

**NORTH AREA COMMITTEE**31 January 2013  
6.30 am - 7.25 pm

**Present:** Councillors Todd-Jones, Price (Vice-Chair: in the Chair), Ward, Boyce, Bird, Brierley, Kerr and Pitt

**Officers:**

Principal Planning Officer: Tony Collins

Planning Officer: Amit Patel

Planning Officer: Nanayaa Ampoma

Committee Manager: Glenn Burgess

**FOR THE INFORMATION OF THE COUNCIL****13/1/NAC Apologies for Absence**

Apologies were received from Councillors Abbott, Gawthrope, Kerr and Tunnacliffe.

It was noted that Councillor Abbott had recently been unwell and the Committee asked that their best wishes be formally noted.

**13/2/NAC Declarations of Interest (Planning)**

| <b>Councillor</b> | <b>Item</b> | <b>Interest</b>                                                                                                                                                                                                           |
|-------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Boyce             | 13/6/NAC    | Personal: Knows a partner in the architect practice that are representing the applicant. Whilst not a prejudicial interest, Councillor Boyce decided to speak as a Ward Councillor and then leave the table and not vote. |
| Todd-Jones        | 13/6/NAC    | Personal: Knows the applicant and the objectors. Councillor Todd-Jones decided to speak on the application but not vote.                                                                                                  |

**13/3/NAC Minutes of the last meeting**

The minutes of the 22 November 2012 meeting were approved and signed as a correct record.

**13/4/NAC Planning Items****13/5/NAC 12/1428/FUL - 16-18 Arbury Court**

The Committee received an application for full planning permission.

The application sought approval for change of use from A1 to D2

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

The representation covered the following issues:

- (i) Felt that he had received poor service from Property Services during his occupation of the premises.
- (ii) He had experienced five separate roof leaks in 10 months resulting in a claim for over £1000 for damaged stock. Money had also been wasted due to a water heater and lights not being fixed properly.
- (iii) His toy shop had made over 8500 trades and donated lots to local organisations.
- (iv) Many local people had expressed their support for the toy shop.

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

The representation covered the following issues:

- i. Was not speaking in support or opposition to the application but merely wants what is best for the local community.
- ii. Concerned that, as the change of use was not being requested on a vacant property, the outcome could result in the current leaseholder being evicted.
- iii. By occupying the unit the current occupant has saved the Council paying vacant property tax.
- iv. There are already a number of sports facilities in the area.

- v. Many of the local community were unaware of this application as formal notices have not been erected.

### The Committee:

As per the published amendment sheet, the Case Officer highlighted his recommendation for an additional condition.

**Resolved (by 7 votes to 0)** to accept the officer recommendation to include the following additional Condition:

#### **Condition 3**

The premises shall only be used as a gymnasium or a similar indoor sports facility and for no other use falling within use Class D2.

Reason: In order that other uses which have a substantially different impact are considered through the application process, Cambridge Local Plan policy 3/4.

**Resolved (by 5 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda and including the additional condition as above.

#### **Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies: Cambridge Local Plan (2006): 3/4, 6/7.
2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.
3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

**13/6/NAC 12/1342/FUL - 73 Gilbert Road**

The Committee received an application for full planning permission.

The application sought approval for a single storey extension to the side and rear of the property replacing the existing single storey side extension. First floor extension to side to enlarge bathroom. First floor extension to rear to enlarge bedroom.

The Applicants Agent spoke in support of the application.

Councillor Boyce (Ward Councillor for West Chesterton) addressed the Committee about the application.

The representation covered the following issues:

- (i) The previous application had been refused due to its size and overbearing nature. At this time it was felt that any further application should not abut the boundary line, should wrap around the existing property, should not be as deep and should not have an upper storey extension.
- (ii) Whilst his new application had addressed the majority of these issues it did still include an upper storey extension, and it was for this reason that he had called it in for a committee decision.
- (iii) The neighbours disputed the view of the Case Officer (at 8.5 of the report) that the design reflected the original house. They also disputed the claim (at 8.13 of the report) that the development was in keeping with other extensions along the road.

The Committee:

**Resolved (by 6 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda.

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 extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

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 the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

**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).

### **Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies: Cambridge Local Plan (2006): 3/4, 3/7, 3/11 and 3/4

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

3. In reaching this decision the local planning authority has acted on guidance provided by the National Planning Policy Framework, specifically paragraphs 186 and 187. The local planning authority has worked proactively with the applicant to bring forward a high quality development that will improve the economic, social and environmental conditions of the area.

**13/7/NAC 12/1431/CLUED - 70 Green End Road**

The Committee received an application for a certificate of lawfulness under Section 191 for use in multiple occupation (sui generis).

The Applicant's Solicitor spoke in support of the application.

The Committee received a representation in objection to the application from Mrs Blair (on behalf of Mr and Mrs Wisbey).

The representation covered the following issues:

- i. The previous decision of the Inspector was that the property should be limited to only four letting rooms in order to avoid loss of amenity for the neighbouring properties, and this has been breached on numerous occasions.
- ii. As a result of the property letting more than four rooms serious incidents have occurred that have had a detrimental affect on the neighbours.
- iii. When the correct number of rooms are let, the level of incidents is dramatically reduced.

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

The representation covered the following issues:

- i. Lawful use would have to be evidenced by continuous use for over 10 years with no incidents, and this has not been the case with this property.
- ii. The owner of the property had been blatantly flouting planning consent and this had had a detrimental affect on the neighbours.

The Committee:

**Resolved (by 7 votes to 0)** to accept the officer recommendation that a Certificate of Lawfulness not be granted under Section 191 of the Town and Country Planning Act 1990 (as amended) for use as a large HMO with 9 bedrooms in breach of condition 03 of C/1104/87 at 70 Green End Road, Cambridge for the following reasons:

1. It appears to the Local Planning Authority that insufficient evidence has been submitted to demonstrate that the property has been used continuously as a large house in multiple occupation with 9 bedrooms in breach of planning condition 03 of permission C/1104/87, for a period of ten years.

The meeting ended at 7.25 pm

**CHAIR**