

## NORTH AREA COMMITTEE MEETING (PLANNING ITEMS)

31<sup>st</sup> January 2013

### Amendment/De-brief Sheet

### PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 12/1428/FUL

Location: 16-18 Arbury Court, Cambridge, CB4 2JQ

Target Date: 04.01.2013

To Note:

#### **Petition received with 304 signatures**

The petition opposes the loss of Cambridge Toys and Games.

#### **Clarification of Paragraph 8.2**

In broad principle, Local Plan policy 6/7 seeks to retain A1 retail uses in Local Centres. The proposal is acceptable in this case for the following reasons:

1. The current high percentage of retail units already within Arbury Court.
2. Local Plan policy 6/7 is silent on Class D2 use, and does not explicitly acknowledge that such uses can complement local centres. However, it is commercial uses such as offices, and residential uses, which do not in themselves contribute to the vitality of a local centre, which are resisted within the policy wording of Local Plan policy 6/7, rather than D2 uses.
3. The Council's Estate Management Team have struggled to let the unit in the past, in part due to its relatively large floorspace. The proposed D2 use would in my view complement the role and function of the local centre.
4. Paragraph 70 of The National Planning Policy Framework 2012 states that Local Authorities should plan positively for the provision of community facilities. The list of uses considered as a community facility includes both shops and sports venues. The Framework therefore recognises the potential value D2 uses can contribute to enhance the sustainability of communities.

## **Potential future D2 Uses**

Uses falling within D2 include, a cinema, concert hall, bingo hall or casino, dance hall, swimming bath, gymnasium or for other indoor sports not involving motorised vehicles or firearms.

I consider it reasonable to restrict other D2 uses, which may give rise to patterns of movement and use requiring assessment through the application process.

Amendments To Text: No amendments.

Pre-Committee Amendments to Recommendation:

### **Suggested condition 3**

The premises shall only be used as a gymnasium or a similar indoor sports facility and for no other use falling within use Class D2.

Reason: In order that other uses which have a substantially different impact are considered through the application process, Cambridge Local Plan policy 3/4.

## **DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 12/13/42/FUL

Location: 73 Gilbert Road, Cambridge, CB4 3NZ

Target Date: 19.12.2012

To Note: Copies of drawings from previous applications will be available for circulation.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

## **DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 13/1431/CLUED

Location: 70 Green End Road, Cambridge, CB4 1RY

Target Date: 11.01.2013

To Note:

A further witness statement from Antonio Luigi De Simone and certified financial records (AL DeS 2) have been received. The witness statement argues that the committee report has not considered that the HMO use was begun in 1999 and has been continuous since. However, the statement does not address the statement made in the Inspector's decision of June 2002 that at the time of his site visit in May of that year, part of the house was a storage area and manager's accommodation. The financial records submitted do not conclusively demonstrate that the property was in HMO use; the income shown could be attributable to either a guest house use or HMO use.

Further independent investigation has revealed that the business rate of the property is for a guest house, this adds to the balance of probability that the HMO use has not been a continuous use during the period in question.

I have discussed this additional submission with the Council's legal team and the Head of Planning, Patsy Dell, and I do not consider that the information submitted should alter my recommendation of refusal.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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