

East Area Committee

Cherry Trees Centre, St Matthew Street, Petersfield

29 June 2006

7.30pm – 9.19pm

Minutes

Councillors Present:

Abbey: John Durrant

Coleridge: Lewis Herbert

Petersfield: Kevin Blencowe, Ben Bradnack, Victoria Bruce

Romsey: Raj Shah, Catherine Smart

County Councillor: Alice Douglas (Romsey)

06/XX Declarations of Interest

The following Councillors took no part in decisions listed:

Councillor Bruce prejudicial interest in Item 3 - Hughes Hall (had written in support of local residents' objections In March 2006)

Councillor Smart prejudicial interest Item 5 - 7 Barnwell Road (Ex Cllr for Housing and therefore technically, the applicant)

06/XX Applications for Planning Permission

At the beginning of this item Councillor Bradnack 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 was the proper body to consider applications. Other Labour Councillors shared this view and hence the fact that the meeting was not attended by them. Both Councillors Bradnack and Herbert spoke on behalf of constituents on applications before the Committee.

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	06/0224/OUT
Site	394-398 Mill Road
Proposal	Outline application for residential remedial development
Applicant	Messrs L Meadows and G Sandell c/o Cambridge Blind Spot 394 Mill Road
Recommendation	Approve subject to conditions outlined in the report and the satisfactory completion of the s106 agreement by 22 July
PSR	-
Decision	APPROVED , by 5 votes to 0, subject to the conditions set out in the officer's report

2

Application No	06/0328/FUL
Site	93 Tenison Road,

Proposal Change of use from guest house to 8 flats and disabled car parking space

Applicant Mr T Murfet, 27 Queen Edith's Way

Recommendation Approve subject to conditions and satisfactory completion of the s106 agreement by 30 June

PSR Mr Gawthrop (resident), Mr Proctor (for applicant), Cllr Bradnack (Ward Councillor)

Update to the officer report - To Note : The unilateral undertaking has been checked by the Legal Department and is in accordance with the requirements of the Planning Obligation Strategy.

Decision **APPROVED**, by 4 votes to 0, subject to the conditions set out in the officer's report.

INFORMATIVE: The applicant is advised that following development, the residents of the flats hereby approved will not qualify for Residents' Permits within the existing Residents Parking Scheme operating in the area.

3

Application No 06/0029/FUL

Site Hughes Hall, Mortimer Road

Proposal Erection of two storey bar and multipurpose function rooms

Applicant Hughes Hall, Mortimer Road

Recommendation Approve, subject to conditions

PSR Mrs Rankin (resident), Mr Marsden (agent for applicant), Cllrs Bradnack and Bruce (Ward Councillors) [NB – the Chair allowed both side up to 6 minutes

Update to officer report:

To Note :

A letter of representation has been received from Councillor Bradnack and is attached to this amendment sheet.

A letter of representation has been received from the Glisson Road/Tenison Road Area Residents Association objecting on the following grounds:

- Potential over shadowing
- Feeling of enclosure from windowless elevation close to Covent Garden properties
- Noise disturbance

A request was also made that objectors and applicants be given longer than 3 minutes to speak due to the application being heard at the Development Control Forum by members of the Planning Committee rather than members of the East Area Committee.

Comments have been received from Environmental Health and are summarised below:

The main area of concern for this application is noise generation from within the building that has the potential to disturb nearby residential/sensitive properties i.e. from amplified music being played in the bar or multi-function room and from plant noise associated with the lift and any proposed ventilation system for the new building.

It is strongly recommended for the following conditions to be added to any permission granted.

The conditions are set out in the 'Pre-Committee Amendments to Recommendation' section.

It has also been confirmed by Environmental Health that Hughes Hall is licensed under the provisions of the Licensing Act 2003 for regulated entertainment indoors and outdoors and for the supply of alcohol in specific areas within the College. The applicant will need to apply for a variation to the existing licence to allow for the use of the bar and multi-function room to accommodate for licensable activities.

Amendments To Text : None

Pre-Committee Amendments to Recommendation :

13. Prior to the use of the building for regulated entertainment comprising of live or recorded music, amplified voices or the provision of facilities for dancing, a scheme of noise insulation and or measures to limit the level of noise at source (noise limiter) must be designed by a suitable acoustic specialist or competent person and submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved insulation and or measures and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 1996 policies EO1 and BE2)

14. In the event that the foundations for the proposed development require piling, prior to the commencement of the development hereby approved, a method statement detailing the type of piling, predictions of the potential noise and vibration levels at the nearest noise sensitive locations and the mitigation measures to be taken to protect local residents shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approve details.

Reason: To protect the amenity of local residents from undue noise and disturbance (policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003 and policies E01 and BE2 of the Cambridge Local Plan 1996).

here should be no commercial deliveries and collections, including waste collection to or from the bar, or associated with it between the hours of 2300 – 0700 Monday to Friday and after 1300 on Saturdays. There should be no deliveries or collections permitted on Sundays or Public holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 1996 policies EO1 and BE2)

INFORMATIVE: The applicant is advised that the noise insulation scheme for the building should detail the acoustic performance of the

various external building elements (wall, glazing, roof, service penetrations etc) having regard to typical/representative noise levels likely to be generated in the bar and multi-function room (using a worst case scenario). Rooms proposed for regulated entertainment are recommended to have mechanical ventilation, which should be acoustically treated. Full acoustic calculations should be detailed along with composite sound reduction indexes (SRIs) for the entire building envelope and total room absorption.

INFORMATIVE: The applicant is advised that in discharging conditions 9 and 13, the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L_{90}) by more than 3 dB(A) both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises. Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation. Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from the Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

Decision

REFUSED (against officer recommendation), by 4 votes to 0. Reasons to be drafted by officer and agreed by Chair and Cllr Smart. Based on scale/mass, loss of amenity and design & setting within the listed building.

The following Reasons were agreed on 19 July:

1) The proposed development is unacceptable because of the scale of the proposed two storey building and its proximity to the common boundary with the rear gardens and houses of dwellings in Covent Garden. The relationship is such that, despite the presence of the planting on the site, between the proposed building and the common boundary, the development would materially detract from the outlook currently enjoyed by the occupiers of those dwellings, and would unduly dominate and be overbearing in its relationship with the rear gardens. The proposal is not development which is appropriate in its context, or good design which contributes positively to making places better for people, but instead is development which is not in context and fails to recognise the constraints of the site or to relate well to its surroundings. For these reasons the proposal is contrary to policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003, policies BE1, BE2, BE8 and BE32 of the Cambridge Local Plan (1996), policies 3/4, 3/12 and 3/14 of the Redeposit Draft Local Plan (2004 as amended) and advice in paragraph 34 of Planning Policy Statement 1 (2005).

2) The design of the eastern elevation of the proposed building, at least in part recognising the potential use of the building for social purposes, would present a predominantly blank, hard and unsympathetic form to the east, turning its back on the neighbours in Covent Garden. This design approach, coupled with the height and width of the building and the proximity referred to in reason 1 above, again fails to constitute good design contributing positively to making places better for people, being inappropriate in its context, and failing to recognise the constraints of the site or to relate well to its surroundings. For these reasons too the proposal is contrary to policy P1/3 of the Cambridgeshire and Peterborough Structure Plan 2003, policies BE1, BE2, BE8 and BE32 of the Cambridge Local Plan (1996), policies 3/4, 3/12 and 3/14 of the Redeposit Draft Local Plan (2004 as amended) and advice in paragraph 34 of Planning Policy Statement 1 (2005).

3) The proposed development, because of its design, which is not in harmony with the existing building, would adversely affect the setting of Hughes Hall, a Grade II Listed Building and would neither preserve nor enhance the character or appearance of the City of Cambridge Conservation Area No.1 within which the site is situated. For these reasons the proposal is contrary to policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003, policies BE2, BE8, BE32 and BE35 of the Cambridge Local Plan (1996), policies 4/10 and 4/11 of the Redeposit Draft Local Plan (2004 as amended) and advice in Planning Policy Guidance 15 (Planning and the Historic Environment 1994).

4

Application No	06/0130/FUL
Site	Territorial Army Centre, Coldhams lane
Proposal	Provision of temporary fire station
Applicant	Cambridge Fire and Rescue Service, c/o 6-8 Hills Road
Recommendation	Approve subject to conditions
PSR	Mr Stagg (applicant)
	Officer additions to the report <u>To Note</u> :
	Cambridge County

Council Highways Department has confirmed that they raise no objection to the proposed development subject to a condition being imposed on any planning permission to ensure the highway mitigation measures are fully implemented prior to the use commencing

Pre-Committee Amendments to Recommendation :

Additional condition recommended:

Prior to the proposed use of the site for a temporary fire station comes into effect, the transport mitigation measures detailed in Appendix B of the submitted Transport Statement shall be fully implemented.

Reason: In the interests of highway safety (Cambridge Local Plan 1996 policy TR27).

Decision **APPROVED**, by 5 votes to 0, subject to the conditions set out in the officer's report

5

Application No 06/0180/FUL
Site 7 Barnwell Road
Proposal Change of use from café to café/ post office incorporating front extension to shop and 2 new car parking bays
Applicant Cambridge City Council, Property and Building Services
Recommendation Approve, subject to conditions
PSR Mrs Robinson (resident), Mr Yau (local shop keeper)

Officer addition to report - To Note : The Highway Officer has viewed the amended car parking arrangements and is of the opinion that the potential for vehicle conflict is removed with options shown in the amended plans numbered 3 and 4. The detail of either these schemes can be dealt the via the existing Condition No.6 relating to the car park layout

Decision **APPROVED**, by 3 votes to 1, subject to the conditions set out in the officer's report and additional condition:

Additional Condition

No development shall commence until such time as details at a scale of 1:20, including plans, elevations and sections of the proposed shop front (and particularly the detailing of the junctions with the pillars)- have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2, BE4 and BE8)

Additional Informative: For the avoidance of doubt the applicant is advised that it is the informal opinion of Cambridge City Council that

the use hereby approved is a sui generis use, comprising shops, restaurant and take-away uses.

6

Application No 06/0277/FUL
Site 25 Rustat Road
Proposal Erection of part single part two storey rear extension and porch to front of house
Applicant Mr and Mrs G Pippas, 25 Rustat Road
Recommendation Approve subject to conditions
PSR Mr Caesar (resident), Mr Stanley (for applicant), Cllr Herbert (Ward Councillor)
Decision **APPROVED**, by 5 votes to 0, subject to the conditions set out in the officer's report

7

Application No 06/0300/FUL
Site 224 - 226 Coldhams Lane Cambridge
Proposal Erection of 2 No. semi-detached houses to the rear of 224/226 Coldhams Lane, fronting Ross Street.
Applicant Mr Owen Mackay
38 School Lane Thriplow Herts SG8 7RM
Recommendation Approve subject to conditions
PSR -
Decision **APPROVED**, by 5 votes to 0, subject to the conditions set out in the officer's report

CHAIR