

<b>Application Number</b>	16/0001/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	25th January 2016	<b>Officer</b>	Mairead O'Sullivan
<b>Target Date</b>	21st March 2016		
<b>Ward</b>	Market		
<b>Site</b>	Lock House Jesus Green Victoria Avenue Cambridge Cambridgeshire CB4 3BD		
<b>Proposal</b>	Change of use from residential to commercial A3 use (restaurants and cafes), erection of extensions and internal and external alterations to the listed building.		
<b>Applicant</b>	Mr Simon Godfrey 18B Chesterton Road Cambridge Cambridgeshire CB4 3AX United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li><input type="checkbox"/> The proposed works respect the amenities of the listed building and would preserve and enhance the Conservation Area.</li><li><input type="checkbox"/> The proposal would have an acceptable impact on the amenities of residents in the vicinity.</li><li><input type="checkbox"/> The proposal would not harm highway safety, and the servicing and waste collection arrangements are acceptable.</li></ul>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The Lock House is a Grade II Listed Building that lies within the Central Conservation Area. It is located in Jesus Green, which is designated as a Protected Open Space (P&G 09 – Jesus

Green). The adjacent lock and bridge are Grade II Listed structures. The building falls within Flood Zone 2.

- 1.2 The building was originally constructed as a lock-keepers' dwelling and is currently used as a House in Multiple Occupation (HMO).

## **2.0 THE PROPOSAL**

- 2.1 The application proposes a change of use from residential to commercial A3 use (restaurants and cafes).

- 2.2 The application also proposes the erection of extensions with internal and external alterations to the listed building. The extensions are single storey additions to the south/rear side of the building. The height of the boundary wall to the north and west is to be reduced with capping stones to be retained and re-bedded. A gate is proposed to match existing. There are a number of new windows proposed on the east and west elevations. A bricked up opening in the east elevation is to be opened up with the addition of a half glazed door. Cycle hoops are proposed to the rear.

- 2.3 The application as submitted included:

1. Drawings
2. Revised drawings (Access)
3. Design and Access Statement
4. Flood Risk Assessment & flood modelling information
5. Deliveries method statement
6. Revised deliveries method statement
7. Proposal for the management of waste
8. Odour control information
9. Plant and extraction details

## **3.0 SITE HISTORY**

- 3.1 The application site has an extensive site history. The relevant history is listed in the below table.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
16/0002/LBC	Erection of extensions and internal and external alterations.	Pending consideration

#### 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 3/14
		4/2 4/10 4/11 4/13 4/14
		5/3 5/4
		6/10
		8/2 8/6 8/10 8/18

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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

Material Considerations	<u>City Wide Guidance</u>  Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)  Strategic Flood Risk Assessment (2005)  Cambridge and Milton Surface Water Management Plan (2011)
	<u>Area Guidelines</u>  Cambridge Historic Core Conservation Area Appraisal (2006)  Jesus Green Conservation Plan (1998)

#### 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 that should be taken into account.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

*First comment*

- 6.1 Please provide details of how the site will be serviced.

*Second comment*

- 6.2 The delivery of supplies to the premises at Mitchams Corner would add additional servicing vehicle movements when compared to the current situation. This is not considered likely to cause severe detriment. It is the ongoing journeys of items that causes concern. The distance which the handcart is to be pushed, 600m on one route and 1.2km on another, is impractical and passes along busy and narrow footways. Deliveries require several transfers of load. No logistic data is provided. The refuse strategy is acceptable in principal but no logistical data is provided. The arrangements for deliveries/removal of waste depend on private arrangements. The shortcomings of the delivery strategy are significant enough to warrant a recommendation of refusal.

*Third comment*

- 6.3 A further amendment to the method statement for servicing has been submitted. The document has now narrowed the proposals down to more definite options. The cargo bike route proposed is still quite long, but, in traffic terms it is feasible. The proposed arrangements for deliveries and removal of refuse depend upon specific private arrangements between the applicant and third parties. The applicant has indicated that they will accept a personal permission and provided the Planning Authority is satisfied that such a permission is sufficient to safeguard the future use of the building by alternative occupants the Highway Authority is satisfied that the previous objection can be removed.

## **Environmental Health**

*First comment*

- 6.4 There is insufficient detail to make comment. Details of the kitchen operations, including kitchen extract location/filtration are required.

*Second comment*

- 6.5 The proposal is acceptable subject to conditions relating to construction hours and A3 odour compliance (conditions 9 and 10) and two informatives regarding food safety and licencing.

## **Refuse and Recycling**

- 6.6 The application is supported. The applicants have consulted with the City Council's Commercial Waste Service. We applaud the solution they have put forward, namely to remove waste from the site to the pick-up/collection point at a boat club on Kimberley Rd. Secure storage will be provided at both the restaurant (Lock House) and the collection point in the form of lockable bins. As the majority of restaurants waste is dry mixed recyclables there is little weight attached so it will not prove a health and safety risk. Furthermore this will encourage the restaurant to "Close the Loop" with their suppliers which will limit the amount of waste they produce to a minimum which meets the City's waste goals.

## **Urban Design and Conservation Team**

- 6.7 The development is acceptable subject to conditions. The additional windows proposed are acceptable. The rear catslide roof extensions will replace later extensions in the same location. Although deeper than existing they will terminate at the boundary line which is considered to be legible. Works to the boundary wall have been discussed with the Conservation Team. Sensitive alterations such as capping and the addition of a new gate will benefit the character of the place. The installation of lamp posts on the corner of the site is considered appropriate. The internal works are limited and acceptable. The removal of the stud partition walls is welcome. A number of conditions are recommended (conditions 3, 4, 5 and 6)

## **Access Officer**

### *First comments*

- 6.8 The Access Officer expressed concern regarding the threshold. The 750mm opening and the angle to the accessible toilet means that this is unacceptable as the narrow gap would prevent access to the toilet.

### *Second comment*

- 6.9 Considers the amendments address these concerns.

## **Head of Streets and Open Spaces**

- 6.10 No comments received in respect of servicing arrangements. Any comments will be reported in the Amendment Sheet.

## **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.11 The development is acceptable subject to a condition relating to flood resilient construction.

## **Environment Agency**

- 6.12 No objection to the principle of the development. The site is located within flood zone 2 with the access/egress routes being within Flood Zone 3. The change of use is from a 'more vulnerable' to a 'less vulnerable' development. Flood warning and evacuation measures will be important in managing the site. Recommend that the Local Authority consults its Emergency Planners. We expect the Local Planning Authority to consider emergency planning and rescue implications of new developments when making decisions. It is recommended that flood resilient measures be incorporated into the development. No detail of foul drainage is provided. This must not discharge into any watercourse or surface water drain or sewer.

## **Lead Local Flood Authority**

- 6.13 The application is for 'minor development' therefore as Lead Local Flood Authority we do not have any comments to make.

## **7.0 REPRESENTATIONS**

- 7.1 Councillor Bick, Councillor Gillespie and Councillor Ratcliffe have commented on this application.

- 7.2 The representations can be summarised as follows:

- ☐ Object to change from housing to restaurant
- ☐ Concerned about access for deliveries
- ☐ The council has been in dispute with premises on Midsummer Common for many years.

- ☐ Support the position of the Jesus Green Association and Friends of Midsummer Common
- ☐ Disappointed that the Jesus Green Association were not asked for comments

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

- ☐ 9 Albert Street
- ☐ 52 Carlyle Road
- ☐ 60 Carlyle Road
- ☐ 49 De Freville Avenue
- ☐ 2 Eve House
- ☐ 11 Holland Street
- ☐ The Jesus Green Association x3
- ☐ 98 King Street
- ☐ 63 Maids Causeway
- ☐ 27 Nutters Close
- ☐ 5 Park Parade
- ☐ 7 Park Parade x3
- ☐ 5 Pretoria Road
- ☐ Richmond Terrace
- ☐ 30 Searle Street
- ☐ 19 Trafalgar Road
- ☐ No address given

7.4 The representations can be summarised as follows:

*Housing*

- ☐ Objects to the loss of housing
- ☐ Residential letting, particularly affordable ones, are in short supply
- ☐ Need for housing greater than need for another food outlet; there is a shortage of housing and no shortage of restaurants
- ☐ Loss of housing is contrary to local plan

*Access/servicing*

- ☐ No information is provided regarding access
- ☐ Concerned about access to the site
- ☐ Concerned there will be a large number of vehicles servicing the site similar to Midsummer Common
- ☐ Concerned about heavy vehicles on Jesus Green
- ☐ The councils permission would be needed to allow vehicles on Midsummer Common



- ☐ 1 Van per week to service the site is unrealistic
- ☐ Carrying supplies by bike/handcart is inadequate
- ☐ Using a boat to remove waste is impractical
- ☐ Will inevitably lead to more traffic on Jesus Green
- ☐ Increase in traffic on Jesus Green is a safety hazard
- ☐ Vehicles on Jesus Green will damage grass, trees and paths.
- ☐ If permission is granted ask that there is a ban on vehicles/limited/monitored vehicular access and no customer vehicular access
- ☐ Will bring more cyclists who will need somewhere to park their bikes
- ☐ More traffic on an already congested bridge
- ☐ Servicing must not be allowed from footbridge

### *Design*

- ☐ There is no mention of signage
- ☐ Cannot see reason to lower concrete wall
- ☐ Contrary to local plan as harmful to character
- ☐ Has potential to protect and enhance but concerned about a number of areas a) brick lintels should match existing b) new concrete caps unlikely to blend c) lamppost should be subject to condition d) should agree with council to work existing trees/hedge into landscaping to the rear

### *Waste*

- ☐ How is rubbish to be stored
- ☐ Concerned about removal of waste by boat
- ☐ Concerned about vermin

### *Other*

- ☐ Disappointed that the Jesus Green Association, residents of the Lockhouse and residents of Park Parade were not consulted
- ☐ The proposal under occupies the building/upper floors not used
- ☐ It is an iconic building
- ☐ The path outside the Lockhouse is narrow and would be a safety hazard given its proximity to the Lock
- ☐ Entrance to the café located on a sharp bend which is a safety hazard
- ☐ Planning permission is sought from a company whose ownership is not clear
- ☐ Concerned that the building could be sold once consent given
- ☐ Danger a larger enterprise could move in
- ☐ There may be a conflict of interest with the council if expansion is considered or owners change

- ☐ A tea room would be more appropriate and incidental to Jesus Green
- ☐ If the building was owned by the council change of use could be less easily exploited
- ☐ The Jesus Green Association have been working toward a comprehensive plan for the area immediately by the footbridge
- ☐ The Conservators have chosen to ignore the cottages larger context
- ☐ The Rouse Ball Pavilion is a significant building and is the place for a café.
- ☐ If the application is granted the future of the Rouse Ball Pavilion is prejudiced
- ☐ Would use public land
- ☐ Needs to be an overall coherent plan for the use of buildings on Jesus Green

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

- ☐ 22 Albert Street
- ☐ 19 Brunswick Terrace
- ☐ 29 Clarendon Street
- ☐ 31 De Freville Avenue
- ☐ 12 George Street
- ☐ 9 Glisson Road
- ☐ 18 Hertford Street
- ☐ 78 Kimberley Road
- ☐ 26 Magrath Avenue
- ☐ 378 Milton Road

7.6 The representations can be summarised as follows:

*Design*

- ☐ Building appears dismal and dilapidated
- ☐ Happy with small scale and footprint of the proposal
- ☐ Will be an addition and improvement to a gloomy corner

*Amenity*

- ☐ There is a lack of amenity for existing residents
- ☐ Current building offers little amenity

*Other*

- ☐ The building is currently poorly run

- ☐ Idea of converting Rouse Pavilion difficult to justify when it is used as a changing room and although the public toilets are not very modern they are an important service.
- ☐ Will result in a loss of a residential unit but there are major developments to compensate for this
- ☐ Not to be a high end venture like Midsummer Common
- ☐ Would benefit local area and residents as well as visitors to the swimming pool and playground
- ☐ Very few dining options/similar facilities in immediate area
- ☐ More choice of restaurants will benefit the public
- ☐ The application was made by local people who will enhance and preserve the Lock house
- ☐ Will enrich Jesus Green
- ☐ Envision patrons will arrive by foot and bike
- ☐ Area is very busy with no amenities (except kiosk)
- ☐ Will be a catalyst to improve the area.

7.7 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, design and external spaces and impact on the Conservation Area and Listed Building
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Disabled access
7. Flood risk
8. Third party representations

### **Principle of Development**

8.2 The application proposes a change of use from C3 (residential) to A3 commercial use (restaurant and café). Loss of housing is addressed in policy 5/4 of the Cambridge Local Plan (2006)

8.3 Policy 5/4 states that the change of use of residential to other uses will not be permitted unless it can be demonstrated that:

- a) The property is unfit for human habitation and cannot be rehabilitated
- b) It is a Listed Building that can best be preserved through change of use
- c) It is necessary for the provision of community facilities in Cambridge
- d) Replacement residential can be provided elsewhere

8.4 The Lock House is currently in use as a HMO. While the property could continue to operate under this use class I do not consider this to be a compatible use in the long term. The Lock house is located in the middle of a large public open space with little privacy for residents. While the residents have access to the wider green there is no private amenity space for any residents of the property. As a result it is likely that the unit will have limited appeal and value as a single dwelling given the poor level of amenity and lack of privacy for residents.

8.5 The proposal involves some minor works to the Listed Building. The Conservation Officer is satisfied with these elements subject to a number of conditions. I will expand upon this later in my report. The proposed works are limited and sympathetic and will help restore the listed building which currently appears run down.

8.6 While the proposal will result in a loss of housing I consider the proposed A3 use to be acceptable. It would be a more appropriate long term use given the lack of amenity currently provided to residents and more compatible with the recreational use of Jesus Green than the existing use. It will also be more likely to result in improvements to the appearance and upkeep of the listed building.

8.7 Policy 6/10 relates to food and drink outlets. This states that change of use to A3, A4 and A5 will only be permitted where:

- a) Where the proposal will not give rise to unacceptable environmental problems or nuisance and the individual and cumulative impact of the development is considered acceptable; and
- b) Where it is in an existing centre or is part of a mixed use area in an urban extension or the Station Area.

- 8.8 The site falls within the defined city centre area and the A3 use would therefore comply with part (b). The Environmental Health Officer is satisfied with the proposal subject to condition. As a result the proposal complies with policy 6/10.

### **Context of site, design and external spaces and impact on the Conservation Area and Listed Building**

- 8.9 The proposal involves the addition of two extensions which will replace existing later extensions to the Lockhouse. While these extensions are deeper than existing they respect the boundary line. A number of additional windows are proposed. A bricked up opening is to be removed and replaced with a half glazed door. The boundary wall is to be lowered on the north and west elevations. The Conservation Officer considers these works to respect the character of the Conservation Area and the value of the Listed Building subject to a number of conditions. I share his view and consider the proposal to be acceptable in terms of design.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 4/10 and 4/11.

### **Residential Amenity**

#### **Impact on amenity of neighbouring occupiers**

- 8.11 There are no neighbouring properties within close proximity to the Lock house. The nearest neighbours, being a number of houseboats who are significantly set-away from the property. The Environmental Health Officer is satisfied with the information which the applicant has provided; removing the double deep fat fryer in favour of a domestic counter top fryer and the details relating to the kitchen fan and silencer. Two conditions are recommended (condition 9 and 10); one relates to construction hours and the other is an odour compliance condition.
- 8.12 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 Cambridge Local Plan (2006) policies 3/4 and 3/7.

## **Refuse Arrangements**

- 8.13 Waste is to be removed from the site via boat. The Cam Conservancy have agreed that a small boat could be moored permanently at Jesus Lock for this purpose. Waste will be loaded on the southern bank of the river at the closest available point to the Lock House. The applicant has made an arrangement with a local boathouse on the northern bank of the river to use their slipway to unload bagged waste and deposit it in the trade waste bins which they currently use. The waste bins used by the boathouse are to be upgraded from 2x 240l to 2x 360L bins with an additional 140L food waste bin to be added. Waste is collected 1-2 times per week. This may need to increase during busy periods.
- 8.14 The Waste Officer supports the proposal. He considers the secure storage, both at the restaurant and collection point, to be acceptable. I share his view.
- 8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

## **Highway Safety**

- 8.16 The original submitted proposal did not contain any information on how the site was to be serviced. The Highway Engineer requested further information in order to comment on the application.
- 8.17 A delivery strategy was submitted in response to the Highway Engineer's comments. The applicant proposes that deliveries be made to Let's Go Cambridge at 18B Chesterton Road. Here bulky packaging will be removed and supplies taken via cargo bike to the Lock House. The applicant proposes one morning delivery of 10-15kg. The cargo bike will have a maximum load of 100kg. This will be for the delivery of fresh and perishable goods. The applicant provides an approximate delivery load required based on a similar sized restaurant nearby. The total weight of summer produce is expected to be 87kg per week. The suggested route for deliveries is via Bridge Street; a distance of approx. 1200m. A video link is provided to demonstrate the cargo bike route.

- 8.18 The strategy also notes that goods could be transported via boat from Let's Go Cambridge to the Lock House. Goods would be carried or transported via handcart for a distance of approx. 100m to a loading point at Jubilee Gardens where there is a public access mooring. Here supplies can be unloaded on the opposite bank. Some supplies will be collected using cargo and butchers bikes. 2.5kgs of bread/baked goods is estimated to be needed which will be collected from Market Square and delivered to the Lock House.
- 8.19 The applicant proposes that once per week heavy/bulky good will be delivered by vehicle. The delivery will be managed by the Cam Conservancy who will use their own vehicle. The delivery will be made as part of an already scheduled vehicular visit by the Cam Conservancy. This will not result in an increase in vehicular access to Jesus Green.
- 8.20 The Highway Engineer has withdrawn his objection. He notes that the proposal depends upon specific private arrangements between the applicant and third parties. A personal permission will not be used however a condition will be imposed to ensure the premises operates under the deliveries method statement submitted (condition 11). If the applicant, or any future occupier of the site needed to service the site in a way which deviates from this plan this would need to be approved in writing by the Local Planning Authority.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Disabled Access**

- 8.22 A number of amendments have been made as a result of the Access Officers original comments including widening the door to the WC and alterations to the jamb. The Access Officer is now satisfied with the proposal.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

## **Flood Risk**

- 8.24 The application site is partly located within Flood Zone 2. Policy 4/16 states that development will not be permitted:
- a) In an area with an unacceptable risk of flooding;
  - b) If it would increase the risk of flooding elsewhere; or
  - c) If it would have a detrimental effect on flood defences or inhibit flood control and maintenance work.
- 8.25 The sustainable Drainage Officer considers the proposal acceptable subject to a condition relating to flood resilient construction (condition 7). The Environmental Agency supports the proposal in principle and note that it moves from a 'more vulnerable' to 'less vulnerable' development type. The Lead Local Flood Authority has no comments to make. A Flood Risk Assessment is included with the application which details that evacuation is feasible for all site users. A condition will be imposed relating to foul drainage (condition 8).
- 8.26 In my opinion, the principle of the development is acceptable and in accordance with policy and 4/16.

## **Third Party Representations**

- 8.27 I have addressed most of the representations within the body of my report. I will address any outstanding issues in the below table.

Comment	Response
<b>Housing</b>	
Objects to the loss of housing	I have addressed loss of housing in paragraphs 8.2 – 8.8
Residential letting, particularly affordable ones, are in short supply	
Need for housing greater than need for another food outlet; there is a shortage of housing and no shortage of restaurants	
Loss of housing is contrary to local plan	
<b>Design</b>	



There is no mention of signage	I have addressed issues of design at paragraph 8.9
Cannot see reason to lower concrete wall	
Contrary to local plan as harmful to character	
Has potential to protect and enhance but concerned about a number of areas a) brick lintels should match existing b) new concrete caps unlikely to blend c)lamppost should be subject to condition d) should agree with council to work existing trees/hedge into landscaping to the rear	
<b>Waste</b>	
How is rubbish to be stored	The Waste Officer is satisfied with the proposal. I have discussed this at paragraph 8.13 – 8.15
Concerned about removal of waste by boat	
Concerned about vermin	
<b>Other</b>	
Disappointed that the Jesus Green Association, residents of the Lockhouse and residents of Park Parade were not consulted	We do not normally consult occupiers of the application site. The adjacent properties were notified of the proposal. A site notice was also erected.
The proposal under occupies the building/upper floors not used	I note that the upper floors are vacant. This is not relevant to my assessment of the application.
It is an iconic building	I have addressed design concerns in paragraph 8.9
The path outside the Lockhouse is narrow and would be a safety hazard given its proximity to the Lock	I do not consider that the proposal will cause any significant safety hazards
Entrance to the café located on a sharp bend which is a safety hazard	

Planning permission is sought from a company whose ownership is not clear	The application has been made by Lockhouse Limited who have signed certificate B and served notice on the owners of the Lockhouse; the Conservators of the River Cam
Concerned that the building could be sold once consent given	A condition will be imposed to control the methods of delivery and waste management. If another enterprise were to occupy the site they would need to operate against the deliveries method statement and waste management proposal. If they were to deviate from this they would need to have this approved in writing by the Local Planning Authority.
Danger a larger enterprise could move in	
There may be a conflict of interest with the council if expansion is considered or owners change	
A tea room would be more appropriate and incidental to Jesus Green	I can only assess the application as submitted
If the building was owned by the council change of use could be less easily exploited	
The Jesus Green Association have been working toward a comprehensive plan for the area immediately by the footbridge	I note that there has been a plan to redevelop the Rouse Ball Pavilion. However this is currently occupied by toilets and changing facilities. Competition is not a material planning consideration.
The Conservators have chosen to ignore the cottages larger context	
The Rouse Ball Pavilion is a significant building and is the place for a café.	
If the application is granted the future of the Rouse Ball Pavilion is prejudiced	

Needs to be an overall coherent plan for the use of buildings on Jesus Green	
Would use public land	The application site is on private land located within Protected Open Space

## 9.0 CONCLUSION

- 9.1 The proposal will result in the loss of 1 residential unit. However the current development offers a poor level of amenity to occupiers who have little privacy and no private amenity space. The proposal will result in works to the listed building which will improve its appearance and will not negatively impact of the character of the area. I consider the proposal will bring forward a beneficial re-use of the building that would be compatible with its location in a recreational area. The proposal will not have a harmful to the amenities of residents in the vicinity.

## 10.0 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. All new brickwork to window and door jambs shall match exactly the historic work nearby in terms of bond, mortar mix design, joint thickness, pointing technique, brick dimension, colour and texture, etc.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

4. All new window and door joinery shall match exactly the existing in every respect including material, style, moulding detail and workmanship unless otherwise agreed in writing by the local planning authority.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

5. A sample of the new capping to the concrete boundary walls shall be submitted to and approved in writing by the local planning authority; and retained on site until completion of the works. The works shall be implemented in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

6. Details and/or manufacturer's literature of the lamp posts shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building and the special interest of the Conservation Area. (Cambridge Local Plan 2006, policies 4/10 and 4/11)

7. Prior to commencement of development details of flood resilient construction employed should be submitted to and approved in writing by the local planning authority.

Reason: To minimise flood risk in accordance with the National Planning Policy Framework 2012.

8. Prior to the occupation of the development, a scheme for the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: To ensure adequate sewerage provision for the development (Cambridge Local Plan Policy 8/18)

9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

10. Any A3 use of the development shall install and maintain an odour filtration/extraction system designed in accordance with Annex B and C of the, "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 and/or its subsequent amendments.

Reason: To protect the amenity of nearby residents (Cambridge Local Plan (2006) policy 3/4)

11. The site shall be operated in accordance with the details set out in the Deliveries Method Statement (18/04/2016) unless alternative details have otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4 and 3/7)

12. The site shall be operated in accordance with the details set out in the Proposal for the Management of Waste unless alternative details have otherwise been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4 and 3/7)

**INFORMATIVE:** As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and food storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team of the Refuse and Environmental Service at Cambridge City Council on telephone number (01223) 457890 for further information.

**INFORMATIVE:** A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email [Licensing@cambridge.gov.uk](mailto:Licensing@cambridge.gov.uk) for further information.

**INFORMATIVE:** As the building is considered to be at risk of flooding in an extreme event, we recommend that flood resilient / resistant measures are incorporated into the development, as detailed in section 8.2 of the FRA. Any flood resilient measures should be in accordance with the latest Department for Communities and Local Government (DCLG) guidance contained within 'Improving the flood performance of new buildings - Flood resilient construction 2007', which is available to download from the DCLG website: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

We also recommend that the site operator signs up to the Environment Agency's free flood warning service. The service offers three levels of flood warning and can provide vital time to prepare for flooding. Warnings can be received by telephone, fax, text message, pager and email. To sign up, please call Floodline on 0345 988 1188 or visit [www.gov.uk/flood](http://www.gov.uk/flood)

**INFORMATIVE:** The preferable method of foul drainage disposal would be a connection to the public foul sewer.

Where a connection to the public foul sewer is not available the applicant is advised to obtain professional advice as to whether any non mains system is adequate to accept the additional drainage resulting from this development.

The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

**INFORMATIVE:** Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.