

NORTH AREA COMMITTEE15 July 2010
6.30 - 9.30 pm**Those Present for the Consideration of Applications for Planning Permission****City Councillors:** Blair, Boyce, Brierley, Kerr, Levy, Nimmo-Smith, Pitt, Tunnacliffe, Ward and Znajek**Other Councillors Present:** Todd-Jones**Officers:** Sarah Dyer (Principal Development Control Manager) and James Goddard (Committee Manager)**Those Present for the Remainder of the Meeting****City Councillors:** Blair, Boyce, Brierley, Kerr, Levy, Nimmo-Smith, Pitt, Todd-Jones, Tunnacliffe, Ward and Znajek**Officers:** James Goddard (Committee Manager), and Jas Lally (Head of Environmental Health and Waste Strategy)**County Councillors:** Wilkins**FOR THE INFORMATION OF THE COUNCIL****10/38/NAC Apologies for Absence****City Councillors:** McGovern**County Councillors:** Moss-Eccardt, Pellew and Wijsenbeek**10/39/NAC Declarations of Interest (Planning)**

Councillor	Item	Interest
All	10/42/NAC	Personal – All Councillors know Gary Clift (34 Leys Avenue applicant) who is a Council Officer.
All	10/43/NAC	Personal – All Councillors know Cllr Margaret Wright who is an objector to 6 Corona Road.

Blair	10/45/NAC	Personal – General discussion of land between 34 and 35 Pakenham Close application in Ward Councillor role.
Boyce	10/43/NAC	Personal – General discussion of 6 Corona Road application in Ward Councillor role.

10/40/NAC Planning Applications

These minutes and the appendix should be read in conjunction with the reports on applications to the committee, where the conditions to the approved applications or reasons for refusal are set out in full and with the Amendment Sheet issued at the meeting. Any amendments to the recommendations are shown.

Full details of the decisions, conditions of permissions and reasons for refusal may be inspected in the Environment and Planning Department, including those that the committee delegated to the Head of Development Control to draw up.

10/41/NAC Planning Report

Site Address: Haling House, Fen Road
Application Number: 10/0389/FUL
Proposal: Erection of two dwellings following demolition of existing dwelling
Applicant: C/o Merlin Place
Case Officer: John Evans
Officer Recommendation: APPROVE subject to conditions
Public Speaker: Amy Richardson – Applicant's Agent
Decision: REFUSED (5 votes to 4) against officer recommendation.
<p>The following reasons for refusal were discussed based on associated local plan policies:</p> <ul style="list-style-type: none"> • Safeguarding features of amenity value – the view from Stourbridge Common – the majority view was that this should not form a reason for refusal because policy 4/3 could not be interpreted in that way. • Inappropriate development beside the watercourse - the majority view was that this should not form a reason for refusal because policy 3/9 could not be interpreted in that way.

- The proposed houses are too high, would be very obtrusive and fail to take account of the importance of views from the towpath and Stourbridge Common. The buildings would be too close to the towpath. The majority view was that this should form the basis of a reason for refusal based on policies 3/4, 3/7 and 3/12.
- The section 106 Agreement is not complete therefore a further reason for refusal is necessary based on non-compliance with the Planning Obligations strategy.

Members took a vote on the recommendation, which was lost 5 votes to 4.

Members voted 5 votes to 2 to refuse the application on the grounds that it was contrary to policy 3/4 of the Cambridge Local Plan 2006.

Members voted 5 votes to 1 to refuse the application on the grounds that it was contrary to policy 3/7 and 3/12 of the Cambridge Local Plan 2006.

Members voted 1 vote to 4 to refuse the application on the grounds that it was contrary to policy 4/2 of the Cambridge Local Plan 2006. This was rejected as a reason.

Members voted 1 vote to 4 to refuse the application on the grounds that it was contrary to policy 4/3 of the Cambridge Local Plan 2006. This was rejected as a reason.

The following reasons for refusal were given by the Committee:

1. The proposed dwellings by virtue of their height, scale, massing and location relative to the towpath to the River Cam would be a dominant and obtrusive form of development that would be out of character with the open nature of the riverside setting and the sylvan character of the site itself. In so doing the development fails to respond positively to the site context and constraints, would not result in the creation of an attractive built frontage which would positively enhance the public realm adjacent to the site in terms of the towpath, the River Cam and Stourbridge Common and would generally not have a positive impact on its setting in terms of location on the site, height, scale and form and its impact on the landscape and wider views. The development is therefore contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.
2. The proposed development does not make appropriate provision for open space, community development and waste facilities in accordance with policies 3/7, 3/8, 3/12 and 10/1 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough

Structure Plan 2003 and the Planning Obligation Strategy 2010 and Guidance for Interpretation and Implementation of Open Space Standards 2010.

Councillor Brierley did not participate in the decision making concerning this application and took no part in the vote.

10/42/NAC Planning Report

Site Address: 34 Leys Avenue, Cambridge
Application Number: 10/0432/CL2PD
Proposal: Application for Lawful Development Certificate (S192) for side and rear dormer.
Applicant: Gary Clift
Case Officer: Amit Patel
Officer Recommendation: Certificate of Lawfulness be GRANTED
Public Speaker: None
Decision: APPROVED (unanimously) as per Officers report subject to conditions.

10/43/NAC Planning Report

Site Address: 6 Corona Road
Application Number: 10/0281/FUL
Proposal: Erection of balcony to rear of property
Applicant: Harry Hemingway
Case Officer: Marcus Shingler
Officer Recommendation: APPROVE subject to conditions
Public Speaker: Harry Hemingway – Applicant Caroline Stephen - Objector
Decision: APPROVED (unanimously) as per Officers report subject to conditions and agreement of condition 2 as worded in the Officer Report and an additional condition as follows: Members took a vote on including the recommendation concerning a balcony screen, which was carried 9 votes to 1.

The balcony hereby approved shall not be used to afford access to the adjacent proposed green roof except as necessary for the maintenance of the green roof. The green roof shall not be used as an external amenity area at any time.

Reason – To prevent overlooking of and loss of privacy to adjoining dwellings in the interest of residential amenity. (Cambridge Local Plan policies 3/4 and 3/14).

10/44/NAC Planning Report

Site Address: Citygate, Woodhead Drive
Application Number: 10/0367/FUL
Proposal: Erection of four one bed and four two bed flats and works to parking area
Applicant: C/o 6 New Street Square
Case Officer: Catherine Linford
Officer Recommendation: APPROVE subject to conditions
Public Speaker: Philip Kratz - Agent Norman Merritt - Objector
<p>Decision: APPROVED (unanimously) as per Officers report subject to conditions and an additional condition as follows:</p> <p>Members took a vote on including the additional planning condition concerning boundary treatment, which was carried 7 votes to 0.</p> <p>Notwithstanding the details shown on the approved plans and unless otherwise agreed in writing by the local planning authority, the boundary treatment to the rear of the building hereby approved on the boundary with 56 Robert Jennings Close shall take the form of a brick boundary wall of a minimum height of 1.8 metres.</p> <p>Reason – To protect the amenity currently enjoyed by the occupiers of 56 Robert Jennings Close. (Cambridge Local Plan policies 3/4 and 3/12).</p> <p>Section 106 Agreement to be completed by 15 October 2010.</p>

10/45/NAC Planning Report

Site Address: Land between 34 and 35 Pakenham Close
Application Number: 09/1134/FUL
Proposal: Erection of two semi-detached houses
Applicant: George Lambert
Case Officer: Catherine Linford
Officer Recommendation: APPROVE subject to conditions
Public Speaker: John Martin (Objector)
Decision: REFUSED (unanimously) against officer recommendation.
<p>The following reasons for refusal were discussed based on associated local plan policies.</p> <p>The development would remove provision for bins associated with the Tuscan Court development to be collected from Pakenham Close. In the absence of any alternative provision being made for the movement and storage of bins to an appropriate collection point on collection day in a reasonable and convenient way for residents of Tuscan Court this represents a failure to appreciate the site context and constraints. The development would also not be well related and integrated to the existing development because it would have the potential to have an adverse impact on the occupiers of that development i.e. Tuscan Court. It was the unanimous view of the Committee that this should form a reason for refusal based on polices 3/4 and 3/7. Members also voted 6 votes to 1 to refuse the application on the grounds that it was contrary to policy 3/12 of the Cambridge Local Plan 2006.</p> <p>Development of the site would result in the removal of any possibility for emergency vehicle access being provided off Pakenham Close. The current arrangement would allow for the emergency services to break through the existing bollards to enter the site. The development would preclude such an arrangement. It was the majority view of the Committee that this should form a reason for refusal based on polices 3/4 and 3/7.</p> <p>The development would infill a gap in the streetscene of Pakenham Close that currently makes a positive contribution to the character of the streetscene. The committee noted that this had been the view of the Planning Inspector in relation to an earlier planning appeal for development of the site and placed greater weight on this view than had officers. It was the majority view of the Committee that this should form a reason for refusal based on polices 3/4, 3/7 and 3/12.</p>

Members took a vote on the recommendation, which was lost 9 votes to 0.

The following reasons for refusal were given by the Committee:

1. The development of the site would result in the loss of provision of space to store rubbish bins for collection from Pakenham Close on waste collection days. In the absence of any alternative provision being made for the movement and storage of bins to an appropriate collection point on collection day in a reasonable and convenient way for residents of Tuscan Court this represents a failure to appreciate the site context and constraints. In addition the development would also not be well related and integrated to the existing development because it would have the potential to have an adverse impact on the occupiers of that development i.e. Tuscan Court by virtue of the loss of a facility to enable the collection of bins via Pakenham Close without alternative facilities being made available elsewhere on the Tuscan Court site. The development is therefore contrary to policies 3/4 and 3/7 of the Cambridge Local Plan 2006.
2. Development of the site would result in the removal of any possibility for emergency vehicle access being provided to Tuscan Court via Pakenham Close. In the absence of any alternative arrangements being made for emergency vehicle access or information being provided by the emergency services regarding the adequacy of access to Tuscan Court, the development is considered to fail to respond positively to the site context and constraints and would not be well related and integrated to the existing development. The development is therefore contrary to policies 3/4 and 3/7 of the Cambridge Local Plan 2006.
3. The development of the site would result in the loss of the gap between numbers 34 and 35 Pakenham Close. The character of Pakenham Close is defined by the presence of terraced, detached and semi-detached houses with spaces between them. The gap between numbers 34 and 35 Pakenham Close makes an important contribution to this character and the loss of this gap would have a detrimental impact on the streetscene. The development therefore fails to respond positively to the site context and constraints, would not result in the creation of an attractive built frontage which would positively enhance the townscape and would generally not have a positive impact on its setting in terms of the infilling of a gap which makes an important contribution to the character of Pakenham Close. The development is therefore contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006.

Section 106 Agreement has been completed.

10/46/NAC Declarations of Interest (Main Agenda)

None.

10/47/NAC Minutes

The minutes of the 10 June 2010 meeting were approved and signed as a correct record subject to the following amendment:

- Item 10/34/NAC Open Forum – Question 4 concerning what are the current levels of alcohol-related ASB arising from the licensed premises around Mitcham's Corner. Typographical error referring to Councillor Boyce's observation regarding to Tivoli Pub, not the Regal Pub.

10/48/NAC Matters and Actions Arising from the Minutes

- **10/34/NAC Open Forum “Action Point: Councillors Blair, Kerr and Znajek to invite Tesco Area Manager to attend a future Area Committee meeting”.**

Councillor Blair has approached Tesco in Chesterton High St several times to invite the Tesco Area Manager to attend a future Area Committee meeting.

Ian Smith, Express Operations Manager is unable to attend the 14 July 2010 committee, but intends to attend 30 September. A representative from Tesco's community team may also attend to discuss delivery schedules.

- **10/34/NAC Open Forum “Action Point: Inspector Kerridge to clarify the Regal Pub's position on the ‘Cardiff Model’ traffic light system”.**

The Police Licensing Unit is working to build relationships with the managers/owners of problem premises to promote partnership working to improve poor management. The Police declined to share rankings of specific premises with partners in case it undermines the work they are undertaking and jeopardised the Cardiff Model process, which initially relies on the cooperation of managers/owners to tackle the issues the Police highlight to them.

Inspector Kerridge has circulated the top ten licensed premises to members of the Violent Crime Task Group, and the Regal is one of those. Since engaging with the licensing unit, there have been improvements to the management of the premises.

Councillor Boyce suggested that if the Violent Crime Task Group had any issues they wished to raise, these should be forwarded to the City Council Licensing Committee. He also signposted the Tivoli Pub license hearing 26 July 2010 (re 10/34/NAC from 10 June North Area Committee).

- **10/34/NAC Policing and Safer Neighbourhoods “Action Point: Inspector Kerridge to liaise with the Head of King's Hedges School to ensure anti-social behaviour during school run periods continues to be under control”.**

A Neighbourhood Action Group meeting discussed this issue Thursday 15 July.

- **10/37/NAC Environmental Improvement Programme “Action Point: Environmental Projects Manager to work up a specific costing and proposal for raised planted area to supplement work to Akeman Street Planting project”.**

Details are expected in a report for 30 September North Area Committee.

10/49/NAC Open Forum

Q1) Ian Manning – Queried update on hand over of open spaces to VIE residents.

A) Councillor Blair advised that paperwork had been handed to the Legal Department W/C 21 June 2010. She undertook to confirm progress with legal colleagues W/C 19 July. Councillor Blair understood that all arrangements were in order.

The Active Communities Team have visited the site 14 July to review the grass cutting issue and raised no concerns.

Q2) Leila Dockerill – Expressed concern regarding Tesco Piazza recycling area.

A) The recycling area was correctly located according to the plans.

Action Point: Councillor Pitt undertook to liaise with Litter Picking Team and Rangers concerning fly tipping.

Q3) Kay Harris – Queried why the pedestrian crossing had been moved from Emanuel Street to Regent Street.

A) Councillor Wilkins suggested that County Council officers considered that the new islands at the end of Emmanuel Street were working successfully to make crossing easy.

Action Point: Councillor Wilkins undertook to liaise with Kay Harris post Area Committee on how to address the issue through the Area Joint Committee.

Q4) Lil Speed – Queried how the Council could ensure tenants took more responsibility for maintaining the cleanliness of their homes and gardens.

A) Councillor Ward signposted the Council Housing Management Board, who have responsibility for housing matters. Lil Speed was invited to speak at the next Housing Management Board 28 September 'Public Questions' section if desired. As a Tenant Representative on the Housing Management Board, Kay Harris offered to liaise with Lil Speed post Area Committee.

Councillors agreed with Lil Speed that tenancy agreements to maintain properties should be enforced by the Council eg City Homes Department.

Action Point: The Head of Environmental Health and Waste Strategy undertook to liaise with Robert Hollingsworth concerning enforcing tenancy agreements to ensure homes and gardens are kept clean. The Head of Environmental Health and Waste Strategy will also undertake site visits with an Environmental Health Officer.

Q5) Richard Taylor – Queried why the Committee approved the use of Section 59 of Police Reform Act as part of enforcement action against speeding/anti-social driving in Fen Road.

A) Councillor Nimmo-Smith answered that the Committee had endorsed 'Continuation of work to tackle anti-social driving in Fen Road' as a priority for the Police, rather than particular actions to take.

Councillor Blair said that as a Ward Councillor, she received many complaints from residents concerning speeding in Fen Road. As such she supports actions taken by the Police to alleviate issues.

Michael Bond said that Fen Road and East Chesterton both have speeding issues. Section 59 is only used against persistent offenders after repeated warnings. It is generally targeted at unroadworthy vehicles.

Councillors supported tackling anti-social driving as a police priority, and acknowledged Richard Taylor's concerns about the appeals process.

Action Point: Councillor Nimmo-Smith to liaise with Councillor Bick concerning the protocol for using section 59 to address speeding, and the access to appeal process. A report was requested for the 30 September Area Committee.

Q6) Michael Bond – Gave the Committee an update concerning the well attended Chesterton Community Festival at the end of June 2010.

A) Councillors thanked Michael Bond for his Festival update.

Q7) Michael Bond – Expressed concern over the proposed cuts to library services, particularly mobile ones. He asked if the City Council could support residents challenging the County Council cutting services to save money.

A) Councillors supported Michael Bond's sentiments and said the City Council would respond to the consultation process. Ward Councillors were keen to retain branch libraries in situations where services were provided. The issue will be discussed at community meetings.

Councillor Wilkins said that no decision had been made, but there was an expectation that some libraries would close.

Q8) Richard Taylor – Queried lack of reference to on-line Planning Public Access system in planning papers. He also queried the Council's redaction policy concerning details published.

A) Councillor Boyce said that Councillors receive 'private' papers which disclose all details, the 'public' versions available on the website etc have confidential details redacted (blocked out). The Local Government Act places different demands on licensing and planning documents concerning details that have to be redacted.

Action Point: Councillor Blair to discuss with officers redaction of text on the Council's on-line Planning Public Access system.

Q9) Councillor Pitt – Received a request from Councillor McPherson (in his role as Head of Security at CRC) requesting North Area Committee to support Cambridge Regional College staff receiving training to participate in the speedwatch programme.

A) Councillors endorsed the proposal.

10/50/NAC Licensing Act 2003 - Public Consultation On The Statement Of Licensing Policy (With Included Cumulative Impact Policy)

The Head of Environmental Health and Waste Strategy introduced the report.

The Licensing Act 2003 requires that, for each three year period, the Council must determine its policy to exercise its licensing functions and publish a statement of that policy before the beginning of the period. The Statement of Licensing Policy must be kept under review and approved by Full Council.

The current policy expires on 6 January 2011, and the Council is required to determine the policy for the period 7th January 2011 to 6th January 2014. The policy must be consulted upon prior to it being adopted. The HM Government Code of Practice on Consultation recommends a 12-week consultation period.

The Council's consultation period ends 5 September 2010, comments are invited. The policy will then be presented to the Licensing Committee in October and then to Full Council for ratifying (if appropriate).

A specific Bill on licensing issues is expected in future, the Coalition Government is currently discussing papers. This should quantify currently undefined areas such as irresponsible promotions. Licensing Committee members will be updated when new conditions take affect.

The Area Committee unanimously **agreed**:

- A) To make the public aware of the draft Statement of Licensing Policy, that it is subject to public consultation for a 12-week period between 14th June and 5th September 2010 and to involve them in the process.
- B) Considered the content of the policy, including the cumulative impact policy contained within the Statement of Licensing Policy
- C) Requested that any comments regarding the policy and the Council's approach to cumulative impact should be submitted to the Licensing Manager before the close of the consultation period on 5th September 2010.

The meeting ended at 9.30 pm

CHAIR