

## PLANNING COMMITTEE MEETING – 1<sup>ST</sup> MARCH 2017

### Amendment/De-brief Sheet

#### MAJOR PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 16/1108/FUL

Location: Constitutional Club, Cherry Hinton Road

Target Date: 29.09.2016

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

#### **DECISION:**

Note – this planning application has been withdrawn.

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CIRCULATION: First

ITEM: APPLICATION REF: 16/1932/FUL

Location: Kings College, 1 Cramner Road

Target Date: 11.11.2016

To Note:

The summary box incorrectly states that the proposal accords with the development plan.

Comments have been received from the Tree Officer and Conservation Officer.

The garden building was incorrectly referred to as the 'garden pavilion' in paragraph 8.8

The size of the study bedrooms is 17m<sup>2</sup> rather than 16.5m<sup>2</sup>.

Paragraphs 8.34-8.47 which relate to highway safety and car/cycle parking have been re-arranged for clarity.

Amendments To Text:

SUMMARY	<p>The development <i>does not</i> accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed development would harm the character and appearance of the Conservation Area. This harm would not be outweighed by the public benefit</li> </ul>
RECOMMENDATION	REFUSAL

*Comments in response to applicant's Response to Conservation Comments document*

6.8 ~~This will be reported via the amendment sheet.~~

My original comments are still valid. Beacon appear to agree that harm arises from the proposals but consider that this site is not significant relative to the contribution it makes to the conservation area. They do not consider that the attributes which are the defining characteristics of the Grange Road character area are important to the conservation area as a whole.

The significance of this part of the conservation area includes its establishment as a result of the removal in the 1870s of the university prohibition against dons being married which then led to construction of these large family houses (and gardens) which therefore represent a historic form of development that makes a significant contribution to the conservation area as a whole and to Cambridge. Indeed, the conservation area was extended in 1983 to protect these streets and the 2011 CA Appraisal notes the vulnerability of the spaces and gardens as a principal issue for control of development. That some garden areas may not be visible from the streets does not mean they are not significant to the character of the conservation area.

The proposals harm the spatial relationships involved and fail to preserve or enhance the conservation area. The element of the Grange Road character area is important as it is one of the last clearly defined villa and garden spaces in Cranmer Road and this development would cause the loss of that character. This is a threat to important characteristics bound up with the character and appearance of the conservation area as a whole.

*Public benefits.*

It is not clear why only this sensitive site must deliver the benefits to the College at a cost to the conservation area. The College own other sites outside of conservation areas such as Whichcote House which are capable of conversion and realising the same benefits.

*Design & Conservation Panel*

The Panel did not undertake an assessment of the characteristics of the conservation area, the impact on those characteristics, or balancing of harm with

public benefits. It was not expected to do so nor is its role to undertake such a policy or NPPF based assessment.

*Comments in response to applicant's Response to Landscape Design Comments document*

6.13 ~~These will be reported via the amendment sheet.~~

The loss of trees required to accommodate the new buildings will have a material impact on the character and appearance of the area, especially Leckhampton Road, Cranmer Road and Grange Road at the junction with Cranmer Road. It is acknowledged that 8 of the trees to be removed are Cat. B and 24 of the trees to be removed are Cat. C but the quality of the trees does not justify the detrimental impact the losses will have on the verdant character of the area. Irrespective of development proposal any trees work that are shown to be required to manage real risks would be considered in separate tree works applications/notices and this is not considered to be justification for the removal of 32 trees.

The commitment to replacement tree planting is also acknowledged but the space available for replacement planting along Leckhampton Road will not allow tree species that will adequately mitigate the loss of amenity brought about by removing species that include Maples, Walnuts, Yews, Holm Oak, Beech and Chestnut.

The Cranmer Road villa has less impact in terms of tree losses but its location blocks the views though to trees in the garden and therefore results in material impact on the nature of the views from Cranmer Road and Grange Road. Again there is limited scope for replacement planting sufficient to mitigate the impact of this building.

8.8 The Statement of Significance contained within the applicant's Heritage Statement argues that Leckhampton Lane is, at best, a neutral element within the Conservation Area. It also highlights that the lane is a private road and that only glimpses of the lane are available from the public realm at Grange Road. I disagree with both of the above assessments. Although Leckhampton Lane is not specifically referenced in the Conservation Area Appraisal, it is still a notable area. Here, one is afforded glimpses through the trees to the large gardens of the properties on Cranmer Road giving a sense of the rural past. Whilst Leckhampton Lane is a private road, the CAA emphasizes the importance of the preservation of views within the Conservation Area. There is no development on the northern side of the lane and whilst there are some buildings to the south of the lane these are either of a domestic scale and thus not comparable to what is proposed or significantly set back from the lane to allow the trees to dominate the streetscene. The presence of the garden ~~pavilion~~-*building* will change the character of the lane by altering the solid to void ratio and removing the open green character obtained through the views into the large gardens. At ground floor level the glazed linking building would allow some views into the proposed garden area but the upper two floors would close this down and fundamentally change the streetscene. While there may be scope for some form of structure in

this location the scale, height and mass of the proposed building is harmful to the visual amenity of the Conservation Area.

- 8.27 The Environmental Health Officer considers the proposal would not have any significant adverse impact on the amenity of the surrounding occupiers subject to the incorporation of a number of conditions. However this is not considered to overcome the harm to the Conservation Area. The weighing of harm to public benefit can be found at ~~paragraph 8.##.~~ paragraphs 8.12-8.19.
- 8.29 The proposed study bedrooms are relatively small in size given that they are to accommodate graduate students who may occupy the room for multiple years rather than for single terms. The en-suites rooms within the garden room provide a total of ~~16.5m<sup>2</sup>~~ 17m<sup>2</sup> per room (including the en-suites bathroom) and the non-en-suites rooms in the villa provide 13.6m<sup>2</sup>. However a large communal common room is to be provided in the garden building. The occupiers of the units would also have access to the large central lawn and courtyard adjacent to the garden building. As a result the proposals are considered to provide an adequate level of amenity to future occupiers. It should be noted that the 2006 Local Plan does not include any policies relating to internal space standards.

#### **Highway Safety and Car and Cycle Parking**

- 8.34 The Transport Assessment Team requested clarification regarding Proctorial control and accident data on the surrounding junction. The applicant has provided this information and the Transport Assessment Team are satisfied that the proposed development would not exacerbate highway safety to the surrounding junctions.
- ~~8.35 There is currently insufficient information to assess whether the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.~~

#### **Car and Cycle Parking**

- ~~8.36~~ 35 There is adequate cycle parking provision for the proposal. The Transport Assessment Team have requested further information regarding how students would be prevented from bringing a car to site given that the site is proposed to accommodate graduate students who are not currently included in the Proctorial control system. Were I minded to approve the application I would seek to control this element through S106.
- ~~8.37~~ 36 *In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10. Details regarding Proctorial control could be secured through S106 and were I minded to approve the application I consider that subject to this provision the application would be compliant with Cambridge Local Plan (2006) policies 8/2, 8/6 and 8/10.*

Pre-Committee Amendments to Recommendation: None

## **DECISION:**

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**CIRCULATION:** First

**ITEM:** **APPLICATION REF:** 16/1811/FUL

**Location:** UKCRIC, Rear of CAPE, 9 JJ Thomson Avenue

**Target Date:** 17.10.2016

### **To Note:**

*Planning Obligation - Enhanced uncontrolled pedestrian and cyclist crossing*

Following further discussions with the Council's Legal Team, this requirement could be secured by way of Grampian condition, rather than a S106 Agreement. This would be a more efficient mechanism for all parties. Please see **new condition 23** below.

### *Table 5 – Summary of Representations*

Chimney uplighters – have been removed from the building and other external lighting is controlled through the imposition of condition 14. I have also recommended detailing the exclusion of chimney uplighters within condition 14 and added the word 'levels' for greater clarity. (See amendments below).

### *Condition 8 - Window restrictions*

Condition 8 has been simplified. (See amendments below).

### **Amendments To Text:**

#### *2 Drafting errors*

Paragraph 8.12 – 'The east side of the building has been carefully designed and does **not** read as a rear service yard'.

Paragraph 8.34 – 'noise generating activities will not give rise to breakout **disturbance**'.  
(*There will be no breakout noise from the building which might cause harm to neighbouring amenity*).

### **Pre-Committee Amendments to Recommendation:**

#### **Amended Condition 8**

Apart from all of the external windows into office rooms on the ground, first and second floors, when noise generating academic and research activities are undertaken within the ground floor main structures workshop (including strong floor and support space),

concrete and durability laboratory and the first floor void over the main structures workshop / lab and façade engineering laboratory, all external windows and doors that serve those spaces shall be kept closed at all times during those activities. All activities associated with the approved use shall be carried out internally.

Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2006 policies 3/4 and 4/13).

#### **Amended Condition 10 part a**

Insert – noise levels as detailed within **condition 9**.

#### **Amended Condition 14 – Lighting**

Insert – ‘For the avoidance of doubt there shall be no external lighting of the proposed rooftop chimneys’.

Insert – ‘Artificial lighting **levels** on and off site shall meet the Obtrusive Light Limitations for Exterior Lighting Installations for an Environmental Zone’.

#### **New condition 23**

Prior to any above ground works for the development hereby approved details of the proposed enhanced uncontrolled pedestrian and cyclist crossing on Madingley Road between Observatory Drive and Clerk Maxwell Road as shown in principle on figure 6.14 of the transport assessment shall be submitted to and approved in writing by the local planning authority. The building approved pursuant to this permission shall not be occupied until that uncontrolled pedestrian and cyclist crossing has been constructed in accordance with the approved details.

Reason: In order that adequate mitigation is provided for the transport impacts of the development, Cambridge Local Plan 2006 Policy 8/3.

#### **DECISION:**

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#### **MINOR PLANNING APPLICATIONS**

CIRCULATION: First

ITEM: APPLICATION REF: 16/1850/FUL

Location: Tanglewood, Gazeley Road

Target Date: 13.12.2016

To Note: Further third party letters of representation received from:

- Menai, Gazeley Lane
- The Lodge, 4 Gazeley Lane
- 19 High Street, Trumpington

An additional representation letter has been received but no address was given and an email exchange between the occupiers of Menai and the Cambridge City Council Tree Officer.

These letters of representation reiterated previous concerns regarding:

- The loss of trees in particular T4 which is a TPO'd tree who's status was upheld in the February Planning Committee
- The way the agents' classification of trees on the site has been downgraded within the amended Arboricultural Impact Statement
- Light to rear facing rooms such as the kitchen and sitting room will be impacted by trees on the site
- The design and bulk of the proposal are not in keeping with the streetscene and character of Gazeley Lane.

All of these concerns have been dealt with in the officer report.

Third parties have also voiced some confusion on the numbering of trees within the report. These numbers correspond with site plans and tree assessments provided by the agents.

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/2040/FUL

Location: The Cottage, Gazeley Road

Target Date: 16.01.2017

To Note: none

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

**Amendment to condition 6:**

“The windows on the north elevation at first-floor and second-floor level, and the windows on the south elevation at first-floor level, as shown on drawing number 16/963/PL 01 REV A shall be obscure glazed up to a height of 1.7m above finished floor level and to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).”

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/2060/FUL

Location: Milton Road Library, Ascham Road

Target Date: 18.01.2017

To Note:

- Further comments has been received from 7 Atherton Close. The occupiers mention that over 550 people have signed a petition calling for preservation of the library and an application has been made for the protection of the Library under the Buildings of Local Interest scheme. They highlighted a second historical association with the library (Clara Rackam). They also dispute the Transport Statement. Other comments have been previously raised and are summarised within the Committee Report.

Officer's Response: The petition has not been submitted as part of this planning application and has therefore not been included in the third party comments. The Conservation Team has confirmed they are not looking at designating the Library as a Building of Local Interest. The second historical association is noted. The Highways Authority has not objected to the Transport Statement submitted.

- Environmental Health has requested an additional Building Noise Insulation condition because the users of the flexible community use are unknown at this stage. The condition would read:

Condition 25:

*Before the development/use hereby permitted is occupied, a scheme for the insulation of the building in order to minimise the level of noise emanating from*



*the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the building hereby permitted is occupied and shall be thereafter retained as such.*

*Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)*

Officer's Response: I consider this condition to be justifiable on residential amenity grounds and request Planning Committee accepts this additional condition.

Amendments To Text:

- Propose amendment to condition 23 to refer additionally to musical instruments in order to protect residential amenity of the flats above. I am waiting for the agent to respond as to whether this condition is too onerous and would unduly inhibit the function of the community space. I have also sought the comments of the Environmental Health Team as to whether this condition only needs to apply at certain times of the day and I will update Members at the Planning Committee meeting. The proposed amendment is as follows:

Condition 23:

*No amplified music or musical instruments shall be played on the ground floor of the building at any time.*

*Reason: To protect residential amenities and accord with policy 4/13 of the Local Plan 2006.*

Pre-Committee Amendments to Recommendation: See above

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/1171/FUL

Location: City of Cambridge Boathouse, Kimberley Road

Target Date: 17.08.2016

To Note: Further third party comments have been received from 89 De Freville Avenue. They are concerned with the impact of the proposal on the approved single storey dwelling (that has yet to be built) in the rear garden of 89 De Freville Avenue. They are concerned that the two windows serving the kitchen and dining area of this approved dwelling are likely to be shaded and the BRE test for winter sunlight breached. The

MES results would indicate that the reduction of winter sunlight hours is just above the criteria for a breach to the kitchen, and above that for the dining room. However, this study does not take into account the shading already caused by the horse chestnut tree, which if it did, would breach winter guidelines for sunlight afforded to our property. Their previous comments remain unchanged.

Officer's Response: Appendix H of the 'Site Layout Planning for Daylight and Sunlight – a guide to good practice' states '*it is generally more difficult to calculate the effects of trees on daylight because of their irregular shapes and because some light will generally penetrate through the tree crown. Where the effect of a new building on existing buildings nearby is being analysed, it is usual to ignore the effect of existing trees. This is because daylight is at its scarcest and most valuable in winter when most trees will not be in leaf*'

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/1956/FUL

Location: 30 Canterbury Street

Target Date: 17.01.2017

To Note: A consultee response was received from Cambridge City Council Drainage Department recommending a standard drainage condition.

Anglia Water was also notified but has not made any specific comment to date.

An email was received from the applicant querying the need for condition 6 as much of what is detailed within this condition is within the Party Wall Act. After further consideration this view is agreed with and condition 6 is recommended to be removed.

Amendments To Text:

Add

**Drainage**

6.4 No objection subject to a standard condition on drainage.

**Anglian Water**

6.5 No comment

Current 6.4 becomes 6.6

Remove condition 6 and add the condition below

*No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:*

*i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and*

*ii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.*

*iii. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.*

*Reason: To ensure appropriate surface water drainage. (National Planning Policy Framework 2012)*

Pre-Committee Amendments to Recommendation: As above – remove condition 6 and add surface water drainage condition.

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/1905/FUL

Location: 150 Coldhams Lane

Target Date: 27.12.2016

To Note: Amended drawings 035PL(21)02-A and 035PL(90)01-A have been accepted

and the Local Highway Authority re-notified. It has withdrawn its objection as the proposed dwelling has been moved back within the site 1.5 metres and the distance behind the car parking space is now 6 metres such that vehicles can enter and leave the site in forward gear.

Reason No. 4 is therefore withdrawn from the recommendation. However, the effect of moving the dwelling further back within the site has not overcome any of the remaining three reasons and has, if anything, exacerbated the enclosing impact on Nos. 150 and 150a.

Amendments To Text:

Text to be added to 6.1 – No objection to amended scheme subject to conditions maintaining visibility splays and limiting permitted development rights for gates.

Text in 8.16 to be replaced with – The Highway Authority has no objection to the scheme on highway safety grounds.

Text in 8.17 to be replaced with – In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Pre-Committee Amendments to Recommendation: Remove Reason 4 for refusal

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/1407/FUL

Location: 28 Fendon Road

Target Date: 22.09.2016

To Note: As stated in paragraph 7.3 of the report, the consultation on revised landscaping plan ended on 24 February. A representation was received from No. 26 Fendon Road restating concerns raised in previous representations.

Amendments To Text:

Paragraphs 7.3 – 7.4

7.3 ~~A consultation on the revised site landscaping plan closes on 24 February and any representations received will be reported on the amendments sheet.~~

The owner/occupier of the following address has made a representation on the revised landscaping plan:

- 26 Fendon Road

7.4 The representation raised similar concerns as summarised above and made no specific comment on the revised landscaping plan.

7.47.5 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/2021/FUL

Location: 56 Sturton Street

Target Date: 13.01.2017

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: 16/1878/FUL

Location: 121 Milton Road

Target Date: 20.12.2016

To Note: None

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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**ENFORCEMENT**

CIRCULATION: First

ITEM: APPLICATION REF: EN/0065/16

Location: 49 Whitehill Road

Target Date:

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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**GENERAL**

CIRCULATION: First

ITEM: APPLICATION REF: LGO complaint ref 16 006 971

Location: LGO complaint ref 16 006 971

Target Date:

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

**DECISION:**

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