

# Public Document Pack

Planning

Plan/1

Wednesday, 7 January 2015

## PLANNING

7 January 2015

1.00 - 3.00 pm

### Present:

**Planning Committee Members:** Councillors Blencowe (Vice-Chair), Gawthrop, Hart, Hipkin, Pippas, C. Smart and Tunnacliffe

### Officers:

City Development Manager: Sarah Dyer

Principal Planner (City): Tony Collins

Principal Planner (City): Toby Williams

Senior Planning Officer: Catherine Linford

Planning Officer: Michael Hammond

Planning Officer: Amit Patel

Committee Manager: James Goddard

## FOR THE INFORMATION OF THE COUNCIL

### 15/1/PLAN Order of 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.

### 15/2/PLAN Apologies

Apologies were received from Councillor Dryden.

### 15/3/PLAN Declarations of Interest

Name	Item	Interest
Councillor Pippas	15/7/Plan	Personal: Lives at 5 Mowbray Road. Used to know the previous owners of 23 Mowbray Road.
Councillor Hipkin	15/8/Plan	Personal: Knows the application architect.

**15/4/PLAN Minutes**

The minutes of the meeting held on 3 December 2014 would be brought to the next Planning Committee.

**15/5/PLAN 14/1634/FUL - 151-155 Vinery Road**

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing dwelling houses and the erection of a terrace and semi-detached dwellings and creation of new access.

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

Cllr Baigent (Ward Councillor for Romsey) addressed the Committee about the application.

The representation covered the following issues:

- i. He had visited the site.
- ii. The application site was separate to the rest of Vinery Road.
- iii. Vinery Park and other developments had been allowed in the road, and fitted in well with the street scene.
- iv. There was little difference between the current application and existing developments, it could improve the area as others did.
- v. Took issue with the Officer's recommendation for refusal as the application could provide family homes and improve the street scene.

The Committee:

**Unanimously resolved** to reject the officer recommendation to refuse the application.

**Unanimously resolved** to approve the application contrary to the officer recommendation, subject to the following conditions and informatives:

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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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 neighbouring residential properties. (Cambridge Local Plan (2006) policies 3/4 and 4/13).

4. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 to 1900 on Monday to Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of neighbouring residential properties. (Cambridge Local Plan (2006) policies 3/4 and 4/13).

5. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of neighbouring residential properties. (Cambridge Local Plan (2006) policies 3/4 and 4/13).

6. Prior to commencement, a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period is to be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of neighbouring residential properties. (Cambridge Local Plan (2006) policies 3/4 and 4/13).

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces (including the roofs) of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

8. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety. (Cambridge Local Plan 2006 policy 8/2)

9. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006 policy 8/2)

10. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site. (Cambridge Local Plan 2006 policies 3/7 and 8/2)

11. The access shall be constructed with adequate drainage measures to prevent surface water runoff onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.(Cambridge Local Plan 2006 policies 4/16 and 8/2)

12. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. The splays are to be included within the curtilage of the site. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.(Cambridge Local Plan 2006 policy 8/2)

13. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety.(Cambridge Local Plan 2006 policy 8/2)

14. Any redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway.(Cambridge Local Plan 2006 policy 8/2)

15. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety.(Cambridge Local Plan 2006 policy 8/2)

16. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principal areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street.
- iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway)
- iv. Control of dust, mud and debris.

Reason: In the interests of highway safety.(Cambridge Local Plan 2006 policy 8/2)

17. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

18. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12).

19. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

20. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework Technical Guidance, and the results of the assessment provided to the local planning authority. The submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to achieve a 20% reduction in peak flow from the development and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii. include a timetable for its implementation; and
  - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory drainage and avoid flooding (Cambridge Local Plan 2006 policies 4/16 and 8/18)

**INFORMATIVE:** The developer is reminded that this development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority, and it is the applicants responsibility to ensure that, in addition to planning permission, any

necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

**INFORMATIVE:** The developer is reminded that no part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.

**INFORMATIVE:** Public Utility apparatus may be affected by this proposal. The developer is advised to contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

**INFORMATIVE:** If, during the works, contamination is encountered, the local planning authority should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future

**INFORMATIVE:** The construction activities may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site.

Further guidance can be obtained from:

Councils Supplementary Planning Document Sustainable Design and Construction 2007:

[https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD\\_WEB.pdf](https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WEB.pdf)

Control of dust and emissions from construction and demolition - Best Practice Guidance produced by the London Councils:

[http://www.london.gov.uk/thelondonplan/guides/bpg/bpg\\_04.jsp](http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp)

**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the



scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).

### **15/6/PLAN 14/1652/FUL - 23 Baldock Way**

The Committee received an application for full planning permission.

The application sought approval for demolition of the bungalow and replacing it with a chalet bungalow.

The Committee noted written representations in objection to the application from the following:

- Ms Kailipaka.
- Dr Howell.

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

The Committee:

**Resolved (by 6 votes to 1)** to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report.

### **15/7/PLAN 14/1136/FUL - 23 Mowbray Road**

The Committee received an application for full planning permission.

The application sought approval for extension and conversion of existing semi-detached house into 5 flats.

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.

### **15/8/PLAN 14/0888/FUL - 8 Cheney Way**

The Committee received an application for full planning permission.

The application sought approval for a proposed two storey house to rear of 8 Cheney Way (with access from Long Reach Road), following demolition of the existing garage.

The Committee received a representation in objection to the application from Ms Palmer.

The representation covered the following issues:

- i. The application would exacerbate existing traffic flow and parking issues. It would cause an unacceptable burden on on-street parking.
- ii. Raised traffic safety concerns.
- iii. The view from her window would be brick work instead of the skyline.

Cllr Manning (East Chesterton Ward County Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Referred to the diagram showing road junctions. The application was sited near two junctions.
- ii. Took issue with details in the Officer's report:
  - The report did not highlight the application site was located near two road junctions.
  - Suggested Highways Authority concerns were not listed in the Officer's report (see paragraph 8.17). Suggested this application did not comply with Local Plan policy 3.10b (highway safety), so it should be refused.

The Committee:

**Resolved (by 4 votes to 3)** 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.

### **15/9/PLAN 14/1627/FUL - 22 George Street**

The Committee received an application for retrospective planning permission.

The application sought approval for a new summer house.

The Committee received a representation in objection to the application from Mr Lamb.

The representation covered the following issues:

- i. The 'summer house' was in fact a permanent fixed barbeque, chimney and summer house.
- ii. The chimney would impact on neighbour's amenities when in use.
- iii. The Officer's report did not take account of disturbance to neighbours.
- iv. Requested the barbeque be moved further into the garden of 22 George Street to mitigate the impact on neighbours
- v. Mr Lamb had made a planning application regarding his conservatory before undertaking work. He would not be able to fully use it if the summer house application were approved. A retrospective application was fait accompli ie permission would almost certainly be granted.
- vi. The barbeque was a fire risk. The Highways Agency may not have raised objections, but there was a real risk due to the proximity of the barbeque to the fence. Fire engines may have difficulty accessing the site as dustbin lorries had access issues in George Street.

Ms Wilson (Applicant) addressed the Committee in support of the application.

The Committee:

**Resolved (by 6 votes to 0 with 1 abstention)** to grant the application for retrospective 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.

**15/10/PLAN      14/1819/FUL - 96 Cavendish Road**

The Committee received an application for full planning permission.

The application sought approval for a side extension and conversion of garage to habitable space.

The Officer corrected a typographical on the agenda, which referred to 96 Cavendish Avenue. The correct address is 96 Cavendish Road.

Cllr Baigent (Applicant) addressed the Committee as a public speaker in support of the application. He then withdrew from the meeting for this item and did not participate in the discussion or decision making.

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.

**15/11/PLAN 14/1754/FUL - 3 Victoria Road**

The Committee received an application for full planning permission.

The application sought approval for construction of a replacement dwelling as approved under 12/1041/FUL including an extension to the basement of 5.25m.

The Principal Planner referred to a pre-committee amendment to the Officer's recommendation set out on the Amendment Sheet:

Addition of a condition:

Prior to the commencement of development, details shall be submitted to and approved by the local planning authority which indicates how the external basement drainage proposals shall be incorporated to manage ground and surface water. Development shall be carried out in accordance with the approved details and retained in perpetuity.

Reason: To ensure that the approved development manages its own surface and ground water requirements (Cambridge Local Plan 2006 policy 8/18).

The Committee:

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

**15/12/PLAN 14/1111/FUL: Ashley Hotel, 74 -76 Chesterton Road**

The Committee received an application for full planning permission.

The application sought approval that planning permission be granted subject to planning conditions as set out in the report to Planning Committee on 1 October 2014 and completion of a s106 Agreement to secure Eastern Corridor

Area Transport Plan contributions, the provision of public art and monitoring (i.e. excluding a requirement to fund a Traffic Regulation Order).

The Committee noted that the 1 October 2014 Planning Committee report was included in the agenda pack before the 7 January 2015 update report.

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.

### **15/13/PLAN Review of Committee resolutions to grant planning permission in the light of the ministerial statement on 1 December 2014**

The Committee received a request to review Planning Committee resolutions to grant planning permission in relation to the five applications below in the light of the Ministerial Statement on 1 December 2014 by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government).

The application sought that the following planning applications be confirmed as approved without the requirement for a planning obligation to secure compliance with the Council's Planning Obligations Strategy SPD 2010:

- i. Application reference 14/1248/FUL, site address 19 New Square.
- ii. Application reference 14/0607/FUL, site address 1 Great Eastern Street.
- iii. Application reference 14/0978/FUL, site address Former Auckland Road Mental Health Centre.
- iv. Application reference 14/1123/FUL, site address 21-25 Fitzwilliam Road.
- v. Application reference 11/0776/FUL, site address R/O 43-59 Elizabeth Way.

The Committee:

**Unanimously resolved** to accept the officer recommendation that the above planning applications be confirmed as approved without the requirement for a planning obligation to secure compliance with the Council's Planning Obligations Strategy SPD 2010.

The City Development Manager undertook to circulate figures setting out how much s106 funding the Council could expect to lose as a result of the new Government policy.

The meeting ended at 3.00 pm

**CHAIR**