

MINUTES OF THE DEVELOPMENT CONTROL FORUM

Wednesday 29 January 2003

10.00 am to 11.05 am

PLANNING APPLICATION NO: C/02/1047/FP

SITE ADDRESS: 98 Hartington Grove, Cambridge

DESCRIPTION: Erection of two storey office extension

APPLICANT: Nick Barraclough, Smooth Operations

AGENT: Mr Nick Godley, N Godley

Present:

Councillor Alan Baker	City Council - Vice Chair, Planning Committee
Councillor Philippa Slatter	City Council - Chair, Planning Committee, Ward Councillor
Councillor Kevin Blencowe	City Council - Planning Committee
Councillor Peter Cowell	City Council - Planning Committee
Councillor Judith Pinnington	City Council - Planning Committee, Ward Councillor
Councillor Nichola Harrison	City Council – Planning Committee
John Summers	City Council - Planning Department [Chair]
Philippa Eve	City Council - Planning Department
John Blunt	City Council - Committee Manager
Kirstine Rouse	City Council - Trainee Committee Manager

Petitioners:

Ms S Alexandra	Petitioner, Resident of 100 Hartington Grove	
N C Piper	Friend of resident at 100 Hartington Grove	
Gerald Laufer	Friend of resident at 100 Hartington Grove	
John Parry	77 Hartington Grove	
Stephen Bence	104 Hartington Grove	Petitioner

The petition is in the following terms in relation to the above planning application.

“Petition from the residents of Hartington Grove to prevent the erection of the proposed development to the rear of 96, 98 & 100 Hartington Grove. The plans submitted are based on inaccurate information rendering the whole scheme invalid and unacceptable. In reality the scheme will be much closer to the existing buildings than shown on the plans. In addition the front door of 98 Hartington Grove is directly onto the access road and the owners are due to return with a baby. The increased traffic on the access road will impose a severe liability to the safety of the new baby.”

APPLICANTS' CASE

The company, established in 1992, produces small specialist music programmes for BBC Radios 2 and 4. The applicant, Nick Barraclough was one of the two partners, the other partner was based near Oldham and operated in a similar way.

The site was backland between Hartington Grove and the Morley Memorial School. The land was previously owned and used by a cleaning company.

The main points of the presentation on behalf of the applicant were:

- The existing poor quality and unsightly garages would be demolished.
- A new two storey building would improve the appearance of the site and surroundings
- Environmental improvements would be made to the site with tree and shrub planting where possible.
- The car parking area would be altered to create turning space eliminating the need for cars to reverse onto Hartington Grove.
- The proposal would not increase the number of staff employed.
- Though working with music, there was no noise pollution likely to the surroundings as the studios are well soundproofed.
- Overlooking from the new building would be minimal.
- The applicant had commissioned an independent scientific report, MAS Environment, relating to the amount of sun-light which would be lost by neighbours.
- Working days were to be from Monday to Friday inclusive, with the occasional weekend working
- Staff vehicles would be arriving between 9.30/10.00am and leaving between 5.30/6.00pm.
- Currently employs 4 full-time, and 1 part-time worker three mornings a week. Generally 2 of the full-time staff are not at that location.

CASE FOR THE OBJECTORS

Sarah Alexandra

While the objectors accepted the need for improving the building, local residents opposed the application for a variety of reasons.

This is the 3rd application for this site. The first application for a change of use went through without a hitch. The business seemed to be running well without additional office space. The second application resulted in 43 residents opposing the application. The application was refused under delegated powers as the flat above the offices did not accord with planning legislation.

Objections to this application were for the following reasons

- The size of the two storey development with pitched roof.
- Danger of over development in two back gardens 98/100 Hartington Grove.
- There is no demonstrated need for two offices on the site, especially not a two storey building.
- Overlooking would be increased as office space invited additional numbers of people to come and go throughout the day.

- Overshadowing was identical to the second application and should be turned down on the same grounds.
- The distance between the two building was not sufficient at 16 metres.
- The degree of sunlight was not sufficient at the development that blocked light significantly.
- In winter months the sunlight would be significantly blocked out by the building.
- Eight houses would be effected by the varying degrees of overshadowing.
- Generation of more traffic entering and leaving the site.
- The office space might be let out, inviting more traffic.
- Tripling of car spaces to up to 18 cars a day using the site.
- Increased parking on the roadside of the development site.
- The site has a sharp bend and this increased the danger of car accidents occurring.
- The front door opened directly onto the access road, with no provision of pavement for safe passage.
- The site plan which on inaccurate plans the distance between houses was 16 metres from the line of houses not 21 metres.
- The two storey building was not in keeping with the surrounding properties.

Stephen Bence

The business operated quietly currently and the demolition of the old building was acceptable but building a two storey extension was unacceptable.

The main areas of concern are:

Overshadowing.

There was concern about the amount of sunlight blocked out by the building. He referred to his letter of objection letter dated November 2002 and to photographs the case officer had taken in early December 2002, of which there were copies with the planning officer.

Overbearing

The two storey building would stand out and dominate the gardens.

Traffic

Car traffic would be increased considerably and he refuted the Highways Authority's comments. The site could operate with 45 people if the Health and Safety Executive's maximum capacity of the workers was followed for the size of building.

Toilets

Having two sets of toilets on the ground and first floor indicates that the amount of office space was intended for more staff than the applicant indicated.

The access provision and disability provisions have not been taken into account to allow ease of access to and from the building.

Commercial Venture

The installation of toilets on both levels suggested that once built the upper accommodation could be let out as a separate commercial venture.

Overlooking

The distance between the building and no. 100 Hartington Grove is too small and will cause overlooking.

PLANNING CASE OFFICER

Philippa Eve

- The application has received 6 letters of objection.
- One petition has been received from 34 residents.
- Statutory Consultees have responded as follows:

Highways Authority

- Detailed advice received. No objections raised.

Environmental Health

- Environmental Health have requested conditions to control the construction hours. There were no objections in principle.

MEMBERS' QUESTIONS AND COMMENTS

Members commented as follows:

- Members asked for confirmation that the two storey building was the same construction as the application which had been refused under delegated powers on the grounds of insufficient amenity for the living environment of the flat's occupant.
- Members asked if the site plan was now accurate and that the planning officer was satisfied with the proposed height of the building.
- Members asked for verification of the size and number of car parking spaces whether they met the regulations.
- Members asked what measures could be taken to reduce overlooking eg the use of obscured glazing and roof light windows (velux).
- Members commented that the office accommodation must be a proper environment for the staff to work in.
- Members asked for verification of the number of toilet facilities proposed.

The Planning Officer responded to Members as follows:

- The discrepancy found with the site plan was due to the land registry and ordnance survey not being informed that a portion of the land had been purchased by a new owner. The site plan has since been amended and the distances represented are now accurate.
- The site distance between the proposed and neighbouring buildings IS 18.15 metres.
- The proposed building was the same height and footprint as the one which was refused under delegated powers.
- The previous application was refused on the grounds of insufficient amenity of the proposed occupant of the first floor flat.
- The site required 5 car parking spaces and one of the spaces needed to be for disabled use.
- The size of the windows had been reduced since the submission of this application.

Mr Barraclough (The Applicant)

- There was no air conditioning in the building so complaints about noise were unsubstantiated.
- The central heating problem that had generated noise had been resolved.
- The possibility of using roof windows could be discussed further.
- The staff in the proposed building would have no interest in overlooking the residents.

Mr Godley – Agent

- The purpose of the DCF was to agree a way forward, but the residents seemed only to accept refusal of the application.
- The applicant would be happy to amend plans to try and ease the situation.
- The expert opinion is the MAS report was on sunlight was sound.
- The office accommodation would not be sublet at any stage.
- He welcomed anyone to make an appointment and look at the business surroundings.
- Thanked the residents for their attention to detail in identifying the incorrect measurements and agreed the distance between the buildings was approximately 18 metres.

Mr Parry – (for the residents)

- There are no objections to the proposed use of the building.
- Would have preferred a single storey building.
- The appearance of the proposed building is not in keeping with the street scene.
- 35 residents should not have to look at this building and it would overshadow and overlook existing residents.
- The proposal dealt with the loss of privacy and amenity.
- BS8206 had not been acceptable to the Dept of the Environment.
- There was not a need for such a building of this type on the site, particularly not two storeys.
- The proposal would result in the increase of noise disturbance, traffic generating parking and safety problems.
- The applicant measurements had been wrong and needed verification.
- No. 98 should not be inconvenienced by the door opening onto the roadway.

The following issues were identified as requiring clarification before the application came to Planning Committee:

- Request for an officer response in relation to the overshadowing reports
- amendments to the windows
- All measurements shall be accurate at the time the report comes to Committee.

The meeting ended at 11.05 am.