

NORTH AREA COMMITTEE

24 November 2011

6.00pm - 8.23 pm

Present: Councillors Nimmo-Smith (Chair), Ward (Vice-Chair), Boyce, Bird, Brierley, Kerr, McGovern, Price, Todd-Jones, Tunnacliffe and Znajek

Officers: Peter Carter (Principal Planning Enforcement Manager), Patsy Dell (Head of Planning Services), Simon Pugh (Head of Legal Services), Tony Collins (Principal Planning Officer) and Glenn Burgess (Committee Manager),

FOR THE INFORMATION OF THE COUNCIL

11/60/NAC Apologies for Absence

Apologies were received from City Councillor O'Reilly and County Councillor Sales.

11/61/NAC Declarations of Interest (Planning)

Councillor	Item	Interest
Nimmo-Smith	11/63NACa	Personal: Knows the objector Mr Haywood
Todd-Jones	11/63NACa	Personal: Knows the objector Mr Haywood
Bird	11/63NACa	Personal: Knows the objector Mr Haywood
Price	11/63NACa	Personal: Knows the objector Mr Haywood
Znajek	11/63NACa	Personal: Knows the objector Mr Haywood
Brierley	11/63NACa	Personal: Knows the objector Mr Haywood

Boyce	11/63NACa	Personal: Has held discussions with neighbours regarding the application
McGovern	11/63NACd	Personal: Member of the Campaign for Real Ale (CAMRA)
Todd-Jones	11/63NACd	Personal: Has previously visited the establishment
Nimmo-Smith	11/63NACd	Personal: Knows the objector Ms Gohler
Boyce	11/63NACe	Personal: Has held discussions with neighbours regarding the application
Nimmo-Smith	11/63NACf	Personal: Has met with the objector Mr Guest through previous applications
Boyce	11/64NAC	Personal: Has held discussions with neighbours regarding the application
McGovern	11/64NAC	Personal: Has been contacted by local residents
Nimmo-Smith	11/64NAC	Personal: Has been in discussion with both sets of neighbours
Tunnacliffe	11/64NAC	Personal: Has been in discussions with both parties

11/62/NAC Minutes of the meeting held on 22 September 2011

The minutes of the 22 September 2011 meeting were approved and signed as a correct record subject to the following amendment:

Minor correction under 11/48/NAC: Councillor Nimmo-Smith declared an interest under item 11/50b/NAC not 11/50c/NAC.

11/63/NAC Planning Applications

Change of agenda order

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda. Items were taken in the following order:

- 4a
- 4d
- 4e
- 4f
- 4g
- 5
- 4b
- 4c

However, for ease of the reader, these minutes will follow the order of the published agenda.

11/63/NACa 11/0629/FUL - 78 Hazelwood Close, Cambridge

The committee received an application for full planning permission.

The application sought approval for a part single storey, part two storey rear extension

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

- Mr Brian Haywood

The representation covered the following issues:

- i. Representation made on behalf of local residents/tenants
- ii. Ongoing problems concerning noise pollution
- iii. Potential damage to adjoining properties caused by trees
- iv. Increased pressure for on street parking
- v. Potential to set precedent for future developments

The applicant (Mr Khan) addressed the committee in support of the application.

Mike Todd-Jones (Ward Councillor for Arbury) addressed the committee about the application.

The representation covered the following issues:

- i. Management of the property a potential issue
- ii. Potential to set precedent for future developments
- iii. Possible increase in parking problems
- iv. Questioned whether a designated HMO should meet specific parking and cycle storage standards

The Committee:

Councillor McGovern proposed an additional Condition regarding construction hours, and an additional Informative regarding waste and cycle storage.

Resolved (by 8 votes to 2) to include an additional Condition regarding construction hours, and an additional Informative regarding waste and cycle storage.

Resolved (by 7 votes to 0) to accept the officer recommendation to approve planning permission subject to the following additional condition:

Condition 4. Except with the prior written agreement of the local planning authority, no construction or demolition work shall be carried out, nor any plant operated, except between 0800 and 1800 on Mondays to Fridays, and not at all on Saturdays, Sundays, or Bank Holidays.

Reason: To safeguard the residential amenity of neighbours (Cambridge Local Plan (2006) policies 3/4 and 4/13)

And the following additional Informative:

The applicant is reminded that if the property is let, measures should be taken to ensure that cycles are stored and waste bins managed in accordance with the City Council's requirements and with due regard to the residential amenity of neighbours.

For the following reasons:

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:

East of England plan 2008: ENV7
Cambridge Local Plan (2006): 3/4, 3/14, 8/6

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

or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

11/63/NACb 11/0925/FUL - 18-20 Histon Road

The committee received an application for full planning permission.

The application sought approval for the change of use to 5 residential rooms with en-suites and common lounge/kitchen.

The Committee:

Resolved (by 8 votes to 0) to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

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, 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, 3/8, 3/14, 5/2, 5/14, 8/6, 10/1

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.

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Unless prior agreement has been obtained from the Head of Development Services, and the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by 9th January 2012 it is recommended that the application be refused for the following reason(s).

The proposed development does not make appropriate provision for open space/sports facilities, community development facilities in accordance with Cambridge Local Plan 2006 policies 3/8, 5/14 and 10/1, Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1 and P9/8 and as detailed in the Planning Obligation Strategy 2010.

11/63/NACc 11/0929/FUL - 5 St Albans Road

The committee received an application for full planning permission.

The application sought approval for a single storey and first floor extension to side and rear.

The Committee:

Resolved (by 8 votes to 0) to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

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:

East of England plan 2008: SS1, ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/14

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.

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11/63/NACd 11/1066/FUL - The Carpenters Arms, 182-186 Victoria Road

The committee received an application for full planning permission.

The application sought approval for conversion of Public House and letting rooms to residential apartments and first floor rear extension.

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

- Ms Carolin Gohler

The representation covered the following issues:

- vi. The loss of a valuable community facility was unacceptable
- vii. The police viewed the pub as a good establishment
- viii. Poor quality design and overdevelopment of site
- ix. Potential to increase parking problems
- x. Limited amenity space for any new tenants
- xi. The Cambridge Local Plan envisages 'vibrant neighbourhoods' and pubs should be included in that

The applicant's agent (David Jones) addressed the committee in support of the application.

Mike Todd-Jones (Ward Councillor for Arbury) addressed the committee about the application.

The representation covered the following issues:

- i. The development went against policy framework and the City Council's Local Plan
- ii. The development would have inadequate parking and amenity space
- iii. Potential for increased traffic movements

The Committee:

Resolved (by 5 votes to 0) 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 8 votes to 0) to refuse for the following reason:

The conversion into residential accommodation in this form would lead to an unacceptable negative impact on on-street car parking, contrary to policy 5/2 of the Cambridge Local Plan (2006)

Resolved (by 6 votes to 1) to refuse for the following reason:

The residential development proposed would provide inadequate vehicular access arrangements and car parking spaces for the proposed units, contrary to policy 3/10 of the Cambridge Local Plan (2006).

Resolved (by 4 votes to 2) to refuse for the following reason:

The proposal would lead to the loss of a public house, which is a valued community facility helping to meet day-to-day needs, contrary to the guidance in paragraph 126 of the Draft National Planning Policy Framework (2011).

The Committee:

Resolved (by 6 votes to 1) to refuse the application contrary to the officer recommendations for the following reasons:

1. The conversion into residential accommodation in this form would lead to an unacceptable negative impact on on-street car parking, contrary to policy 5/2 of the Cambridge Local Plan (2006)
2. The residential development proposed would provide inadequate vehicular access arrangements and car parking spaces for the proposed units, contrary to policy 3/10 of the Cambridge Local Plan (2006).
3. The proposal would lead to the loss of a public house, which is a valued community facility helping to meet day-to-day needs, contrary to the guidance in paragraph 126 of the Draft National Planning Policy Framework (2011).

11/63/NACe 11/0884/FUL - 51 Elizabeth Way

The committee received an application for full planning permission.

The application sought approval for the change of use application to an HMO (sui generis) aiming to regulate the planning status of the property in order to bring it into line with its already licensed usage.

The Committee:

Resolved (by 8 votes to 0) to accept the officer recommendation to approve planning permission subject to conditions for the following reasons:

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:

East of England plan 2008: ENV7

Cambridge Local Plan (2006): 3/4, 3/14, 5/1, 5/7, 8/6

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.

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11/63/NACf 11/0806/FUL - Land Adjacent To 2 And 2A Trafalgar Road

The committee received an application for full planning permission.

The application sought approval for the construction of 2no two bedroom terrace houses.

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

- Mr Howard Guest

The representation covered the following issues:

- i. Proposed development out of keeping with area
- ii. Site too small for proposed number of dwellings

The Committee:

The Chair proposed an additional Informative regarding residents parking, and this was supported by the committee.

Resolved (by 8 votes to 0) to accept the officer recommendation to approve planning permission subject to conditions and the additional Informative:

INFORMATIVE: The applicant is advised that following the development, occupiers of the residential units created will not be eligible for permits (other than visitor permits) under the existing Residents Parking Scheme.

For the following reasons:

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: ENV6, ENV7

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

Cambridge Local Plan (2006): 3/4, 3/7, 3/12, 4/11, 4/13, 5/1, 8/2, 8/6, 8/10.

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.

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11/63/NACg 11/0700/FUL - Bridgacre, Manhattan Drive

The committee received an application for full planning permission.

The application sought approval for the provision of an additional storey to the existing 4 storey building to provide 9 additional affordable dwellings. The installation of thermal and photovoltaic solar panels on the new 5th floor roof and a recycling centre serving the entire Midsummer Meadows Site

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

- Mr Grimshaw
- Mr Golding

The representation covered the following issues:

- i. Irresponsible fly parking by those working or shopping in the City causes access issues to an already dangerous road
- ii. General road safety issues and the need for 24 hour restrictions via yellow lines on both sides of the road

The Committee:

Resolved (by 7 votes to 0) to accept the officer recommendation to approve planning permission subject subject to no new grounds of objection related to the impact of the proposal on the Conservation Area being received before the 1st December 2011 and subject to the completion of the section 106 agreement by the 28th February 2012 and the addition of the following conditions:

Condition 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), no plant, antennae, railings, enclosures, flues, vents, or other equipment or constructions shall be added anywhere on the exterior of the proposed extension to the building, other than what is shown in the approved drawings, or is specifically authorised in writing in order to discharge Condition 11.

Reason: To avoid harm to visual amenity and the character of the area (Cambridge Local Plan (2006) policy 3/4)

Condition 13. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall specify details of the types of work to be carried out and timescales, and shall include the measures to be taken in order to minimise loss of residential amenity to existing occupiers of Bridgacre. Development shall take place only in accordance with the approved Statement.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan (2006) policy 3/4)

General Items

11/64/NAC Enforcement Report - 21 Belvoir Road

The committee received a report concerning failure to comply with the requirements of an Enforcement Notice following the dismissal of the Appeals against that Enforcement Notice and following the refusal of a subsequent planning application and dismissal of the associated appeal, 21 Belvoir Road Cambridge.

The committee received representation in objection to further enforcement action being taken, from the following:

- Don Proctor (Agent for owner of the property)

The representation covered the following issues:

- i. The owner had not knowingly flouted the rules, but had been caught out by the complexities of the planning process
- ii. The area had only been designated as a Conservation Area after construction of the extension had begun
- iii. There was a need to balance the interests of both the property owner and the neighbours
- iv. It was unrealistic to request that a new planning application be submitted within 4 weeks
- v. Agreeing with the officers suggestion would result in the loss of a bedroom in the property
- vi. Further discussions with Council officers in order to resolve the issue was required

The conclusion was that to get around a table and discuss other options with Planning Officers was the correct way forward. The agent suggested that it was his view that this is what option 2 was advocating.

The committee received representation in support of further enforcement action being taken, from the following:

- Letter read out on behalf of Mrs Sue Rolt by the Committee Manager
- Mrs Brundish (Neighbour)
- Mrs Atkins (Neighbour)

The representation covered the following issues:

- i. Loss of privacy and overlooking
- ii. Property unduly encloses, dominates and adversely affects the amenity of its neighbours
- iii. The health of neighbours affected by this ongoing issue
- iv. The extension looks out of place in a conservation area
- v. The design and materials are unsympathetic to the area
- vi. The police have been called on a number of occasions to address neighbour disputes

The Committee:

Resolved (by 5 votes to 2) to reject the officer recommendation to approve Option 3 of the officer's report.

Resolved (by 5 votes to 0) to support Option 2 of the officer's report as below:

To give delegated authority, to the Head of Planning & the Head of Legal Services jointly, to take action on behalf of the Council in respect of the failure to comply with the requirements of the Enforcement Notice.

The meeting ended at 8.23 pm

CHAIR