to benefit people living in one of the four areas of Cambridge City. Priority will be given to projects that are aimed at those people whose opportunities are restricted by disability, low income or discrimination.

1. Funds may also be used to meet any needs specific to its area as determined by the area committee.
2. Each area committee may decide to reserve part of its budget for one or more of these purposes. Grants may be awarded for capital or revenue expenditure.
3. Applications will be invited from:
 - constituted voluntary and not-for-profit organisations.
 - groupings of local residents able to meet basic accountability requirements.
 - partnerships of constituted group(s) and local residents.

Statutory agencies (such as Parish Councils and Schools) and commercial ventures are not eligible to apply.

4. There is no upper limit on application or grant award levels.

5. Members will generally be asked to consider and decide on applications twice a year.
6. Grants may be made between meetings if the applicants can demonstrate that they are unable to wait for the next scheduled grants meeting. CCF will consult with the Chair and, where relevant, ward members. The full committee will be notified at the next appropriate meeting.
7. Grants from Area Committee will not generally be made retrospectively.
8. Grants will be publicised, administered and monitored by CCF.

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To: West/Central Area Committee 03/11/2011

Report by: Andrew Preston
Project Delivery & Environment Manager

Wards affected: Castle, Newnham and Market

ENVIRONMENTAL IMPROVEMENT PROJECTS

1. Executive summary

- Consultation on the replacement of two highway trees on Fitzroy Street has recently completed and the results are presented in this report. The Committee are asked to decide whether to approve the implementation of replacement trees.
- The Committee are requested to approve the implementation of the Manor Street/King Street cycle rack and resurfacing scheme.
- The Committee are asked to decide whether to continue the Gough Way bridge replacement scheme, following the decision by Jesus College not to agree to the adoption of the route as a public right of way by the County Council.

2. Recommendations

The West/Central Area Committee is recommended:

- 2.1 To approve the replacement of the two highway trees on Fitzroy Street as part of the approved Fitzroy/Burleigh St refurbishment scheme.
- 2.2 To approve the implementation of the Manor Street/King St Scheme at a cost of £9,000.
- 2.3 To approve the sealing of a license between Cambridge City Council and Jesus College, in order to regulate the agreement to provide cycle racks and carry out resurfacing on land owned by Jesus College at the Manor Street/King Street junction.
- 2.4 To approve the replacement of the Gough Way Bridge to improve access for cyclists and pedestrians along the Gough Way path, despite the lack of its adoption as a public right of way by the County Council.

3. Background

Fitzroy Street Tree Replacement

- 3.1 The refurbishment works that have taken place in Fitzroy Street and Burleigh Street have upgraded street furniture and street lighting, removed redundant facilities, completed new paving work and, where underground utilities allow, will shortly plant new trees in Burleigh Street.
- 3.2 Before the project is completed, further work is planned by the Highway Department of the County Council to maintain the street surface. As part of this they propose to resolve the trip hazards caused by the surface roots of two of the four Ash trees at the western end of Fitzroy Street. An image of this problem can be found in Appendix B of this report.
- 3.3 Within the City Council refurbishment works, the original intention was to construct a plinth at the base of the two trees to encase and accommodate the surface roots. However over the past 12 months the surface roots have become much more prominent, meaning that a plinth would need to be much larger than anticipated and would obstruct the highway and entrances to nearby shops. There is also a possibility that with the rate of recent root growth a plinth would not solve the problem in the long term.
- 3.4 The proposed alternative is to remove the two Ash trees and to replace them with two new semi-mature Ash trees. These would be planted using a proprietary root cell system, a new technique that provides improved growing conditions for the roots to remain below the pavement.
- 3.5 The new trees would be of a variety with a slightly tighter crown, reducing conflict with surrounding buildings.
- 3.6 The City Council are committed to keeping trees in Fitzroy Street because they enhance and soften the streetscape. This proposal would enable new trees to become established ahead of any similar problem with the other two trees, thereby reducing the possibility of a protracted barren period along the street.
- 3.7 By adopting the new root cell technology, we would also be providing more sustainability for the new trees in the very challenging street environment.

- 3.8 This tree work would be completed as part of our refurbishment project, co-ordinated carefully with the County Council's surface maintenance work in order to rectify the damaged surfacing in the vicinity. The plan in Appendix C shows the location of the trees proposed to be replaced and the underground area of the new root cell system.
- 3.9 Aware of the concerns that arise when faced with a situation such as this, we have held discussions with surrounding traders and resident association representatives and are grateful for their input to the proposal.
- 3.10 Consultation has also taken place more widely to invite views on the proposed solution to this problem and whether this approach is supported.
- 3.11 Although the County Council has a legal responsibility to prevent unsafe obstacles in the highway, they have agreed to take the results from this consultation into account.
- 3.12 Just over four hundred leaflets were delivered to the consultation area illustrated in Appendix D. A total of twelve responses were received, seven in support and five objecting to the proposals. A summary of the responses can be found in Table 1 of Appendix B.
- 3.13 Officers and Ward Councillors were also available one evening at the location of the trees in question on Fitzroy Street, to discuss any concerns or questions that residents had regarding the proposals.
- 3.14 The consultation carried out has shown that the majority are in support of the approach to replace these trees. It is therefore recommended that the work be implemented as proposed.
- 3.15 If approved the work will be carried out at the same time as the remaining County Council maintenance work. This is programmed to start early in the New Year, once the Christmas period is complete.

Manor Street/King Street

- 3.16 This project involves the installation of cycle racks attached to a private wall owned by Jesus College, tree pit surface and edging treatments and resurfacing of the surrounding damaged paving areas, also owned by Jesus College, at a cost of £9,000.
- 3.17 The images in Appendix E show the area in question at the junction of King Street and Manor Street.
- 3.18 The cycle racks will replace the current disused concrete tyre trap style units to provide secure cycle parking for up to six cycles.
- 3.19 As the land is privately owned, an agreement between the landowners and the City Council has had to be drafted in the form of a license.
- 3.20 This license provides the basis by which the City Council will provide the cycle racks and resurfacing that will become the responsibility of the landowners on completion.
- 3.21 Both parties and their legal representatives have approved the content of this license and all that remains is for this Committee to approve implementation of the project.

Gough Way Bridge Replacement

- 3.21 This scheme proposes to replace the footbridge over the Bin Brook on the footpath between Gough Way and Cranmer Road at a cost of £25,000.
- 3.22 The first section of this route from Gough Way to the bridge is owned by the City Council, with the final part from the bridge to Cranmer Road owned by Jesus College and the subject of a lease agreement with the City Council.
- 3.23 The use of the route is then the subject of an agreement between the City Council and residents of Gough Way.
- 3.24 In order to simplify these arrangements the County Council had agreed to adopt the whole route as a public right of way and maintain it accordingly.
- 3.25 The capital cost of upgrading the bridge would therefore be funded by West/Central Area Committee's EIP budget and immediately adopted by the County Council.

- 3.26 However, Jesus College will not agree to the adoption of the route across their property.
- 3.27 The current lease for the Jesus College section of the path terminates in 2017. There is therefore a risk that the College will not grant a new lease in the future, despite their best assurances that this will not be the case.
- 3.28 The Committee therefore needs to decide whether to invest in the upgrade of the existing footbridge, to greatly improve accessibility, whilst taking into account the potential for the demise of the route should Jesus College not grant a new lease in the future.

5. Background papers

None

6. Appendices

APPENDIX A

West/Central Area Committee Budget Table.

APPENDIX B

Fitzroy Street tree replacement image and consultation responses.

APPENDIX C

Plan of proposed Fitzroy Street tree replacements.

APPENDIX D

Fitzroy St tree replacement consultation area.

APPENDIX E

Manor Street/King Street scheme location.

APPENDIX F

Gough Way Footpath bridge scheme location.

7. Inspection of papers

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

Author's Name: Andrew Preston
Author's Phone Number: 01223 457271
Author's Email: andrew.preston@cambridge.gov.uk

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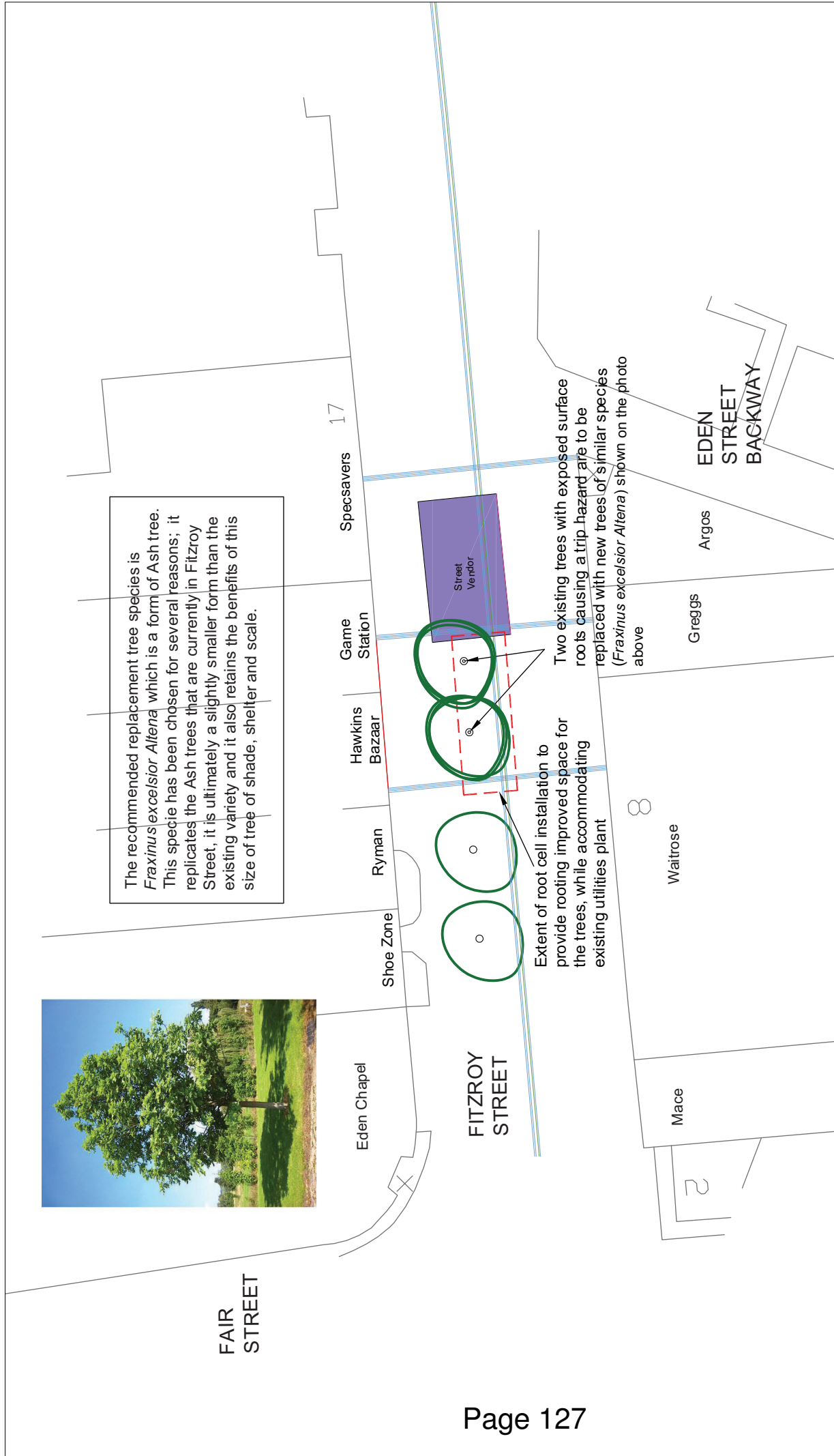
IMAGE OF TREE ROOT PROBLEM ON FITZROY STREET**TABLE 1. FITZROY STREET TREE CONSULTATION RESPONSES**

No.	Type of response	Support	Objection	Comment
1	Letter	1		In support and requesting more tree planting particularly where trees have been taken out in the past
2	form		1	Should not fell healthy trees. Potential trip hazards should not be priority of Council. Supply benches as an alternative.
3	form		1	Suggests that the Council ask for evidence that the rootcell system works. Install benches at base of trees to solve problem.
4	form	1		No comment.
5	email	1		Pleased trees being replaced. Surprised we had to consult over this.
6	phone	1		Supports Proposal
7	form		1	Replacement of trees is waste of money. Trees are fine. There are plenty of other pavement trip hazards in the City not being addressed. Suggests spend money on stopping dog fouling on Midsummer Common.
8	email	1		Sensible idea and proposals welcomed.
9	email		1	No comment.
10	form	1		Anonymous. No comment.
11	email	1		No comment.
12	form		1	Trees are healthy. Cordon off area. There are other pavement trip hazards in the City.
TOTALS		7	5	

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The recommended replacement tree species is *Fraxinus excelsior* *Altena* which is a form of Ash tree. This species has been chosen for several reasons; it replicates the Ash trees that are currently in Fitzroy Street, it is ultimately a slightly smaller form than the existing variety and it also retains the benefits of this size of tree of shade, shelter and scale.




Project: Fitzroy Street/Burleigh Street refurbishment
Drawing: Proposed Tree Replacement
Job Ref / DWG.No 020 151 50 B
Revision

Scale NTS	By TN	Checked DFN	Date 27/06/2011
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Revision	Date	By	Details

ENVIRONMENT DEPARTMENT
 Project Delivery and Environment Team

Simon Payne, Director of Environment
 CAMBRIDGE CITY COUNCIL
 The Guildhall Cambridge CB2 3QJ
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**ENVIRONMENT DEPARTMENT
PROJECT DELIVERY & ENVIRONMENT**

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Rev	Date	By	Chk	App	Details

DO NOT SCALE
Figured dimensions must be taken in preference to scaled dimensions.

Scale NTS	By: DFN	Date 20 Sept 2011
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Project: Fitzroy Street tree replacement

Drawing: consultation coverage

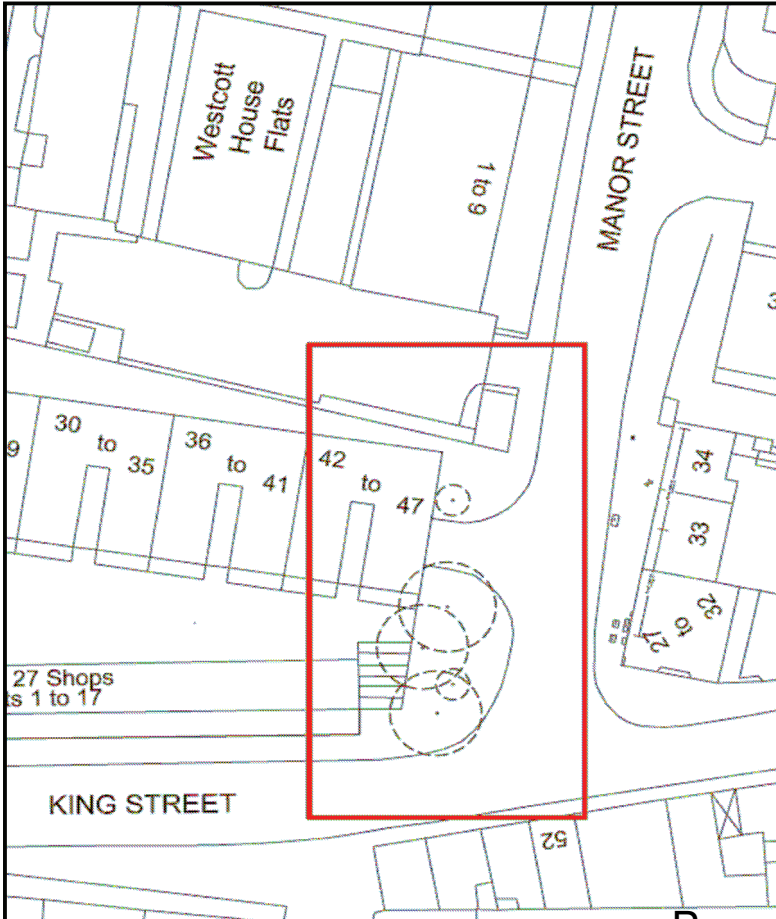
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IMAGE OF MANOR STREET/KING STREET LOCATION



LOCATION PLAN - Manor St/King St Scheme

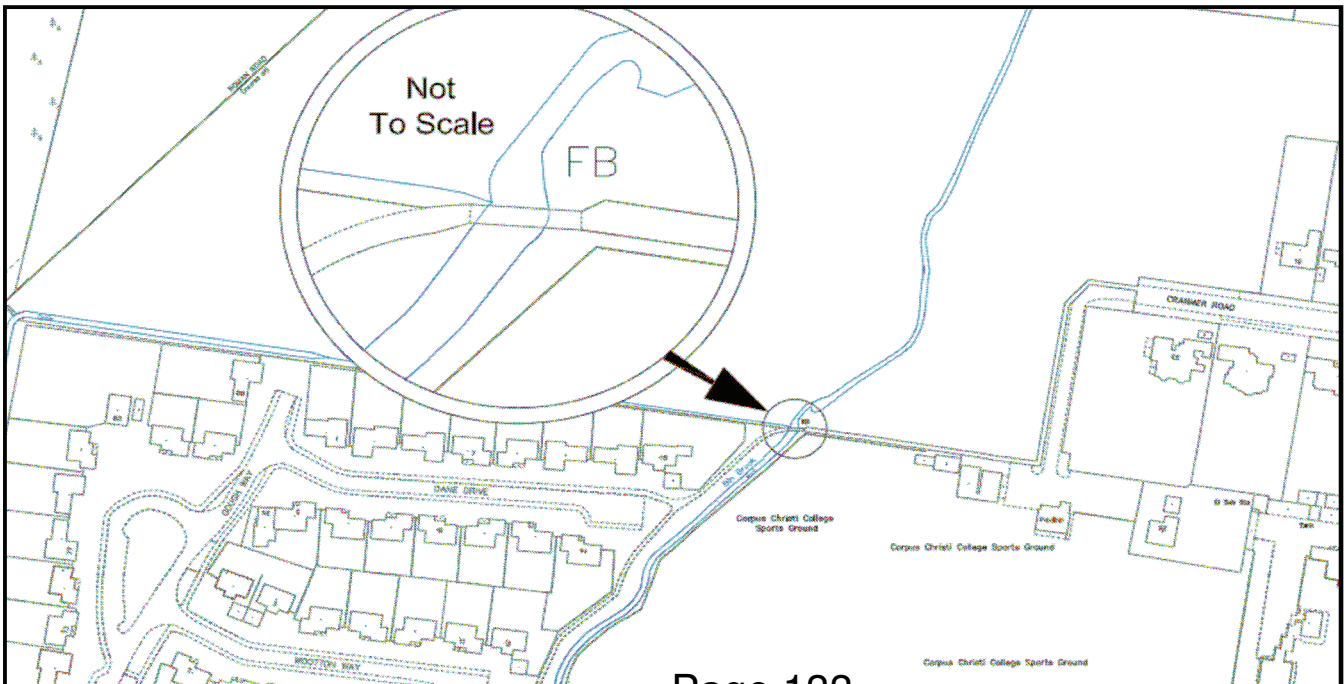


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IMAGE OF EXISTING GOUGH WAY BRIDGE



LOCATION PLAN - Gough Way Footpath Bridge



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