

Councillors Present:

Arbury: Rhodri James, Alan Levy, Tim Ward
King's Hedges: Louise Downham, Michael Pitt
East Chesterton: Clare Blair, Jenny Bailey
West Chesterton: Diane Armstrong, Max Boyce, Ian Nimmo-Smith

County Councillor: Julian Huppert (East Chesterton)

Action by

07/56 APOLOGIES FOR ABSENCE

Apologies were received from City Councillors Holness and Upstone and County Councillors Hughes and Moss-Eccardt. The Mayor, Councillor Bailey, arrived late because of an earlier engagement. County Cllr Huppert apologised for leaving the meeting early due to another commitment.

07/57 DECLARATIONS OF INTEREST

Cllr Pitt – 07/65 (2) prejudicial interest as regular supporter of Wintercomfort.

Cllr Ward - 07/65 (7) prejudicial interest lives close by and owns property in immediate area

Cllr Nimmo-Smith 07/65 (6) personal interest, had met the applicants on two occasions

07/58 MINUTES

Cllr Pitt asked for the minutes to be amended to reflect the fact that Cllr Upstone had declared a prejudicial interest in 07/55 (10.1) and had not taken part in determining the application.

Subject to the above amendment, the minutes of the meeting held on 20 September 2007 were confirmed as a correct record and signed by the Chair.

07/59 MATTERS ARISING FROM PREVIOUS MINUTES

07/49 (07/29) – Pavement repairs - Cllr Pitt stated that he and Cllr Downham were still waiting for an update from officers on dropped kerbs at St Kilda Avenue.

07/51 fly tipping in Kings Hedges – the Chair read out a statement from Alastair Roberts from the Council's Community

Emily Bingley

Safety team, which advised that there were 29 incidents of fly tipping came to the attention of City Services in October in the Kings Hedges area. 5 of those were passed to the Enforcement Team, we have dealt with 4 incidents by formal warning letter and one has received an initial inspection. The figures are taken from the report submitted to NAG for inclusion in their reports.

07/60 OPEN FORUM

Resident 1: Residents are becoming concerned over the impact of traffic congestion outside the TESCO express in Chesterton High Street, delivery lorries and some customers are double parking whilst doing their business at the store.

What action can be taken to mitigate this problem? Will it be fully taken into account in any review of traffic calming/management measures for this part of the High Street?

A County Council officer present for 07/61 replied that as part of the High Street improvements funded by s106 contributions, remodeling of the forecourt was planned. Officers have consulted on Waiting Restrictions being applied but this had not been supported by Ward Councillors at the time but they could consult again if the situation appears to have changed. The police have the powers to act if the lorries are causing an obstruction.

County Council
Highways
Officers

Resident 1: To seek the support of the North Area Committee members for a request to Anglian Water for a mains foul sewer into Chesterton Fen.

Cllr Nimmo-Smith undertook to write to the Environment Agency and Anglian Water to see how this could be taken forward.

Cllr Nimmo-
Smith

Resident 2: How do (officers) think they can improve communication between the County Council and Cambridge residents.

County Cllr Huppert stated that there was an on-going debate about the County Council keeping councillors informed so they could be effective for their constituents. The County Council was not good at consulting and this had been highlighted by Inspectors. Cllr Ward said that it was welcomed by Area Committees when County Council officers attended to

brief councilors and answer questions from the audience.

Resident 3 – improvement to Campkin Road Car Park. Can the pot holes be fixed ahead of any long term improvement? Can the car park when resurfaced have lines painted on it? Why had the Car Park been used by contractors working on the Arbury Road crossing particularly with parents and young children using it for the neighbouring Nursery?

Cllr Pitt – agreed that it would be better to have lines painted on the Car Park. Ward Cllrs had not been advised about the car park being used for contractors and would like to know in future when the car park was to be out of use/being used for a purpose other than as intended.

Cllr Downham – agreed that white lining the car park was important and this had been conveyed to the officers. Concerned about contractors using the car park as parents and young children use it.

Emily Bingley,
Landscape
Architect

Cllr James – could not understand why there was delay and wanted the officers to progress bearing in mind the pot holes.

Resident 4 – disabled bay in St Kilda Avenue, yellow lines need to be put on the corner of Kings Hedges Road because of difficulties with access for emergency vehicles. County Cllr Huppert – the disabled bay had recently been approved the Cambridge Area Joint Committee having been assessed for its suitability against standard criteria. He would ask officers to look into the resident's request.

County Council
Highways
Officers

Resident 5 – Why has the Council displayed out of date information on disability? Access for the disabled on paths e.g. the Arbury Road crossing. Access for wheelchair users at Arbury Court? Lack of training at Council on disability issues.

Cllr Armstrong stated that work was currently being undertaken on the Arbury Road crossing, so it was only a temporary measure.

On investigation the resident had found the out of date leaflet at information points across the Council in January 07 and the leaflet had been removed. The Council had in place a Disability Equality Scheme and Action Plan.

07/61 NETWORK MAINTENANCE AND TRAFFIC MANAGERS OF COUNTY COUNCIL

The Network Manager for Cambridge, the Highways Manager and Maintenance Managers were present to answer any questions from the public.

City Ranger – there is an issue with required maintenance of footpaths around housing estates caused by trees and whether it is a matter for tree surgeons or highways department. The County Council officer replied that the communication between the City and County authorities was always something that could be improved. The County Council's knowledge base of land ownership was improving and more readily accessible as more data and plans are collected and its clearer where the responsibilities sit for repair and maintenance between private, housing and highway land.

Members of the Committee discussed the health and safety issues to do with tree roots under pathways against the need to maintain a city which wanted to keep its trees. There was a general view that more walkabouts would alert officers to the condition of paths in the north of the city.

The Network Manager stated that generally speaking footpaths across the County had improved. However the highways budget would come under further budgetary pressure and the level of demand would always outstrip the resources available.

The Chair thanked the officers for attending and advised the public that if anyone had not had the opportunity to ask a question they could complete a question slip and it would get passed on for a written answer.

07/62 UPDATED OPEN SPACE AND RECREATION S106 PROGRAMME

Members of the Committee were unsure whether the

right balance had been struck between a manageable programme at the expense of inviting enough projects to come forward. The Committee would look to hold a workshop, similar to what took place to develop the Environmental Improvement Programme, to further identify projects.

Active
Communities

It was noted that residents/members could make suggestions of schemes to be included in the Open Space and Recreation s106 Programme at any time.

Cllr Blair asked to be consulted prior to the improvements to Green End Road Recreation Ground.

Active
Communities

Members did not support the officer recommendation that tree planting is not included in the programme because it did not score high enough in the evaluation. The officers advised that some work would be needed to enable this to be included in the report for the Executive Councillor for Arts & Recreation on 17 January.

Resolved –

1) That the following schemes are adopted in the order set out below for inclusion into the Open Space and Recreation S106 programme.

- a. N23/B - Increase Sports Hall Capacity @ Manor School. (By 7 votes to 0)
- b. RC002- More play equipment @ Green End Road. (By 4 votes to 0)
- c. RC015- Alexandra Gardens improvements. (By 7 votes to 0)

2) BD001- Tree planting around the City **is included** (by 8 votes to 0)

3) OS003 – Trees for Montague Road **is not to be included** in the S106 project list for the approval, as it is not deemed suitable for S106 funding.

07/64 CHESTERTON ROAD BUS SHELTER

The Chair ruled under 100B(4)(b) of the Local Government Act 1972 that a late item on an environmental improvement scheme be considered despite not being publicly available at least five working days before the meeting. The reason being that the matter could not wait for a committee decision until January.

The scheme was raised at the North Area Committee on September 20th 2007 as a newly proposed scheme. At the time it was suggested that it be replaced with a smarter, more modern style. The Committee had asked officers to refer it to March 2008 and to come back with a recommended percentage contribution of the total cost.

The company that supplied bus shelters in the city, many of which are already in Abbey and King's Hedges wards were about to cease trading in the product. Before this happened the Council should acquire as many shelters as possible. A 50% contribution to the bus shelter was being recommended £5000.

Landscape
Archtiects

Resolved –

To agree a contribution of £5,000 towards the bus shelter

07/65

1

Site

Proposal

Recommendation

Application No

Applicant

Public Speakers

Reasons For

**Refusal Raised In
Debate**

APPLICATIONS FOR PLANNING PERMISSION

2 Downhams Lane, King's Hedges

Erection of 2no 4bedroomed (+ 1 loft room) semi-detached houses

Approve with conditions

07/1073/FUL

Mr John Barham, C/O Agent Architectural Drawings _
Designs 1 Ward Road Cambridge

Mr Steel (objector)

Those members minded to refuse the application referred to creating successful places, loss of light and parking and over-development. They referred to Local Plan policies 3/7 and 3/12.

Decision

Refused (by 4 votes to 2 against the officer recommendation)

Draft reasons for refusal recommended as follows:

The proposed development would, by virtue of the scale of the building and its proximity to the street frontage, result in the introduction of an incongruous and dominant building into the streetscene of Downham’s Lane. In so doing the development fails to respect the character or constraints of the site or to contribute towards the creation of an attractive built frontage to positively enhance the townscape. The development is therefore contrary to policy P1/3 of the Cambridgeshire and Peterborough Structure Plan (2003), policies 3/7 and 3/12 of the Cambridge Local Plan 2006 and to advice provided by PPS1 Delivering Sustainable Development.

The proposed development would, by virtue of the height of the building and its proximity to the boundary with 4 Downham’s Lane result in a loss of light to windows to the south east elevation of that property to such an extent that there would be an adverse impact upon the residential amenities which the occupiers of that property currently enjoy. In so doing the development also fails to respect the character and constraints of the site. The development is therefore contrary to policy P1/3 of the Cambridgeshire and Peterborough Structure Plan (2003), policies 3/4 and 3/7 of the Cambridge Local Plan 2006 and to advice provided by PPS1 Delivering Sustainable Development.

The proposed development does not make appropriate provision for public open space and community development facilities, in accordance with the following policies, standards and proposals: policies 3/8, 5/14 and 10/1 of the Cambridge Local Plan 2006; policies P6/1 and 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 2006.

2

Site Proposal

23 Victoria Avenue, West Chesterton
Provision of emergency cold weather over-night accommodation and existing sui/generis use

Recommendation Approve

Application No 07/1082/FUL
Applicant Wintercomfort, 23 Victoria Avenue
Public Speakers None
Decision Approved (8-0) subject to the conditions in the officer report.

3
Site NRC Recycling Centre, Public Toilet, Chesterton Road, West Chesterton
Proposal Demolition of existing public conveniences and recycling facilities and replacement with new public conveniences, recycling facilities and room to let.

Recommendation Approve with conditions

Application No 07/1105/FUL
Applicant Cambridge City Council
Public Speakers None

Committee was advised that a letter of representation had been received from the owner/occupier of 98 Balsham Road, Linton, regarding the position and accessibility of the disabled toilets as well as antisocial behaviour around this site. These issues are discussed in full in the main officer report.

Decision Approved (9-0) subject to the conditions in the officer report.

4
Site Cripps Court, 1-3 Chesterton Road, Arbury
Proposal Erection of a new student residence comprising 16 bedsits, a Fellows flat and a basement gym.

Recommendation Approve with conditions

Application No 07/0824/FUL
Applicant Magdalene College
Public Speakers None

The Planning Officer referred to the Amendment Sheet circulated at the meeting and drew attention to:

Pre-Committee Amendments to Recommendation: Two conditions and a number of informatives were omitted from the original officer report. In addition to the conditions and informatives contained within that report, those detailed below should also be added: -

Conditions

1. No work shall start on the application site, including soil stripping, pre-construction delivery of equipment or materials, the creation of site accesses, positioning of site huts, until:

A Tree Protection Plan, as defined in BS 5837:2005 Trees in Relation to Construction Recommendations, containing the following Arboricultural Method Statements/specifications has first been submitted to and agreed in writing by the Councils Principal Arboricultural Officer;

Arboricultural methods statements for the precise location and erection of tree protection barriers and ground protection for all trees retained on, and adjacent to the site, in order to establish Root Protection Areas and construction exclusion zones;

Arboricultural method statements for any special engineering operations within Root Protection Areas;

Arboricultural method statements for root pruning and root barrier installation including specifications for root-barrier material and root-soil back-fill;

Arboricultural method statements for the amelioration of the rhizosphere within the Root Protection Area comprising of de-compaction (Terravention) and soil inoculation with spore derived mycorrhizae and bio-activators; soil tilthing utilising air-spade technology; irrigation; and mulching where appropriate;

Arboricultural method statement for any development facilitation pruning.

And

b) There has been: A pre-construction site meeting between the site agent, the developers chosen arboriculturalist, and the Councils delegated Arboricultural Officer.

All Arboricultural works shall be carried out by a competent tree contractor, proficient in both root-zone and aerial Arboricultural work and shall follow strictly the agreed method statements and specifications.

All tree protection barriers and ground protection shall be in accord with BS 5837:2005 clause 9 - "The construction exclusion zone: barriers and ground protection".

The developer shall appoint a competent arboriculturalist to oversee the project. The arboriculturalist shall monitor, record and confirm the implementation and maintenance of tree protection measures as set out in the conditions of the planning permission.

Reason: To ensure the provision and protection of the visual and wider amenity of the existing trees on the adjacent site during construction. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 4/4 and 4/11)

2. The flat roof of the gyp room shall at no time be used as an external recreation or amenity area, and shall be retained in this manner in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the reasonable residential amenity of nearby residential occupiers. (Cambridge Local Plan policies 3/14 and 4/13)

Informatives

1. The applicant/agent is advised to contact the Councils Access Officer to discuss the internal layout and requirements under DDA legislation.
2. The applicant/agent is advised to contact Anglia Water with regard to the proximity of the site to the main public sewer and surface water sewer as well as adequacy of the existing sewage system via Developer Services, Anglia Water Services Limited, PO BOX 495, Huntingdon, PE29 6YY.
3. The applicant/agent is advised to contact the Councils Environmental Health Section regarding food and occupational safety, waste, contaminated land, as well as the Building Control Section, Environment Agency and Health and Safety Executive regarding their requirements.

4. Following implementation of this planning permission the applicant/agent should be aware that future residents of the site will not qualify for residents parking permits within the existing residents parking scheme operating on surrounding streets.

In debate, the Committee requested that an Informative be added to encourage conference delegates to use means of transport other than the private car.

Decision

Approved (by 9 votes -0) subject to the conditions in the officer report, those included in the pre-committee amendment sheet and copied above and the added informative below:

Informative – Under the terms of condition 10, the applicant is requested to use best endeavours to encourage conference delegates to use means of transport other than the private car.

5

Site

Proposal

412 Milton Road, East Chesterton

Erection of 4no. 1bed flats (following demolition of existing house).

Recommendation

Approve

Application No

07/610/FUL

Applicant

A De Simone, 436 Milton Road

Public Speakers

Mr Abrey (objector)

Decision

Approved (6 votes to 3) subject to the satisfactory completion of the section 106 Agreement by 31 December 2007 or the following alternative recommendation:

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 December 2007 it is recommended that the application be refused for the following reason:

The proposed development does not make appropriate provision for public open space, community development facilities and education, in accordance with the following policies, standards and proposals: policies 3/8, 5/14 and 10/1 of the Cambridge Local Plan 2006; policies P6/1 and 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 2006.

6

Site

268 Milton Road

Proposal

Change of use of ground floor from residential to Jewish Community House (including day nursery), front entrance hall and ramp

Recommendation

Refuse

Application No

07/872/FUL

Applicant

Mr and Mrs Gilinsky 268 Milton Road

Public Speakers

Mrs Gilinsky

The Planning Officer referred to the amendment sheet circulated at the meeting:

The applicant has requested that the following issues be clarified:

With regard to the use of the mikvah permitted at 268 Milton Road (paragraph 8.14 of the Committee Report):

On average there will be one movement per day, on foot, from the street to the mikvah. That does NOT mean six uses per month; one group of users would walk from the street to the mikvah every day. That means 30 uses per month - on average, one per day. Further, those users, if they come by car, would in all likelihood park in a legal location somewhat away from 268 Milton Road, for modesty reasons, for example a husband might park the car in the large car park of the family restaurant at the Milton Arms and have a soft drink, whilst he waits for his wife.

If there is to be a mikvah in Cambridge, there must be an assumption, as stated on the planning application for 268 Milton Road, that it will, on average, be used once every night, but only after dark, in accordance with Jewish law.

A mikvah is used by women every night of the year, and is a Jewish communal function more important than a Synagogue, and the application, which was the basis of the planning decision, was unambiguous in stating that the mikvah would be used every day.

It was never stated that the mikvah would not be used on the same evening as an educational event; the mikvah would not be used at the same TIME as an educational event. If a user needed the mikvah on the same evening as an educational event, the user would access the mikvah either BEFORE or AFTER the educational event, and an appropriate booking would be made accordingly.

Decision

Refused (6-1) as in the reasons set out in the officer report

7

Site 25 Hurrell Road, Arbury
Proposal Single storey extensions to front and rear of house and conversion to 2 flats.
Recommendation Approve
Application No 07/1042/FUL
Applicant Mr D Summerfield 58 Herbert Street
Public Speakers Mrs Willis (objector), Mr Summerfield (applicant)

The Planning Officer referred to the amendment sheet circulated at the meeting:

To Note:

The Unilateral Undertaking was completed on 24th October 2007.

1 additional letter of objection received from No.2 Tedder Way raising the following concerns:

- Conversion into flats would be out of character with the properties in the area and would set a precedent for further similar development (loss of a family home)
- The proposal would exacerbate existing on-street parking and obstruct the access into, and out of, Tedder Way.
- Conversion of front garden into hard standing area would compromise natural soakaway.

The Planning Officer said that the first two issues of concern had been responded to in the report. In respect of the 3rd issue, under Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 1995, planning permission is not required to construct a hard standing area to a domestic property, nor is planning permission required to have the kerb dropped in this particular location.

Decision Approved (by 8-0) subject to the satisfactory completion of the s106 agreement by 22nd November and subject to the conditions in the officer report.

The meeting finished at 11.03pm

Chair