

PLANNING

26 April 2017

12.30 - 5.00 pm

Present:

Planning Committee Members: Councillors Hipkin (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Holt, Nethsingha, Pippas and Smart

Officers:

City Development Manager: Sarah Dyer
 Principal Planner Nigel Blazeby
 Principal Planner: Lorraine Casey
 Principal Planner: Toby Williams
 Senior Planner: Charlotte Burton
 Senior Planner: Lorna Gilbert
 Senior Planner: Michael Hammond
 Planning Enforcement Officer: John Shuttlewood
 Planner: Rob Brereton
 Planning Assistant: Nathan Makwana
 Legal Advisor: Rebecca Williams
 Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL**17/70/Plan Apologies**

Apologies were received from Councillor Tunnacliffe. Councillor Holt attended as the Alternate.

17/71/Plan Declarations of Interest

Name	Item	Interest
Councillor Hipkin	17/83/Plan	Personal: Knows contacts involved. Withdrew from discussion and room, and did not vote.

17/72/Plan Minutes

The minutes of the meeting of the 1st March 2017 were agreed and signed as a correct record.

17/73/Plan Re-Ordering Agenda

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

17/74/Plan 16/1591/FUL - 220 Milton Road

The Committee received an application for full planning permission.

The application sought approval for erection of a residential development containing 9 flats comprising seven 1 x bed units and two 2 x bed units along with car and cycle parking and associated landscaping following the demolition of the existing buildings on site.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/75/Plan 16/2135/FUL - 3 - 5 Queen Ediths Way

The Committee received an application for full planning permission.

The application sought approval for the erection of 6 dwellings with garages and carports, cycle parking and associated landscaping (following demolition of existing buildings on site).

The Committee received a representation in objection to the application from a local resident.

The representation covered the following issues:

- i. Referred to a petition where 111 people had objected to the development.
- ii. Expressed the following concerns:

- The application was out of character with the area eg height.
- The impact of cars from the development on the local bike access route.
- Neighbour amenities.
- Loss of light.
- Impact on the wildlife corridor.

Mr McKeown (Applicant's Agent) addressed the Committee in support of the application.

The Planner proposed an amendment to his recommendation to put in a condition requiring delegated authority to agree a bat emergence survey and include a bat mitigation condition if necessary.

This amendment was **carried nem con**.

The Committee:

Resolved (by 7 votes to 0) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers and delegated authority to agree the bat emergence survey and include a bat mitigation condition if necessary.

17/76/Plan 16/2041/FUL - 4 Cavendish Avenue

The Committee received an application for full planning permission.

The application sought approval for the erection of dwelling following demolition of existing triple garage block. New vehicular access from highway to serve existing dwelling.

The Committee received representations in objection to the application from the following:

- Resident of Hills Avenue.
- A local resident.

The representations covered the following issues:

- i. Took issue with details in the Officer's report.

- ii. The Committee should make a decision in line with National Planning Policy Framework and Local Plan policies.
- iii. Suggested that NPPF and Local Plan policies did not allow for residential garden plots to be developed as they were not windfall land.
- iv. Expressed concern about:
 - Site access (eg by emergency services) and knock on impact on safety.
 - (Application) building design, which is out of scale with neighbours.
 - Impact on neighbours' amenities.
 - Loss of light.
 - Overlooking.
 - Overshadowing.
 - Sense of enclosure.
 - Noise.

Mr Anderson (Applicant's Agent) addressed the Committee in support of the application.

Councillor Moore (Queen Ediths Ward Councillor) addressed the Committee about the application.

The representations covered the following issues:

- i. The site is a tight space. Number 3 Hills Avenue would be boxed in and lose light through the Cavendish Avenue development.
- ii. Took issue with the pitched roof design.
- iii. Emergency services would experience difficulties accessing the site, which affected the safety of neighbours and future site inhabitants.
- iv. The development did not have suitable access for disabled people, so may fall afoul of national planning regulations.

The Committee:

Resolved (by 6 votes to 1) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/77/Plan 16/1895/FUL - Elizabeth House

The Committee received an application for full planning permission.

The application sought approval for a single storey extension to the existing Dining Room.

The Committee received representations in objection to the application from two resident associations.

The representations covered the following issues:

- i. Expressed specific concern about:
 - Noise from student activities eg late night discos.
 - The size of events that could be hosted on-site and knock on effect of noise.
 - Students needed to be supervised. Contact details where concerns could be reported to the College were only recently made available.
- ii. Cats College was sometimes used as a language school although it was not given permission to do this. Asked for the application to be deferred until this issue was resolved.

Mr Tomalin (Applicant's Representative) addressed the Committee in support of the application.

Councillor Sarris (East Chesterton Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Expressed concern about the impact of the development on neighbours' amenities.
- ii. There were complaints overhanging the application.
- iii. Referred to paragraph 8.12 of the Officer's report that noted "The dining room extension would be fully glazed which from a practical perspective is one of the poorest materials in terms of noise insulation. The proposed extension would be projecting closer to the properties on the opposite side of the road to the south and south-east." Noise mitigation measures would be insufficient.
- iv. Asked the Committee to note that Cats College had not complied with the s106 agreement regarding site usage, which could impact on their

planning application. Requested the proposal be deferred until the s106 issue had been resolved then the application be resubmitted with better acoustic suppression measures.

The Committee:

Resolved (by 6 votes to 1) to reject the officer recommendation to approve the application.

Resolved (by 6 votes to 1) to refuse the application contrary to the officer recommendation for the following reason:

The dining room extension will increase the amount of useable floorspace within the building. This has the potential to intensify the general level of activity taking place within the building and the external areas within the site which cannot be adequately mitigated by the use of appropriate materials or conditions of use. This will result in an unacceptable increase in the level of noise and general disturbance experienced by residents of nearby dwellings at Chesterton Road and Laburnum Close particularly through the use of their rear gardens. As such, the proposal will result in an unacceptable impact on the amenity of the residents of these dwellings and is contrary to Policy 4/13 of the Cambridge Local Plan 2006.”

17/78/Plan 16/0163/FUL - 34 Mill Road

The Committee received an application for full planning permission.

The application sought approval for demolition of a single storey rear retail space and the change of use of existing HMO to 5 studio apartments including a 2nd floor rear extension and the creation of 2 studio dwellings within semi-detached two storey unit in rear garden.

The Committee received a representation in objection to the application from a resident of Covent Garden.

The representation covered the following concerns:

- i. Density.
- ii. Design.
- iii. Amenity space.
- iv. Overlooking neighbours.
- v. Bin collection issues.

- vi. Site access and safety, particularly by construction traffic.
- vii. Right of way through side passage.

Mr Buckingham (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Unanimously resolved to reject the officer recommendation to approve the application.

Unanimously resolved to refuse the application contrary to the officer recommendation for the following reason:

The conversion of the existing building and the new flats would together fail to provide a satisfactory level of residential amenity for future residents in terms of providing a cramped living environment subject to noise and smell from plant and refuse and which would exacerbate current problems with the storage of refuse receptacles on Covent Garden to the detriment of the residential amenity of the users of Covent Garden contrary to policies 3/10, 5/2 and 4/13 of the Cambridge Local Plan (2006).

17/79/Plan 17/0093/FUL - 55 Mill Road

The Committee received an application for full planning permission.

The application sought approval for demolition of existing single storey garage and the erection of a one and a half-storey sunken apartment.

The Committee received a representation in objection to the application from a resident of Mill Road.

The representation covered the following issues:

- i. Her home was 2m away from a building owned by an absent landlord.
- ii. Expressed concern about shadow study details and the impact of the application on light to her property.
- iii. Referred to para 8.15 of the Officer's report where the Daylight Assessment omitted the ground and first floor windows on the rear outrigger of 57 Mill Road, some of which serve habitable rooms. The Objector suggested the loss of light could be actionable if the study was flawed.

Councillor Robertson (Petersfield Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. The previous iteration of the application was turned down by decision of a planning officer.
- ii. The Planning Inspector did not appear to have visited number 27 Mill Road or appreciate the loss of light issue.
- iii. The proposed building would be 4m high. This would lead to loss of light and amenity for neighbours on both sides.
- iv. The proposed zinc roof was out of character with the area.

The Committee:

Resolved (by 7 votes to 1) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/80/Plan 17/0132/FUL- 148 Gwydir Street

The Committee received an application for full planning permission.

The application sought approval for a single storey rear extension and enlargement of existing dormer.

The Committee received a representation in objection to the application from a resident of Kingston Street.

The representation covered the following issues:

- i. Suggested the dormer window was not suitable for the Gwydir Street area for design reasons.
- ii. Asked the Committee to be mindful of Conservation Area guidance.
- iii. Referred to #132 in National Planning Policy Framework guidance.

Mr Newhouse (Applicant) addressed the Committee in support of the application.

The Committee:

Resolved (by 7 votes to 1) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/81/Plan 16/1407/FUL - 28 Fendon Road

The Committee received an application for full planning permission.

The application sought approval for part two storey / part single storey rear and side extension, two storey front elevation to form a bow frontage, and change of use from dwelling to three flats, with associated landscaping, parking, bin store and cycle store.

The Planner proposed an amendment to her recommendation to put in a condition requiring shared use of the garden.

This amendment was **carried nem con**.

The Committee:

Unanimously resolved to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers plus the following additional condition:

12. Notwithstanding the approved plans, prior to first occupation of the units hereby permitted, amenity space shall be fully laid out and finished in accordance with a plan showing an area of communal amenity space for all units and an area of private amenity space at the rear for the ground floor unit, which has been submitted to and approved in writing by the Local Planning Authority, and thereafter shall remain for the benefit of the occupants of the property.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/7 and 5/2).

17/82/Plan 17/0043/FUL - Southampton Guest House, 7 Elizabeth Way

The Committee received an application for change of use.

The application sought approval for change of use from a guest house to a large house in multiple occupation (Sui Generis)

The Committee:

Unanimously resolved to grant the application for change of use in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers plus additional condition 6 as listed on the amendment sheet.

17/83/Plan ENFORCEMENT CE/5734 - 8 Richard Foster Road

Councillor Hipkin withdrew from the meeting for this item and Councillor Blencowe took the Chair.

Councillor Hipkin and did not participate in the discussion or decision making.

The Committee received a report from the Principal Planner regarding erection of a roof over external amenity space, insertion of two rooflights and conversion of a carport to playroom/storage area contrary to a planning condition requiring the space to be reserved and maintained for car parking.

It was recommended that no further action should be taken and the enforcement case closed. Members were advised insufficient harm was identified to justify enforcement action and that it was neither expedient nor in the public interest to serve an Enforcement Notice and/or a Breach of Condition Notice to seek to remedy the breaches of planning control identified.

The Committee:

Resolved (by 7 votes to 0 - unanimously) to accept the officer recommendation to take no further action and close the enforcement case file.

17/84/Plan ENFORCEMENT EN/0087/16 - 69 St Thomas Square

The Committee received a report from the Planning Enforcement Officer stating a Planning Enforcement investigation had been carried out and ascertained that a breach of planning control had occurred at the premises.

The single storey outbuilding at the Premises was used as a separate self-contained accommodation unit without planning permission.

The report sought authority to serve one Enforcement Notice dealing with the change of use breach at the premises.

The Committee:

Unanimously resolved to accept the officer recommendation to take enforcement action and serve one Enforcement Notice dealing with the change of use breach at the premises.

17/85/Plan ENFORCEMENT EN/0062/17 Citylife House, Sturton Street

The Committee received a report requesting authorisation to take formal enforcement action regarding breach of Condition 2 of planning permission ref: 14/1252/FUL – Change of use from the permitted use as a studio/cafe bar/multimedia education centre and community facility (sui generis) granted under planning permission 97/1020 to a Class D1 dance school/studio including limited alterations to the external envelope of the building.

The report sought delegated authority from the Planning Committee to take enforcement action against the unauthorised flues and cowls installed on the rooftop of Citylife House by serving one Breach of Condition Enforcement Notice dealing with the operational development breach at the premises. Flues and cowls and associated fixtures had been erected without planning permission.

The Committee:

Unanimously resolved to accept the officer recommendation that enforcement action be taken.

The meeting ended at 5.00 pm

CHAIR

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