

Application Number	15/1705/FUL	Agenda Item	
Date Received	22nd September 2015	Officer	Mairead O'Sullivan
Target Date	17th November 2015		
Ward	Petersfield		
Site	Digital Village 86 Mill Road Cambridge CB1 2AS		
Proposal	Installation of extract duct and external alterations.		
Applicant	Mr M Tariq 211 Histon Road Cambridge CB4 3HL		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposed extract duct and external would not harm the character of the Conservation Area. - The proposed extract duct and external works would not harm the amenity of neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is no. 86 Mill Road; a two storey end of terrace retail unit with storage on the first floor. The unit is located on the western corner of Mill Road and Tenison Road. There is a small ancillary yard to the rear. The area to the west and east is predominantly formed of similar sized buildings with a range of uses including restaurants (A3), hot food takeaways (A5) and other retail (A1) uses. Ditchburn Place, which is directly opposite the application site, is comprised of residential apartments set back from Mill Road with a large courtyard fronting onto Mill Road. To the south along Tenison Road there are predominantly two storey-terraced residential properties.

1.2 The site is allocated within a District and Local Centre in the Cambridge Local Plan (2006). The site falls within the Central Cambridge Conservation Area. The building is a Building of Local Interest.

2.0 THE PROPOSAL

2.1 This application represents a resubmission of the previous application 15/0417/FUL.

2.2 The proposal seeks full planning permission for the installation of an extract duct and external alterations.

2.3 The proposal adds 1m to the height of the extract duct approved in 15/0417/FUL.

2.4 The external alterations include the addition of two windows on the Tension Road elevation.

2.5 The application also proposes the extension of the shop front by 2.3m along Tenison Road.

2.6 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Drawings

2.7 The application has been called to committee by Councillor Richard Robertson. The Councillor has stated that the proposed extract fan will be visually dominant and will impact on the character of the conservation area. The councillor states that the extract chimney may produce intrusive noise. He also notes that there is not area for the storage of refuse awaiting removal.

3.0 SITE HISTORY

Reference	Description	Outcome
08/1135/FUL	Conversion of existing storage building (B1) into 5 bed dwelling including external alterations.	Withdrawn.
08/1291/ADV	Graffiti style artwork to side wall.	Application returned.

12/0992/FUL	The painting of a mural on the side elevation of the existing retail premises at 86 Mill Road.	Permitted.
14/1922/FUL	Conversion of first floor into 1x1 bedroom and roof extension, including dormer windows and conservation rooflights, to form 1x studio flat. Addition of a door and window to ground floor side elevation.	Permitted.
15/0417/FUL	Installation of extract duct.	Permitted
15/0417/COND4	Condition 4	Discharge in full
15/0417/COND5	Condition 5	Discharge in full

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, 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 3/7 3/11 4/11 4/12 4/13

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

Central Government Guidance	National Planning Policy Framework March 2012
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	National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
	<u>City Wide Guidance</u> Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

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 (Highways Development Management)

Original comments 23.09.15

- 6.1 The proposal will have no significant effect on the Public highway. The Officer has recommended the imposition of one informative.

Second comments 23.10.15

- 6.2 No comments on the amended drawings

Environmental Health

- 6.3 The Environmental Health Officer is satisfied with the proposal. The Officer notes that the noise and odour control for the extract system has been covered by condition within the previous consent (15/0417/FUL). The officer also welcomes the increase in height

Urban Design and Conservation team

Original comments 15.10.15

- 6.4 The Conservation Officer requested further information and amendments to the original information submitted . The officer requested that the decorative red brick work on the Tenison Road elevation be maintained. The Officer stated that the design of the proposed windows needed to be reconsidered as they should be in the same style as those on the front elevation of 2A Tenison Road. The Officer requested clarification in relation to the location of a door and window which were previously approved but appeared to be shown in the incorrect location on the new plans. The Conservation Officer also requested information on the proposed shopfront as insufficient detail was provided in the original drawings submitted.

Second comments 21.10.15

- 6.5 The Conservation Officer is satisfied with the new windows which match those at 2A. The officer is satisfied that the patterned brickwork is retained in the revised plans. Two conditions relating to the details and finish of the shopfront and joinery.
- 6.6 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:

- 14 Tenison Road
- 29 Tenison Road
- 36 Tension Road
- 42 Tenison Road
- 57 Tenison Road
- 116 Tenison Road
- 30 Lyndewode Road

7.2 The representations can be summarised as follows:

- The proposal is contrary to Cambridge Local Plan policy 3/15 as the shopfront does not contribute to the design and character of the building and its surrounding.
- The proposal is contrary to Cambridge Local Plan policy 4/11 as it does not preserve or enhance the character or appearance of the conservation area.
- The building is prominent at the corner of Mill Road and Tenison Road and is identified as a positive unlisted building in the Mill Road Conservation Area Appraisal.
- The works will result in an intensification of the use
- The existing brick façade is attractive and should be preserved. The proposed window detracts from the façade.
- There is no provision for waste storage or collection and no access to the alley behind the site.
- There is no cycle parking provided.
- The proposal is contrary to policy 8/2 as it will have an unacceptable traffic impact. It will result in an increase in car and foot traffic to the site, which is in a residential area, in the evening and at night.
- Coaches park illegally in the restaurant parking bays on Tenison Road while dropping clients to the restaurant.
- The duct is unsightly and visible from Tenison Road.
- The proposal conflicts with policy 4/13 as it will generate noise and odour pollution. There is a similar restaurant nearby with a duct which emits noise 24 hours/day.
- Concerned about further light and noise pollution from the new windows.
- Will create a 'High Street' feel in a residential street.

- 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

Context of site, design and external spaces and Impact on the Conservation Area

- 8.1 The proposed extractor duct will be visible from the street scene of Tension Road but will not be highly visible from Mill Road. The previously approved extract duct did not break the ridge line while the current proposal rises 1m above the ridge level. As a result the proposal will be visible from Mill Road but as it will only extend 1m above the roof line it will not be highly visible.
- 8.2 The external alterations involve the insertion of two windows on a single storey brick element of the Tenison Road elevation. These will be clearly visible from the street scene on Tenison Road. The original proposal placed two large sliding sash windows here which covered an ornate brickwork pattern on the wall. The revised plans amended the window arrangements to match those at 2A. These are narrower but longer than the original proposal and allow for the retention of the patterned brickwork element. The Conservation Officer is satisfied that these alterations are acceptable as the new windows will work with the character of the building. A condition to control the materials to be used in the windows and stone surrounds is recommended (see condition 3).
- 8.3 This application also proposes the extension of the shopfront by 2.3m along Tension Road. This will be visible from the streetscene however the shop front currently extends onto Tenison Road by 1.8m so the proposal only adds a further 0.5m of window to the shopfront. The Conservation Officer has asked that we impose a condition to control the details of the shop front. Subject to the imposition of this condition (see condition 4) the Conservation Officer supports the proposed extension. While Tenison Road is a predominantly residential Street I do not consider that allowing an addition of 0.5m to the shopfront will impact on the character of the area. The unit is on the corner of Mill Road and Tenison Road. This corner area is a

transition zone between the predominantly residential area and a mixed use commercial area. I therefore consider that the proposed extension of the shop front will be acceptable.

- 8.4 The Conservation Officer is satisfied with the further information submitted. The Officer considers that the proposal is acceptable subject to conditions and will not negatively impact on the character of the conservation area.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/15 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.6 The height increase to the extract duct will not result in any issues concerning overlooking, loss of light or visual enclosure. The Environmental Health Officer welcomes the increase in height.
- 8.7 A number of residents have raised concerns relating to noise and odour pollution. The Environmental Health Officer notes that the extract system has been approved with conditions under the consent 15/0417/FUL. These conditions cover the noise and odour control for the extract system. Both conditions have been discharged in full.
- 8.8 The proposed alterations to extend the shop front and construction of two additional windows will not significantly impact on residential amenity. The extension of the shop front is small in size at 0.5m. I do not consider that this small extension will cause any harm to the residents on Tension Road. The two windows proposed are narrow and will not cause any significant light or noise pollution.
- 8.9 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 3/7 and 4/13.

Third Party Representations

- 8.10 The representations raise concerns over the quality of the shop front. The Conservation Officer has recommended the imposition of a condition to control the finish of the shop front. I consider this to be acceptable.
- 8.11 While the extract duct is not an attractive addition the Conservation Officer is satisfied that the proposed works will not have a detrimental impact on the character of the Conservation Area or the positive unlisted building. I share this view.
- 8.12 The amendments to the windows allow for the retention of the patterned brickwork façade.
- 8.13 This application relates to external alterations to the building. As part of this application I cannot assess traffic implications, cycle parking or waste storage as these elements do not relate to the proposal.
- 8.14 The Environmental Health Officer has stated that the proposed works are acceptable. The noise and odour extraction have been covered by condition by the previous application. Both conditions, relating to noise and odour, have been discharged in full.
- 8.15 The proposed extension of the shop front on Tenison Road only adds an additional 0.5m to the existing shop front. Due to its small size and siting where the property meets the commercial area of Mill Rad I consider this element to be acceptable.
- 8.16 I do not consider that the proposed alterations will create a 'High Street' feel on Tension Road. The unit is on the corner of Tension Road and Mill Road. The unit is at the point where the residential area meets the commercial area. As a result the changes are not going to alter the character of the residential area of Tenison Road.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

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 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.

3. Before the commencement of any stone work, a sample panel of the facing material to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the Conservation Area (Cambridge Local Plan 2006 policy 4/11)

4. Prior to the installation of any shopfront, large scale drawings of all joinery (doors, window frames, etc.) and other elements of the shopfront shall be submitted to and approved in writing by the Local Planning Authority. This includes timber and other mouldings (to cornices, sills, mullions, transoms, pilasters, etc.), stallriser finishes, console and other brackets, doors, thresholds and fanlights, etc. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the Conservation Area (Cambridge Local Plan 2006 policy 4/11)

5. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate/ door / ground floor window shall open outwards over the public highway