



Appeal Decision

Site visit made on 12 November 2012

by **C Thorby MRTPI IHBC**

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

Decision date: 31 December 2012

Appeal Ref: APP/Q0505/A/12/2180931
25 Cambridge Place, Cambridge, CB2 1NS

- 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 Mr Richard Muttu against the decision of Cambridge City Council.
 - The application Ref 2/0490/FUL, dated 18 April 2012, was refused by notice dated 21 June 2012.
 - The development proposed is change of use from offices (Class B1) to form 3no studios and 2no 1 bedroom flats with associated access arrangements and external alterations.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from offices (Class B1) to form 3no studios and 2no 1 bedroom flats with associated access arrangements and external alterations at 25 Cambridge Place, Cambridge, CB2 1NS in accordance with the terms of the application, Ref 2/0490/FUL, dated 18 April 2012, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No construction work or demolition shall be carried out 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.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: PL(21)02A

Application for costs

2. An application for costs was made by Mr Richard Muttu against Cambridge City Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues in this case are:
 - i) Whether the parking provision would meet local plan policy on parking, cause inconvenience to visitors or affect highway safety;
 - ii) The effect of the refuse and cycle facilities on the living conditions of the future occupiers in terms of cramped living conditions and noise and disturbance.

Reasons

4. *Parking provision.* The site is located along a narrow lane where there is a mix of offices and residential properties. The scheme makes no provision for on-site parking and the Council consider that this would not meet their parking standards identified in the Cambridge Local Plan policy 8/10. However, these are maximum standards that allow for a reduction in number where lower car use (which is not defined) can reasonably be expected. The site is close to the City centre, local shops, facilities and public transport, including Cambridge Railway Station. The flats would be small units, and I consider that the size, together with the highly accessible location, would mean that lower than average car use would be expected for this development.
5. Providing a car free development would encourage movement by a range of non-car modes of transport. This would meet the justification for the policy 8/10 which promotes lower levels of car parking in accessible areas. This is consistent with the aim of paragraph 30 of the National Planning Policy Framework (the Framework), to support a pattern of development which promotes sustainable transport.
6. Moreover, the site falls within a controlled parking zone and there are double yellow lines along both sides of Cambridge Place. If properly controlled, this would prevent inconvenient parking or parking which might pose a risk to highway safety. There are pay and display parking bays nearby where visitors could park, if necessary. Therefore, there would be no harm arising from the lack of on-site parking.
7. *Refuse and cycles.* The appellant's plans demonstrate that there is space for the appropriate number of bins and cycles and there is no evidence that the manoeuvring area would be insufficient. The ground floor would not, therefore, appear to be cramped or lead to bins being stored on the street. The area for refuse and cycling would be accessed from the hall beside the ground floor flat. Although people would move along the hallway with bikes or rubbish and there may be noise, this would not be unexpected in flat accommodation particularly for those people who live on the ground floor. Additionally, for five modest size flats the movements would not be significant and would not be likely to materially harm the living conditions of the occupiers.
8. The bin store would be in a separate room to the hall, set away from the door to the ground floor flat and harmful odours are unlikely to cause a problem to the future occupiers. The proposal would comply with LP policy 3/12 which relates to the design of new buildings. This policy is consistent with paragraph 58 of the Framework which aims to ensure that development will function well and add to the overall quality of the area.
9. *Other Matters.* The planning obligations make provision for contributions towards public open space, community facilities, waste and education. The policy basis for the contributions, the method of calculation, an indication of where the money will be spent and the relationship between the contributions and the development has been provided by the Council. In these circumstances, the obligations would meet the statutory tests and I have taken them into account.

10. *Conditions.* Restriction of hours for construction would be necessary to protect the neighbours' amenities. Otherwise than as set out in this decision and conditions, it is necessary that works shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. Conditions are attached relating to these matters.

Christine Thorby

INSPECTOR

