

PLANNING COMMITTEE MEETING – 4th January 2017

Amendment/De-brief Sheet

MAJOR PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 15/1759/FUL

Location: Murdoch House

Target Date: 04/11/16

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/6001/S106A

Location: Brunswick House

Target Date: 11.10.2016

To Note: Please note that the Student Management Plan attached as an appendix to the report is the most up-to-date version (Revision 2 on the website) and includes the revisions referenced within this update.

Amendments To Text: Following the Environmental Health Officer's comments set out in paragraph 0.27 of the report, the Student Management Plan (SMP) has been amended to clarify the following:

- Within the section headed 'Language School/Summer School (16yrs-18yr olds)' on page 4 of the SMP, it is now acknowledged that the demand for short term contracts is from ARU as well as Cambridge University and a variety of other academic institutions who have a presence within the City.
- It is also clarified within this section that the under aged residents will be

located in one section of the building, and that the curfew imposed for all 16-18 year old residents will require them to be inside Brunswick House no later than 10.00pm.

- Within the section headed 'Acceptable Behaviour' on page 11 of the SMP, it is acknowledged that the City Council's Environmental Health Department has powers to take action against noise nuisance being caused by the students.

The Environmental Health Officer has confirmed that the amended SMP is now acceptable.

Pre-Committee Amendments to Recommendation: The recommendation remains as before, but subject to the inclusion of the most up-to-date Student Management Plan within the S106 Agreement.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1164/FUL

Location: Former Coach Depot Premier Park, 4B Kilmaine Close

Target Date: 26.09.2016

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: Delegated authority to officers is requested for the final wording of conditions 3, 4, 16 and 27.

DECISION:

MINOR PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 16/1044/FUL

Location: Land Adj 4 Stanley Road

Target Date: 29.07.2016

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1087/FUL

Location: 423-425 Newmarket Road

Target Date: 08.08.2016

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1464/FUL

Location: Cherry Hinton Hall

Target Date: 18.10.2016

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

Consultee comments:

The County Council's Historic Environment Team comments - *Our records indicate that the site is located in an area of high archaeological potential. Cherry Hinton Hall is believed to be founded on the site of a Brigettine Priory (HER 09927). Remains relating to the late medieval and post medieval use of the site may also survive in*

the area, in addition to evidence relating to the construction and use of the present Hall. It is therefore likely that significant archaeological remains may be disturbed by the proposed development.

We would not object to the proposed development, but would recommend that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer. This programme of work can be secured through the inclusion of a negative condition such as the model condition 'number 55' contained in DoE Planning Circular 11/95.

The following standard archaeology condition is recommended:

No demolition/development shall take place until a Written Scheme of Archaeological Investigation including timetable for the investigation work has been submitted to and approved in writing by the local planning authority. No demolition/development shall take place other than in accordance with the Written Scheme of Archaeological Investigation.

Reason: To protect potential features of archaeological importance, Cambridge Local Plan Policy 4/9.

In response to the Environmental Service Team concerns with the potential community use of the multi-purpose building, the agent has advised that the school does not have any specific plans to use the multi-purpose building for community uses. The school would like to offer it for community use if the need arises for such use. In response to this the Environmental Services Team has recommended conditions to restrict amplified music, a restriction on opening windows and doors, and hours of use. However, given the location of the site in terms of its separation from surrounding houses, I consider it proportionate to restrict amplified music and hours of use only. These conditions would ensure the use of the building does not have a detrimental impact on the residential amenity of surrounding neighbours.

No amplified music:

The use of amplified music within the multi-purpose building shall be prohibited.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

Hours of use:

The multi-purpose building shall not be used outside of the following hours:

- *08:00hrs – 22:00hrs Monday to Saturday*
- *08:00hrs – 18:00hrs Sundays and public bank holidays*

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1465/LBC

Location: Cherry Hinton Hall

Target Date: 18.10.2016

To Note:

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1617/FUL

Location: 59 St Barnabas Road

Target Date: 02.11.2016

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation: WITHDRAWN FROM AGENDA ON OFFICER ADVICE.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 15/2121/FUL

Location: Netherhall Farm

Target Date: 11.02.2016

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1794/S73

Location: FORMER Penny Ferry, 110 Water Street

Target Date: 06.12.2016

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/0837/FUL

Location: 95 Barton Road

Target Date: 11.11.2016

To Note: Additional comments have been made by the City Council Nature Conservation Project Officer:

“In determining the ecological data provided by the applicant and third party reports I have attempted to establish whether the proposed development is likely to have a significant effect on biodiversity and identify any measures necessary for compliance with relevant statutory obligations and national and local planning policy. In doing so I have taken a proportionate approach to ensure that the provision of information with the application is appropriate to the environmental risk associated with the development and its location (as per BS42020).

Ecological survey information was requested to inform the likely impacts of the proposed demolition of the existing property, replacement with a single residential

property and associated landscaping of the garden. An internal inspection of the building was undertaken and revealed no evidence of bat roosts (a contradictory statement within the Applied Ecology (AE) report with reference to bat droppings being collected has been queried with AE and confirmed that none were recovered as per the report conclusions), two features potentially suitable for bats to gain entry to the building were identified from an external building inspection. These were considered to be of low bat roost potential. Follow up emergence surveys were requested and undertaken, no bats were recorded leaving the building.

Given the unlikely presence of bat roosts within the building proposed for demolition, and therefore low risk of disturbance to bats, if approved, demolition could proceed without further conditions. However, given bats are commuting and foraging within the area it may be prudent to condition follow up surveys if time elapses.

The third party ecology report submitted, provided additional bat activity survey data for adjoining gardens and the adjacent County Wildlife Site (CWS). This identified significant foraging / commuting within the area by several bat species (some of which are known to be light sensitive). For this reason I have recommended that any proposed external lighting to the rear of the property be conditioned, thus subjecting it to a full bat activity survey of the rear garden and surrounding area to ensure that any lighting will not impact on light sensitive species. This proposed condition would address the required surveys information identified within the third party report to inform appropriate avoidance and mitigation with regard to lighting. If no external lighting is proposed then this level of bat activity survey information would not necessarily be proportionate to the proposed application to demolish and rebuild the existing residential property and undertake landscaping of an existing garden. The proposed condition would actually give greater control by the local planning authority of lighting within 95 Barton Road than the majority of neighbouring private properties who retain permitted development rights, including external lighting.

The ecological information submitted by AE for 95 Barton Road concentrated on the impacts of the proposed replacement of an existing residential property and the landscaping of the rear garden. No features of nature conservation value were identified on the existing building (i.e bat roosts). Whilst the immediate footprint of the proposed property is larger than the existing, the large mature garden will largely be retained and the proposed building does not encroach upon the adjacent County Wildlife Site. The landscaping proposals retain existing boundary hedgerows and some mature trees and are likely to continue to provide garden habitat connectivity. The proposed lighting condition allows the local authority to retain control of potentially detrimental external lighting subject to appropriate bat activity surveys.”

Amendments To Text: None

Pre-Committee Amendments to Recommendation: The following condition is recommended:

“If the proposed demolition hereby approved does not commence (or, having commenced, is suspended for more than 6 months) within 1 year from the date of

the planning consent, updated bat surveys must be commissioned to:

- i) establish if there have been any changes in the presence and/or potential for roosting bats.*
- ii) identify any likely new ecological impacts that might arise from any changes.*

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, new avoidance and mitigation measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of demolition. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To avoid disturbance to foraging bats on the adjacent County Wildlife Site (Cambridge Local Plan 2006 policies 4/3 and 4/6)."

DECISION:

CIRCULATION: First

ITEM: **APPLICATION REF:** 16/1234/FUL

Location: 17 Hills Avenue

Target Date: 29.08.2016

To Note: The Nature Conservation Project Officer has visited the site and has raised no objection to the proposal.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: **APPLICATION REF:** 16/1733/FUL

Location: Land Adjacent To 2 Gray Road

Target Date: 24.11.2016

To Note: Nothing

Amendments To Text: None.

Pre-Committee Amendments to Recommendation: None.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1695/FUL

Location: 8A Babraham Road

Target Date: 18.11.2016

To Note: Members will be aware of the correspondence from the occupiers of number 8 Babraham Road. The following are responses to the points raised.

1. Lack of reference to unique single building that is 8 and 8A Babraham Road contrary to Local Policy 3 / 4 'respond[ing] to context and drawing from key characteristics of' and 3 / 14 'unreasonably overshadowing and visually dominating ..' by massing on and building up to the boundary.
- A. The single building that is 8 and 8A was built in 1934 by one family with 2 internal homes for 2 daughters (one with family) of what is now 2 separate properties 8 and 8A. A planning condition was for a single front door to match other properties on the 'even no's' side of Babraham Road. 8 and 8A is therefore very much 'one' building.

Response to above point:

- The impression of a single building certainly from the perspective and viewpoint of the public realm will remain visible. However, these are now two separate properties and modifications enhancing the separate nature of these dwellings already exist. For example, the incorporation of the flat roofed side extension incorporating cladding at 8 Babraham Road emphasises this distinctive nature. A single front door is to be retained; there are no planning proposals to alter this feature.
- What is proposed at 8A Babraham Road at the rear of the property does not alter the symmetry of a single unit from the public realm, it will not be visible on the street scene in terms of perspective given the significant distance of the rear of the property to public highway. As stated, a two-storey side extension already exists at 8 Babraham Road. The dwellings do not fall within a conservation area, nor is it a building of local interest. Under permitted development, the form of additions and modifications can be made to the property to significantly alter its design and character.

- B.** The recent No. 8 extension (neighbouring applicant 8A) is both contemporary in design and references the original building through use of e.g. matching brick and matching roof tiles (see also planning condition 1.7 below)

Response to above point:

- Issues regarding the context of site, design and external spaces have been addressed in sections 8.2 – 8.7 of the main report for this planning application.
- C.** 8A plan to use materials, while contemporary; do not reference in any way the existing building at all. Materials are a mismatch, Zinc roofing, Cedar cladding, White rendering, Glass bricks which are not in character with the current building or No. 8 extension. Contrasting contemporary design is appealing and appropriate but this is not nor references the existing building and has been described as ‘contrived and incongruous’ by an independent planning consultant.

Response to above point:

- Issues regarding the context of site, design and external spaces have been addressed in sections 8.2 – 8.7 of the main report for this planning application.
- D.** The planned design shape does not mirror the current building, but rather unnecessarily builds right up to boundary then angles back at 45⁰. This will remove the hedge for 2m, be an inelegant shape and is unnecessary, when there is space in the plot of 8A to build back from the boundary, preserve the hedge, and have a sympathetic shape that references the existing buildings. This option has been proposed to 8A.

Response to above point:

- Statements regarding building shape and the hedge have been addressed in sections 8.2 - 8.7 and 8.28 – 8.31 in the main application report respectively.
- E.** The design of recent (No. 8) neighbouring extension went to lengths to reference this unique 1930s building by sourcing matching bricks, roof tiles and building back from the boundary (2.65m) to respect past, present and future neighbours proximity and privacy. The massing on the boundary and planned design of 8A can be easily redrawn affording the same space, open amenity and utility to No. 8A while lessening the impact on the amenity of No. 8.

Response to above point:

- Concerns regarding residential amenity have already been addressed in sections 8.8 to 8.26 of the main application report.

- F. It may be optimally cost effective to build this irregular shape with this mix of materials but this will damage the character of this unique single building and detract from the neighbouring amenity. The planning report concludes (8.4 and 8.5) that 'only fractional amounts may be visible from the **public** domain' as most work is at the **rear** but **we** will live, see and suffer from this development. It would take a minute to recommend approval of design as 'contemporary', 'not out of character for the area' and little 'visible by public' but once built **we** would have to live with it.

Response to above point:

- As stated above, the dwellings do not fall within a conservation area, nor is it a building of local interest. Under permitted development, the form of additions and modifications can be made to the property to significantly alter its design and character. It is not considered that the design and character of the proposed application will not be detrimental to the amenity of the residents at 8A Babraham Road.

- G. Please note the planning permission, 12/0104/FUL, granted for No. 8 was subject to conditions including. "...external building materials to match the existing building in type, colour and texture.
Reason: To ensure the extension is in keeping with the existing building (East of England Plan 2008 policy ENV7 and Cambridge local Plan 2006 Pol 3 /4. 3 /12, 3 / 14.
It would seem illogical that for one build there is a set of expectations imposed and then on the same building with another extension that these conditions are waived entirely.

Response to above point:

- The application for the extension to no 8 proposed the use of matching materials. For the avoidance of doubt, a condition was added to ensure the development was built as proposed. The condition should not, however, be taken to imply that any alternative materials would necessarily have been unacceptable, but this wasn't part of the proposal at the time. The proposed extensions to no 8A are contemporary in appearance and it is considered that the materials proposed are appropriate in design terms.

- The application has been considered on its own individual merits. As stated above, the dwellings do not fall within a conservation area, nor is it a building of local interest. Under permitted development, the form of additions and modifications can be made to the property to significantly alter its design and character.

2. Loss of Light

Light will be reduced by .71 or 0.79 for the Visual Sky Component. This is outside the BRE level (0.8) for adverse effect. The Report states that this is an acceptable loss of amenity to number 8. It is not. Our main living area / day room

relies on light through window 2 (yes there are other windows) but this immediate living area will suffer from loss of light, 21 – 29 %. We would not have designed this window in our build if it was not necessary for light.

Response to above point:

- Concerns surrounding overshadowing/loss of light have been addressed in sections 8.9 – 8.19 of the main application report.

Suggested conditions from the occupiers of 8 Babraham Road

For front drive area:

1. No construction vehicles are allowed on our property during the build
2. No construction materials are allowed on our property during the build
3. That all deliveries, plus construction vehicle entry and egress from the building site, is only via the entrance at No 8A and that this is made clear via signage that our entrance must not be used.

Response to above proposed conditions:

This is a civil matter that would require external legal advice and to be settled between both neighbours outside of the planning system.

For the rear of the building:

4. A Party Wall Agreement (as plan is to build up to boundary).

Response to above proposed conditions:

A party wall agreement is subject to the provisions and guidelines as set out in the Party Wall Act.

5. Restriction on working hours 8-5pm Mon –Fri
6. No radios, other music
7. That blinds be installed to cover the glass parts of the single storey (in flat roof and glass bricks) and drawn when internal lighting is 'on'.

Response to above proposed conditions:

A condition relating to construction hours is recommended in the report. However, conditions proposed relating to radios; music and the use of blinds would be unenforceable and unreasonable.

8. No construction works shall commence on site until a site construction management plan has been agreed with the planning authority. This management plan should include details of how deliveries will be managed, storage of materials on site, parking of site vehicles and information on the measures to be taken to minimise impact on local residents. The development shall be carried out in accordance with the approved management plan.

Response to above proposed condition:

It is not considered that a construction management plan would be necessary for this application. No similar type of condition was included for the application at 8 Babraham Road. Sufficient space exists within the site for construction vehicles.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/1457/FUL

Location: 125 Milton Road

Target Date: 29.09.2016

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 16/0624/FUL

Location: 10 Milton Road

Target Date: 08.07.2016

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

TREE Works Application

CIRCULATION: First

ITEM: APPLICATION REF:

Location: Newnham Croft Primary School

Target Date:

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION: