

<b>Application Number</b>	11/1501/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	21st March 2012	<b>Officer</b>	Miss Sophie Pain
<b>Target Date</b>	16th May 2012		
<b>Ward</b>	Kings Hedges		
<b>Site Proposal</b>	THE GROVE Arbury Court Cambridge CB4 2JQ Change of use from Public House (A4) to Community Centre and Place of Worship (D1) and alterations to car-parking area.		
<b>Applicant</b>	c/o the agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The applicants have demonstrated that there is a need for this community facility due to a growing Sikh population in Cambridge;</li> <li><input type="checkbox"/> That the proposed use will improve the amenity for nearby residents and that its opening hours shall be conditioned appropriately; and</li> <li><input type="checkbox"/> The proposal provides reasonable car and cycle parking.</li> </ul>
RECOMMENDATION	<b>APPROVAL</b>

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The Grove Public House is located on the southern side of Arbury Road, close to the light signalled junction with Campkin Road. The Grove is a part single storey, part two storey building that is on the north west corner of Arbury Court. Arbury

Court is a local centre that has a public library, retail uses and, at first and second floor, residential flats.

- 1.2 On the northern side of Arbury Road, opposite the site is the Manor College, a secondary school, which occupies a large site. To the north west is a doctors surgery and on Campkin Road, the Arbury Community Centre, which the applicant presently uses for its services.
- 1.3 The surrounding area is residential properties and community uses. The site is not located in a conservation area and there are no tree preservation orders close to the site. The area is in a controlled parking zone.

## **2.0 THE PROPOSAL**

- 2.1 The applicants seek planning permission for the change of use of the public house (use class A4) to a community centre and place of worship (use class D1). The site would be used by the Cambridge Sikh Society, who presently use the Community Centre on Arbury Road. The property would be used for daily religious services, both morning and evening, along with weekend services. It is anticipated that approximately 50 worshippers would be accommodated in the hall. The community centre would also be available to the wider community for non-Sikh events, providing that users accord with the regulations which may be imposed.
- 2.2 The application is accompanied by the following supporting information:
  1. Planning Statement
  2. Transport Statement

## **3.0 SITE HISTORY**

- 3.1 No site history.

## **4.0 PUBLICITY**

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

## 5.0 POLICY

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

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	T9 T14 ENV7 WM6
Cambridge Local Plan 2006	3/4 3/7 4/13 5/12 8/2 8/6 8/10

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Waste Management Design Guide
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)

## **6.0 CONSULTATIONS**

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

- 6.1 The physical layout of the car park is acceptable to the Highways Authority.

### **Cambridgeshire County Council (New Communities)**

- 6.2 The site is sustainably located. There is little evidence to demonstrate that the Transport Assessment is correct in its conclusion that the proposed use would generate fewer car trips than the existing use. There is no information about the notional capacity of the facility within the transport statement and therefore it is difficult to state whether the proposed car parking facilities would be adequate. Should the proposed 14 car parking spaces be inadequate, it is noted that there is a free car park on the opposite side of Arbury Road.

In summary, the proposed development is acceptable in transport terms.

### **Head of Environmental Services**

- 6.3 Recommendation of conditions regarding opening hours and waste storage facilities.

### **Access Officer**

- 6.4 Issues raised include, the need for a unisex wheelchair accessible toilet; a ramped access to the raised area; a dropped height section of the bar; a hearing loop.

There should also be a marked Blue Badge parking space as close to the main entrance as possible.

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

## **7.0 REPRESENTATIONS**

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

- 89 Alex Wood Road
- 91 Alex Wood Road
- 34 Redfern Close

7.2 The representations can be summarised as follows:

- There are already two churches and one community centre in close proximity, the proposals do not appear as though they would contribute to the surrounding area or would they enhance it;
- Arbury Court is not suitable as it should be for the wider community;
- The use of the Grove should remain as commercial and should contribute to Arbury Court and the needs of the community who shop in this location.

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

## **8.0 ASSESSMENT**

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

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations

### **Principle of Development**

8.2 Policy 5/12 of the Cambridge Local Plan states that applications may be permitted for such proposals for which, there are a local need. The planning statement supporting this application states that the Sikh Society have used the Community Centre on

Arbury Road for the past two decades. During this time the Sikh community has significantly grown in Cambridge, prompting the need for a site of their own.

- 8.3 Although the existing arrangement has worked reasonably well with the Arbury Community Centre, there have been times when it has been difficult to book the Centre for regular services. There are also practical difficulties with the monthly Community Meal as the kitchen is incorporated into the hall and distracts from religious services. For these reasons, it has been decided that a premises for the Society would be best and they are keen to remain in Arbury, where the Society's activities have become part of community life.
- 8.4 The site is located in a sustainable location, close to both regular public transport routes and cycle routes. There are also public car parks a short distance from the site, which assists in accommodating high demand during private ceremonies such as weddings. In my opinion, the principle of development is acceptable and in accordance with policy 5/12.
- 8.5 The Grove is still owned by Greene King and a decision was made by them to close the premises in September 2011 after a series of public order offences occurred on the site. Greene King had begun marketing the site in July 2011 with a marketing campaign in the local newspaper and particulars sent to interested parties. Although there have been some interest, no serious bids have been registered with a view to retaining the premises as a public house.
- 8.6 Paragraph 70 of the National Planning Policy Framework (2012) states that planning decision should assist in delivering social, recreational and cultural facilities and services that the local community requires. I consider that the proposed change of use achieves this and ensures that the community facility is enhancing the community and residential environment.

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

- 8.7 There are no external alterations to the property and as such this proposal will not alter its appearance within the local area.

- 8.8 In my opinion the proposal is compliant with East of England Plan (2008) ENV7 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.9 I consider that the nearest residential properties are those flats located directly to the south of the site. As a public house there was noise associated with the use, especially as there was an external beer garden. The applicant has indicated that the property will be open from 07:00 to 23:00 hours Monday to Sunday including Bank Holidays. Although the property will be open earlier than the existing public house, activities will not necessarily be occurring throughout this time period, every day. The hours requested allow a flexible use of the site depending upon private events and community events alongside the religious events.
- 8.10 The Sikh Society would be responsible for the users of the property and this would provide a point of contact if neighbours were concerned about the noise from an event. Given that the residential flats are incorporated into a local centre they are used to some noise, which is associated with such a use and I do not consider that the incorporation of this community facility would harm the amenity of these neighbours to a level that would justify refusal of the application. The imposition of a condition to ensure that the opening hours are restricted to those requested will protect the amenity of neighbouring properties.
- 8.11 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 4/13.

### **Refuse Arrangements**

- 8.12 No refuse arrangements have been provided on the plans accompanying the application. For this reason a condition should be imposed that requires details prior to the occupation of the building for the approved use.

- 8.13 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6 and is in accordance with advice in the Waste Management Design Guide.

### **Car and Cycle Parking**

#### Car Parking

- 8.14 The proposed use seeks to include 14 car parking spaces within the existing car parking area to the east of the building, which is accessed from Arbury Road. The Car Parking Standards, within the Cambridge Local Plan 2006 require 1 space for each 8 seats. It has been indicated that the hall could accommodate approximately 50 people. Using this as an indication, it would be expected that 6 car parking spaces are needed. The provision of 14 car parking spaces should therefore accommodate the demand. Although this figure is above the maximum permitted under the standards, the spaces are already in existence and I do not consider their continued existence should be opposed.
- 8.15 However, if 14 car parking spaces does prove inadequate, there is a free public car park a short distance away on the opposite side of Arbury Road. This is linked to the site via a controlled pedestrian crossing on Arbury Road. This is considered to be an acceptable solution in the event that the number of worshippers are higher on private occasions for example. In saying this, the applicant should be required to ensure that the car park is managed appropriately, and that visitors and worshippers are aware of the availability of overflow parking at the public car park. This may require stewarding arrangements to be put in place for events that are likely to generate larger numbers of visitors. For this reason I recommend a condition relating to a parking management plan.

#### Cycle Parking

- 8.16 The plans indicate an area that can be used for cycle parking, although no indication of the number of spaces has been provided. The Cycle Parking Standards within the Cambridge Local Plan 2006 require 1 space per 15 m<sup>2</sup> of public floor area. Excluding the kitchen area, which is not public space, the floor plan is approximately 170 m<sup>2</sup>. This equates to the need to 11 cycle parking spaces. I consider that given the site, there is



appropriate space to provide these spaces in accordance with the Cycle Parking Design Guide.

- 8.17 Subject to the imposition of conditions relating to a car parking management plan and details of the proposed cycle parking, in my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14 and Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.18 I consider that these concerns have been addressed within the report.

## **9.0 RECOMMENDATION**

### **1. APPROVE subject to the following conditions and reasons for approval:**

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

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

2. The approved use shall only be open between the hours of 0700 hrs and 23:00 hrs on Monday Friday, Saturdays, Sundays and Bank Holidays unless prior agreement is sought from the local planning authority.

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

3. Prior to the occupation of the approved use, full details of the on-site storage facilities for trade waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, paladins or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: In order for the proposed use to provide adequate waste storage facilities (East of England Plan 2008 pollicy WM6).

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

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

5. The use hereby permitted shall not be commenced until a parking management strategy has been submitted to and approved in writing by the local planning authority. Written notice shall be given to the local planning authority of the date that the approved strategy is to be introduced. Thereafter, any proposal to replace the approved strategy for parking shall be submitted to and approved by the local planning authority in writing.

Reason: To minimise the impact of vehicles upon residents and to raise awareness to users of alternative parking arrangements in the surrounding locality. (Cambridge Local Plan 2006 policies 4/13 and 8/10).

**INFORMATIVE:** If the premises is intended to provide regulated entertainment it may require a Premise Licence under the Licensing Act 2003. The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 for further information.

**INFORMATIVE:** As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the

kitchen, food preparation and foods storage areas comply with food hygiene legislation, before construction starts. Contact the Food and Occupational Safety (FOS) Team of the Refuse and Environmental Service at Cambridge City Council on telephone number (01223) 457890 for further information.

### **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: T9, T14, ENV7 and WM6

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

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](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

**2. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development**

### **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.