

SOUTH AREA COMMITTEE

7 March 2013
7.30 - 8.50 pm

Present: Councillors Meftah (Vice-Chair), Ashton, Blackhurst, Birtles, McPherson, Pippas, Swanson, Heathcock and Shepherd

Officers Present

Head of Streets and Open Spaces – Toni Ainley
City Development Manager – Sarah Dyer
Planning Investigation Officer – Debs Jeakins
Committee Manager – Martin Whelan

Also

Head of Transport, Infrastructure Policy & Funding, Cambridgeshire County Council – Dearbhla Lawson
Area Manager, Cambridgeshire County Council – Brian Stinton

FOR THE INFORMATION OF THE COUNCIL

13/9/SAC Apologies for Absence

Apologies for absence were received from City Councillors Dryden and Stuart.

13/10/SAC Minutes

The minutes of the previous meeting were agreed as a true and accurate record.

13/11/SAC Matters and Actions Arising from the Minutes

Cllr McPherson highlighted that the speed survey on Church End, Cherry Hinton suggested by the Police at the previous meeting was welcomed but had not yet happened.

13/12/SAC Declarations of Interest

There were no declarations of interest.

13/13/SAC Open Forum

A member of the public expressed concern about the management of the Hauxton Road Cemetary and specifically the poor quality of the sign outside of the cemetery. The Head of Streets and Open Spaces agreed to investigate and report back.

Members of the committee highlighted a number of forthcoming community events.

13/14/SAC Enforcement Item - 27 Babraham Road

The committee received a report regarding a breach of planning conditions and material change of use of 27 Babraham Road, Cambridge.

The representative of the owner (Mr Philip Kratz) addressed the committee and spoke against the proposed enforcement activity. The representative briefly outlined the history of the site and the nature of its use.

Mr Cinque spoke in favour of the proposed enforcement activity. The committee were advised that the site was being used for activities contrary to the previous planning permission, and that this adversely affected the quality of life for neighbourhoods.

Resolved (Unanimously)

- i. To authorise five enforcement notices under S172 of the Town and Country Planning Act 1990 (as amended) in respect of the breach of all four conditions of C/97/0695 and the material change of use of 27 Babraham Road, to be issued following the conclusion of the pre-existing appeal.
- ii. To authorise the Head of Planning (after consultation with the Head of Legal Services) to draft and issue the enforcement notices.

- iii. To delegate authority to the Head of Planning (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event on non-compliance with the enforcement notices.

For the following reasons

- i. It appears to the Council that the breach of planning control has occurred within the last ten years. The applicant has undertaken development (in the form of a change of use and non compliance with planning conditions) without the benefit of planning permission.
- ii. The intensification of the business use has resulted in a change of use, which has given rise to noise and disturbance to neighbours resulting in an unacceptably adverse impact upon their amenities. The statement of reasons for each of the five enforcement notices are contained in point 4 of the draft Notices which can be found in appendix B of the committee report.
- iii. Mindful of the advice the development plan policies mentioned above and to all other material considerations, the Council consider it expedient to serve the enforcement notices in order to remedy the clear breach of planning control.
- iv. Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that, if a certificate of lawfulness were refused, enforcement proceedings would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies, which seek to restrict such forms or new residential development. The time for compliance will be set as to allow a reasonable period for compliance.

13/15/SAC Enforcement Item - 60 Panton Street

The committee received a report regarding unauthorised development at 60 Panton Street, Cambridge.

Ms Kenney spoke in favour of the recommendation to not proceed with enforcement action.

County Councillor Shepherd addressed the committee and highlighted the sensitive nature of the location, and urged the committee to consider the implications of not proceeding with enforcement action carefully.

Resolved (6 votes to 0) to authorise the Head of Planning Services to close the investigation into unauthorised operational development at 60 Panton Street on the grounds that it is not expedient to pursue the matter further.

13/16/SAC S106 funding from Area Corridor transport Plans

The committee received a report from the Head of Transport, Infrastructure Policy & Funding (Cambridgeshire County Council) regarding the South Area Transport Corridor Fund.

The committee and members of the public expressed support for the proposal for a new pedestrian/ cycleway linking Trumpington Park and Ride, Clay Farm/Trumpington Meadows New School and guided bus way, subject to the following comments

- The scheme needed to be completed prior to the opening of the new school in September 2013.
- Consultation needed to be undertaken urgently with the Fawcett School.
- Clarification was requested on whether the £160,000 included lighting or not. The committee were advised that the project included some additional lighting and reconfiguration of existing lighting for the proposed path.

The committee and members of the public made the following comments on the rest of the report.

- i. Clarification was requested on why the Robin Hood Pub signals project had to wait until the improvements of the High Street. The committee were advised that any improvements to the signals didn't need to wait until the High Street improvements, but that the implications of any potential change to the signals needed to be considered in the context of the improvement to the High Street. The Head of Transport, Infrastructure Policy & Funding explained that it may be difficult to fund the signal improvements through this fund, but agreed to investigate and report back to a future meeting.
- ii. The Head of Transport, Infrastructure Policy & Funding agreed to clarify whether lighting would be included on the section of path from Trumpington to the Guided Busway as this was very dark. This as part of the 'lighting the guided busway project'.
- iii. County Councillor Heathcock emphasised the importance of County Council officers keeping Members up to date with proposals within their respective divisions.
- iv. The importance of developing a solution to improve the safety of major routes across Queen Edith's was highlighted. Follow up meeting planned to discuss.
- v. Officers were asked whether the previous proposals for an underpass on Hauxton Road instead of a crossing had been discounted. Officers confirmed that whilst not off the agenda, underpasses were expensive to construct and that the existing proposals would not increase the number of crossings places on Hauxton Road.
- vi. Officers were asked for an update on the proposals for Brooklands Avenue and whether the previous suggestion of purchasing adjoining land to increase the width of the pathway had been discounted. The committee were advised that a project to improve the quality of the pathway on Brooklands Avenue was being progressed jointly by the City and County Council.
- vii. The possibility of using the fund to introduce a footpath on Lime Kiln Hill was suggested. The Head of Transport, Infrastructure Policy & Funding explained that given the narrowness of this route, and the criteria for eligibility for this funding around mitigating impacts of

growth, that this is unlikely to fit the criteria and score well, but agreed to investigate.

- viii. The possibility of introducing a lay by on Robinson Way to allow safer use of buses by students at Long Road Sixth Form College was suggested. Officers agreed to investigate.
- ix. Officers were asked whether the fund could be used to tackle the issue of verge parking along Babraham Road such as the introduction of double yellow line markings. The committee were advised that it was unlikely that it could be funded through this fund, but that other funding sources would be investigated.
- x. The possibility of removing the inconsistent cycle signing south of the city, particularly between the city and the Shelford was suggested. The Head of Transport, Infrastructure Policy & Funding explained that this should be considered as part of the “radial route-signing project”.
- xi. Clarification was requested on whether the fund could be used to refresh the cycle markings on Hills Road. The Head of Transport, Infrastructure Policy & Funding confirmed that this couldn't be, but agreed to pass on the request to the maintenance.

13/17/SAC Approval of committee dates for 2013/14

The committee approved the committee dates for 2013/14 as per the committee report.

The committee thanked County Councillor Heathcock for his service to the committee and wished him well for the future.

The meeting ended at 8.50 pm

CHAIR

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