

**EAST AREA COMMITTEE**

25 October 2011

7.00 - 11.45 pm

**Present:** Councillors Blencowe (Chair), Brown, Hart, Herbert, Marchant-Daisley, Moghadas, Owers, Saunders, Smart, Bourke and Sadiq

County Councillors: Bourke and Sadiq

Councillor Bourke left after the vote on item 11/50/EACa

Councillor Sadiq left after the vote on item 11/50/EACb.

**Officers:** Glenn Burgess (Committee Manager), Tony Collins (Principal Planning Officer), Patsy Dell (Head of Planning Services), Sarah Dyer (City Development Manager), James Goddard (Committee Manager) and Martin Whelan (Committee Manager).

**FOR THE INFORMATION OF THE COUNCIL****11/47/EAC Apologies For Absence**

Councillors Benstead, Harrison, Pogonowski, Sedgwick-Jell and Wright

**11/48/EAC Declarations Of Interest**

Name	Item	Interest
Councillor Saunders	11/50/EACa	Personal: Member of Cambridge Cycling Campaign

**11/49/EAC Re-Ordering 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.

**11/50/EAC Planning Applications**

**11/50/EACa 11/0710/FUL - 103 Mill Road**

The Chair ruled that under 100B(4)(b) of the Local Government Act 1972 the late item from the Planning Officer be considered despite not being made publicly available for this committee five clear days prior to the meeting.

The items ruled-in were late objections from residents relating to 103 Mill Road. These were from:

- (i) Mr Hellawell (Cam Sight).
- (ii) Ms Deyermond (Mill Road Society)

The committee received an application for full planning permission.

The application sought approval for change of use from Pool Hall (Use Class D2) to a Sainsbury's Local Store (Use Class A1) together with external alterations.

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

- Mrs Brightman (Mill Road Society representative)
- Mr Lucas-Smith (Cambridge Cycling Campaign representative)
- Miss Preston
- Ms Grimshaw
- Mr Arain
- Mr Wood
- Mr Gosnell

The representations covered the following issues:

- (i) Local residents did not want a Sainsbury's shop in Mill Road. It was inappropriate for the area and would take away the areas' only leisure facility. WT's, the alternative facility proposed by Sainsbury's, was not located near enough; or accessible to; Mill Road residents (particularly those with disabilities).
- (ii) Sainsbury's would harm the character of Mill Road and lead to pedestrian plus vehicular traffic safety concerns.
- (iii) There were many existing independent food shops in Mill Road, which would be adversely affected by a Sainsbury's shop. Current shops had a symbiotic relationship to support each other's custom.

- (iv) Local Plan policy 6/1 required provision of leisure facilities. The closure of Mickey Flynn's would be detrimental to this. Speakers took issue with the suggested lack of demand for Mickey Flynn's.
- (v) Raised anticipated site delivery issues relating to traffic flow, safety, loading time and obstruction of traffic.
- (vi) Suggested the loading bay was unfit for purpose due to its size and impracticable delivery time windows.
- (vii) Concern over illegal use of parking bay.
- (viii) Concern over loss of pavement due to loading bay. Also parking on pavement by Sainsbury's shop users or delivery vehicles.

Mr Sellers (Sainsbury's) and Mr Murray (Mickey Flynn's) addressed the committee in support of the application.

A statement was read out on behalf of Rod Cantrill, Executive Councillor for Arts, Sports and Public Places. This clarified that the City Council would need to dedicate a piece of land required for the loading bay to the public highway, and this would be subject to consultation seeking local views on the request with regard to the impact of the proposal on the amenity value of the "open space".

Kilian Bourke (Romsey Ward County Councillor) addressed the committee about the application. He reiterated residents concerns regarding:

- (i) Loss of leisure facility.
- (ii) Traffic flow and congestion.
- (iii) Impact on vehicular and pedestrian safety, particularly due to loss of pavement.
- (iv) Illegal use of lay-by by people accessing shops other than Sainsbury's.
- (v) Delivery bay unfit for purpose.

Tariq Sadiq (Coleridge Ward County Councillor) addressed the committee about the application. He reiterated residents concerns regarding:

- (i) Delivery bay impracticable.
- (ii) Illegal use of lay-by by people accessing shops other than Sainsbury's.

The Committee:

**Resolved (by 8 votes to 1)** to reject the officer recommendation to approve the application.

The Chair decided that the reasons for refusal should be voted on and recorded separately.

**Resolved (by 5 votes to 4)** to refuse the application contrary to the officer recommendations for the following reason:

1. The proposal involves the loss of a leisure facility, which would not be relocated to premises of similar accessibility. Insufficient evidence is provided to demonstrate either that the leisure facility is no longer needed, or that the site is unsuitable for an alternative leisure use. The application is therefore contrary to policy 6/1 of the Cambridge Local Plan (2006) and to government guidance in policy EC13 of Planning Policy Statement 4 'Planning for Sustainable Economic Growth'.

**Resolved (by 8 votes to 0)** to refuse the application contrary to the officer recommendations for the following reason:

2. The pattern and intensity of deliveries required for Class A1 use on this site would create a potential hazard to highway safety, both on the carriageway and the footway. The proposed delivery bay would not eliminate the hazard, whose layout would itself create a potential hazard for pedestrians with impaired sight or limited mobility and those using wheelchairs and pushchairs. The proposal is therefore in conflict with Cambridge Local Plan (2006) policies 8/2, 8/4 and 8/9.

### **11/50/EACb 11/0613/FUL - Rear of 22 and 23 Kelvin Close**

The committee received an application for full planning permission.

The application sought approval for erection of 3 dwelling houses.

The committee received a representation in objection to the application from the following:

- Miss Quichley

The representation covered the following issues:

- (i) The principle of the development was inappropriate.
- (ii) Concern over loss of amenity for residents.
- (iii) Felt the car parking provision was impracticable.

- (iv) Concern that the development would exacerbate existing traffic flow issues.
- (v) Concerns about drainage and enforcement of conditions to discharge responsibility based on past experience.

Mr Curley (Applicant) addressed the committee in support of the application.

Tariq Sadiq (Coleridge Ward County Councillor) addressed the committee about the application.

- (i) Expressed concern about site access for construction traffic. Queried if this was this practicable.
- (ii) Referred to paragraph 8.24 of the Officer's report and queried impact of the development on traffic control measures in the area, particularly in light of anticipated multiple car ownership per household.

Councillor Moghadas proposed an amendment that considerate construction scheme conditions should be included if the application went ahead.

This amendment was carried unanimously.

#### The Committee:

**Resolved (by 8 votes to 0)** to accept the officer recommendation to approve planning permission as per the agenda subject to completion of the section 106 Agreement by 30 November 2011 and the following additional condition:

11. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
  - (i) Contractors access arrangements for vehicles, plant and personnel,
  - (ii) Contractors site storage area/compound,
  - (iii) The means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
  - (iv) The arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13).

### Reasons for Approval

1. This development has been approved subject to conditions and the prior completion of a section 106 planning obligation (/a unilateral undertaking), because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: SS1, H1, T1, T9, T14, ENV7 and WM6.

Cambridgeshire and Peterborough Structure Plan 2003: P6/1 and P9/8.

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/9, 3/12, 4/13, 5/1, 8/2, 8/6, 8/10, 8/18.

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.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at [www.cambridge.gov.uk/planningpublicaccess](http://www.cambridge.gov.uk/planningpublicaccess) or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

### **11/50/EACc 11/0865/CAC - Anglia Property Preservation 1 Great Eastern Street**

The committee received an application for full planning permission.

The application sought approval for demolition of existing rear outbuildings.

The committee received representations as set out in 11/50/EACc below.

### The Committee:

**Resolved (unanimously)** to reject the officer recommendation to approve the application.

**Resolved (unanimously)** to refuse the application contrary to the officer recommendations for the following reason:

The loss of the existing building from this site and the failure to replace it with an appropriate form of development would neither enhance nor preserve the character and appearance of the Conservation Area. The failure to provide detailed plans for redevelopment of the site that are acceptable to the Local Planning Authority, as is the case here, means that the demolition of the building is contrary to policy 4/11 of the Cambridge Local Plan 2006 and to advice provided by PPS5 Planning for the Historic Environment (2010).

### **11/50/EACd 11/0351/FUL - Anglia Property Preservation 1 Great Eastern Street**

The committee received an application for full planning permission.

The application sought approval for change of use and side extension to the frontage building from an office to create 2 no 1 bed flats; and erection of 6 studio apartments at the rear (following demolition of existing rear buildings), together with associated infrastructure.

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

- Mrs Wright
- Miss Kennedy

The representations covered the following issues:

- (i) Sought clarification concerning details in the Officer's report.
- (ii) Expressed car parking concerns and asked for a residents parking scheme to be introduced if the application went ahead.
- (iii) Concern regarding over development of site.
- (iv) Arboricultural concerns.
- (v) Referred to degree of public opposition to development.
- (vi) Suggested proposal contravened Council Local Plan policies 3/4, 3/7, 3/10, 3/12, 3/14, 4/4, 4/11, 5/2 and 8/2.

- (vii) Suggested imposing a contaminated land condition to comply with policy 4/13 if the application went ahead.

Mr Bainton (Applicant's Agent) addressed the committee in support of the application.

The Committee:

**Resolved (unanimously)** to reject the officer recommendation to approve the application.

**Resolved (unanimously)** to refuse the application contrary to the officer recommendations for the following reasons:

- 1 The proposed development, by virtue of the footprint, scale, massing and elevational treatment of the two storey building at the rear of the site, fails to respond positively to the character of the surrounding area and represents overdevelopment of the site. In so doing the development also fails to provide an appropriate level of amenity space to meet the reasonable expectations of future occupiers of the studio apartments. The development is therefore contrary to policies ENV6 and ENV 7 of the East of England Plan 2008 and policies 3/4, 3/10 and 4/11 of the Cambridge Local Plan 2006 and to advice in Planning Policy Statement 1: Delivering Sustainable Development.
- 2 The proposed development is unacceptable in that the new, predominantly two-storey building, at the rear of the site, shown hard on the common boundary with and south and west of No. 5 and west of No. 3 Great Eastern Street, would unreasonably enclose and unduly dominate the rear of those properties, causing the occupiers to suffer an undue sense of enclosure that would materially erode and inappropriately diminish the level of residential amenity they should properly expect to enjoy. In so doing the development fails to respond positively to its context. The development is therefore contrary to East of England Plan 2008 policy ENV7, Cambridge Local Plan 2006 policies 3/4, 3/7, and 3/12, and is contrary to advice in Planning Policy Statement 1: Delivering Sustainable Development.
3. The proposed development of the south-facing, single aspect, predominantly two-storey block of six flats at the rear of the site will create too close and too uncomfortable a relationship with mature protected trees (especially Tree Survey Tree 1 - ailanthus altissima –



Tree of Heaven), immediately to the south of the site, which make a significant contribution to the amenity of the area and to the setting of Mill Road. The proposal has an unacceptable impact upon Tree 1 in particular, into the canopy and tree root protection area of which the new building would intrude. The consequence of this siting and relationship would require frequent lopping or management of that tree, which would be to its detriment, and would also be likely to lead to requests for future reduction in tree cover more generally to improve the amenity of the prospective occupiers. Erosion of the tree cover would be likely to be detrimental to the tree and the importance it has in this part of the Mill Road area of City of Cambridge Conservation Area 1 (Central). The failure to adequately safeguard the future of the Tree of Heaven, which is of significant amenity value, is contrary to East of England Plan 2008 policy ENV7 and Cambridge Local Plan policy 3/4, 4/4 and 4/11.

4. The proposed development does not make appropriate provision for open space/sports facilities, community development, education, waste facilities or monitoring, in accordance with policies 3/7, 3/8, 3/12, 5/14, and 10/1 of the Cambridge Local Plan 2006 and policies P6/1, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010 and in the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010).

#### **11/50/EACe 11/0066/FUL - 1 Hemingford Road**

This item was deferred to Thursday 27 October 2011.

#### **11/50/EACf 10/1030/FUL - 1 Hemingford Road**

This item was deferred to Thursday 27 October 2011.

#### **11/50/EACg 11/0201/FUL - 1 Hemingford Road**

This item was deferred to Thursday 27 October 2011.

#### **11/50/EAC h 11/0664/EXP - 187 Cherry Hinton Road**

This item was deferred to Thursday 27 October 2011.

**11/50/EACi 11/0659/FUL - 25 Romsey Road**

This item was deferred to Thursday 27 October 2011.

**11/51/EAC Meeting Adjourned**

The Committee resolved by 7 votes to 2 to adjourn and reconvene on Thursday 27 October to consider items 3e – 3i on the agenda plus community items.

The meeting ended at 11.45 pm

**CHAIR**