

PLANNING

1 March 2017
10.00 am - 4.15 pm

Present:

Planning Committee Members: Councillors Hipkin (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Nethsingha, Pippas, Smart and Tunnacliffe

Councillor Pippas left after the vote on item 17/46/Plan.

Officers:

City Development Manager: Sarah Dyer
Principal Planner Nigel Blazeby
Principal Planner: Lorraine Casey
Principal Planner: John Evans
Principal Planner: Toby Williams
Senior Planner: Charlotte Burton
Senior Planner: Lorna Gilbert
Planning Enforcement Officer: John Shuttlewood
Planner: Rob Brereton
Planner: Michael Hammond
Planning Assistant: Mairead O'Sullivan
Legal Advisor: Richard Pitt
Committee Manager: Toni Birkin
Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL

17/38/Plan Apologies

No apologies were received.

17/39/Plan Declarations of Interest

Name	Item	Interest
Councillor Hipkin	17/47/Plan	Personal and Prejudicial: The County Council were engaged in discussions regarding Milton Road Library and he was

		aware of their position. Did not vote on this planning item.
Councillor Smart	17/47/Plan	Personal: He and his daughter were both members of the rowing club

17/40/Plan Minutes

The Minutes for the last meeting will be considered at the next meeting.

17/41/Plan 16/1108/FUL - Constitutional Club, Cherry Hinton Road

This application was withdrawn

17/42/Plan 16/1932/FUL - Kings College, Cramner Road

The Committee received an application for full planning permission.

The application sought approval for the erection of two new buildings for graduate student residential accommodation (73 bedrooms) and associated external works.

The Committee noted the amendment sheet.

Dr Carne (First Bursar at King's College) addressed the Committee in support of the application as follows.

- i. Problems with the application were unexpected.
- ii. Proposal was in keeping with Local Plan 7.7.
- iii. A recent study regarding student accommodation encouraged the University to build within existing sites.
- iv. The proposal would create a true graduate campus.
- v. West Cambridge appraisal was consistent with proposals such as this.
- vi. The area was already a mix of domestic and academic buildings with mixed scale and mass.
- vii. When considering an impact on the conservation area it was important to consider the entire area.
- viii. The design panel found the plans acceptable.
- ix. Local residents were largely supportive.

Councillor Cantrill (Newnham Ward Councillor) addressed the Committee about the application as follow.

- i. Residents had expressed concerns.
- ii. Grange Road was currently a sensitive balance of domestic and institutional buildings.
- iii. As you moved into the area it became greener and more rural in nature.
- iv. This green aspect would be lost.
- v. Scale and Mass was out of keeping with the area.

The Committee:

Resolved (by 7 votes to 1) refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report.

17/43/Plan 16/1811/FUL - UKCRIC, Rear of CAPE, 9 JJ Thomson Avenue

The Committee received an application for full planning permission.

The application sought approval for full planning permission for 4376sqm of D1 (Academic) floorspace, along with external landscape, cycle parking, temporary parking area and associated infrastructure including a new service road connecting to the existing entrance from Clerk Maxwell Road

The Committee noted the amendment sheet.

Philip Guildford, the Applicant's Agent, addressed the Committee in support of the application.

- i. The new building would offer an internationally significant resource.
- ii. Would be an exemplar example of sustainable infrastructure.
- iii. The current location on Fen Causeway was too small and cramped.
- iv. Noise concerns had been addressed by the building's design.
- v. The future operation of the building aimed to be a good neighbour.

Councillor Cantrill (Newham Ward Councillor) addressed the Committee about the application as follows.

- i. Did not agree with the recommendation.

- ii. There were on-going discussions about the master plan and agreeing this application now would impact on those decisions.
- iii. The Transport Strategy had yet to be agreed.
- iv. The 1999 masterplan protected residential properties by locating car parking adjacent to the eastern boundary.
- v. The proposed building would be much closer to existing domestic buildings.
- vi. The scale and mass was out of keeping with neighbours.
- vii. Proposed screening would not mitigate the impact of the building.

The Committee:

Resolved (by 7 votes to 0) 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.

17/44/Plan 16/1850/FUL - Tanglewood, Gazeley Road

The Committee received an application for full planning permission.

The application sought approval for a 2 storey dwelling and associated landscape design.

The Committee received representations in objection to the application from local residents.

The representations covered the following issues:

- i. Took issue with proposed materials. The current building was brick, but the proposed new one was wood clad.
- ii. The design was out of character with the area.
- iii. The new barn would be 2.5 times bigger than the current building.
- iv. Concern over loss of trees, particularly T4.
- v. Suggested the application did not meet Local Plan policies.
- vi. Asked for a s106 condition to limit the number of buildings on-site.

Mr Stoddart (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Unanimously resolved 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.

17/45/Plan 16/2040/FUL - The Cottage, Gazeley Road

The Committee received an application for full planning permission.

The application sought approval for erection of a dwelling in the rear garden and the creation of a vehicular access onto Gazeley Road.

The Planning Officer updated his report by referring to an amendment to Condition 6 as listed on the amendment sheet.

The Committee received a representation in objection to the application from a local resident.

The representation covered the following issues:

- i. Did not object to development of the site in principle, but objected to this specific application as it was too big/overbearing.
- ii. The footprint of the building was acceptable but it was too high. A 2 storey building would be more acceptable.
- iii. The transition between the height of the proposed building and neighbours' properties should be treated more sensitively.
- iv. Referred to the BRE shadow study in the Officer's report, light levels were only just acceptable.

Mr Anderson (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Unanimously resolved 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 plus amendment to Condition 6 as listed on the amendment sheet.

17/46/Plan 16/2060/FUL - Milton Road Library, Ascham Road

The Committee received an application for full planning permission.

The application sought approval for erection of a mixed-use development comprising a library and community facility at ground floor with seven residential flats on the upper floors (comprising two 2xbed units and five 1x bed units) along with cycle parking and associated landscaping, following the demolition of the existing building on site.

The Committee received representations in objection to the application from local residents.

The representations covered the following issues:

- i. Objected to the demolition of the existing single storey library.
- ii. As a result of comments from residents council officers were currently considering listing the existing library as a Building of Local Interest.
- iii. Referred to a petition to preserve the library.
- iv. The library was linked to people of historical interest.
- v. Expressed concern about traffic and queried if a no car development was practicable/enforceable.
- vi. Ascham Road had existing traffic flow, parking and congestion issues.
- vii. Took issue with traffic details set out in the Officer's report.

A representative from Friends of Milton Road Library and Mr McKeown (Applicant's Agent) addressed the Committee in support of the application.

Councillor Blencowe proposed an amendment to the Officer's recommendation that delegated powers be been given to allow finalisation of the wording of Condition 23.

This amendment was **carried by 7 votes to 0**.

The Committee:

Resolved (by 7 votes to 0) 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 plus delegated powers to allow finalisation of the wording of Condition 23.

17/47/Plan 16/1171/FUL - City of Cambridge Boathouse, Kimberley Road

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing boathouse and its replacement with a new boathouse.

The Committee received a representation in objection to the application from a local resident.

The representation covered the following issues:

- i. He lived in a house of local architectural interest.
- ii. Did not object to a new boathouse in principle, but did object to this specific application.
- iii. The new building was higher than the objector's, he took issue with it having a third storey.

Councillor Blencowe proposed an amendment to the Officer's recommendation to include a considerate constructor informative.

This amendment was **carried nem con**.

The Committee:

Resolved unanimously (by 7 votes to 0) 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 plus additional considerate constructor informative.

17/48/Plan 16/1956/FUL - 30 Canterbury Street

The Committee received an application for full planning permission.

The application sought approval for construction of a basement under the front part of property.

The Planning Officer updated his report by referring to amendments as listed on the amendment sheet.

The Committee received a representation in objection to the application from a resident of Canterbury Street.

The representation covered the following issues:

- i. The shared lane was part of the property of 32 Canterbury Street. It was shared by consent not by right.

- ii. The method of basement construction was a key factor determining its impact on neighbours. Asked Councillors not to grant permission without prior detail in the construction method statement. Took issue with the lack of detail on how enforcement action would be taken if construction was not undertaken in an appropriate way.
- iii. Took issue with the perceived lack of detail in the 2006 Local Plan on how basements should be constructed. Requested the Council developed an up to date policy.
- iv. Suggested the proposal would be turned down in London and would set a dangerous precedent in Cambridge.

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

In response to Member's comments the Principal Planner proposed amendments to the Officer's recommendation:

- i. That condition 5 be amended so wording was in-line with condition 7.
- ii. To include an informative about public sewerage system.

The amendments were **carried unanimously**.

The Committee:

Resolved unanimously (by 7 votes to 0) 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 plus remove condition 6 and add surface water drainage condition, re-wording of condition 5 and the addition of informative 9.

Informative numbered No. 9 should be added to read:

Informative The applicant should be aware that some parts of the public sewerage system are situated within the boundary of properties and you must obtain our authorisation to carry out any building work over or within 3m of the public sewerage system. There are public sewers running along the highway fronting the property and a sewer running through the property's back garden. It is recommended that the applicant check the location of Anglian Water assets in relation to their proposed development via digdat – www.digdat.co.uk. Please note that planning consent does not grant approval to build over or within 3 metres of a public sewer.

17/49/Plan 16/1905/FUL - 150 Coldhams Lane

The Committee received an application for full planning permission.

The application sought approval for erection of a 1.5 storey dwelling with frontage onto Cromwell Road and the retention of two parking spaces for 150 and 150a Coldham Lane

The Planning Officer updated his report by referring to an amendment to remove Reason 4 (for refusal) as listed on the amendment sheet.

Mr McKeown (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Resolved (by 4 votes to 3) to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report (minus Reason 4 as per amendment sheet).

17/50/Plan 16/1407/FUL - 28 Fendon Road

Resolved unanimously (by 7 votes to 0) to defer considering the application to allow time to correct an inaccuracy in the assessment.

17/51/Plan 16/2021/FUL - 56 Sturton Street

The Committee received an application for **change of use and full planning permission**. (Is this correct?)

The application sought approval for change of use of the property from a dwellinghouse to a 9 bedroom house in multiple occupation (HMO), with a maximum of 9 persons occupying the premises. The proposal also includes single storey rear extensions.

Mr Khan (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

Resolved unanimously (by 7 votes to 0) to grant the application for **change of use and 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.

17/52/Plan 16/1878/FUL - 121 Milton Road

The Committee received an application for retrospective change of use.

The application sought approval to change from A1 Sandwich Bar to A3 Cafe with proposed installation of flue duct at the rear.

The Committee:

Resolved unanimously (by 7 votes to 0) to grant the application for change of use in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/53/Plan Enforcement - EN/0065/16 - 49 Whitehall Road

The Committee received a report requesting authorisation to take formal enforcement action.

Address: 49 Whitehill Road, Cambridge

Details of Alleged Breaches of Planning Control:

A Planning Enforcement investigation has been carried out and ascertained that four breaches of planning control have occurred at the premises.

Without planning permission, the unauthorised change of use of the Premises to a large scale House in Multiple Occupation (Sui Generis), the unauthorised change of use of part of the ground floor (outlined in blue on attached plan for identification purposes only) of the main building at the Premises as a separate self-contained unit of accommodation, and the unauthorised use of the outbuilding (outlined in brown on attached plan for identification purposes only) at the Premises as a separate self-contained unit of accommodation.

The report sought authority to serve one Enforcement Notice encompassing the three change of use breaches at the premises that occurred at the same time, whilst under enforcing the removal of the outbuilding through the fallback position of the outbuilding

being used for 'incidental' use within The General Permitted Development Order.

The Committee received a representation in objection to the Enforcement Notice from Mr Khan who was speaking on behalf of the property owner.

The representation covered the following issues:

- i. Asked to keep the outbuilding and not require its demolition.
- ii. There were limited facilities for use in the outbuilding.
- iii. 7 family members and host students used the buildings on the property. This was permitted under Home in Multiple Occupation guidelines.
- iv. The property owner had made a retrospective application to use the outbuilding as accommodation, he expected this not to be granted.

The Committee:

Resolved unanimously (by 7 votes to 0) to accept the officer recommendation to serve one Enforcement Notice.

17/54/Plan Local Government Ombudsman (LGO) Complaint Reference 16 006 971

The Committee received a report stating the LGO has upheld a complaint relating to the determination of a planning application for an access control barrier to a private road (retrospective). The LGO did not find that any of the failures identified amounted to 'significant injustice'.

The City Development Manager updated the recommendations in the Officer's report (amendments shown in bold and struck through text):

- i. To note that the Local Government Ombudsman has upheld a complaint relating to the determination of a planning application.
- ii. To note that in these circumstances, the Head of Legal Services, as the Council's Monitoring Officer, has an obligation to report the findings to the Executive. ~~The Executive is obliged to set out what action has already been taken in respect of the findings, what action it intends to take and the reasons for taking the action~~ **to Council and that Committee is satisfied with the action that has been taken (set out in Section 4 of the Officer's report).**

The Committee:

Resolved unanimously (by 7 votes to 0) to accept the officer recommendation to note that:

- i. The LGO has upheld a complaint relating to the determination of a planning application.
- ii. In these circumstances the Head of Legal Services as the Council's Monitoring Officer has an obligation to report the findings to Council and that Committee is satisfied with the action that has been taken (set out in Section 4 of the Officer's report).

The meeting ended at 4.15 pm

CHAIR