

Planning Committee26 April 2006
9.30am – 1.15pm

Present: Councillors Baker (Chair), Blencowe, Dixon, Dryden, Hipkin, Hymans, Reid, Slatter and R Smith

Also Present: Cllr Stuart as alternate for Cllr Slatter for Application 4.1 (34 Storey's Way)

Cllr Nimmo-Smith as Ward Councillor for Application 4.3 (1 Milton Road)

Cllr McPherson as Ward Councillor for Application 4.2 (Neath Farm Business Park, 154 Church End)

FOR THE INFORMATION OF THE COUNCIL**06/plan/19 Minutes**

Members noted that the minutes of the Committee's meetings on 29 March and 5 April would be submitted to the next meeting for confirmation.

06/plan/20 Apologies

Councillor Reid apologised for late arrival.

Cllr Slatter was not present for the discussion on application 4.1 (34 Storey's Way).

06/plan21 Councillor Richard Smith

The Chair said that this was to be the last Planning Committee which Councillor Richard Smith would attend as he was standing down at the forthcoming elections. Councillor Smith had served as a City Councillor for 26 years and latterly for some years as a member of this Committee. He thanked Councillor Smith for his balanced judgement and contribution to the work of the committee.

06/plan/22 Declarations of Interest

Code of Conduct personal and prejudicial interests were declared as follows:

Councillor	Application(s)	Interest
Reid	4.4 and 4.5	As a Governor of Perse Girls' School
Slatter	4.1	Helps to organise The Way To Be Awards for services to disabled people, which the applicant Camstead is sponsoring in 2006

The Councillors indicated left the room, took no part in the discussion about the applications referred to, and did not vote on the application.

06/plan/23 Planning Applications

The Planning applications were determined as shown in the appendix to these minutes.

Status of The Local Plan

Before consideration of the applications by the Committee, the Council's Legal Officer advised members that the Inspector's Report for the Revised Deposit Draft of the Cambridge Local Plan was currently in 'draft' form. Although this increased the weight to be attached to the policies in the 'new' Local Plan, in the absence of the 'final' version it was considered that it would not yet be appropriate to place primary weight on the policies of the Revised Deposit Draft of the Cambridge Local Plan when assessing the applications before this Committee. To the extent of any inconsistency the 1996 Local Plan should still prevail, and as such the applications currently before Committee had been assessed primarily with reference to the 1996 Local Plan. It was anticipated that the 'final' version of the Inspector's Report would be received in advance of the Planning Committee on 24 May 2006 and that applications presented to that Committee would be assessed primarily in the context of the Revised Deposit Draft Local Plan and, to a lesser degree, in the context of the 1996 Local Plan.

CHAIR

**Planning Committee
26 April 2006****Appendix**

Full details of the decisions, conditions of permissions and reasons for refusal may be inspected in the Environment and Planning Department, including those which the committee delegated to the Head of Development Control to draw up.

These minutes and the appendix should be read in conjunction with the reports on applications to the committee, where the conditions to the approved applications or reasons for refusal are set out in full and with the Amendment Sheet issued at the meeting. Any amendments to the recommendations are shown in the appendix.

1

Application No	05/1366/OUT
Site	34 Storey's Way
Proposal	Outline application for residential development following demolition of existing house.
Recommendation	Approve
Applicant	Camstead Limited
Public Speaker(s)	J Chaplin (Residents Association), C Brown (Agent)
DECISION	APPROVED (by 8 votes to 0)

subject to the satisfactory completion of the S106 agreement by 31 May 2006 and to the conditions and informatives set out in the report subject to the following changes:
Delete Conditions numbered 8 (boundary treatment) and 17 (tree planting) and renumber consequently.

Add Condition 26 (renumbered 24): Approval of the final number of dwellings to be accommodated on the development shall be obtained from the local planning authority as part of the submission of reserved matters. For the avoidance of doubt, no approval is hereby given for the precise number of dwelling units or a specific density.

Reason – To define the terms of the permission and to ensure that all necessary information is available to enable an assessment of the detail of the development to be undertaken in accordance with the Development Plan.

Additional Informative – The Applicant is advised that in relation to Condition 24, the contents of the Access and Traffic Appraisal which supports this application and which states an intention for the development to comprise 19 dwellings should not be regarded as any indication that this scale of development is acceptable on the application site. It is the opinion of the Local Planning Authority that the determination of an appropriate scale of development on the site can only be determined in the light of further information which forms the basis of the reserved matters submission.

Refusal of application 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 31 May 2006, the application is **refused** for the reason set out in the report.

2

Application No	06/0063/OUT
Site	Neath Farm Business Park 154 Church End Cherry Hinton
Proposal	Outline application for residential development following the demolition of existing employment units and houses.
Recommendation	Approve
Applicant	Ventress Property Developments Ltd And Wrenbridge Land Ltd
Public Speaker(s)	D Cooper, S Newbold, G Edwards (residents), Cllr McPherson (Ward Councillor)

DECISION **APPROVED** (by 6 votes to 3)

subject to the satisfactory completion of the S106 agreement by 9 May 2006 and to the conditions and informatives set out in the report, subject to the following:

Add Condition 20: No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

- (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.
- (c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.
- (d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.
- (e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- (f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To safeguard the amenity and health of future occupants of these residential units. (Cambridge Local Plan Policies EO12 and EO1)

Add Condition 21: No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 1996 policies BE40 and BE41)

Delete Conditions 14 (tree planting) and 18 (boundary treatment)

Additional informative concerning advice from Ministry of Defence in letter dated 1 March 2006.

Refusal of application 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 9 May 2006, the application is **refused** for the reason set out in the report.

3

Application No 06/0075/OUT
Site 1 Milton Road
Proposal Outline consent for residential development and related infrastructure.
Recommendation Approve
Applicant Burford Delta Ltd
Public Speaker(s) Cllr Nimmo-Smith (Ward Councillor)
DECISION **APPROVED** (by 6 votes to 2)

subject to the satisfactory completion of the S106 agreement by 9 May 2006 and to the conditions and informatives set out in the report, subject to the following.

Delete conditions 16 (tree planting) and 20 (boundary treatment)

Refusal of application 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 9 May 2006, the application is **refused** for the reason set out in the report.

4

Application No 06/0175/FUL
Site Perse Upper School Hills Road
Proposal Erection of new 3 storey classroom block, new 2 storey art and technology block, sports centre extension and science block extension together with associated parking service road extension, landscaping and all weather pitch.
Recommendation Approve
Applicant The Perse School
Public Speaker(s) -
DECISION **APPROVED** (by 8 votes to 0)

subject to the satisfactory completion of the S106 agreement by 12 May 2006 and to the conditions and informatives set out in the report, subject to the following:

Delete conditions 16 (tree planting) and 20 (boundary treatment)

Refusal of application 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 12 May 2006, the application is **refused** for the reason set out in the report.

5

Application No 06/0174/FUL
Site Perse Preparatory School, Porson Road
Proposal Erection of a new 2 storey classroom building, a new assembly, sports and music block, surfacing, landscaping and tree works.
Recommendation Approve
Applicant The Perse School
Public Speaker(s) -
DECISION **APPROVED** (by 8 votes to 0)

subject to the satisfactory completion of the S106 agreement by 12 May 2006 and to the conditions and informatives set out in the report.

Refusal of application 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 12 May 2006, the application is **refused** for the reason set out in the report.

6

Application No 06/0103/FUL
Site Unit 11, Cambridge Retail Park Newmarket Road
Proposal Erection of a non food retail warehouse unit, servicing and car parking layout.
Recommendation Approve
Applicant The Cambridge Retail Park Ltd Partnership
Public Speaker(s) -
DECISION **APPROVED** (by 8 votes to 0)

subject to the satisfactory completion of the S106 agreement by 2 May 2006 and to the conditions and informatives set out in the report.

Refusal of application 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 2 May 2006, the application is **refused** for the reason set out in the report.

7

Application No 06/0104/FUL
Site Unit 5B Cambridge Retail Park Newmarket Road
Proposal
Recommendation Section 73 application to vary condition 18 of planning permission reference C/97/0989/OP and condition 4 of C/98/1022/RM to allow the installation of a mezzanine floor in unit 5B.
Applicant The Cambridge Retail Park Ltd Partnership
Public Speaker(s) -
DECISION **Approved** (by 8 votes to 0)

subject to the satisfactory completion of the S106 agreement by 2 May 2006 and to the conditions and informatives set out in the report.

Refusal of application 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 2 May 2006, the application is **refused** for the reason set out in the report.

Item 5 Cambridgeshire Guided Busway - Discharge of Conditions

The Secretary of State for Transport held a public inquiry into the proposal by Cambridgeshire County Council for the Guided Busway following which he confirmed the making of the Cambridgeshire Guided Busway Order ("the Order") under the Transport and Works Act 1992. On 21 December 2005 he directed that deemed planning permission be issued for the necessary works under the Town and Country Planning Act 1990. The permission was subject to 10 conditions (attached as the Annex to the report).

In giving approval, the Secretary of State considered that it would not be appropriate for the County Council as county planning authority to discharge the details of the scheme required by condition. He saw no good reason in this case to depart from the normal, well-established practice of requiring details to be approved by the local (district) planning authorities.

The County Council aimed to appoint a Preferred Bidder in April to start the design work. It intended to submit applications to discharge conditions in July or August 2006 for approval by November 2006 so that a start on site clearance can commence at the end of the year before the bird-nesting season. Construction was expected to take two years.

Resolved (by 7 votes to 0) that the process for discharging the conditions for the Cambridgeshire Guided Busway should be as set out in paras 5.3 and 5.5 of the report, subject to an amendment (in bold) to para. 5.3 to read:

It is recommended that the principle should be that, where possible and appropriate, the conditions should be discharged under officer delegated powers. Conditions would be reported to this Committee for determination **with appropriate Area Committee involvement** on an 'exceptions' basis, as set out in para. 5.5 below.

Item 6 Variation of Former Cattle Market Section 106 Agreement - 12th Schedule

The planning application for the redevelopment of the former Cattle Market site (Ipa ref C/98/0355/FP), at the junction of Hills Road and Cherry Hinton Road, had been approved subject to conditions and to a section 106 agreement dated 23 May 2000. In May 2004, the Committee agreed a variation to two of the Schedules to the Planning Agreement, subject to which planning permission was granted. One of those related to the "Twelfth Schedule - Shuttle Bus". The reason for seeking the variation at that time was the awareness of the applicant that in the time since the initial drafting of the Twelfth Schedule in 1999-2000, there had been a significant change in the pattern of late night bus service provision in the City. It was argued that what was originally suggested was no longer likely to make the best provision and could prejudice other existing services.

Resolved (by 8 votes to 0) to agree a variation to the Twelfth Schedule of the Planning Obligation Agreement, to require:

- i) assurance of public transport services to provide a service to the site at least the hours and level of frequency currently provided by the Citi 1 and Citi 3 services, which can include the use of bus stops in the vicinity of the site in Hills Road;
- ii) agreement of a route for the bus service that differs from that set out in the current planning obligation;
- iii) in the event that the existing late Citi 1 service (or a successor service) for any reason ceases, to revert to the requirements of the original Schedule in terms of provision and frequency of a bus service, but subject to the reasonable requirements of the local planning authority regarding the precise routing of that service; and
- iv) that the time for implementing the survey required by the Twelfth Schedule, 12.2, should be "Within 4 months of the date of this variation Deed."
- v) that authority be delegated to the Head of Development Services regarding the route of Citi 1 not needing to continue to pass the site after its journeys at approximately 01.00 hours, if that is critical to the applicant.