

Application Number	08/0099/FUL	Agenda Item	3.1
Date Received	21st January 2008	Officer	Mrs Angela Briggs
Target Date	17th March 2008		
Ward	Romsey		
Site	163 - 167 Mill Road Cambridge Cambridgeshire CB1 3AN		
Proposal	Erection of single storey rear extension and installation of plant.		
Applicant	Tesco Stores Ltd C/O Agent		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 163-167 Mill Road is a two-storey, flat roof building, constructed in the 1970's, which stands on the north side of Mill Road. It occupies a frontage of about 17.5 metres between 161 (to the west), a launderette (which takes access from Mill Road) with a flat above (which has access from Sedgwick Street), and 169 (to the east), where an estate agency occupies both floors of the building. The front of the building is set back about 1.5 metres from the front line of 161 and 169 which flank it, with the western end about 5.5 metres east of the junction with Sedgwick Street.
- 1.2 To the rear of the site is an area of tarmac, used as a parking area, access to which is from Sedgwick Street, a one-way street along which motor vehicles may only travel north to south, to its junction with Mill Road. The rear access to/egress from the site is about 30 metres north of the junction with Mill Road, through a gap of about 9 metres between single storey outbuildings to the rear of (and belonging to) 161, and 2/2a Sedgwick Street a building extended with a long and tall blank flank south facing wall to the car park. This rear area has car parking spaces laid out indistinctly, but also currently serves as a licensed access through to the land at the rear of 169, which is used for parking. The submitted survey plan shows 9 parking spaces along the

boundary with 2/2a Sedgwick Street, but other spaces are marked out against the 161 outbuildings and there appears to be the capacity for as many as 20 vehicles to park at the rear of 161-169, though the relationship to fire escapes and rear doors would suggest this would be an overuse of the parking potential of the site. The parking spaces within the site appear to be allocated to the shop and the offices at first floor level, though site visits have suggested that other parties living/working nearby may also be using some spaces on occasion.

- 1.3 The building has until recently been occupied by a shop (a Class A1 use) on the ground floor (a use that remains), with financial services office (a Class A2 use) at first floor level. Access to the offices is from a doorway at the western end of the frontage, adjacent to the launderette.
- 1.4 The ground floor of 163-167 was last occupied by Wilco Motorists Discount Store, but is now vacant. The existing signs have been removed and the property currently has an unkempt appearance, despite some attempts to improve it, with a considerable amount of fly-posted notices. To the front of the property is a wide area used by pedestrians; concrete bollards about 5 metres from the face of the building mark the boundary between the shop 'forecourt' and the public footpath which is part of the public highway
- 1.5 The immediate locality has a mix of uses, including Class A1 (shops), A2 (financial and professional services), A3 (cafes) and A5 (take-aways) – some with residential uses above - on the Mill Road frontage, with predominantly Class C3 (dwellings) use in the tight-knit residential streets to the north and south of Mill Road.
- 1.6 The site is situated within the Mill Road District Centre (East), as identified in the Cambridge Local Plan (2006). The site does not fall within the Conservation Area and there are no Listed Buildings adjacent.

2.0 THE PROPOSAL

- 2.1 This full application seeks permission to erect a flat roof, single storey extension to the rear of the property, spanning the width of the site, and creating an additional floor space of approximately 98m² for storage and plant purposes (to include a

bulk store area, a chiller and freezer area, a 'bake-off', a cash office, a WC, a bin store and a Staff Room). To the outside of the extension, 3 wall mounted air conditioning units are also proposed. A condenser compound would be situated to the rear of the extension, adjacent to the boundary with 169, which would be enclosed by 2.5m high panel fencing.

2.2 The consequence of building the extension would be to bring the extension closer to the nearest housing in Sedgwick Street and restrict severely the area available for car parking. In the event that the applicant succeeds in changing the Traffic Regulation Order, allowing 10.35 metre service vehicles to deliver to the rear of the site, almost no on site parking would remain.

2.3 The application is accompanied by the following supporting information:

1. Planning, Design and Access Statement (In the context of the other more recent application for what the applicant describes as an 'identical proposal' [LPA ref: 08/0099/FUL] additional information has been submitted)
2. Acoustic Report (a revised and updated report has recently been received.)

2.4 In addition to this application, an advertisement consent application (for the installation of one double sided projecting sign and one fascia sign on which letters/logo only will be illuminated), and a full application for a new shopfront (which would include the installation of an ATM unit) (LPA Refs: 08/0085/ADV and 08/0095/FUL, respectively) were submitted at the same time.

3.0 SITE HISTORY

Reference	Description	A/C, REF, W/D
C/63/0007	Conversion of ground floor for use as butcher's shop. 163 Mill Road	A/C
C/64/0448	Change of use of ground floor from residential to shop. 167 Mill Road	A/C
C/68/0726	Supermarket with stores and	A/C

	office or living accommodation. 163/165 & 167 Mill Road	
C/68/0276	Supermarket with stores and office over. 161-165 Mill Road	A/C
C/69/0337	Erection of five shops with office space above. 163-169 Mill Road	A/C
C/70/0405	Erection of shop, office and flat. 163-169 Mill Road	A/C
C/71/0826	Erection of 3 lock-up shops at ground level with offices over. 163/167 Mill Road.	A/C
C/73/0583	Erection of shop front. 163-167 Mill Road	A/C
07/0809/ADV	Installation of one double sided internally illuminated projecting sign and one internally illuminated fascia sign	Subject of a non- determinatio n Appeal
07/0810/FUL	Installation of new shopfront and ATM unit	Subject of a non- determinatio n Appeal
07/0811/FUL	Erection of a single storey rear extension. 163-167 Mill Road	Subject of a non- determinatio n Appeal
08/0095/ADV	Installation of one internally illuminated double sided projecting sign and one internally illuminated fascia sign	Decision Pending
08/0098/FUL	Installation of new shopfront and ATM unit	Decision Pending

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No
	Public Meeting/Exhibition (meeting of):	No
	DC Forum (meeting of):	No

5.0 POLICY

5.1 Central Government Advice

5.2 PPS1 Delivering Sustainable Development (2005):

Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 PPS6 Planning for Town Centres (2005):

States that the key objective for town centres is to promote their vitality and viability by planning for growth and development of existing centres, promoting and enhancing existing centres by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all. The statement seeks to enhance consumer choice to meet community needs and ensure new development is well served by a choice of means of transport.

5.4 PPG13 Transport (2001):

This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport. Paragraphs 49 to 56 address Parking and include advice that the availability of parking has a major influence on the means of transport people choose for their journeys(49); that reducing the amount of parking in the expansion of development is essential as part of a package of transport measures, to promote sustainable travel choices (49); that other than in exceptional circumstances developers should not be required to provide more parking than they themselves wish (an example of exceptional circumstances might include

significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls(51); and that authorities should seek to have maximum parking standards(52).

- 5.5 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects. It does also make the point at paragraph 92 that:

“Since planning controls are concerned with the use of land rather than the identity of the user, the question of who is to occupy premises for which permission is to be granted will normally be irrelevant.”

5.6 **Cambridgeshire and Peterborough Structure Plan 2003**

P1/3 Sustainable development in built development

5.7 **Cambridge Local Plan 2006**

- 3/1 Sustainable development
- 3/4 Responding to context
- 3/14 Extending buildings
- 6/7 Shopping development and change of use in District and Local centres
- 6/8 Convenience shopping
- 8/2 Transport impact
- 8/6 Cycle parking
- 8/9 Commercial Vehicles and Servicing

6.0 **CONSULTATIONS**

Cambridgeshire County Council (Engineering)

- 6.1 No objections are raised to the proposed rear extension to the property. The Local Highway Authority would have no objection to the store being serviced from the rear yard. But state that this will require an amendment of the existing Traffic Regulation Order to permit two-way traffic for a short distance along Sedgwick Street. Those already in place along Mill Road prevent deliveries during peak hours. Outside that time a

significant number of businesses are serviced from the street. The location of the corner in relationship to the premises will be the same no matter what type of A1 business occupied the premises; it could not, in my opinion, be demonstrated that a specific named occupier would be better or worse than any other. The proposal is not of sufficient size to warrant a Traffic Assessment. To vary our basis of assessment to address a single named user would be inconsistent and unjustifiable.

Head of Environmental Services

- 6.2 Has no objection in principle to the above application, but conditions are recommended to address: demolition and construction hours; deliveries during the construction phase and during the operational phases (08.00 –18.30 is suggested – though I think a slightly longer period would conform more closely to what is normally allowed); details of Contractors Operations; and refuse provision.
- A condition is also suggested for noise insulation to address wider concerns about noise, though the point is made that the information provided needed elaboration. Further information has been promised and I will report on the amendment sheet or orally any further advice received

Planning Policy Manager

- 6.3 The main issue in policy terms for this application is policy 6/7, which refers to shopping Development and change of use in local/district centres. The main concern is that the development will not increase the traffic or have any detrimental impact on the vitality and viability of the City Centre.
- 6.4 If the overall store floorspace is still below 1400m² then I do not see how the Local Planning Authority could successfully refuse the application solely in respect of part b) of Policy 6/8 even where the extension leads to the addition of more than 10% of the net floorspace. I take the reference to net floorspace to be a reference to the part of the gross retail floorspace used for sales purposes, *excluding related functions such as storage or staff facilities*.
- 6.5 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, objecting to the proposal:

98	Brampton Rd	Cambridge
20	Argyle St	Cambridge
58	Hemingford Rd	Cambridge
3	Catharine St	Cambridge
35	Catharine St	Cambridge
9	City Rd	Cambridge
9	Brookfields	Cambridge
121	Mawson Rd	Cambridge
11	Barnwell Rd	Cambridge
15	Guest Rd	Cambridge
25	Suez Rd	Cambridge
4	Sedgwick St	Cambridge
25	Ditchburn Place	Cambridge
62	St Barnabas Rd	Cambridge
28	Upherds Lane	Ely
130	Catharine St	Cambridge
20	The Paddocks Cavendish	Cambridge
77	Avenue	Cambridge
5	Cromwell Rd	Cambridge
57	Greville Rd	Cambridge
33	St Barnabas Rd	Cambridge
42	Brampton Rd	Cambridge
18	Glisson Rd	Cambridge
30	Charles St	Cambridge
56	Thoday St	Cambridge
19	Sedgwick St	Cambridge
104	Seymour St	Cambridge
109	Coleridge Rd	Cambridge
2	Willis Rd	Cambridge
120	Ross St	Cambridge
96	Catharine St	Cambridge
143	Church End	Cambridge
13	St Barnabas Rd	Cambridge
12	Paget Close	Cambridge
104	Way Lane,	Cambridge

	Waterbeach	
72	Sedgwick St	Cambridge
	Trinity Close,	
14	Haslingfield	Cambridge
FFI, Jupiter House		
Floor 4	Station Rd	Cambridge
	High St, Little	
19	Eversden	Cambridge
25	Cockburn St	Cambridge
Arjuna Clinic, 12a	Mill Rd	Cambridge
49	Gwydir St	Cambridge
49	Gwydir St	Cambridge
15	Shelly Garden	Cambridge
18a	Covent Garden	Cambridge
54	Long Reach Rd	Cambridge
BBC Vision Studios,		
Room 4562 BBC		
White City, 201	Wood Lane	London
	Downing College	Cambridge
2	Argyle St	Cambridge
7	Glebe Rd	Cambridge
8	St Philips Rd	Cambridge
36	Lyndewoode Rd	Cambridge
24	Amwell Rd	Cambridge
15	St Barnabas Rd	Cambridge
165	Gwydir St	Cambridge
143	Ross St	Cambridge
15	Cockburn St	Cambridge
8	Emery St	Cambridge
60	Lichfield Rd	Cambridge
165	Gwydir St	Cambridge
Demeter House	Station Rd	Cambridge
19	Ainsworth Place	Cambridge
Cambridge Friends of		
the Earth, Room 101,		
23	King St	Cambridge
85	Sturton St	Cambridge
65	Argyle St	Cambridge
112	Suez Rd	Cambridge
115	Catharine St	Cambridge
23	Wycliffe Rd	Cambridge
27	Cliveden Close	Cambridge

34	Lichfield Rd	Cambridge
30	Hobart Rd	Cambridge
24	Madras Rd	Cambridge
Rustat House, 32	Rustat Rd	Cambridge
55	Hemingford Rd	Cambridge
75	Cavendish Rd	Cambridge
9	Emery St	Cambridge
88	Cavendish Rd	Cambridge
15	Cockburn St	Cambridge
5	Great Eastern St	Cambridge
1	Sedgwick St	Cambridge
30	Thoday St	Cambridge
	Ashtead Court,	
2	Mill Rd	Cambridge
66	Hemingford Rd	Cambridge
42	Sedgwick St	Cambridge
123	Ditton Walk	Cambridge
	Ravensworth	
61	Gardens	Cambridge
256	Mill Rd	Cambridge
16	Colwyn Close	Cambridge
61	Coleridge Rd	Cambridge
23	Hope St	Cambridge
25	Cockburn St	Cambridge
3	David St	Cambridge
3	David St	Cambridge
34	Cavendish Rd	Cambridge
	Cavendish	
67	Avenue	Cambridge
The Black House	Fen Rd	Cambridge
121	Mawson Rd	Cambridge
Tyndale House, 36	Selwyn Gardens	Cambridge
9	Mackenzie Rd	Cambridge
	Hartington	
10	Grove	Cambridge
141	Hobart Rd	Cambridge
	Midsummer	
Narrowboat Lee	Common	Cambridge
11	Barnwell Rd	Cambridge
Studio 24 Ltd, Hope St		
Yard	Hope St	Cambridge
Studio 24 Ltd, Hope St	Hope St	Cambridge

Yard		
42	Great Eastern St	Cambridge
27	Cliveden Close	Cambridge
71	Wycliffe Rd	Cambridge
23	Cockburn St	Cambridge
MRC Laboratory of Molecular Biology	Hills Rd	Cambridge
50	Great Eastern St	Cambridge
120	Brampton Rd	Cambridge
80b	York St	Cambridge
42	Devonshire Rd	Cambridge
86	Sedgwick St	Cambridge
31	Corrie Rd	Cambridge
2	Cavendish Rd	Cambridge
	Thornton Rd,	
115	Girton	Cambridge
9	Cockburn St	Cambridge
	Hartington	
10	Grove	Cambridge
	Harvey Goodwin Court, French's	
96	Rd	Cambridge
219	Mill Rd	Cambridge
76	Thoday St	Cambridge
	St Catherine's	
Master's Secretary	College	Cambridge
99	Vinery Rd	Cambridge
14	Cavendish Rd	Cambridge
16	Ditton Lane	Cambridge
109	Coleridge Rd	Cambridge
77	Hills Rd	Cambridge
26	Cockburn St	Cambridge
116	York St	Cambridge
	Foster Rd,	
124	Trumpington	Cambridge
134	Tenison Rd	Cambridge
26a Bailey House	Rustat Rd	Cambridge
10	Rustat Rd	Cambridge
33	Argyle St	Cambridge
33	Argyle St	Cambridge
32	Cowper Rd	Cambridge
3	Tom Amey Court	Cambridge

57	Greville Rd	Cambridge
3	Cavendish Rd	Cambridge
7	Sturton St	Cambridge
	William Smith	
25	Close	Cambridge
5	Fitzwilliam Rd	Cambridge
94	Argyle St	Cambridge
	Fen Rd,	
5	Chesterton	Cambridge
65	St Philips Rd	Cambridge
30	Searle St	Cambridge
34	Cavendish Rd	Cambridge
61	Sedgwick St	Cambridge
43	Marshall Rd	Cambridge
	Rassbeigring 7	64354 Reinheim, Germany
	Steph-Pelli-Str. 6	69124 Heidelberg, Germany
22	Argyle St	Cambridge
24	Manhattan Drive	Cambridge
1	Thorpe Way	Cambridge
16	Coleridge Rd	Cambridge
	Primrose Lane,	
Down House	Waterbeach	Cambridge
3	Auckland Rd	Cambridge
67	West St, Isleham	Ely
	Bill Briggs Court,	
4	Ross ST	Cambridge
115	Hemingford Rd	Cambridge
31	Greville Rd	Cambridge
17	Malta Rd	Cambridge
13	Malta Rd	Cambridge
25	Devonshire Rd	Cambridge
27	Madras Rd	Cambridge
85	Hemingford Rd	Cambridge
41	Rosemary Rd	Waterbeach
88	Thoday St	Cambridge
74	Keynes Rd	Cambridge
	Ramsden	
87	Square	Cambridge
51	St Philips Rd	Cambridge
88	Tenison Rd	Cambridge
6	Great Eastern St	Cambridge
12	Blossom St	Cambridge

35	Brampton Rd	Cambridge
35	Brampton Rd	Cambridge
70	Radegund Rd	Cambridge
95	Burnside	Cambridge
106	Gwydir St	Cambridge
18	Romsey Rd	Cambridge
18	Romsey Rd	Cambridge
Maxon House, 129	Hemingford Rd	Cambridge
7	Glebe Rd	Cambridge
55	Hemingford Rd	Cambridge
	Warren Close,	
63	The Triangle	Cambridge
13	Sedgwick St	Cambridge
	Queen Ediths	
82	way	Cambridge
256	Mill Rd	Cambridge
25	Sturton St	Cambridge
129	Hemingford Rd	Cambridge
20	Perowne St	Cambridge
137	Coleridge Rd	Cambridge
36	Greville Rd	Cambridge
25	Thoday St	Cambridge
37	Argyle St	Cambridge
	George	
	Pateman	
	Court, Tenison	
42B	Rd	Cambridge
12	Rustat RD	Cambridge
2	Romsey Rd	Cambridge
17	Christchurch St	Cambridge
12	Hemingford Rd	Cambridge
134	Thoday St	Cambridge
134	Thoday St	Cambridge
59	Mawson Rd	Cambridge
158	Gwydir St	Cambridge
56	Ross St	Cambridge
45	Hemingford Rd	Cambridge
27	Belgrave Rd	Cambridge
79	Great Eastern St	Cambridge
129	Hemingford Rd	Cambridge
175	Gwydir St	Cambridge
126	Sedgwick Street	Cambridge

57c	St Philip's Rd	Cambridge
172	Gwydir St	Cambridge
155	Gwydir St	Cambridge
146	Sedgwick Street	Cambridge
81	Catherine St	Cambridge
	Warren Close,	
63	The Triangle	Cambridge
218-220	Mill Rd	Cambridge
11	Greville Rd	Cambridge
19	Ainsworth Place	Cambridge
	Station Rd,	
30	Whittlesford	Cambridge
104	Suez Rd	Cambridge
124	Thoday St	Cambridge
14	Sedgwick Street	Cambridge
148	Cromwell Rd	Cambridge
34	Gwydir St	Cambridge
122	Gwydir St	Cambridge
114/6	Mill Rd	Cambridge
118	Tenison Rd	Cambridge
92	Brampton Rd	Cambridge
171	Gwydir St	Cambridge
The Shadowhouse, 71	Cromwell Rd	Cambridge
36	Cromwell Rd	Cambridge
Vicar	St Pauls	Cambridge
35	Mill Rd	Cambridge
28 School Court	Thoday St	Cambridge
35	Norfolk St	Cambridge

The following is a list of representations who have raised general Tesco objections:

	High St,	
12	Chesterton	Cambridge
24	Strangeways Rd	Cambridge
15	Great Eastern St	Cambridge
MRC Laboratory of Molecular Biology	Hills Rd	Cambridge
33	Cavendish Place	Cambridge
	Thornton Close,	
74	Girton	Cambridge

70	Gwydir St	Cambridge
154	Tenison Rd	Cambridge
2B	Sedgewick St	Cambridge
57	St Philip's Rd	Cambridge
Relationships		
Foundation, Jubilee		
House, 3	Hooper St	Cambridge
52	Cromwell Rd	Cambridge
39	St Philip's Rd	Cambridge
Reference Dept.,		
University Library		
	West Rd	Cambridge
15	Perowne Rd	Cambridge
18	Perowne Rd	Cambridge
87	Brampton Rd	Cambridge
12	Mill St	Cambridge
Building 61, Fox		
Studios Australia,		
	Driver Avenue,	
	Moore Park	Sydney, NSW
64	Sturton St	Cambridge
252	Mill Rd	Cambridge
251	Hills Rd	Cambridge
142	Brampton Rd	Cambridge
52	Birdwood Rd	Cambridge
12	West Rd	Saffron Walden
19	Ainsworth Place	Cambridge
1	Upper Gwydir St	Cambridge
25	Malta Rd	Cambridge
161a	Mill Rd	Cambridge
38	Glisson Rd	Cambridge
2a	Argyle St	Cambridge
	Cherry Hinton	
276	Rd	Cambridge
52	Gwydir St	Cambridge
Dept. of Clinical		
Biochemistry, Box 232,		
Addenbrookes		
Hospital		
	Hills Rd	Cambridge
58	St Barnabas Rd	Cambridge
58	St Barnabas Rd	Cambridge
29	Argyle St	Cambridge
Anglia Ruskin Student		
Union		
	East Rd	Cambridge
44	Leys Avenue	Cambridge

11	Heron's Close	Cambridge
40	Newton Rd	Cambridge
102	Mawson Rd	Cambridge
4	Sedgewick St	Cambridge
15	St Barnabas Rd	Cambridge
61	Coleridge Rd	Cambridge
The Old Chemist Antique Centre	Mill Rd	Cambridge
Heylock	Caxton End, Eltisley	St Neots
1	Newnham Walk	Cambridge
Thomas Coram Research Unit,	University of London, 27/28	
Institute of Education	Woburn Square	London
2	Belgrave Rd	Cambridge
Cambridge University Press	Shaftesbury Rd	Cambridge
10	Romsey Terrace	Cambridge
12	Great Eastern St	Cambridge
32	Romsey Rd	Cambridge
40	Radegund RD	Cambridge
21	Rustat Rd	Cambridge
47	Nicholson Way	Cambridge
22	Leys Avenue	Cambridge
85	Sturton St	Cambridge
162	Gwydir St	Cambridge
9	Malta Rd	Cambridge
Mortimer Wheeler House, 46	Eagle Wharf Rd	London
92	Ravensworth Gardens	Cambridge
24	Vinery Way	Cambridge
11	St Bede's Crescent	Cambridge
340	Mill Rd	Cambridge
37	Great Eastern St	Cambridge
22	Leys Avenue	Cambridge
16	High St	Waterbeach
9	Common Lane	Sawston
126	Ramsden Square	Cambridge

130 emails objecting to the proposal have also been received

A representation received from the Cambridge Cycling Campaign opposes all three applications and raises specific highway objections.

A petition of over 4000 signatures objecting to the application was received as part of the original applications, together with a smaller petition of objection with 132 signatures, from the City of Cambridge Residents Trust.

7.2 The representations can be summarised as follows:

The proposed development would be contrary to the aims and objectives of Local Plan Policies

The development is contrary to the conditions attached to the existing planning permission (C/71/0826 case);

Impact on highway safety;

Impact on pedestrian and cyclist safety;

Impact on the vitality and viability of Mill Road;

Noise pollution from the proposed plant;

The noise from the air conditioning units/compound would mask the noise of vehicles and have the potential to adversely impact on the safety of others, especially pedestrians using the Sedgwick Street

Removal and loss of existing car parking;

The application ignores a right of way of access across the property (refers to an existing right of way from the rear car parking area to an area of land owned by the adjacent occupier, currently Bush Estate Agent);

Lack of Cycle Parking;

The proposed development would exacerbate traffic congestion along Mill Road;

There is insufficient provision for waste disposal;

The application does not include a Traffic Impact Assessment, as required by Local Plan Policy;

The proposed delivery arrangement to the site would result in the removal of an area of pavement causing serious road safety problems (NB: The application has since been amended to enable deliveries to the rear of the premises instead);

The proposed delivery to the rear is inappropriate due to the restricted road width and on-street car parking;

The application fails to indicate the number of proposed daily deliveries to the site, nor do they specify the size of vehicle that would be used;

- 7.3 2 letters in support of a Tesco in Mill Road have also been received.
- 7.4 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. Residential amenity
3. Refuse arrangements
4. Highway safety
5. Car and cycle parking
6. Third party representations

Principle of Development

- 8.2 163-167 Mill Road is an existing retail unit in a District Centre, Mill Road (East), which is identified in the Cambridge Local Plan (2006). It is currently vacant, but has been in retail use for many years, since the 1970s, when the building was constructed under the permission C/71/0826.
- 8.3 I consider the A1 use of this site is lawful because there is a permission for A1 on the ground floor level; that a condition may not have been complied with does not make the use for retail unlawful. On the basis that it is likely that the breach of condition has been occurring for a considerable time (recognising that Sedgwick Street has been one-way for more than 10 years), it would not be expedient to bring enforcement proceedings.
- 8.4 The current application seeks to extend the floor area of the retail use by adding some 98sqm at the rear of the premises. The 2006 Local Plan addresses shopping in Chapter 6

paragraphs 6.14 to 6.29 and Policies 6/4 to 6/10. Paragraphs 6.16 and 6.17 explain that policies seek to enhance the vitality and viability of the City Centre and support the District and Local Centres (rather than promoting major retail expansion) and that applications for retail developments will, where appropriate, be subject to a demonstration of need; that a sequential approach has been adopted; that there will not be an adverse impact on existing centres and that transport and environmental matters have been considered.

- 8.5 PPS6 – ‘Planning for Town Centres’ gives Central Government guidance on issues raised in Local Plan paragraph 6.17. Annex A, Table 1 makes clear that District Centres will usually comprise a range of shops and often contain at least one supermarket or superstore. Assessment of need is required where a town centre use is proposed in an edge-of-centre or out-of-centre location (paragraph 3.9), which is not the case here. Paragraph 3.13 explains that a sequential approach is only needed where a site is not in an existing centre, and paragraph 3.20 that an impact assessment is only required in similar circumstances, unless scale demands it; paragraph 3.23 advises that the level of detail and type of evidence and analysis required should be proportionate to the scale and nature of the proposal and paragraph 3.29 concerns extensions and uses a 200sqm figure as being material as to whether the sequential test applies.

In this context, I do not consider that there was a need for the applicant to furnish further information regarding need, a sequential approach and impact; the transport and environmental matters remain to be considered.

- 8.6 The Local Plan policy specifically addressing Shopping Development and Change of Use in District and Local Centres is Policy 6/7, which advises 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. …..”

The supporting lower case text, paragraph 6.24, explains that;

“District and Local Centres serve an important function, providing the ability to shop close to where people live and work. They help to meet day-to-day needs, thus reducing the need to travel and dependence upon the private car. Additional development in these Centres should cater mostly for current users and other local people, increasing the viability of the local centre. It should not be of a scale to significantly increase traffic or have any detrimental impact on the vitality and viability of the City Centre.”

- 8.7 The extension to the property would result in the floorspace in retail use (a Class A1 use) as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) being increased by approximately a third (98square metres in addition to the current 270 sq metres net). The extension would not be used for retail floor space accessible by the public, but would be used to service retail floorspace within the existing building (some of which is currently used to service the shop); the new space will be used solely for plant, storage and office use which would serve as an ancillary use to the main shop.
- 8.8 The site comprises the ground floor of the premises. The whole site falls within a District Centre. The Local Plan aims to sustain and enhance the attractiveness of Local and District Centres and argues that additional development in these Centres should cater mostly for current users and other local people, should not be of a scale to significantly increase traffic and should increase and not have a detrimental impact on the vitality and viability of the Local Centre.
- 8.9 The scale of what is proposed here, 98 square metres cannot be described as being inappropriate in scale in the context of the Mill Road (East) District Centre. Indeed I consider that the retention of the retail use and the modest increase in floor space would be consistent with the function of a District Centre.
- 8.10 I consider that the proposal will, for the most part, be used by local people. It would bring into use a currently vacant site within a District Centre, in a location that is easily accessible on foot and by cycle from a wide residential area. Public transport services are also available, but are in my view unlikely to be an extensively used mode. Limitation on parking and the difficulties created by the one-way system in place locally are unlikely to mean that the additional floorspace would make the

extended retail outlet a major attraction or significantly greater attraction for people using motor cars as their mode of transport. I do not consider that what is a relatively modest increase in floorspace will significantly increase motor traffic, while limited parking provision and relatively difficult access prevail. What might increase the likelihood of a growth in motor traffic would be the promotion of car parking to the rear, which would be easier to access if vehicular access was available in two directions along the first 50 metres of Sedgwick Street.

8.11 Local Plan Policy 6/8 - 'Convenience Shopping', is relevant in so much that it recognises, at 6/8 a), that if a site were available a new supermarket building of up to 1400 sq m could be accepted under this policy; against that background policy 6/8 criterion b) is material because as the floor area proposed here would still be below that figure (even if the permission were accepted and implemented), b) is relevant in so much that although the extension may be more than the 10% guide in the policy, it is still less than what would be acceptable under a) and, therefore, it would be illogical to oppose it unless there are amenity or design issues weighing sufficiently against it.

8.12 In that context, I do not consider it reasonable to argue that the addition of 98 sq metres of additional floorspace, within a District Centre will, of itself, affect the vitality and viability of that centre. While much concern has been expressed locally, arguing that the proposal may lead to other shops in the local centre losing trade or going out of business, because of competition the development would introduce, I cannot share that view. PPS 6 'Planning for Town Centres', advises that it is not the role of the planning system to restrict competition or preserve existing commercial interests and, therefore, these possible impacts are not matters that I can take into account in coming to a recommendation. For these reasons, in my view, the principle of providing the additional retail floor area within this district centre accords with local plan policy and government policy on retail development as set out in PPS 6, subject to addressing the relevant transport and environmental matters which I will do below.

8.13 In making its objections to the proposal, the No Tesco Mill Road campaign has made the point that, despite its title, the opposition it has to the proposal would be the same if any of the other 'big 4' convenience food retailers were seeking to occupy

the site. However, at the moment, the position in planning law and policy is that the identity of the occupant is not relevant to the planning decision. It is the use of the land, and not the particular purpose of a particular occupier, to which planning control is directed. Paragraph 92 in the Central Government Circular 11/95 makes this point as follows:

“Since planning controls are concerned with the use of land rather than the identity of the user, the question of who is to occupy premises for which permission is to be granted will normally be irrelevant.”

8.14 In physical terms the proposed extension would be a single storey addition, rising to 3.1metres. In my opinion, it would be difficult to argue that the height or form of the proposed extension, which is considerably lower than the flat roof of the existing building and would be substantially masked from the street by the outbuildings to 161 Mill Road, would be out character with the area or would be over-bearing to the adjacent buildings or to the occupiers of nearby dwellings.

Residential Amenity

8.15 The proposed extension is of a modest scale and is considered to be proportionate to the main building. The proposed rear extension would bring the back wall of the building 5.6 metres closer to the nearest dwelling in Sedgwick Street, but further from 161 Mill Road. Its modest scale means that, in my view, it would be difficult to argue that the extension, of itself, would have a significant impact on the reasonable residential amenities of the occupiers of Sedgwick Street or indeed the adjacent property, 161 Mill Road.

8.16 However, the proposal also shows a rear plant compound immediately behind the building and adjacent to the common boundary with 169; three wall mounted air conditioning units; a relocated spiral staircase; and a single door in the rear elevation in a central position.

8.17 Arguments put by objectors include concerns that the noise impact assessment by the applicant is incomplete, and is misleading in terms of the noise pollution that will arise; that the noise will drive up the background noise levels; and that the noise from the air conditioning units/compound would mask the

noise of vehicles and have the potential to adversely impact upon the safety of others, especially pedestrians using Sedgwick Street. Further information has been sought.

- 8.18 Above the laundrette the flat at 161A Mill Road, is a residential unit which takes access from Sedgwick Street. The two bedrooms of that apartment are understood to be located to the front of the property facing Mill Road with the bathroom, living area and kitchen located behind them with windows facing Sedgwick Street. The flank wall of the existing shop and office building (163-167) already projects approximately 8 metres behind the rear of the flat. The three proposed air conditioning units will be to the rear of the extension, a further 5.6 metres distant and flanked on two sides by brick walls; the condenser units are further yet away, but closer to the first house on the east side of Sedgwick Street.
- 8.19 An updated Acoustic Report has been submitted specifying the type of plant that is proposed to be installed to the rear of the proposed extension. A copy of the report has been sent to the Environmental Health Officer for further consideration and comments are currently awaited. This has however revealed certain anomalies and clarification has been sought as there is a wish to ensure that the consequence of the application is not to raise the background noise level at the boundary of the site by more than 3dB, as well as protecting nearby residences. A further report on this issue will have to be made at Committee.

Refuse Arrangements

- 8.20 The Environmental Health Officer has suggested that this matter is dealt with by condition. The applicant has illustrated a position within the building where provision will be made, but there has been concern as to whether there is enough room. The volume of the space is technically adequate to meet the requirements of the Waste Strategy Officer who recommends there should be enough waste provision to cover 5000 litres per 1000 m² of gross floor space for retail premises, of which a third should be for recyclables. Given that it appears that the provision made is adequate, though clearly that will in turn depend upon how the site is managed and the number of collections made.

- 8.21 With that in mind and conscious of the increased proximity to the neighbours and the limited space available at the rear of the site, there is also a need, in my opinion, if this application is to be approved, to require that there is no outside storage on the site (though this could not preclude an application for formal consideration of outside storage at a later date if someone chooses to make an application). The restriction could be required by condition.
- 8.22 I am therefore of the view that subject to condition this matter can be properly addressed.

Highway Safety

- 8.23 The site fronts onto Mill Road, a Local Distributor Road linking the City Centre with the eastern side of the town. As has been explained previously, there is an extensive residential hinterland on both the north and south side of the road. The existing retail unit is part of the District Centre and was, when last occupied serviced from the public highway Mill Road (as well as the rear yard), notwithstanding conditions imposed on the original planning permission.
- 8.24 C/71/0826 was a planning permission granted in 1972 for the construction of a new building with retail units at ground floor and offices above. The permission was granted subject to a number of conditions, two conditions seen as having relevance to the current case are:

Conditions 2 & 3 of C/71/0826

“2. The loading and unloading area and the parking spaces shown on drawing number 71/258/1 shall be permanently maintained for that purpose.

3. No loading or unloading of goods, including fuel, shall take place otherwise than within the curtilage of the site.

The reason given for both the conditions is: To avoid obstruction of the surrounding streets and to safeguard the amenities of adjacent premises.

- 8.25 It is now many years (I believe that this happened in the early 1970s, but have not yet managed to find the precise date) since

Sedgwick Street was made part of the one-way system which allows motorised vehicles to travel only North to South along the street. That means that only very small vehicles, nothing larger than a van, can now get to the 'loading and unloading area' to which the condition refers. It is certainly my understanding that the last occupiers of the site did not always meet the requirements of the conditions in question. What is more, the reasons for the conditions, "To avoid obstruction of the surrounding streets and to safeguard the amenities of adjacent premises" are in my view reasons that would not be offended by the occupiers of this premises loading and unloading in Mill Road, though that clearly has other implications which will be discussed separately. In all, I do not consider that the inability of an occupier to meet these conditions could reasonably be the subject of enforcement action for breach of condition in the light of the changed circumstances and length of time that this one-way system has been in place. The simple fact that the new development cannot comply with the conditions does not in itself amount to a reason for refusal in circumstances where the site currently is not complying and that is either lawful or not expedient to enforce.

- 8.26 The one-way system precludes the servicing of this site in the manner originally envisaged when the shop was built, by anything other larger than a van. It has been serviced from the highway. When originally submitting the application, the applicants suggested that they would wish to service the site from a lay-by in Mill Road, which would have removed vehicles from the carriageway, but occupied the whole of the public footway. The County Council as the local highway authority opposed that plan because of the loss of public footway and conflict with pedestrian movements and the applicant has therefore withdrawn the plan showing the possible configuration of a lay-by. Instead, they have advised that they would wish to continue servicing the site from the highway, as the previous occupiers did. The Local Highway Authority has been unequivocal in advising that, "given the small size of the proposed extension the Highway Authority would not wish to raise an objection."
- 8.27 The Local Highway Authority has also advised that it would not oppose a Traffic Regulation Order, which would, if made, allow

two-way movement of motor vehicles on the first (the southern) part of Sedgwick Street, thereby allowing a vehicle into the site. It is recognised that such an order would almost certainly be opposed, as the swept path of a 10.35 rigid vehicle would require the removal of some on-street car parking spaces in Sedgwick Street and the loss of 4 or 5 on-site car parking spaces. Clearly if access did become available for a 10.35 metre vehicle, this could be done with or without the extension being built as the access arrangements of themselves would not change.

- 8.28 In not raising objection to the continued servicing of this site from Mill Road, the Local Highway Authority makes the point that any servicing must be within the hours that currently apply and are the subject of a formal Order. This will lead to some queuing, but that does happen in Mill Road already and will have happened in relation to this site in the past. The enforcement of this matter would be for the local authority, as it is at present.
- 8.29 In response to a first enquiry by the County Council the applicant has submitted that: Monday – Saturday there would be 4 regular deliveries a day (but with a fifth specialist delivery on two midweek days); on Sundays there would be 3 deliveries. A request for clarification of these figures was sought, whether they relate to a certain size of store or location; the response received is that they are consistent with a Tesco Express store and not specific to the store in Mill Road. The objectors claim that the proposal will be significantly worse than the proposed occupier, and worse yet than the applicant has suggested. Survey figures that the No Mill Road Tesco Campaign have collected at another Tesco Express site (Cherry Hinton) suggest that a higher number of lorry trips may be made. Despite this the Highway Authority, as rehearsed previously, is not raising objection, but has specifically stated that it does not consider it necessary to introduce further waiting restrictions in the area, as the existing retail outlet has been successfully serviced, for longer than any officer at the County Council can recall, without any adjustment to the waiting restrictions being requested. It is seen as the responsibility of the developer to take into consideration the existing nature of the streets etc., when acquiring a property for their commercial use and that they should adapt their servicing strategy to suit the area, rather than

expecting the Highway Authority to modify the existing waiting restrictions to suit the developer requirements.

- 8.30 Policy 8/9 of the Local Plan requires that proposals make suitable provision for any required access and parking by service and delivery vehicles. The accompanying text in paragraph 8.21 notes that such vehicles can cause obstruction to road users and that development that will require regular loading or servicing must avoid causing illegal or dangerous parking by providing off-street facilities. The circumstances here however are for additional space where existing floorspace can already cause the same issues and off-street parking cannot be used anything larger than a van. The Local Highway Authority advise that providing that the applicants have regard to the delivery hours then on-street delivery will not be illegal and consider that obstruction caused can be managed.

Cycle Safety

- 8.31 In the context of the second application for an extension to the store the Cambridge Cycling Campaign has raised issues of safety and argue that this application will generate a large number of lorry movements (relative to the current usage), which will cause danger for cyclists and walkers. Delivery vehicles already cause congestion, inconvenience and danger and more delivery vehicles will only make matters worse.
- 8.32 They point out that Mill Road is the 3rd/4th worst place in the County for clusters of accidents (a cluster site is defined as a junction or 100 metre length of road with more than 5 injury accidents in three years). The possibility of lorries turning into Sedgwick Street in the future is considered likely to increase the incidence of collisions.
- 8.33 While the County Council would welcome servicing from the rear yard off the side street, which it considers is practicable in certain circumstances, they clearly do not consider the absence of such an option should be fatal to the application. In the absence of any objection to the servicing from Mill Road by the County Council, I do not consider that highway safety constitutes a sound reason for refusing the application.

Car Parking

- 8.34 The application plan shows 6 car parking spaces for the store at the rear of the site, one of which would be a disabled space. There are three further car parking spaces shown in the rear yard of the premises, but those are not shown as part of the application site and a notation on the site shows them to be allocated to Youngman Ltd who are currently the occupiers of the first floor office use.
- 8.35 An aim of the Local and District Centres is to help to meet day-to-day needs, thereby reducing the need to travel and the dependence upon the private car. Policy 8/2 (Transport Impact) of the Local Plan requires that developments will only be permitted where they do not have an unacceptable transport impact and goes on to advise that proposals must include sufficient information for the likely impact to be assessed. The County Council has advised that the development proposed here, the 98 sq metres proposed is not of a scale to require that a Transport Assessment be submitted. Policy 8/10 Off-Street Car Parking - requires that off-street car parking must be in accordance with the Parking Standards. Those standards state that inside a Controlled Parking Zone (CPZ) the requirement is for disabled parking only; outside a CPZ there is a requirement for 1 space for every 50sq m of gross floor space, including disabled parking – which here would equate (277 + 98sqm) to 8 spaces in total. However, the car parking standards are maximum standards, in accordance with the advice in PPG 13 "Transport". That document notes that availability of car parking has a major influence on the mode of transport chosen for a journey and also advises that developers should not be required to provide more spaces than they themselves wish, other than in exceptional circumstances. Exceptional circumstances might include significant implications for road safety that could not be resolved through the introduction or enforcement of on-street parking controls. National policy therefore suggests that the provision of limited off-street parking for this proposal ought not to justify refusal of the application unless the “exceptional circumstances” referred to in PPG13 can be identified.
- 8.36 The availability of on-street parking in the vicinity of the appeal site is controlled through a mixture of controlled parking zones, limited waiting bays, double yellow lines and the one-way system. There are a very limited number of waiting parking bays further to the west in the District Centre and the one-way system I consider an active discouragement to trying to park in

the side streets. I am therefore of the view that limiting on-site parking is a good thing and that any provision over and above disabled parking would act as a magnet to car drivers. Given the view in PPG 13 on the relationship between availability of parking and choice of travel mode, I think it appropriate to assume that the lack of parking would act as a deterrent for car-borne shoppers, dissuading potential customers from considering driving to the site.

8.37 Also of concern to local residents has been the issue of illegal parking, something that may well be compounded by the absence of much authorised parking and the difficulty of maneuvering through side streets. I am sure that there is illegal parking on occasion presently, but it is for the Council to resolve by effective enforcement of existing parking controls. Again, PPG 13 advises that parking controls need to be backed up by adequate enforcement measures, and it could be argued that that is particularly important if it helps promote additional movements by foot or bicycle.

8.38 Objectors have also expressed concern that the small scale of the extension proposed seriously underplays the impact that this development will have and the amount of traffic that would be generated and the serious implications of the proposal for the area. However, what is proposed here is a small extension to serve an existing use, albeit one predicated upon requirements and standards that have long since changed, nationally and locally. Given the proximity to other major retail outlets, I consider it highly likely that the proposed store would attract the bulk of its custom from shoppers who have travelled on foot or by bicycle.

8.39 Objectors have also expressed concern that both the development itself and the unloading in the rear area, should that happen, will have serious implications for parking in the locality because of the parking on the site that will be lost. There is at present a licence available to 169 to cross the site and park to the rear of that property where there are about 5 unmade spaces; that provision would not continue if the development proceeds, and nor would the provision for the first floor office, if the rear access of large vehicles does become possible. The likelihood is that that parking would move onto local streets which are already congested, but the loss of car parking is not a reason for refusing the application and, as I

have said previously, my view is that minimising the availability of car parking at the rear of the store would reduce the attractiveness of the shop to car users.

- 8.40 As a conclusion I consider that the car parking provision made is adequate and appropriate and that there is a very strong case for keeping on site provision to a minimum, rather than encouraging greater provision. I consider the car parking to accord with Local Plan and national policy.

Cycle Parking

- 8.41 Cycle parking provision is made for staff to the rear of the building adjacent to the disabled parking space. Amended cycle parking space has been shown to the front of the store on the site, not on the highway. The current standards of the Council require 16 spaces (1 for every 25sqm of gross floor area). The local highway authority in its latest comments has questioned whether one space to the rear can be achieved (which would reduce provision proposed to 15 spaces), but that can easily be remedied, either at the front or the rear of the premises. The matter has been referred back to the applicant and I will advise Committee of any response received.

Third Party Representations

- 8.42 A large number of the issues raised by local residents and petitioners have been addressed above. However, other matters have also been raised and some of these need to be addressed in further detail. Included in these are a planning decision at Barnet, the report of the All-Party Parliamentary Small Shops Group Report – High Street Britain: 2015, and the work of the Competitions Commission.

‘The Barnet Case’

- 8.43 The applicants have raised the decision of a Planning Inspector at Barnet as being a similar case that is material to this decision. A copy of the appeal decision letter is attached as an appendix.

- 8.44 The Barnet case concerned a shop in an out-of-centre location. The issue in terms of harm to vitality and viability was the effect the shop would have on the vitality and viability of the nearby town centres of North Finchley and Finchley Church End. This is shown by the setting out of the main issues in paragraph 2. The Inspector then reviewed the evidence and concluded at paragraph 28 that the proposal could harm the vitality or viability of the nearby town centres and thus be contrary to policy. However the site in Mill Road is in a District centre. It is thus in a very different factual position from the Barnet case.
- 8.45 The fundamental purpose of the impact test which is put forward at a national policy level is to ensure that edge-of-centre and out-of-centre proposals do not have an adverse effect on town centres. This is set out in paragraph 3.20 of PPS 6. In fact 3.20 only requires an impact assessment for proposals in an edge-of-centre or out-of-centre location. It is thus getting at the effect that out-of-centre development will have on town centres. The considerations are different for development in the centres.
- 8.46 In these circumstances the weight that can be given to the consideration of an out-of-centre development in Barnet is very limited.

All-Party Parliamentary Small Shops Group Report – High Street Britain: 2015

- 8.47 The No Mill Road Tesco Campaign has made reference to this document in its objections. The summary and a glossary of a few terms are attached as an Appendix. However, although the Report can be regarded a material consideration, as it is only a report and is neither legislation nor formal planning guidance, the weight it can be given is again very limited.

Competitions Commission

- 8.48 There is emerging thinking from the Competitions Commission, published on its website on 15 February. The Competition Commission in its Groceries Market Investigation - Provisional Decision on Remedies has published for consultation its proposals designed to remedy its competition findings in UK

groceries retailing. A copy of the News release is attached. In paragraph 21 of its Provisional Decision on Planning Remedies it recognises the existing position in planning law and policy as follows:

“Our views

21. The current planning system, with its focus on the character and use of land rather than the identity of the specific occupier, means there is currently no real ability to consider whether, even if there is overall ‘need’ for a new development, the consequences of allowing that need to be fulfilled by an operator of a particular identity would create or strengthen an adverse effect on competition as defined in this inquiry. “

Again, given the context, the weight that can be given to the position of the Competitions Commission is very limited.

Other Tesco Express sites in the City

8.49 The No Mill Road Tesco Campaign has made reference to other Tesco Express sites in the City, specifically sites in Chesterton High Street and High Street, Cherry Hinton. While clearly there are some common comparisons that can be drawn there are also distinct differences between the sites.

Other Tesco Express Cases referred to by the No Tesco Mill Road Campaign

8.50 It is impossible to comment on these without knowing much more detail of these cases.

9.0 CONCLUSION

9.1 The proposal is not an easy one to consider, but in the final analysis it is important to remember that the proposal is for an extension to an existing A1 Shops use, where certain circumstances already prevail. Despite the arguments put forward by objectors, I do not consider there to be vitality and viability issue, or a conflict with national or local policy in terms of the additional floorspace proposed. As I have tried to make plain in the report, that the applicant is one of the ‘big 4’ is not a planning issue, despite concerns that the level of activity such a company would generate would be likely to be greater than

most other potential users of the site. There are other issues regarding matters such as loss of parking, which could occur with or without this proposal coming forward, and matters of emerging concern from Parliament and the Competition Commission which are not legislation or formal guidance and which cannot therefore be given great weight. Noise matters remain outstanding and I will report on separately at Committee. The servicing of the site from the highway is clearly an issue but in the absence of an objection from the local highway authority who consider the site can already be serviced in this way (though it will be important to ensure that deliveries are carried out during the times permitted), I do not consider this can be promoted as a clear cut sound reason for refusal. The recommendation is one of approval, subject to conditions.

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. Except with the prior written agreement of the Local Planning Authority in writing no construction work or demolition shall be carried out or plant operated 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.

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

3. Except with the prior agreement of the Local Planning Authority in writing, there shall be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there shall be no collections or deliveries on Sundays or Bank or Public Holidays.

Reason: To protect the amenity of nearby residential properties (Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/3 and Cambridge Local Plan 2006 Policies 3/4, 3/14)

4. Except with the prior agreement of the local planning authority in writing, there shall be no collections or deliveries to the store outside the hours of 0700 hrs and 1900 hrs Monday - Friday and 0730 and 1900hrs on Saturdays, Sundays and Bank or Public Holidays.

Reason: To protect the amenity of nearby residential properties. (Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/3 and Cambridge Local Plan 2006 Policies 3/4 and 3/14)

5. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

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

6. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

7. Prior to the commencement of development, full details of the on-site storage facilities for trade waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheelie bins, paladins or any other means of storage will be stationed and the arrangements for the disposal of waste. The approved facilities shall be provided prior to the occupation of the property and shall be retained thereafter unless alternative arrangements are first agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate provision is made and retained. (Cambridgeshire and Peterborough Structure Plan 2003 Policy P1/3 and Cambridge Local Plan 2006 Policy 3/12)

8. There shall be no external storage on the site.

Reason: The introduction of any external storage onto the site would be visually intrusive and detrimental to the quality of the local townscape (Cambridge Local Plan 2006 Policy 3/4)

9. The cycle parking provision, as shown on the approved drawing (P501 Rev B) shall be provided prior to the occupation of the extension hereby approved and shall thereafter be retained for this purpose.

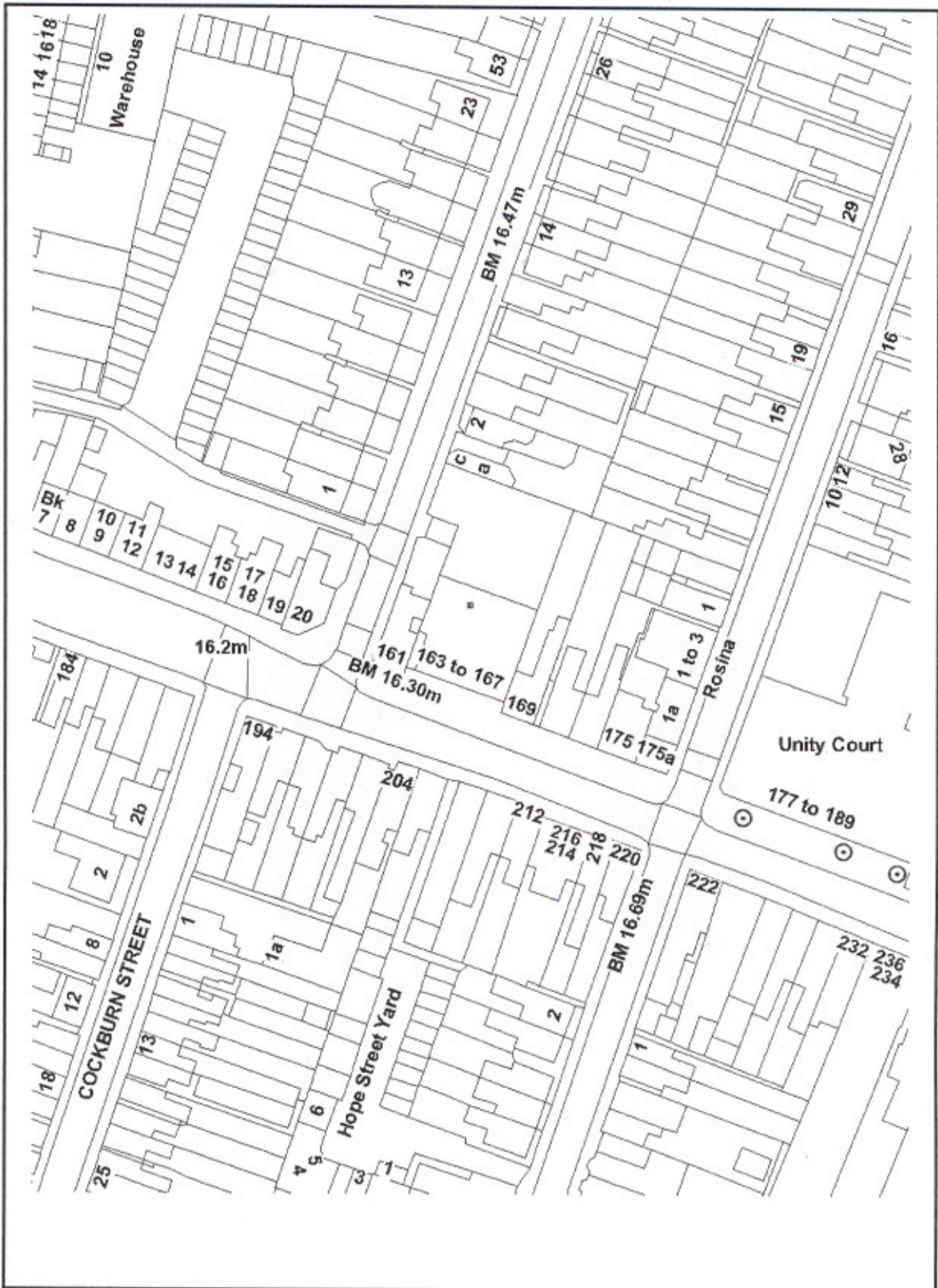
Reason: To ensure that adequate cycle parking accords with the City Council's cycle parking standards for this type of development (Cambridge Local Plan Policy 8/6)

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



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163 - 167 Mill Road Cambridge Cambridgeshire CB1 3AN