

Minutes & Actions

Councillors Present

Abbey: John Durrant, Caroline Hart, Richard Smith

Coleridge: Jeremy Benstead, Lewis Herbert

Petersfield: Kevin Blencowe, Ben Bradnack, Victoria Phillips

Romsey: Iain Coleman, Catherine Smart

05/31 OPEN FORUM

Councillor Bradnack explained for the benefit of the Committee and members of the public that City Life were not at the meeting. There had been some confusion as to whether they were expected to attend re. open space at the Howard Mallett site.

Resident 1 – Minutes of last meeting/unfairness of proposed licensing hours

The Chair apologised that the minutes had not been sent to the resident, these were provided and email details were taken so that he could receive them in future.

On the Licensing Act 2003, members explained that the Council had to work within the legal framework of the Act. In relation to the Salisbury Club application which had been considered in August, Cllr Smart had sought clarification from the Head of Legal & Democratic Services as to what a Councillor can do for a constituent and the advice was:

(a) The Council and the Licensing Committee must disregard representations made by councillors, subject to (c) below;

(b) This means that where the only representations received are from councillors, they will not trigger a hearing;

(c) However, this does not prevent ward councillors writing letters at the request of, and on behalf of, identifiable constituents. Nor does it prevent ward councillors speaking at Licensing Committee meetings on behalf of, and at the request of, identifiable constituents.

The resident was advised of his right to appeal to the Magistrates Court.

Resident 2 – Accommodation for social security purposes in Romsey

Could it be confirmed that a house let by Virtulet on Mill Road near Cavendish Road was being let to ex-offenders/drug users.

Councillor Smart (who holds the Executive Councillor Portfolio for Housing & Health) undertook to investigate. However, she stated that it might not be a City Council matter or if so, there may be information that the City Council cannot report in the public domain.

- *Action by Cllr Smart*

Resident 3 – Ramp Outside City Homes South

Cllr Smart apologised for not having the information to report back to the meeting (see minutes of 7 July). She would report back to the November meeting.

- *Cllr Smart to report back to next Committee*

Resident 4 – Dropped kerb near 7 Taunton Close

Councillor Herbert undertook to take up this constituent's case.

- *Action by Cllr Herbert*

Resident 5 – Garages on St Matthews Street

Councillor Bradnack undertook to find out what the position was with the earlier proposal to refurbish these garages.

- *Action by Cllr Bradnack*

Resident 6 – Pavement levels in Romsey

What is the Council doing about the pavements in Romsey Town which have been re-laid at a level above the damp course (example was given of Thoday Street).

- *Committee Manager to report to Highways and report to Committee at next meeting.*

05/32 MINUTES

Members commented that the attendances should be amended to reflect that Cllrs xy and z were present. The minutes of the meetings held on 7 and 25 July 2005 were confirmed as a correct record.

05/33 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ben Stafford and Sarah Ellis-Miller, and County Councillors Martin Ballard (Coleridge) Paul Sales (Abbey) Jo Toomey (Romsey) and Nichola Harrison (Petersfield).

05/34 DECLARATIONS OF INTEREST

Councillor Richard Smith declared prejudicial interests on planning applications listed on the agenda 5.2 and 5.5 (98 Ditton Walk and Abbey Stadium respectively). He left the meeting before consideration of those items.

05/35 PLANNING APPLICATIONS

At the beginning of this item Councillor Bradnack (also speaking on behalf of Councillors

Benstead and Hart) said that he would not be taking part in the determination of planning applications as it would inhibit his ability to represent residents in his ward.

He felt that he lacked expertise in planning matters and that the members of the Planning Committee had acquired such expertise and were the proper body to consider applications. The Councillors withdrew from participation in the Committee, except as indicated where he acted as a ward councillor representing residents of his ward, and sat with the public.

The Committee noted that an amendment sheet had been circulated to members of the Committee prior to the meeting and made available to the public attending the meeting.

1

Application No	05/0545/FUL
Site	93 Tenison Road (Six Steps Guest House)
Proposal	Change of use from guesthouse to 8 flats
Applicant	Mr Murfett 27 Queen Edith's Way
Recommendation	Approve subject to conditions
PSR	Cllr Bradnack (ward councillor), Mr Crawford (objector), Mr Proctor (for applicant) Planning Officer amendments to report: <u>To Note</u> :

A further letter of representation has been received from the Glisson Road/Tenison Road Area Residents Association. Their comments can be summarised as follows;

- The application has reduced the site to the footprint of the Guesthouse excluding the current car parking, giving the impression that there is no room for car parking
- If the car park is redeveloped then it will add to the pressure for on-street car parking
- Sceptical about the efficiency and reliability of the procedure for banning new residents from eligibility for car parking permits
- This proposal would prevent car ownership and lead to fraudulent activity in the form of copying visitors permits and the passing on of visitors permits.

Car and Cycle Parking Standards state the following;

1.4 *The standards make a clear distinction between sites inside of and outside of the Controlled Parking Zone (CPZ). Within the CPZ, parking controls exist on all streets and new developments will not usually be eligible for permits for on-street parking. It should be noted that near the CPZ boundary, a site is deemed to be within the CPZ if its access points to the existing highway is within the CPZ.*

1.5 *Within the CPZ, which covers the central area of Cambridge, the stated levels of car parking are a maximum and may be*

reduced, except for disabled provision. However, on the edges of the CPZ it may be necessary to demonstrate that any reduction in provision below the stated levels will not displace parking to nearby non-controlled areas.

Amendments To Text : Under planning application C/78/0699 approval was given for a change of use from offices to guest house.

Pre-Committee Amendments to Recommendation : None
REFUSED (by 4 votes to 2 against the officer recommendation).

Decision

Reasons to be agreed with Chair and Spokes based on lack of amenity spaces character, context, and lack of any car parking provision, and with particular reference to lack of disabled car parking provision.

2

Application No
Site
Proposal

05/0658/OUT

98 Ditton Walk/Land to rear of 51-59 Ditton Fields

Erection of six residential units following demolition of existing bungalow

Applicant
Recommendation
PSR

Mr Scarff, 98 Ditton Walk

Approve subject to conditions

Ms Hill (objector), Mr Scarff (applicant)

Planning Officer amendments to report:

To Note :

1. During August 2005, new government guidance in the form of Planning Policy Statement 9 'Biodiversity and Geological Conservation' has been issued. The introduction to the statement indicates that it will need to be taken into account in the preparation of regional spatial strategies and local development documents. Although the introduction states that PPS9 may also be material to decisions on individual planning applications, officers' view, having noted the relevant parts of the policy statement, is that considering the scale and nature of this application, it is not a material consideration which should alter the assessment or recommendation in this case.
2. A written response to consultation has been received from Phillip Clark, Senior Countryside Officer at Cambridgeshire County Council, with responsibility for biodiversity.

The response can be summarised as follows:

- The Local Biodiversity Action Plan is primarily targeted at 'traditional orchards' (standard trees at 150 per hectare, at least 60 years old), because such orchards typically have a diversity of wildflowers in unimproved grassland sward, habitats in the trees for a wide variety of lichens, more nesting holes for birds,

and tend to have a greater number of local apple varieties.

- If the application were to be approved, it would be appropriate to attach a condition requiring the planting as part of the landscaping scheme of a number of typical local fruit varieties.

3. A further letter has been received from the occupant of 9 The Coverts, Writtle, Essex, who wrote previously from Orchard House, High Easter, Essex.

The letter is a copy of a letter to the applicant. The key issues raised are as follows:

- The 'landlocked' area containing apple trees could be used as a community greenspace
- Government guidance in PPS9 advocates the imposition of Tree Preservation Orders on grounds of biodiversity.
- The apple trees on the site are healthy veterans
- The trees are a significant quality of life, amenity and wildlife feature
- There are possibilities for the community to secure funding to manage the area

Attached to the letter are the following documents:

- English Nature's Urban Strategy
- The Woodland Trust's response to PPG17
- English Nature's publication 'Providing Accessible Natural Green Space in Towns and Cities'

An additional email has been received from the above respondent, urging that if development proceeds, the apple trees should be retained in gardens, and that cuttings and grafts from them should be used in the landscaping scheme.

A further email has been received from the above respondent raising questions about the following matters:

- The reasons why the site does not meet the City Council's criteria for Open Space
- The significance of the fact that the site has not been a traditional orchard
- The significance of single trees as habitats
- The significance of biodiversity comparisons with nearby trees
- The named source of advice at Cambridgeshire County Council Biodiversity Partnership
- The need for a survey of the site by a pomologist
- The need for apple trees to be surveyed in October
- The variety of protected species of lichen found on apple trees
- The superseding of PPG9 by PPS9 and the increased

- emphasis thus laid on protection of veteran trees
- A wish to see correspondence between the City Council Surveyor's Department and the City Council Planning Department
- The significance of the fact that the City Council is the landowner of part of the site

A further email has been received from the above respondent. The key points raised are as follows:

- The government has laid down in detail the information needed before the determination of an application which may result in the destruction of a wildlife habitat
- Determination of the application should be deferred until after further surveys of the apple trees can be done in October.

A statement has been received from the correspondent, which is attached to this amendment sheet.

3. A further email has been received from the East Of England Apples and Orchards Project.

The email forwards emails between the Project and the applicant, stating that the trees on the site are worth preserving, and that insufficient survey work has been done.

The key points of the Project's email to the local planning authority are as follows:

- The site should be protected from further development
- The local community should be allowed to play a part in its future management
- The Project would like more time to identify the varieties of apple present

Amendments To Text :

Under 'CONSULTATIONS' add:

Arboriculture

- 6.7 Trees on this site are barely visible externally, and do not meet the criteria for protection. They should not constrain the development.

Pre-Committee Amendments to Recommendation :

Add to part 2 of the recommendation (page 51):

The proposed development does not make appropriate provision for public open space, community development facilities, or education

and life-long learning facilities in accordance with policies RL3, CS3 and CS9 of the Cambridge Local Plan 1996; and policy P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2004, and Guidance for Interpretation and Implementation of Open Space Standards 2001, adopted as supplementary planning guidance by Cambridge City Council.

Decision **APPROVED** (by 4 votes to 3 on the Chair's casting vote) subject to conditions in the officer's report.

3

Application No **05/0660/FUL**
Site **R/O 88-89 Riverside**
Proposal Erection of 1no dwellinghouse
Applicant Gordon Jackson and Helen Jackson
Recommendation Approve subject to conditions
PSR -
Decision **APPROVE (by 7 votes to 0)** subject to the conditions and informative set out in the officer's report.

4

Application No **04/1168/FUL**
Site **1 Barnwell Road**
Proposal Installation of 5No. condensing units.
Applicant P and SE Philips
Recommendation Approve subject to conditions
PSR -
Planning Officer amendments to report:
To Note :

Following further consultation with the Environmental Health Officer a replacement condition has been recommended in place of that originally attached, and which more appropriately links in with the noise survey already carried out.

Amendments To Text :

Pre-Committee Amendments to Recommendation :

Delete Condition 2 and insert the following condition;

The approved fence/sound barrier shall be constructed in accordance with the recommendations detailed in the acoustic report by PDA Ltd dated 17th March 2005. On completion, the barrier shall be tested at the same measuring locations as used in the PDA report to certify that the noise insulation required (4.4 dB) has been achieved.

Reason: To protect the amenity of nearby properties. (Cambridge

Local Plan 1996 policies EO1 and BE2)

Decision **APPROVE (by 7 votes to 0)** subject to the conditions in the officer's report.

5

Application No

05/0194/FUL

Site

Abbey Stadium, Newmarket Road

Proposal

Temporary change of use of vacant land at northern end of site to car sales and hand car wash.

Applicant

Cambridge Utd FC

Recommendation

Refuse

PSR

Mr Attemore (for applicant)

Planning Officer amendments to report:

To Note : Nothing

Amendments To Text : None

Pre-Committee Amendments to Recommendation :

Add the words "with temporary buildings" after "car park area" and before "to Cambridge" in the third line of the reason of refusal.

Decision

APPROVE (by 4 votes to 2 against the officer recommendation) for three years, subject to conditions including boundary treatment and landscaping and proposals to improve the site frontage, which are to be agreed by Chair and Spokes, and hours of operation.

The meeting ended at 10.25pm

CHAIR