

# Public Document Pack

Planning

Plan/1

Wednesday, 1 October 2014

## PLANNING

1 October 2014  
10.00 am - 3.00 pm

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

City Development Manager: Sarah Dyer  
Principal Planning Officer: Toby Williams  
Principal Planning Officer: Tony Collins  
Senior Planning Officer: Angela Briggs  
Senior Planning Officer: Catherine Linford  
Planning Officer: Amit Patel  
Planning Enforcement Officer: Alison Twyford  
Legal Advisor: Penny Jewkes  
Legal Advisor: Cara DeLa Mare  
Committee Manager: James Goddard  
Committee Manager: Claire Tunnicliffe

### FOR THE INFORMATION OF THE COUNCIL

#### 14/47/PLAN Apologies

No apologies were received.

#### 14/48/PLAN Declarations of Interest

Name	Item	Interest
Councillor Pippas	14/51/PLAN	Personal: Works in the hotel industry.
Councillor Smart	14/55/PLAN & 14/56/PLAN  14/0936/FUL	Personal: Voluntary Office Holder for the Church of St Mary The Great.  Personal: Former Executive Councillor for Housing.
Councillor Hipkin	14/0854/FUL	Personal: Friend of the Director of Neale Associates.

#### 14/49/PLAN Minutes

The minutes of the 3 September 2014 meeting were approved and signed as a correct record.

**14/50/PLAN      14/0790/FUL - Cambridge City Football Ground, Milton Road**

The Committee received an application for full planning permission.

The proposal sought approval for the erection of 106 residential units, comprising of a mix of townhouses and apartments, of which 42 would be affordable (40%), open space, hard and soft landscaping, car and cycle parking and associated infrastructure.

The Committee received a representation in objection to the application from Rose Baug.

The representation covered the following issues:

- i. Green Road residents had been following the application since 2006.
- ii. This iteration was the best application to date, but residents still had reservations.
- iii. Raised specific concerns regarding:
  - Lighting impact on residents of Green Road and Corona Road. Asked for a condition to be imposed to prevent light spillage/nuisance.
  - Tree planting; a natural look is desired.
- iv. Hoped the development went well and was an asset to the area.

Justin Bainton (Agent) addressed the Committee in support of the application.

The Principal Planning Officer reiterated points made by Justin Bainton to the Committee to offer reassurance regarding lighting concerns made by Rose Baug. A professional consultancy had developed the Lighting Strategy in line with British Lux Standards. Environmental Health Officers concurred that no light pollution was expected from the development.

The Principal Planning Officer said in response to Councillor Hipkin's query that housing mix figures on P34 and P35 of the Officer's report differed due to a typographical error. The correct housing mix figures were listed in paragraph 8.12.

Councillor Smart proposed an amendment to the Officer's recommendation that a car club parking space be added as an informative.

This amendment was **carried unanimously**.

The Committee:

**Resolved (by 7 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, subject to the conditions recommended by the officer and an additional informative encouraging the applicants to investigate whether a car club space would be viable.

**14/51/PLAN      14/1111/FUL - Ashley Hotel, 74-76 Chesterton Road**

The Committee received an application for full planning permission.

The proposal sought approval for the demolition of existing garages, to be replaced by a two storey building to provide 19 additional hotel bedrooms (4 within roof space) an underground car park for 16 cars and 12 bicycles and an extension to the existing semi-basement hotel facilities.

The Committee received a representation in objection to the application from Luca Leone.

The representation covered the following issues:

- i. Objected to this proposal, not developing the hotel in principle.
- ii. Raised the following concerns:
  - The design is out of scale with the surrounding area (it's 4 storeys not 2).
  - Mitcham's Corner improvement campaign raised the bar for developments in the area, this design is not suitable. It reflects old standards.
  - Off street parking is not fit for purpose and would exacerbate existing issues.
- iii. Requested the application be rejected. Asked for a new design that was lower in height and more in-keeping with the character of the area.

Robert Norfolk (Applicant) addressed the Committee in support of the application.

The Planning Officer referred to comments made by Luca Leone and Robert Norfolk. The application was not in a Conservation Area. The scale of the application and impact of traffic on neighbours had been considered in

previous applications. Councillors should consider planning policy changes as part of their decision, there were none to warrant a reason for refusal.

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.

**14/52/PLAN      14/0649/FUL - Cambridge Repetition Engineers, 2 Greens Road**

The Committee received an application for full planning permission.

The proposal sought approval for the erection of a residential development comprising of 4 x 2 bed apartments, and 2 x 1 bed apartments, car and cycle parking and associated landscaping.

The Committee received a representation in objection to the application from Shirley Blake (on behalf of Victoria Homes).

The representation covered the following issues

- i. The principle of residential development was welcomed.
- ii. The site sits close to long established Almhouses which consist of sixteen bungalows on site, providing accommodation for the elderly.
- iii. Expressed concern regarding the massing of the height of some of the development, particularly on the Southern side and the negative impact this would have to the residents.
- iv. The development would bring a loss of privacy and overlooking to the Almhouses, particularly to No's 1, 15 & 17.

Peter Mckeown (Applicant) addressed the Committee in support of the application.

The Committee:

**Resolved (unanimously)** to grant the application for full planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report, subject to the conditions recommended by the Officer.

**14/53/PLAN      14/0453/S73 - 2A Scotsdowne Road**

The Committee received an application for retrospective planning permission.

The proposal sought approval to vary condition 2 of planning permission 10/0201/FUL (allowed on appeal) to permit the addition of pitched roof dormers in the front and rear roof slopes (retrospective).

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

The representation covered the following issues

- i. Stated that dormer windows should not be allowed in a conservation area.
- ii. The building has been taken from a single storey to a three storey which is not in keeping with the rest of the street scene.
- iii. The applicant had ignored a request to stop work.
- iv. The application on appeal requested that the dwelling was to match neighbouring Alpha Terrace which is not the case.
- v. In 2010 the application was rejected because of the lack of parking which had not been improved.
- vi. Invited the Committee to site to look at the negative impact and the loss of privacy that the dwelling has had on the neighbouring properties, 1 & 3 Scotsdowne Road.

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

The Committee:

**Resolved (unanimously)** to grant the application for full planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report, subject to the conditions recommended by the Officer.

**14/54/PLAN      13/1772/FUL - Leys School, Fen Causeway**

The Chair informed the Committee that this application had been withdrawn.

**14/55/PLAN      14/0320/FUL - Payphone Kiosk, Adj Church of St Mary The Great, St Marys Street**

The Committee received an application for a change of use.

The proposal sought approval for a change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.

The Committee received a representation in objection to the application from Doug Whyte

The representation covered the following issues:

- i. Questioned if the applications had been submitted as two minor applications so that no planning notice had to be advertised.
- ii. There were no site notices to make the public aware of the applications.
- iii. Stated that there had been a severe lack of consultation and notice with the retailers and market stall holders in the immediate area.
- iv. Only one retailer had been informed of the proposed applications.
- v. Had the applications not been brought to the attention of the market stall holders by the retailer then no objections would have been raised. The application would have been approved without being considered by Committee.
- vi. Stated that City Councillors had not been aware of the application.
- vii. Questioned why the Chaplain of Great St Mary's Church had not been consulted, when the phone boxes were in close proximity to the Church, which is an area that is listed.
- viii. The red phone boxes were an iconic part of the market square which were enjoyed by tourists.
- ix. The proposed retail kiosks would sell identical products that were already being sold in or around the market, the closest established trader selling tea and coffee less than a hundred meters.
- x. Asked if there was a business need for a shoe shine service.
- xi. The site falls within a conservation area and would have a negative impact on the character of the area.
- xii. Market Stalls were available and the applicant should have to apply for a pitch on the market which would bring in revenue to the City Council.
- xiii. Difference in cost to a market stall.
- xiv. Requested that the Committee protect the phone boxes and not allow the applications to be approved.

The Committee:

**Resolved (by 7 votes to 1)** to reject the Officer recommendation to approve the application.

**Resolved (by 7 votes to 1)** to refuse the application contrary to the Officer recommendations for the following reasons:

- i. The proposed change of use would detract from the setting of the listed group of phone boxes, surrounding heritage assets including the Great St Mary's Church and the character and appearance of the Central Conservation Area. The harm would arise by virtue of the change in function and use of the phone boxes (a disassociation of the purpose of the listed structures), their more solid form by the placing of semi-permanent structures within them, the opening of the doors for long periods of time and the associated paraphernalia including swing seats and wash basins that would be necessary for the use. As such, the proposed change of use and associated works would be contrary to Cambridge Local Plan (2006) policies 4/10 and 4/11 and would be contrary to paragraph 134 of the NPPF 2012 in that, whilst less than substantial harm to the significance of the heritage assets would occur, it has not been demonstrated that a degree of public benefit would arise, including an assessment of optimum viable uses, that would outweigh the harm identified.
- ii. The proposed change of use and opening of the doors for long periods of time during the operation of the retail uses would cause an obstruction to the public highway and the free flow of pedestrians within a busy City Centre location, adversely affecting the safe and efficient use of the public highway contrary to Cambridge Local Plan (2006) policies 3/4, 3/7 and 8/2.

**14/56/PLAN      14/0806/LBC - Payphone kiosk adj Church of St Mary the Great, St Marys Street**

The Committee received an application for a change of use.

The proposal sought approval for a change of use of 2no. phone boxes to 2no. retail kiosks (A1) selling either tea/ coffee, ice cream, shoe shine or souvenirs.

The Committee received a representation in objection to the application 14/0806/LBC & 14/0320/FUL from Doug Whyte. The representation is listed under 14/0320/FUL.

The Committee:

**Resolved (by 7 votes to 1)** to reject the Officer recommendation to approve the application.

**Resolved (by 7 votes to 1)** to refuse the application contrary to the Officer recommendations for the following reason:

- i. The proposed change of use would detract from the setting of the listed group of phone boxes, surrounding heritage assets including the Great St Mary's Church and the character and appearance of the Central Conservation Area. The harm would arise by virtue of the change in function and use of the phone boxes (a disassociation of the purpose of the listed structures), their more solid form by the placing of semi-permanent structures within them, the opening of the doors for long periods of time and the associated paraphernalia including swing seats and wash basins that would be necessary for the use. As such, the proposed change of use and associated works would be contrary to Cambridge Local Plan (2006) policies 4/10 and 4/11 and would be contrary to paragraph 134 of the NPPF 2012 in that, whilst less than substantial harm to the significance of the heritage assets would occur, it has not been demonstrated that a degree of public benefit would arise, including an assessment of optimum viable uses, that would outweigh the harm identified.

**14/57/PLAN      14/1163/S73 - 21 Victoria Park**

The Committee received an application for removal of a condition of permission 14/0489/FUL.

The proposal sought approval to remove condition 5 of permission 14/0489/FUL to remove requirement for amended floor plan.

The Committee:

**Resolved (unanimously)** to grant the application to remove condition 5 in accordance with the Officer recommendation, for the reasons set out in the Officer report, subject to the conditions recommended by the Officer and the additional informative.



Pre-Committee Amendments to Recommendation:

Substitute 'original' for 'existing' in Condition 3.

Add the following informative: 'The applicant is advised that the submitted west and south elevation plans appear to be inconsistent in their treatment of the junction between the extension and the roof of the existing conservatory. The Council can offer no guarantee that amendments which may be submitted in future to address this issue can be treated as non-material.'

**14/58/PLAN      14/0860/FUL - 113 Histon Road**

The Committee received an application for full planning permission.

The proposal sought approval for a single storey storage shed to be used in association with the main take away unit.

The Committee received a representation Councillor Todd Jones speaking a Ward Councillor.

The representation covered the following issues:

- i. The site had a chequered history with numerous attempts to build in the garden area of the site.
- ii. The Application should have been brought to Committee as a retrospective planning application.
- iii. Condition 1 of the Officer's report states that 'the development hereby permitted shall be begun before the expiration of three years from the date of this permission'. But the building has already been on site for a number of months.
- iv. Local residents have expressed annoyance that the building has been put up before the application had gone before the Committee.
- v. The Officer's report states that 'Almost three quarters of the site is not covered with storage and preparation facilities which are seen as an unacceptable overdevelopment of the garden area'. This is an error and should read that almost three quarters of the site *is* covered.
- vi. A previous application for an extension to the property had been refused as it went against Planning Policy 3/10 and would encroach on a large proportion of the site which is already occupied by buildings.
- vii. The timber shed does have an impact on the residential amenity to the area.

- viii. The building is not a shed but a commercial unit.
- ix. There was already a shed further down the site which the applicant could use.
- x. The shed has a negative impact from noise and disturbance in a residential area.
- xi. Almost three quarters of the site is covered with storage and preparation facilities which are seen as an unacceptable overdevelopment of the garden area.
- xii. Planning Policy 6/10 should apply to the application. Many local residents do not find the proposal acceptable.
- xiii. Concerns have been raised at the safety implications to the number of electrical equipment that would be stored in the building.
- xiv. Asked if the Committee would consider adding an additional condition that building be used as a dry storage unit only.
- xv. Requested that time scale in condition 4 in the Officer's report was reduced from 2 months to 1 month from the date of the decision notice for a soft closing mechanism to be applied to the door of the timber shed, and shall be retained thereafter.

#### The Committee:

**Resolved (7 votes to 0, with 1 abstention)** to grant the application for full planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report, subject to the conditions recommended by the Officer, and the following amendments.

Delete Condition1.

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.

Condition 4, change to read:

Within 1 month from the date of the decision notice a soft closing mechanism shall be applied to the door of the timber shed, and shall be retained thereafter.

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

Additional condition 5:

The storage shed hereby approved shall not be used for the storage of any electrically operated items including fridges or freezers.

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

### **14/59/PLAN      14/0936/FUL - Garages 301-326 Hawkins Road**

The Committee received an application for full planning permission.

The proposal sought approval for demolition of existing garages (26 No.) and erection of residential units, all of affordable tenure. The proposal shows 9 units in total. 3 No. 2 Bed houses, 2 No. 3 Bed houses and 4 No. 1Bed flats, with associated car parking, and private and shared amenity space. This is as part of the Cambridge City Council Affordable Housing Framework.

The Committee received a representation in objection to the application from Leila Dockerill.

The representation covered the following issues

- i. The development is too close to the existing houses and would create a loss of light and privacy.
- ii. The height of the fencing surrounding the development is too high and could have a negative impact on the existing houses.
- iii. A single private entrance / exit would be inadequate and would have safety implications for pedestrians and cyclists who would have to share the entrance.
- iv. Asked if the single entrance would be sufficient for emergency vehicles.
- v. The entrance would be too close to the existing properties.
- vi. Expressed concern at the safety of the access for school children, pedestrians, and vehicles entering or leaving the site
- vii. Questioned how the entrance would be lit and would the lighting have an impact on the existing properties.
- viii. Believed that access into Hawkins Road would be difficult.
- ix. The development would create a loss in existing parking, increasing on street parking which was already a problem in the area.

- x. There would be no formal road structure within the new build area, which could have a safety impact on the school children during drop off and pick up times.
- xi. Asked if the Police had been asked for an assessment on the risk of burglary as the width between the existing houses and the new development was minimal.
- xii. Expressed concern at the impact on vehicles entering and leaving Grove School as space was already at minimum during drop off and pick up times.
- xiii. Questioned who would be responsible for the maintenance of the boundary treatment.
- xiv. Asked how the boundaries would be secured when building works were taking place.
- xv. Overdevelopment of the site in already built up area.

Alan Carter (on behalf of applicant) addressed the Committee in support of the application.

The Committee:

**Resolved (unanimously)** to grant the application for full planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report, subject to the conditions recommended by the Officer and the additional recommendations.

Pre-Committee Amendments to Recommendation:

14. Prior to commencement of development a lighting strategy for the site, including the access road, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the site is adequate lit and that the lighting does not have detrimental impact on neighbouring properties. (Cambridge Local Plan 2006, policies 3/7 and 4/13)

15. Prior to the demolition of the garages details of the method of securing the rear gardens of the neighbouring houses shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that the neighbouring properties are secure when building works are taking place. (Cambridge Local Plan 2006, policy 3/7)

**14/60/PLAN      14/0854/FUL - 86 Searle Street**

The Committee received an application for full planning permission.

The proposal sought approval for a first-floor extension above the existing building to create a two-bedroom unit.

The Committee:

**Resolved (unanimously)** to grant the application for full planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report, subject to the conditions recommended by the Officer

**14/61/PLAN      Ombudsman Finding of Maladministration**

The Committee received a report from the Head of Legal Services.

The report referred to The Local Government Ombudsman who made findings of maladministration in respect of two complaints. The complaints related to the determination of planning application 14/0342/FUL.

The matter had already been reported to the Planning Committee at a meeting held on 6 August but, at that point, the Ombudsman's decisions had not been issued.

The Committee were advised of the Ombudsman's final decision which read as follows,

"The Council was at fault for failing to take account of the locally protected status of a building when it granted permission for the building to be extended. It has since done everything reasonable to put this right and, as there was no other fault with the process, there is no reason for me to pursue the complaint."

The report sought to recommend to full Council that it endorses the actions taken by Officers in response to the findings of the Local Government Ombudsman

The Committee:

**Resolved (unanimously)** to recommend to full Council that it endorses the actions taken by Officers in response to the findings of the Local Government Ombudsman.

The meeting ended at 3.00 pm

**CHAIR**