

PLANNING COMMITTEE MEETING – 27th MAY 2009

Pre-Committee Amendment Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: 1 APPLICATION REF: 09/0344/S73

Location: 24 Thompsons Lane, Cambridge

Target Date: 22.06.2009

1.0 To Note:

1.1 After the completion of the committee report, additional representations objecting to the application were received from the occupiers of 23 Portugal Street, and from Cheffins, acting on behalf of Magdalene College.

1.2 These representations raise the following additional points:

- Delivery vehicles will obstruct the turning area in the ground floor, contrary to Condition 2 of 08/1610/FUL
- Obstruction caused by waste collection vehicles
- Impact on neighbour amenity
- Restaurant use could intensify over time
- Cooking odours will affect office premises with windows opening on to the EDF substation yard.
- Illustrative drawings insufficient to determine application
- Hazard to pedestrian and cycle safety
- Many restaurants in area already

1.3 After the completion of the committee report representations in support of the application were received from the occupiers of the following addresses:

122 Orchard Avenue
1 Orchard Court
30 Saffron Road

37 Pepperslade, Duxford
14a Ridgemount Gardens WC1

1.4 These representations raise the following points

- Increased hotel accommodation welcome
- Breakfast provision at least, is necessary to enable hotel to function
- Helpful to local economy
- Restaurant accommodation will reduce traffic
- Deliveries must be compared with the likely number of deliveries if the building had been in residential use.

1.5 Since the completion of the committee report advice has been received from the Had of Environmental Services. The advice raises concerns about waste storage, fume extraction and noise, suggesting that the first two issues could be addressed by the imposition of a condition, but recommending refusal on the basis that in the absence of any noise assessment, it is not possible to determine whether any noise impact could be achieved through a condition.

1.6 Since the completion of the committee report, advice has been received from the highway authority. The advice suggests that the additional demand for on-street parking outside the hours of operation of the Residents' Parking Controls in the adjacent streets is unlikely to be significant.

1.7 Since the completion of the committee report, advice has been received from the Historic Environment Manager. The advice indicates that the main element of restaurant provision likely to have an impact on the conservation area would be the need for extracts and trunking. The advice concludes that the applicants' planning statement does not include enough detail to determine whether the impact on the conservation area would be significant.

(Responses to these additional representations and consultee responses are included under amendments below.)

1.8 Since the completion of the committee report a separate planning application has been submitted for change of use of the top floor of the building from residential use to hotel use.

2.0 Amendments To Text (paragraph number references are to the main committee report):

2.1 Add to paragraph 2.1: 'The reason given for the imposition of this condition was:

The incorporation of such activities would generate a different pattern of activity from the hotel operation proposed in the application and its attached drawings, whose impact on neighbour amenity would require testing through the planning application process. (East of England Plan (2008) policy ENV7 and Cambridge Local Plan (2006) policy 3/4) '

2.2 Add after paragraph 8.7:

8.7a I have indicated above that I do not consider that restaurant provision within the hotel would be likely to result in a significant increase in pedestrian or vehicle movements to and from the building, and might indeed lead to a reduction in such movements. The Head of Environmental Services' advice also raises the possibility that noise from music, deliveries and smokers might harm neighbour amenity. In my view, the music issue can be addressed by a condition (recommended Condition 4 – see below). In my view, the possibility that deliveries might take place at times which disturbed residential amenity in an unacceptable manner can also be addressed by a condition (recommended Condition 5 – see below); as I have indicated in the committee report, I do not consider the likely scale of deliveries to be sufficient to merit refusal of the variation.

2.3 Also add:

8.7b I accept that it is possible that groups of guests might assemble on the pavement to smoke, as is feared by the Head of Environmental Services. I do not consider that this is a grounds on which permission for the variation could reasonably be refused. It would be difficult to demonstrate that the potential for smokers to gather would necessarily be greater if a restaurant were added to the hotel. Furthermore, the planning system cannot exert any control over people assembling on the highway, which is outside the application site.

2.4 Insert in paragraph 8.10, after the first three words: 'and notwithstanding the advice of the Head of Environmental Services'

2.5 Add after paragraph 8.13:

8.13aI share the Historic Environment Manager's concern that extract vents or trunking might have a harmful impact on the conservation area. However, any such vents or trunking, or any other external plant, would, if it materially altered the appearance of the building, require separate planning permission. I do not therefore consider that it could reasonably constitute a reason to refuse permission for the variation. (The second informative I have recommended addresses this issue.)

2.6 In paragraph 8.19, amend 'Deliveries and collections' from '8.5' to '8.6'.

2.7 In the same paragraph, add to list:

Neighbour amenity	8.5-8.10
Fumes	8.9
Pedestrian and highway safety	8.11 and 8.12

2.8 Add after paragraph 8.19:

8.20 Since the application is not to install a restaurant, but only to vary a condition, restaurant plans can only be illustrative. The enlargement of a restaurant within the hotel would not be subject to planning control; this is the case with restaurant provision in any hotel, and I do not consider that it would be reasonable to place limitations on its size in this case.

8.21 The presence of Class A3 (restaurant) and Class A4 (pubs and bars) uses nearby would not be a reason to refuse this variation unless the cumulative impact was considered to be unacceptable. As I have indicated in the committee report, I do not consider this to be the case.

3.0 Pre-Committee Amendments to Recommendation:

3.1 Add Condition 4:

In the event that a restaurant is created in the hotel following the variation hereby permitted, any amplified music or public address system used in that restaurant shall not be audible at the boundary of the application site.

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

3.2 Add Condition 5:

In the event that a restaurant is created in the hotel following the variation hereby permitted, deliveries to the restaurant shall take place only between the hours of 0700 and 1900 on weekdays and Saturdays, and 0800 and 1300 on Sundays and bank holidays.

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

DECISION:

GENERAL ITEMS

CIRCULATION : First

ITEM : 1

Subject : Planning Appeal Performance Report

To Note : Nothing

Amendments To Text : None

Pre-Committee Amendments to Recommendation : None

DECISION :

CIRCULATION: First

ITEM: APPLICATION REF:

**OBJECTION TO TREE WORKS APPLICATION: TWA 09/108/Tree 2 :
23 BECHE ROAD**

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF:

**OBJECTION AND REPRESENTATIONS TO FELLING AND PRUNING
OF MULTIPLE TREES ALONGSIDE VICAR'S BROOK FROM NEW
BIT TO COE FEN**

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:
