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Cambridge City Council

EAST AREA COMMITTEE

To: Councillors Blencowe (Chair), Wright (Vice-Chair), Benstead, Brown, Hart, Herbert, Marchant-Daisley, Moghadas, Owers, Pogonowski, Saunders, Smart, Bourke, Harrison, Sadiq and Sedgwick-Jell

Date: Thursday, 9 February 2012

Time: 7.00 pm

Venue: Meeting Room - Cherry Trees Day Centre

Contact: James Goddard **Direct Dial:** 01223 457015

SUPPLEMENTARY AGENDA

14 PLANNING APPLICATIONS – AMENDMENT SHEET (*Pages 1 - 12*)

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EAST AREA COMMITTEE MEETING – 9th FEBRUARY 2012

Pre-Committee Amendment Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: **11/1321/FUL**

Location: 129-131 Vinery Road

Target Date: 29th December 2011

To Note:

In paragraph 8.28 of the Committee Report it was explained that the issues not yet addressed would be reported on the Amendment Sheet. These issues are the lack of appropriate consultation by the developer; and the maintenance of the land that will become the visibility splay.

In response to the concern raised in the representations received that there has not been appropriate consultation by the developer, the applicant's agent has commented as follows:

“It is not correct to claim that there has not been consultation on this application. As was clarified at the recent Development Control Forum, the applicant met with a selection of Vinery Park residents at a point in time whilst the application was under preparation. Whilst the final scheme as submitted had evolved a little since that meeting, it was fundamentally the same scheme, and subsequent post-submission amendments dealing with the boundary treatment between Vinery Park and Vinery Road and the refuse arrangements for some of the Vinery Park houses now means that the status quo will apply”

The area of land that will become the visibility splay will be transferred into the ownership of one of the dwellings, which is likely to be plot 3, the house closest to it.

A representation was omitted from the Committee Report in error (48 Vinery Park). The issues raised in this representation have been addressed in the report.

The comments received from the applicant's agent are attached to the Amendment Sheet as Appendix 1.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 11/1432/FUL

Location: 13-14 Mercers Row

Target Date: 30th January 2012

To Note:

Amendments To Text:

8.8 I note that the draft NPPF is a material consideration in this matter. The draft NPPF recommends that particular land uses should not be protected in the long term. However, in light of the additional evidence in the Employment Land Review 2008 and Cambridge Cluster Study 2011 which shows that a significant area of land within Use Class B1(c), B2 and B8 has been lost to other uses in the last 10 years. There remains a strong justification for protected land in this use in the context of Cambridge. There is demand for such uses and land as the two studies show. The fact that this site has been vacant for a period of time is not evidence that the land is not required for B1(c), B2 or B8 use. No evidence has been provided to show what marketing of the land has taken place; it is unclear why it has remained unused.

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 14c APPLICATION REF: Enforcement Report

Location: land to the rear of 7-9 Mill Road / 1a Willis Road

Target Date:

To Note: Additional papers:
Memo containing comments from Conservation Officer
Letter and photographs provided by developer, Dennis Whitfield

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

From: Catherine Linford
To: Keeren Wesbroom
Date: 08/02/2012 14:31
Subject: Fwd: 11/1321/FUL - 129-131 Vinery Road, Cambridge
Attachments: S106 Unilateral Undertaking 20.01.12.pdf; photo.jpg

I'm on my way down to explain!!

>>> Colin Brown <CWB@januarys.co.uk> 03/02/2012 17:41 >>>

Dear Catherine

Sean Dudley and I have both reviewed your Committee Report, which we consider to be very well written, and we are obviously grateful that the recommendation to the East Area Committee is one of approval.

Nevertheless, there are a limited number of points that I would like to make, and which I would be grateful if you could address within the Amendment Sheet, as you see appropriate. These points are as follows:

1. At paragraph 8.19, where you are addressing the potential impact of Plot 5 on Vinery Park, you make reference to the fact that Vinery Park properties have living rooms at first floor level, at the front of the house. Our understanding is that this is not correct. We believe that the living areas are in fact at the rear of the houses, and it is bedrooms that are situated to the front. That is borne out in some of the representations made by Vinery Park residents.
2. Paragraph 8.22 - I think it is important to emphasise that, whilst the Waste Development Officer would prefer the bin storage for Plots 4 and 5 to be provided on the Vinery Road site frontage, the location that has been identified/selected is in fact within the minimum carrying distances, and therefore is in accordance with the RECAP guidance.
3. Paragraph 8.25 - I note that it is stated that the Local Highway Authority have agreed that it is likely that some residents of these new houses will park on the street. It is not immediately clear how that judgement can be made. Car ownership in the Vinery Road/Vinery Park area has been shown, through census data, to be relatively low, and therefore it cannot be readily assumed that the 7 car spaces proposed for these 5 houses will prove to be inadequate. Whilst I think it would be reasonable to say that there is a possibility that some residents may occasionally park on the street, I think it is stretching it to say that "it is likely".
4. Paragraph 8.30 - it is not correct to claim that there has not been consultation on this application. As was clarified at the recent Development Control Forum, the applicant met with a selection of Vinery Park residents at a point in time whilst the application was under preparation. Whilst the final scheme as submitted had evolved a little since that meeting, it was fundamentally the same scheme, and subsequent post-submission amendments dealing with the boundary treatment between Vinery Park and Vinery Road and the refuse arrangements for some of the Vinery Park houses now means that the status quo will apply. I therefore think that it would be appropriate to emphasise that the applicant has sought to consult with the local community, as the report presently gives the impression that this may not have been the case.
5. We note that the recommendation of approval is subject to the prior completion of an S106 agreement by 9th May 2012. However, please note that a Unilateral Undertaking has been completed, and was sent by recorded delivery to the Council on 24th January (addressed to the Planning Department). For the avoidance of doubt, however, I attach a copy of the Unilateral Undertaking here too, and I would be grateful if you could confirm receipt. In light of it, I assume that the recommendation will be adjusted.

One final point to address, and which is primarily for your information, concerns the annotation on the site plan (Drawing P-01 Rev F). It will be noted that on the flank of No.135 Vinery Road, there is said to be a conservatory.

In fact, this is not a conservatory in the way that you or I might imagine it, but in fact a timber lean-to

extension, a photograph of which I attach. I thought it would be preferable to highlight this fact, just in case it is something that actually comes up at Committee, or indeed before.

I hope this is helpful.

Regards
Colin

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CAMBRIDGE CITY COUNCIL MEMO

To: Debs Jeakins **Dept:** Environment

Building: Guildhall **Room:** 15

From: Lindsey Weaver **Dept:** Environment

Phone: 01223 457165 **Room:** 16

Date: 02 February 2012

Subject: 1A Willis Road

Condition 11 of Planning Permission 09/0487/FUL

I understand that there is discussion regarding the boundary treatment to the above new building, in line with the above discharged condition, and that the dominant characteristics of boundary treatments to properties within the surrounding Conservation Area, and therefore whether the treatment that has occurred is in keeping with the surrounding area, have been called into question.

At the time of this decision being made, the Mill Road and St Matthews Area Conservation Area Appraisal (1999) was a material consideration. This has however now been replaced by the Mill Road Conservation Area Appraisal (2011), though I will refer in the main part to the Appraisal that was relevant at the time of the permission.

The Mill Road and St Matthews Area Conservation Area Appraisal states specifically with regard to Willis Road in paragraph 4.188: "*They have front gardens defined by low walls, with red and black tiled paths to the front doors*". This illustrates that the generally character of boundary treatments, within this street specifically, is that of low walls, and therefore to introduce a differing treatment would be considered incongruous and unacceptable.

The Mill Road Conservation Area Appraisal also states on pages 39 and 40 that the typical characteristics of the area around Willis Road is that of either "*terraced houses sitting on the back of the pavement*" or houses "*set back from the pavement with hedges or low gault brick front boundary walls defining small front gardens*". This again shows that the typical characteristics of the area surrounding Willis Road is that of low boundary walls where there is space to facilitate front gardens.

Consequently to navigate away from the dominant characteristic of low front boundary walls within this area would detract from the character and appearance of the Conservation Area.

Lindsey Weaver,
Conservation and Design Officer

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Ms S. Dyer

Cambridge City Planning Department

Guildhall

Cambridge

31st January 2012

Dear Sarah

Re 1A Willis Road, Cambridge.

Further to our telephone conversation re the above property, I would like to appeal your initial feelings on the boundary treatment for the property.

1A Willis Road is part of a small estate development, built around the turn of the last century, with quite a consistency of design, and comprising part of Mill Road, Willis Road, Guest Road, Mackenzie Road, and Collier Road. Any infill has been done sympathetically. The boundary treatment was initially mainly low walls, but has been altered over the years, so that a mixture of the original low walls (ranging from 300mm to 800mm high), wooden fencing, open areas and hedging is now evident.

There are I believe two issues here, firstly whether the boundary treatment in place is that actually agreed with the planning decision, and secondly whether that is in keeping with the area.

The treatment given is in accordance with the planning permission, in that the wall for the first two metres, which was to be kept for 'line of sight' purposes was 'to be less than 600mm high'. No minimum was stated, and so the 75mm of the built wall does comply with this requirement. As far as the remainder of the boundary treatment is concerned, I was specifically told by the planning department that the boundary treatment had to follow the drawn plans submitted for approval. Looking carefully at the plans, it was quite clear that although there was a reference to the wall for the first two metres, the drawing showed the vertical lines of a fence thereafter. Whilst I accept that the type of fencing does not match that in the rest of the estate, I am happy to change this close boarding to match with other fencing if this is acceptable to you.

As far as the area is concerned, it is the variety of boundary treatments which help to enhance the visual aspect of the area. The original walling varied from 1.6m walling at the side of some of the houses, to the 800mm walling and right down to 300mm at the front of the houses. Over the years this has been changed, so that now we have a lot of hedging (of various varieties) some completely open frontages, a great variety of walling of both different design and of different bricks and others which are fenced, one indeed fenced above the wall.

I believe that the variety of boundary treatments greatly enhances the overall ambience of the area, and helps to make this one of the most pleasant areas in this part of Cambridge.

Apart from the above comments, I would add that the alleged departure from the planning, which I dispute, is de minimus, and could be allowed under this heading without causing any offence in the neighbourhood.

I would suggest that from all these points of view the existing boundary should stay as it is – the objection being de minimus, that it fits in well with the local treatments of the boundaries, and that it carefully follows the planning consent.

I enclose a montage of the local boundary treatments, and trust that you can appreciate what a wonderful variety they represent, and that you can appreciate that in this area, the variety enhances the cosmopolitan mix of the people who inhabit it.

Yours sincerely

Dennis Whitfield



