

Application Number	10/0035/FUL	Agenda Item	
Date Received	25th January 2010	Officer	Miss Catherine Linford
Target Date	22nd March 2010		
Ward	Cherry Hinton		
Site	Outside 108, 110, 112, And 122 High Street Cherry Hinton Cambridge Cambridgeshire		
Proposal Applicant	Vehicle crossing and access. Mr John Isherwood P.O Box 700 Cambridge CB2 0JH		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The relevant section of Cherry Hinton High Street is a classified road (C233). On the south-east side are two-storey brick houses in semi-detached and terraced groups, and the configuration of the straight alignment of the houses and the gently curving street creates a wide verge at this point. On the opposite side of the street, to the south of Chelwood Road, are the shops in Cherry Hinton local centre.
- 1.2 The site does not fall within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 This is a retrospective proposal to reconfigure the roadside verge on the south-east side of Cherry Hinton High Street, immediately opposite Chelwood Road, creating three new vehicle crossings with dropped kerbs: one outside 108 High Street, one to serve 110 and 112, and one further north outside 122 (dropped kerbs outside 114 and 120 already existed prior to this scheme). The scheme also created drives surfaced in concrete pavers across the verge and erected knee-height rails to prevent vehicle access to the rest of the verge, which has been recultivated and seeded, and now has a healthy growth of turf.

- 2.2 The application follows the refusal of permission for an earlier scheme (09/0522/FUL), in which driveways immediately adjacent to the mini-roundabout at the junction with Chelwood Road were considered by the highway authority to create a threat to highway safety. These two driveways, outside 114/116 and 118/120 Cherry Hinton Road, have been deleted, and are not part of this application.
- 2.3 The scheme requires planning permission only because of the dropped kerbs.
- 2.4 Following the representations indicated in Section 7 below, the original scheme was amended to provide additional driveway space leading to Nos. 114 and 122, and a car parking space within the verge for No.118. These amendments did not alter the locations of the dropped kerbs inserted.

3.0 SITE HISTORY

09/0522/FUL - Dropped kerbs. - Refused

4.0 PUBLICITY

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

5.0 POLICY

Central Government Advice

- 5.1 **National Planning Policy Framework (March 2012)** – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.
- 5.2 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.3 **East of England Plan 2008**

ENV7: Quality in the Built Environment

5.4 **Cambridge Local Plan 2006**

3/1 Sustainable development
3/4 Responding to context
3/7 Creating successful places
3/11 The design of external spaces
8/2 Transport Mitigation
8/10 Off-street car parking

5.5 **Supplementary Planning Documents**

Cambridge City Council (May 2007) – Sustainable Design and Construction:

5.6 **Material Considerations**

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

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

6.1 No significant adverse effect.

7.0 **REPRESENTATIONS**

7.1 Representations in support of the application were received from the occupiers of 122A Cherry Hinton High Street.

7.2 Representations were also received from the occupiers of 118 Cherry Hinton High Street. This response does not object to the application, but raises five questions:

- Will the scheme provide parking places for these properties, or just a route to their own curtilage?

- Will the mud on the site at present be replaced with new turf?
- Will the access routes be hard-surfaced, or will vehicles have to travel over the grass verge
- Why are 114, 116, and 118 not included in the scheme?
- If the above properties are not provided with dropped kerbs and routes to car parking spaces, will the scheme simply lead to more car parking on the grass in future?

7.3 The applicant responded to these five questions as follows:

- The application provides tarmac drives leading to the properties. No parking will be permitted on the drives.
- Knee-rail fencing will prevent vehicle access to the rest of the verge, which will be re-cultivated and seeded.
- No driving on the grass will be possible, because of knee-rail fencing.
- 114 is included in the scheme. 116 and 118 are believed not to require car parking spaces.
- No car parking on the new verge area will be possible. Fences will prevent it.

7.4 The original respondent subsequently asked further questions:

- How can people be prevented from parking on the tarmac drives if they have two cars or visitors?
- Please could vehicle access proposals for 118 be considered.

7.5 The applicant responded as follows:

- The Council can use enforcement action to ensure no parking on tarmac drives.
- Vehicle access for 116 and 118 can be investigated, but the County Council's objection to direct access from the street on highway safety grounds means the issue cannot be resolved in that way.

8.0 ASSESSMENT

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

1. Context of site, design and external spaces
2. Highway safety

3. Third party representations

Context of site, design and external spaces

- 8.2 The proposal has in my view enhanced the quality of the street scene.
- 8.3 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

Highway Safety

- 8.4 The local highway authority objected to the previous scheme because of the proximity of driveways to the mini-roundabout. It has not objected to this revised scheme.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third party representations

- 8.6 Following the exchanges summarised above between residents and the applicant, the scheme was amended slightly to provide a car parking space within the verge area (but on hard paving) in front of 118 Cherry Hinton Road. In my view, all the concerns raised by respondents have been resolved.

9.0 CONCLUSION

The proposal seeks retrospective permission for three new dropped kerbs. The proposal has enhanced the streetscape by enabling the verge to be restored to an appropriate landscaped condition, and does not cause significant highway safety concerns. I recommend APPROVAL.

10.0 RECOMMENDATION

APPROVE subject to following condition:

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.

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: policy ENV7

Cambridge Local Plan (2006): policies 3/1, 3/4, 3/7, 3/11 and 8/2

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 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.