

Application Number	14/0447/FUL	Agenda Item	
Date Received	4th April 2014	Officer	Miss Catherine Linford
Target Date	30th May 2014		
Ward	East Chesterton		
Site	192 Green End Road Cambridge Cambridgeshire CB4 1RN		
Proposal	Change of use from motor bike show room to supermarket with cafe [without cooking facilities] and installation of air compressor unit (retrospective)		
Applicant	Mr T Rana 29 Radley House Gloucester Place London NW1 6DP United Kingdom		

SUMMARY	The development accords with the Development Plan for the following reasons: 1. The proposed convenience store complies with policy 6/8 of the Cambridge Local Plan and is acceptable in principle; 2. Adequate cycle parking can be provided; and 3. The proposal is unlikely to have a detrimental impact on neighbouring occupiers, as long as noise from the plant is controlled.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 192 Green End Road is a two storey building situated on the southeastern side of Green Road, where the road bends. The ground floor of the building was most recently used as a

motorcycle dealership with flats on the first floor, accessed from an external staircase to the rear. The site is within a District/Local Centre and is not within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to change the use of the ground floor of the building from a motorcycle dealership (sui generis) to a convenience store (A1). External plant is required, attached to the staircase at the rear of the building. This application is retrospective.

3.0 SITE HISTORY

Reference	Description	Outcome
11/0827/FUL	Proposed change of use to motorcycle dealership	A/C

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

- 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4
		6/7 6/8
		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 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
-----------------------------	---

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 A transport assessment is required to assess the impact the proposal would have on the highway network.

Head of Refuse and Environment

- 6.2 There is an ongoing noise complaint, relating to the plant at the rear of the shop. A noise assessment and mitigation strategy must be submitted prior to determination. Conditions are recommended relating to construction hours and the prohibiting of cooking on site.

- 6.3 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 Councillor Manning has commented on this application and objected on the grounds of the lack of a transport assessment. This objection has now been withdrawn.

- 7.2 The owners/occupiers of the following addresses have made representations objecting to the application:

- ☐ 15 Gainsborough Close
- ☐ 31 Hinton Road, Fulbourn (objection withdrawn)
- ☐ 1 Jars Court
- ☐ 9 Moore Close
- ☐ 1 Pearson Court, Milton
- ☐ 28 Pepys Court

- 7.3 The representations can be summarised as follows:

- ☐ Lack of cycle parking
- ☐ Noise from the plant

- 7.4 The owners/occupiers of the following addresses have made representations supporting the application:

- ☐ 119 High Street, East Chesterton

- 7.5 The representations can be summarised as follows:

- ☐ Good reuse of a building in a prominent location in the village

- 7.6 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 and design
3. Residential amenity

4. Car and cycle parking
5. Third party representations

Principle of Development

- 8.2 Policy 6/8 of the Cambridge Local Plan (2006) states that 'convenience shopping will only be permitted if: a) it is for smaller shops (up to 1400sqm net) in existing centres; b) it is a minor extension to an existing shop; c) it would replace existing provision in the locality; or d) it is part of mixed use areas including the Station Area and in the new urban extensions. 162 Green End Road is within a District/Local Centre and the proposed shop would be less than 1400sqm in size; and the proposals, therefore, comply with part a) of policy 6/8 of the Local Plan.
- 8.3 Policy 6/7 of the Cambridge Local Plan (2006) explains that 'additional development within classes A1, A2, A3, A4 and A5 will be permitted in District and Local Centres if it will serve the local community and is of an appropriate nature and scale to the centre. In my opinion, the proposals meet this criteria and the application, therefore, complies with policy 6/7 of the Local Plan.

Context of site and design

- 8.4 No external changes have been made to the building, with the exception of plant which has been fixed to the external staircase at the rear of the building. The plant is not visible from the street and it is my opinion that it does not have a significant detrimental visual impact.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/4.

Residential Amenity

- 8.6 The neighbouring properties that may potentially be impacted on by the proposals are the flats on the first floor of the building (Jars Court), the neighbouring houses to the northeast (178-190 Green End Road), and the neighbouring house to the southwest.
- 8.7 The flats on the first floor of the building (Jars Court) have been affected by noise from the plant fixed to the external staircase at

the rear, as this is positioned below windows, and an representation has been received raising this as an issue. It is important to ensure that the plant does not have a detrimental impact on the occupiers of 178-190 Green End Road, 196 Green End Road or the occupiers of the flats at Jars Court. Environmental Health have received complaints about the noise from the unit and have recommended that a noise assessment and mitigation strategy is provided prior to the determination of the planning application. This is awaited and the findings of this assessment will be reported on the Amendment Sheet along with the comments of Environmental Health.

- 8.8 The applicant has stated that no cooking will take place on the premises. If cooking was to take place a filtration system would be required, and, therefore, a condition is recommended prohibiting cooking on site, unless an odour abatement scheme is submitted (3).
- 8.9 Environmental Health have recommended a condition requiring the restriction of construction hours. As this application is retrospective this condition is unnecessary.
- 8.10 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 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Car and Cycle Parking

- 8.11 The Local Highway Authority has requested that a Transport Assessment is submitted to enable them to assess the impact on the highway network. This has been submitted by the applicant. Comments are awaited from highways, which will be reported on the Amendment Sheet.
- 8.12 There are 6 off street parking spaces available at the rear of the building. This is acceptable. It is proposed that cycle parking is provided at the front of the building and to ensure that this is adequate I recommend a condition requiring details (4).
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.14 The issues raised have been addressed above.

9.0 CONCLUSION

9.1 The proposals are considered to be acceptable and approval is thus recommended, subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

2. Cooking on site is prohibited unless an odour abatement scheme has been submitted to and approved in writing by the Local Planning Authority prior to cooking taking place.

Reason: To protect neighbouring residents. (Cambridge Local Plan 2006, policy 4/13)

3. Within 28 days of the date of this permission 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 within 3 calendar months of the approval of the submitted details.

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