

PLANNING29 April 2015
10.00 am - 4.30 pm

Present: Councillors Dryden (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Hipkin, Pippas, C. Smart and Tunnacliffe

Officers:

Head of Planning Services: Patsy Dell
 City Development Manager: Sarah Dyer
 Principal Planner (City): Tony Collins
 Senior Planning Officer: Catherine Linford
 Planning Officer: Michael Hammond
 Planning Officer: Amit Patel
 Planning Officer: Sav Patel
 Legal Advisor: Penny Jewkes
 Committee Manager: Toni Birkin
 Committee Manager: James Goddard
 Planning Investigations Officer: Debs Jeakins

FOR THE INFORMATION OF THE COUNCIL**15/70/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.

15/71/Plan Apologies

No apologies were received.

15/72/Plan Declarations of Interest

| Name | Item | Interest |
|-------------------|-------------|------------------------------------------------------------------|
| Councillor Dryden | 15/80/Plan | Personal and prejudicial: Member of the Royal British Legion. |

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|------------------|------------|--------------------------------------------------------------------------|
| | | Withdrew from discussion and room, and did not vote |
| Councillor Smart | 15/77/Plan | Personal and prejudicial: Family member is an employee of the applicant. |

15/73/Plan Minutes

The minutes of the meeting held on 1st April 2015 were approved as a correct record and signed by the Chair.

Councillor Smart suggested that there was an anomaly in the planning guidance that needed to be corrected. At the last Planning Committee an application had been brought to committee as a Councillor had made a formal objection to it. She suggested that it should be standard practice that when a councillor makes a formal representation on an application that it is brought to planning committee.

The Head of Planning agreed to make the necessary amendments.

Councillor Hart was not present for the Officers introduction to the following item and therefore did not take part in the discussion or the vote.

15/74/Plan Homerton College Planning Application 14/1951/FUL

The Committee received an application for full planning permission.

The application sought approval for the construction of a 120- bedroom student residence block, demolition of grounds maintenance building and construction of replacement building, alterations and extension to existing car parking.

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.

Councillor Hipkin was not present at the meeting of the 1st April 2015 when the following application was first considered and was therefore

unable to take part in the decision.

15/75/Plan General Planning Report - West's Garage Site

The Officer's report was prepared and brought before Committee in accordance with the Adjourned Decision Protocol, following the Committee resolution on April 1st 2015 that it was minded to determine a major planning application contrary to the officer recommendation.

Officers have taken further advice on the committee's intended reasons for refusal. Minor changes are suggested to make them as specific as possible but they are considered to be based on arguable planning grounds.

The Principal Planning Officer Clarified the situation regarding visual images discussed at previous meeting of the 1st April 2015.

The Committee:

Resolved (6 votes to 0 with 1 abstentions) to confirm its provisional decision of 1st April 2015 that the planning application (14/1154/FUL) for new student housing (202 study bedrooms) and associated communal facilities, cycle parking, and external landscaping at West's Garage site, 217 Newmarket Road, should be refused contrary to the case officer's recommendation for the following reasons:

1. Because of its height and massing, the Newmarket Road range of the building would be poorly integrated into the locality, reading discordantly against the prevailing character on the north side of this road, creating an uncomfortable discontinuity of scale against the Corner House public house at its eastern end, and the rear of this range causing an unacceptable sense of visual domination for occupiers of houses on the east side of Godesdone Road. It would hence have a harmful impact on the surrounding context, and would be contrary to the Eastern Gate SPD 2011, policies 3/4 and 3/12 of the Cambridge Local Plan 2006, and government guidance on good design in Section 7 of the National Planning Policy Framework 2012.

2. Despite the realignment of the River lane frontage introduced in the most recent amendments to the proposal, the eastern range of the building would overwhelm the houses on the opposite side of River Lane, visually dominating them to an undue extent and creating an unacceptable sense of enclosure, contrary to policies 3/4 and 3/12 of the Cambridge Local Plan 2006 and government guidance on good design in Section 7 of the National Planning Policy Framework 2012.
3. Notwithstanding the amended roof configuration, the height and massing of the northern Rowlinson Way range and the western 'pavilion' building would create a sense of overbearing bulk which would not respect the established character of surrounding buildings in Godesdone Road, River Lane and Beche Road, would be poorly integrated with the locality, and would detract from the character of the Riverside section of City of Cambridge Conservation Area No.1 (Central), contrary to policies 3/1, 3/4, 3/12 and 4/11 of the Cambridge Local Plan 2006, and government guidance on good design and conserving the historic environment in Sections 7 and 12 of the National Planning Policy Framework 2012.
4. Despite the introduction of a dual-height communal space within the building adjacent to it, the proposed sunken courtyard, made more narrow as amended than in the original submission, would be very limited in size, and would be highly enclosed and appear cramped and overwhelmed by the height of buildings surrounding it. It would not be usable or enjoyable, and future occupiers of the development would consequently not be provided with an attractive, high-quality or stimulating living environment, contrary to policies 3/7 and 3/11 of the Cambridge Local Plan 2006 and government guidance on good design in Section 7 of the National Planning Policy Framework 2012.
5. Occupancy of the speculative purpose-built student accommodation proposed is not limited to full-time students of the University of Cambridge or Anglia Ruskin University, nor do management arrangements exist to ensure occupiers do not keep cars in the city, nor could it be guaranteed that this location is suitably close to the educational institution involved. These failings render the proposal contrary to policy 7/10 of the Cambridge Local Plan 2006.

6. The proposed development does not make appropriate provision for open space and sports facilities, waste facilities or public art, in accordance with Cambridge Local Plan 2006 policies 3/7, 3/8, 3/12 and 10/1, and as detailed in the Planning Obligation Strategy 2010, Public Art SPD 2010 and the Open Space Standards Guidance for Interpretation and Implementation 2010.

15/76/Plan Feedback on the Operation of the Planning Committee Since October 2014

The Head of Planning introduced the report which summarised the operation of the Planning Committee since October 2014.

Members made the following comments in response to the report.

- i. Welcomed the report and suggested that the current central committee approach was working well.
- ii. Stated that it was regrettable that Area Committees were now filling the void left by Planning with additional items instead of allowing the meeting to finish as a reasonable time.
- iii. Suggested that the 9.30 to 10.00 slot could be used for either member training or developer pre application briefings.
- iv. Stated that the Planning meetings were now very long and questioned the quality of decision taken at the end of a full day of decision making.
- v. Requested that public attendance at the Planning Committee should be recorded separately for the Major and Minor application considerations.

Councillor Hipkin proposed an amendment to the recommendations to add the following additional recommendation:

Organisation of the day to be amended so that General and Enforcement items are considered at the end of part one of the agenda unless the committee runs out of time. Under such circumstance, unless there are registered public speakers, those items would be moved to the end of the day.

The amendment was agreed *nem con*.

The Committee:

Resolved *nem con* to:

- i. note the feedback on the first seven meetings under the new operating arrangements;
- ii. agreed that each October an annual report on the overall performance and work of the planning service, including statistics on the operation of the Planning Committee, would be submitted for the committee's consideration; and
- iii. agreed that the organisation of the day to be amended so that General and Enforcement items are considered at the end of part one of the agenda unless the committee runs out of time. Under such circumstance, unless there are registered public speakers, those items would be moved to the end of the day.

15/77/Plan 58 Fishers Lane - Application 14/2027/FUL

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

The Committee received an application for full planning permission.

The application sought approval to erect 8 semidetached dwellings with 8 car parking spaces and covered cycle storage facilities at Fishers Lane, Cherry Hinton.

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

Russ McPherson (Ward Councillor for Cherry Hinton) addressed the Committee about the application.

The representation covered the following issues:

- i. He was a member of several Royal British Legion groups in the city.
- ii. The (former) hall in Fishers Lane was in a poor state of repair, so the local Royal British Legion branch had asked the national body to find an alternative venue. None had been offered to date.
- iii. The Fishers Lane hall has now been demolished, but it had been a valued community asset. It was registered as such in 2013 (this should have been valid for five years).

- iv. Requested a replacement venue with comparable facilities at affordable hire prices.
- v. Community space was scarce in Cherry Hinton, more so now since the demolition of the hall.
- vi. The hall had attracted significant numbers of bookings, and therefore income for the Royal British Legion. Reiterated it was a valued resource.
- vii. Suggested Application 14/2027/FUL contravened Local Plan policy.
- viii. Expressed concern that approval of the application would set a precedent that would lead to a loss of community facilities across the city.

Mark Ashton (Ward Councillor for Cherry Hinton) addressed the Committee about the application.

The representation covered the following issues:

- i. Spoke as Chair of the Cherry Hinton Residents association.
- ii. The Fishers Lane hall was a valued asset for the community and City Council as both had used it.
- iii. Previous planning applications had proposed to use the hall building, the latest did not.
- iv. Expressed concern that:
 - The hall was demolished prior to submission of the planning application, and took issue with this process.
 - The developer had not liaised with residents.
 - A valued community asset was expected to be replaced by housing.

The Principal Planning Officer was asked to respond to points raised in the representations. He said:

- i. Gave a synopsis of the Council's demolition policy.
- ii. As the Fishers Lane hall was no longer there, the Council had no policy in place to seek re-instatement.

The Committee:

Councillors Hipkin and Smart proposed refusing the application as it would be contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12. The proposal to use policy 3/4 was **lost by 5 votes to 2**. Policy 3/11 was proposed instead.

Resolved (by 5 votes to 2) to reject the officer recommendation to approve the application.

Resolved (by 6 votes to 0 with 1 abstention) to refuse the application contrary to the officer recommendations for the following reasons:

By virtue of the siting of the proposed units and layout of external space, the proposed development would result in the provision of poor quality amenity space for future occupants, which would be confined and restricted. It would also result in a poor outlook from the front of the proposed units to car parking spaces and cycle storage at close proximity. As such, the proposal represents an overdevelopment of the site and would be contrary to Cambridge Local Plan (2006) policies 3/7, 3/11 and 3/12.

15/78/Plan 15A Derby Street - Application 14/2063/CLUED

The Committee received an application for a Certificate of Lawfulness under Section 191 for use as an independent dwelling (C3).

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

The representation covered the following issues:

- i. Spoke on behalf of various objectors.
- ii. The applicant needs to prove continuous use in order to apply for a certificate of lawfulness, this was not evidenced as the building had instead been used for a series of short term lets eg the property had been advertised as a holiday apartment.
- iii. Suggested there was no planning permission to let 15A, it should have the same use as the main building.

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

Rod Cantrill (Ward Councillor for Newnham) addressed the Committee about the application.

The representation covered the following issues:

- i. Asked the Committee to consider the following:

- Was there sufficient evidence that 15A had been used continuously as an independent dwelling house.
 - As the use of the studio as an independent dwelling was a breach in conditions of use, had this occurred for over ten years, and so no enforcement action need be taken.
- ii. 15A had been marketed as a holiday let and available for short term lets, so some voids were to be expected. Queried if this affected continuous use (as opposed to continual).
 - iii. The Applicant had ignored original planning conditions as soon as planning permission had been given by allowing the studio to be occupied as an independent dwelling to the main property.

Shapour Meftah (Ward Councillor for Trumpington) addressed the Committee about the application. He said that on the balance of probability 15A had been in continuous use for over ten years.

Councillors sought clarification on whether evidence was required to demonstrate continuous or continual use/occupancy of 15A. The Legal Representative said that continuous use needed to be demonstrated on the balance of probability (ie not beyond all reasonable doubt). Councillors asked if there was sufficient evidence to demonstrate occupancy for over ten years (and so avoid the need to take enforcement action). The item was deferred to clarify this information.

The Committee:

Unanimously resolved to defer to seek further legal advice.

15/79/Plan 15B Derby Street - Application 15/0065/FUL

The Committee received an application for retrospective planning permission.

The application sought approval for conversion of ground floor store to 1 Bedroom Studio flat (retrospective).

The Committee:

Unanimously resolved to defer to seek further legal advice. Linked to application reference 14/2063/CLUED.

15/80/Plan Varsity Hotel - Application 15/0396/S73

The Committee received an application S73 application to remove the prohibition of restaurant, cafe, bar use on the sixth floor -removal of condition 3 of planning permission 09/0447/FUL.

The Principal Planning Officer tabled an Appeal decision which had not been included in the report pack.

Mr Davies (Applicant's representative) addressed the Committee in support of the application.

The Committee:

Resolved (by 6 votes to 0 with 1 abstention) 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.

15/81/Plan 55 Roseford Road - Application 15/0241/FUL

The Committee received an application for full planning permission.

The application sought approval for Roof extension incorporating rear dormer, and conversion of existing house into five 1-bed flats and one 2-bed flat.

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

- Ms Scott.
- Mr Wagstaff.

The representations covered the following issues:

- i. The application would change the character of the area as it proposed a block of flats in an area of family homes.
- ii. Expressed specific concerns regarding:
 - Overbearing and dominant design.
 - Overlooking/overshadowing.
 - Local Plan policy 3/14 criteria were not met.
 - Bin collection.
 - Insecure bike storage facilities would attract crime to the area.
 - Car parking facilities.

- The impact of drains on neighbours.
 - The flats were too small for occupants to use.
 - Overcrowding on the application site and the impact on residents' mental health.
 - Residents' amenities.
- iii. Referred to a petition by sixty residents about the application.

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

Mike Todd-Jones (Ward Councillor for Arbury) addressed the Committee about the application.

The representations covered the following issues:

- i. Queried what was allowed under permitted development.
- ii. The proposed flats would be out of character with the area as Roseford Road comprises of family homes.
- iii. Referred to comments in his representation regarding Local Plan policy 5/2. The application proposed an overdevelopment of the site.
- iv. The Council had a car parking policy, but in practice proposed parking facilities were not sufficient for the numbers of expected occupants.
- v. Suggested the application could be refused on the grounds of mass, scale, overlooking and flats being too small for occupants.

Councillors Blencowe and Smart proposed an amendment to the Officer's recommendation that bins, bike storage, parking and the communal garden be included in the management plan referred to in condition 5.

This amendment was **carried unanimously**.

The Committee:

Resolved (by 6 votes to 1 with 1 abstention) 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 as amended.

Condition 5 reworded to read as follows:

Prior to the occupation of the flats hereby approved a Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This

Management Plan shall include the maintenance of the garden. The property shall be managed in accordance with the approved Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise the impact on neighbouring properties. (Cambridge Local Plan 2006, policy 3/7).

15/82/Plan 3 Field Way - Application 15/0322/FUL

The Committee received an application for full planning permission.

The application sought approval to convert 3 Field Way into two separate dwellings and formation of a bicycle store.

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

- Mr Melville.
- Mr Nierink.

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.

15/83/Plan Addenbrookes Road - Application 15/0308/FUL

The Committee received an application for full planning permission.

The application sought approval for a new 4 bedroom dwelling in the previous back garden of 112 Shelford Road.

The Committee received a representation in objection to the application from Dr Bashir.

The representation covered the following issues:

- i. The application would significantly change the property size.
- ii. Expressed specific concern regarding:
 - Impact on his amenities.
 - Oppressive/overbearing application design.
 - Height of the proposed building would block neighbours' light.

- The proposed property would be out of character with the area.

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.

15/84/Plan 90 and 92 Wulfstan Way - Application 15/0031/FUL

The Committee received an application for full planning permission.

The application sought approval for erection of two new dwellings to the rear of 90 and 92 Wulfstan Way.

Mrs Saddle (Applicant's representative) addressed the Committee in support of the application.

The Committee:

Resolved (by 2 votes to 6) to reject the officer recommendation to refuse the application.

Resolved (by 6 votes to 0 with 2 abstentions) to approve the application contrary to the officer recommendations for the following reasons and 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. 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.

6. 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 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).

7. 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)

8. 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)

9. 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)

10. 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)

11. 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)

12. The access shall be provided as shown on the approved drawings and retained free of obstruction. Reason: In the interests of highway safety.

13. 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)

14. Prior to demolition or construction, the applicant must provide a continuous footway along the front of the proposed dwellings running adjacent to Hulatt Road. This footway shall be a minimum of 2 metres wide. The details of this must be submitted to and approved in writing by the Local Planning Authority before any works may commence.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

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

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

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.

15/85/Plan 111 Derwent Close - Application 14/2067/FUL

The Committee received an application for full planning permission.

The application sought approval for erection of two bedroom dwelling adjacent to 111 Derwent Close.

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.

15/86/Plan 60 Akeman Street - Application 15/0151/FUL

The Committee received an application for retrospective planning permission.

The application sought approval for change of use to 8 bed HMO (houses in multiple occupation)

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

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.

15/87/Plan 463 Newmarket Road - Application 15/0148/FUL

The Committee received an application for full planning permission.

The application sought approval to subdivide the rearmost section of the garden to accommodate a three-storey building consisting of three one-bedroom flats.

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

In response to Councillor's questions, the Principal Planning Officer proposed an amendment to the Officer's recommendation that the reason for refusal should be on the grounds of a lack of private amenity space.

This amendment was **carried nem con**.

The Committee:

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

15/88/Plan 101 Kendall Way - Application 15/0201/FUL

The Committee received an application for full planning permission. This is a resubmission of planning application 13/0718/FUL.

The application sought approval for the erection of 4 bed dwelling with associated car/cycle parking and landscaping following the demolition of a side and rear extension.

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.

15/89/Plan 88 Greville Road - Application 15/0234/FUL

The Committee received an application for full planning permission.

The application sought approval for a single storey extension to the rear. Change of use from shop to flat.

Mr Wallman (Applicant's representative) addressed the Committee in support of the application.

Councillor Smart proposed an amendment to the Officer's recommendation to include a car club informative.

This amendment was **carried unanimously**.

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 and an informative relating to car club.

INFORMATIVE Car Club: The applicant is encouraged to ensure all future tenants/occupiers of the dwelling are aware of the existing local car club service and location of the nearest space.

15/90/Plan Enforcement Report - 22 Kingston Street

The Committee received a report requesting authorisation to take formal enforcement action.

The report sought authority to delegated authority to serve an Enforcement Notice to address the unauthorised development at 22 Kingston Street, Cambridge namely, "The erection of loft dormer without planning permission".

Councillor Blencowe suggested that the owner of the property was aware of the expectation that he would make changes to the dormer extension. An appeal against the refusal of the revised application was on-going and could be undetermined until late May. Deferring a decision on this matter until June would add clarity to the situation.

In response to Members' questions the Planning Investigations Officer confirmed the following:

- i. Should the new design be approved, there would be no guarantee that this would be delivered and the unauthorised built removed.
- ii. Provided clarity on timeframes: a notice would be served and remedial action required within 12 months. The owner of the property would have 28 days to appeal the decision.

- iii. Confirmed that the property was in a conservation area.

The Head of Planning suggested that the Committee approved the Officer's recommendation and that the notice be drafted but not served. Once the on-going appeal had been decided the notice would be served and a verbal report on the outcome will be brought to committee for further consideration.

The Legal Adviser stated that the notice needed to be served in order to encourage the owner to take action.

The Committee:

Resolved (unanimously) to accept the officer recommendation:

- i. to authorise an enforcement notice under S172 of the Town and Country Planning Act 1990 (as amended) in respect of a breach of planning control, namely the unauthorised operational development consisting of the erection of a rear loft dormer at 22 Kingston Street specifying the steps to comply and the period for compliance set out in paragraphs 5.2 and 5.3, for the reasons contained in paragraph 5.4.
- ii. to authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.
- iii. to delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of noncompliance with the enforcement notice.
- iv. to delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) on the timeframe for serving the notice once the appeal decision was known.

The meeting ended at 4.30 pm

CHAIR