

<b>Application Number</b>	12/0164/DEMDET	<b>Agenda Item</b>	
<b>Date Received</b>	29th February 2012	<b>Officer</b>	Miss Sophie Pain
<b>Target Date</b>	25th April 2012		
<b>Ward</b>	Abbey		
<b>Site Proposal</b>	14 Mercers Row Cambridge Cambridgeshire CB5 8HY Demolition of single storey industrial buildings (2no) of brick construction under felt flat roof with fibre cement pitched roofs.		
<b>Applicant</b>	Mr James Blott The Guildhall Market Square Cambridge CB2 3QJ		

---

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

- 1.1 The site lies within an existing industrial area comprising a mix of B1, B2 and B8 uses. To the southeast is the Dairy Crest distribution centre, the northeast a plant hire business, the northwest the SCA Recycling centre, which is located on a substantial portion of land and opposite are car and portacabin storage uses. Further along Mercer's Row to the southeast are generally lighter industrial business uses with some wholesale/partial retail activity.
- 1.2 Mercer's Row is accessed from Newmarket Road down Swann's Road, which is one-way. Access out of the site would generally be southeast via Mercer's Row and then north along Garlic Row - a mainly residential street - to rejoin Newmarket Road. The site is accessible to pedestrians, although the direct route is interrupted by access to the Dairy Crest site adjacent. There are no parking restrictions directly outside the site boundary. There are parking bays opposite on the southern side of Mercer's Row and double yellow lines extend on the north side of Mercer's Row in line with the Dairy Crest building.
- 1.3 The site is located in the intermediate office restriction zone and is allocated as a protected industrial site in the Cambridge Local Plan (2006).

## **2.0 THE PROPOSAL**

- 2.1 Prior approval is sought for the demolition of 2 brick built single storey industrial units , under Part 31 of the General Permitted Development Order (1995).
- 2.2 The applicant has submitted:
- 1) Site plan edged in red

2) Demolition site notice

2.3 The application is brought before East Area Committee because the applicant is the City Council and it is considered that the demolition of 14 Mercers Row is not of a minor nature.

### 3.0 SITE HISTORY

Reference	Description	Outcome
11/1432/FUL	The Replacement of buildings with new buildings for taxi firms offices, call centre, workshop and carwash, and restroom, snack bar and smoking area.	REFUSED

### 4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	No
	Site Notice Displayed (by applicant):	Yes

### 5.0 LEGAL FRAMEWORK

5.1 The Town and Country Planning (General Permitted Development) Order 1995.

### 6.0 CONSULTATIONS

#### Cambridgeshire County Council (Engineering)

6.1 No comment.

#### Head of Environmental Services

6.2 This application for demolition is on a site, which is within an industrial that backs onto Stourbridge Common. Although there are no residential properties in close proximity to the site it has been known for noise from these industrial units to travel across the common and affect properties in East Chesterton. With this in mind I recommend the standard demolition hours be attached should permission be granted.

#### Building Control

6.3 Building control will need to be notified prior to the demolition and application forms have been sent to the agent/applicant.

### 7.0 REPRESENTATIONS

7.1 No representations have been received

## 8.0 ASSESSMENT

- 8.1 The Town and County Planning (General Permitted Development) Order 1995, Part 31, Class A, sets out the criteria for demolition to fall within the scope of 'permitted development'.
- 8.2 The Local Planning Authority must agree that the proposed works are permitted development and decide whether or not prior approval is required regarding the method of demolition and the proposed restoration of the site. The Local Planning Authority cannot contest the principle of development.

### Permitted Development Criteria

- a) Development is not permitted where it has been rendered unsafe or otherwise uninhabitable by action or inaction of any person having an interest in the land.
- b) It is practical to secure safety or health by works of repair or temporary support.
- 8.3 No evidence has been submitted to demonstrate that the buildings are rendered unsafe or that it is uninhabitable by action or inaction of any person having an interest in the land. Neither is the building a dangerous structure.
- 8.4 The applicant wishes to exercise their permitted development rights to remove the building in order to clear the site to facilitate the possible development of the site.

### Conditions of Part 31

- The applicant has provided the Local Authority with the necessary notice and written description of development in accordance with Part 31.
- Neither a method statement or restoration statement have been submitted because the contractors have not been appointed. However, it is not considered that a method statement is required prior to the demolition of the buildings because they are located in an industrial area, away from the public highway and the buildings are not of any architectural merit that might require the materials to be salvaged.
- Colleagues have recommended the imposition of a condition relating to controlled working hours. Only conditions relating to the method of demolition or proposed restoration are applicable under part 31.
- The land is not the subject of a planning permission which might mean the buildings are 'excluded from demolition' under A3, (a) of Part 31.

## 9.0 CONCLUSION

Prior approval is granted for the demolition of the buildings, subject to conditions regarding controlled working hours.

## 10.0 RECOMMENDATION

**PRIOR APPROVAL GRANTED** subject to the following conditions:

1. 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)

## LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

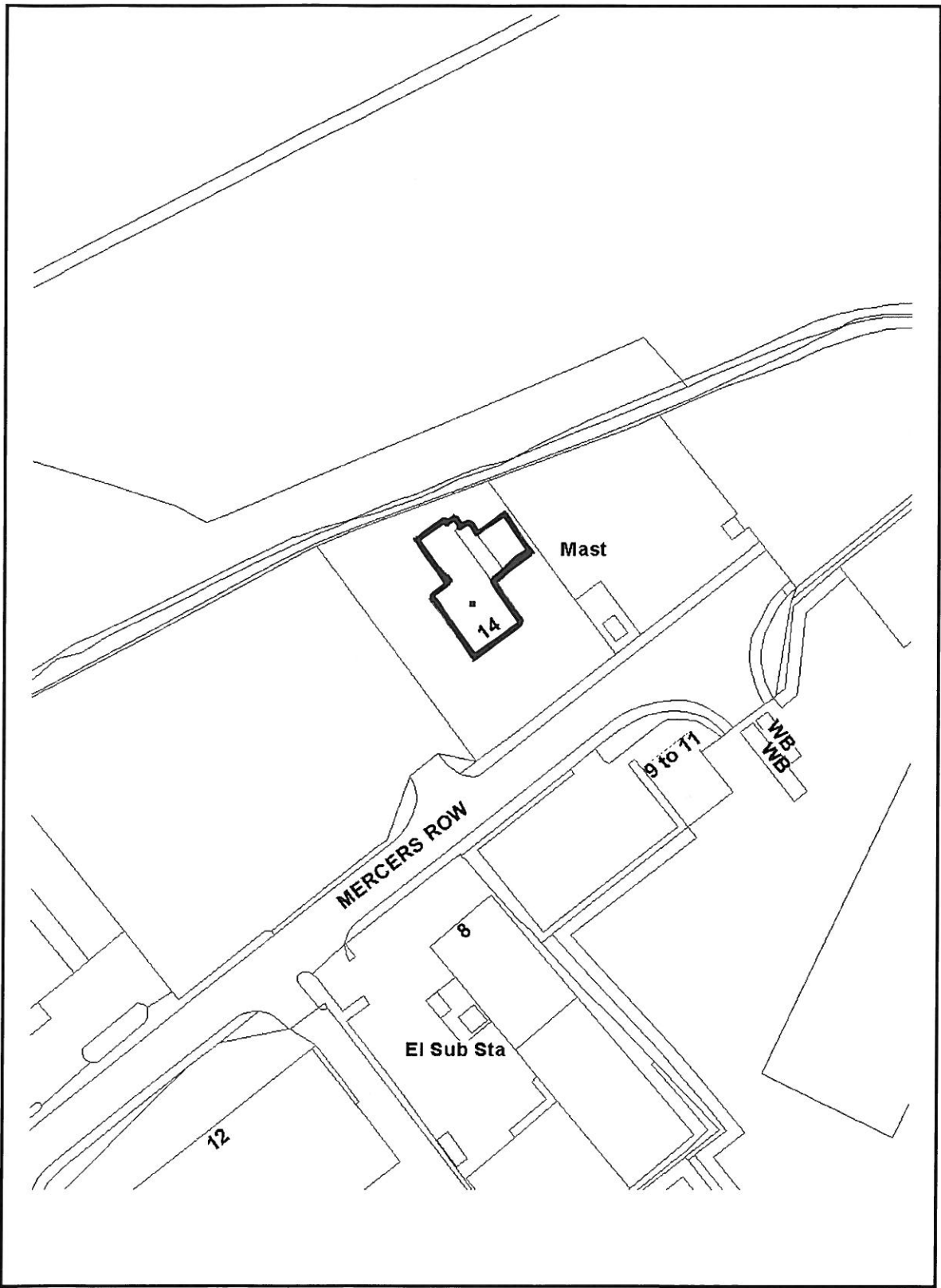
Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

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

These papers may be inspected on the City Council website at:

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

or by visiting the Customer Service Centre at Mandela House.



**12/0164/DEMDT**  
**14 Mercers Row Cambridge**