

**PLANNING**

6 March 2019

10.00 am - 5.45 pm

**Present:**

**Planning Committee Members:** Councillors Smart (Chair), Blencowe (Vice-Chair), Baigent, Green, Hipkin, Nethsingha, Thornburrow and Tunnacliffe

**Officers:**

Interim Planning Delivery Manager: Eileen Paterson

Principal Planner: Nigel Blazeby

Principal Planner: Tony Collins

Principal Planner: Patricia Coyle

Senior Planning Officer: Lewis Tomlinson

Senior Planner: Mairead O'Sullivan

Planner: Mary Collins

Planner: David Spring

Legal Adviser: Keith Barber

Committee Manager: Toni Birkin

Committee Manager: James Goddard

**FOR THE INFORMATION OF THE COUNCIL****19/27/Plan Apologies**

Apologies were received from Councillors Hart (Councillor Green was present as the alternate), McQueen and Page-Croft.

**19/28/Plan Declarations of Interest**

<b>Name</b>	<b>Item</b>	<b>Interest</b>
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Baigent	19/31/Plan	Personal: Knows one of the Objectors.
Councillor Hipkin	19/31/Plan	Personal: Is a member of one of the Cambridge Investment Partnership partner organisations.

**19/29/Plan Minutes**

The minutes of the meeting held on 6 February 2019 were approved as a correct record and signed by the Chair.

**19/30/Plan 18/1329/FUL - 188-192 Mill Road And 2B Cockburn Street**

The Committee received an application for full planning permission.

The application sought approval for reconfiguration and extensions, incorporating dormer windows, and alterations to roof of building to provide 14 residential units (net increase of 9) along with bin and cycle storage.

At 6 February 2019 Planning Committee members triggered the adjourned decision protocol as they were minded to go against officer recommendation and refuse the application. The Committee were minded to refuse due to four reasons listed below:

1. Units S3, S5 and S6 fail to meet the minimum nationally described space standards required by policy 50 and the development would therefore not provide an adequate level of amenity for future occupiers of these flats. The proposal is therefore contrary to policy 50 of the Cambridge Local Plan 2018.
2. The proposed development fails to provide any off-street car parking. The car free nature of the development cannot be realistically enforced due to the lack of parking controls on street. The proposal would therefore add additional on street car parking demand contrary to policies 82 and 52(d) of the Cambridge Local Plan 2018.
3. The applicant has failed to provide sufficient surface water drainage details to demonstrate the site can be appropriately drained. The proposal is therefore contrary to policy 31 of the Cambridge Local Plan 2018.
4. The proposal for 9 additional units will result in an intensification of the use of the garden which will cause unacceptable levels of noise and disturbance to 186 Mill Road contrary to policies 52 and 53 of the Cambridge Local Plan 2018.

The Senior Planner updated her report by stating:

- i. Comments had now been received from the Drainage Officer who said that surface water could be controlled through conditions.
- ii. Proposed a new drainage condition.

No development above ground level, other than demolition, shall commence until full details of green roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The green roofs once installed shall be maintained in perpetuity.

Reason: In the interests of responding suitably to climate change and water management (Cambridge Local Plan 2018 Policy 31).

iii. An additional plan had been received from the Applicant.

The Legal Advisor referred to the Senior Planner's report which addressed points raised in the 'minded to refuse' decision and said that in his opinion the reasons for refusal were not defensible on policy or planning grounds.

Some Councillors felt the concerns raised in the 'minded to refuse' decision were still valid and had not been addressed.

#### The Committee:

**Resolved (by 5 votes to 3)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers plus additional drainage condition.

#### **19/31/Plan 18/1470/FUL - 9-10A Ventress Close**

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing flats and erection of 12no affordable apartments and 3no affordable dwellings with associated access, car parking and landscaping.

The Senior Planner updated his report by amending conditions 5, 6, 20, 21 and 22. He also added a new one (split into 2 separate conditions #30 and 31 below).

5. Prior to the commencement of the development hereby approved, with the exception of below ground works and demolition, full details including

samples of the materials to be used in the construction of the external surfaces of buildings, which includes external features such as coping and banding, detailed finishes around entrances (eg. green ceramic tiles), entrance doors, windows, roof cladding, external metal work, balcony and balustrades, rain water goods, bike and bin stores, shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2018 policies 52, 55, and 57)

6. Brick sample panels of the facing materials to be used shall be erected on site and shall be 1m x 1m to establish the detailing of bonding, coursing, and any special brick patterning/articulation detailing shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2018 policies 52, 55, and 57)

20. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials. This should also include a scheme of lighting for the public areas within the site. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

21. Prior to occupation, a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter. This should include:

- Boundary treatment for the edges of the site.
- Boundary treatment for the private amenity areas of the ground floor units 1 to 5 on the block of flats.
- Boundary treatment for dwelling houses (plots 1 to 3).

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59).

22. Prior to the commencement of the development hereby approved, with the exception of below ground works and demolition, a surface water drainage works details shall be submitted to and approved in writing by the local planning authority, in accordance with the submitted drainage strategy (MLM, 6th September 2018). 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:

- a) 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
- b) 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.

c) The final drainage design should explore the incorporation of additional SuDS features to manage surface water more sustainably such as rain garden and above ground surface water features.

d) Confirmation from the Environment Agency that infiltration is not suitable for site due to the principal aquifer should be submitted.

The approved details shall be fully implemented on site prior to the first use/occupation and shall be retained thereafter.

Reason: To ensure appropriate surface water drainage. (Cambridge Local Plan 2018 policies 31 and 32).

30. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.

2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM.

3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

31. If, during development, contamination not previously identified is found to be present at the site then no further development (unless

otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

The Committee received representations in objection to the application from residents of Ventress Close.

The representations covered the following issues:

- i. The application will exacerbate existing traffic and parking issues in the area. This could impact the local primary school as well as residents.
- ii. Asked Councillors to be mindful of residents' representations setting out their concerns about privacy, security, loss of light, lack of outside amenity space, size and scale of the development.

Mr Longstaff (Applicant's Agent) addressed the Committee in support of the application.

Councillor McGerty (Queen Edith's Ward Councillor) addressed the Committee about the application.

The representations covered the following issues:

- i. Welcomed in principle applications for affordable housing in the city as this was much needed.
- ii. Expressed concern about this specific application.
- iii. Children played in the street for generations so the application will change the character of the area.
- iv. The west of the site was unusually shaped, which constrained its space and form, making it difficult to fit in the proposed number of units.
- v. The 3 storey development was located at the front of the site and so dominated Ventress Close. It would be better to have the 2 storey section there instead to soften the visual aspect from the Close.

- vi. Conditions relating to gardens did not appear to reference Policy 52 relating to the protection of gardens. Councillor McGerty queried why this was so.
- vii. Queried if this application was an overdevelopment of site which would exacerbate existing parking issues in the area and impact on the local school.

Councillor Thornburrow proposed amendments to the Officer's recommendations:

- i. The Applicant should consider the impact of lighting on ecology.
- ii. The Applicant should investigate if there was space to park cargo bikes for residents and visitors.

Councillor Baigent proposed an amendment to the Officer's recommendation to prevent 'no play' signs being erected in open spaces.

The Senior Planner undertook to include informatives in conditions to reflect the above amendments. Officers asked for delegated powers to amend conditions.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, subject to the prior competition of a S106 agreement and subject to the conditions recommended by the officers (and amended above) plus additional informatives:

37. INFORMATIVE: Any lighting schemes should carefully consider the impact upon local wildlife.

38. INFORMATIVE: The applicant is encouraged not to put up 'no ball games' signs on the shared amenity area.

39. INFORMATIVE: The applicant is encouraged to investigate whether there would be any space available for cargo bike parking when discharging the relevant cycle conditions.

Officers were granted delegated powers to amend conditions.

**19/32/Plan 17/1748/FUL - 45 Cavendish Avenue**



This item was withdrawn from the Agenda.

### **19/33/Plan 18/0830/FUL - St Andrews Street Entrance, Lion Yard**

The Committee received an application for full planning permission.

The application sought approval for the demolition and redevelopment of the existing retail kiosk units (Class A1) to the south of St Andrews Church, to create a new food and beverage quarter (Class A3/A4); change of use of retail units (Class A1) facing onto St Andrews Church within Lion Yard to create a new food and beverage quarter (Class A3/A4); provision of new roof terrace looking over St Andrews Church, improvements to the public realm, provision of plant, cycle parking and associated alterations to the shopping centre façade.

Ben Buckley-Sharp (on behalf of the applicant) addressed the Committee in support of the application.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **19/34/Plan 18/0829/FUL - Lion House And St George House, Lion Yard**

The Committee received an application for full planning permission.

The application sought approval for the change of use of St George House and Lion House from office (Class B1) to hotel (Class C1); relocation of nightclub (Sui Generis) in St George House to basement service yard in Lion Yard shopping centre (Class A1); relocation of the substation within the basement; associated alterations to the buildings including new windows, new entrance to the nightclub from the shopping centre, new goods lift for the hotel and cycle parking.

Councillor Thornburrow proposed an amendment to the Officer's recommendation to add a condition requiring landscaping to the Heidelberg Gardens area of the site. Councillor Green seconded the proposal.

This amendment was **carried unanimously**.

The Committee:

**Resolved (by 5 votes to 2 and 1 abstention)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers and subject to the additional condition requiring landscaping to Heidelberg Gardens as below.

36. Prior to the occupation of the development, details of amelioration works to Heidelberg gardens, shall be submitted to and approved in writing by the Local Planning Authority. The amelioration works shall be carried out in accordance with the approved details prior to the occupation of the development and shall thereafter be retained and maintained. The scheme should consider elements such as (but not limited to) climbing plants, street furniture, mural and a water feature.

Reason: to improve the outlook to the hotel rooms which look onto Heidelberg Gardens, to provide an attractive space for staff to use and to preserve and enhance the character and appearance of the Conservation Area (Cambridge Local Plan 2018 policies 55, 56, 59 and 61).

**19/35/Plan 18/0363/FUL - 393 Newmarket Road**

The Committee received an application for full planning permission.

The application sought approval for alteration to building and extension to provide loading bay. Reconfiguration of car park and associated landscaping. New S106 agreement to allow food retail.

The Committee noted the amendment sheet which updated / clarified the recommendations.

The Committee received a representation in objection to the application from a local resident.

The representation covered the following issues:

- i. The transport assessment was inadequate.
- ii. The former trader on the site, Wick's, produced less vehicle numbers visiting the site.
- iii. There had been insufficient consultation with the local community.
- iv. No comparative traffic numbers from other Aldi sites had been provided.

- v. Layout of exit from site was unsafe.

Alistair Close (Applicant's Agent) addressed the Committee in support of the application.

The Committee expressed concerns regarding the lack of detail in the traffic assessment and suggested deferring the application and inviting a Traffic Engineer to attend a future Committee.

Officers confirmed that, whilst the report only contained a brief summary of the traffic assessment, intensive scrutiny of the traffic implications been undertaken by the County Council.

Councillor Hipkin proposed a deferment of the application until a Highways Engineer could attend.

This proposal was lost **(by 4 votes to 4 and the Chair's casting vote)**.

The Committee:

**Resolved (by 5 votes to 1 and 2 abstentions)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**Councillor Thornburrow stood down from the Planning Committee for application 18/1813/FUL and addressed the Committee as a Ward Councillor**

She took no part in the discussion and did not vote on this item.

### **19/36/Plan 18/1813/FUL - 12 Gilmour Road**

The Committee received an application for full planning permission.

The application sought approval for a ground floor extension and access gate alterations within the building curtilage; projection of first floor sitting room window onto the existing terrace and erection of garden studio within the second floor terrace.

The Committee received a representation in objection to the application from a local resident speaking on behalf of himself and the Accordia Resident's Association.

The representation covered the following issues:

- i. The impact on neighbours would not be minimal as stated in the report.
- ii. Design would be out of keeping with the area.
- iii. Would result in loss of light, loss of privacy and overlooking for neighbours.
- iv. Out of keeping with the original architect's vision for the area.
- v. Would have an impact of the social nature of the development.
- vi. Would damage the overall sense of place.

Mark Richards (Applicant's Architect) addressed the Committee in support of the application.

Councillor Thornburrow (Trumpington Ward Councillor) addressed the Committee about the application as follows:

- i. Had been contacted by many residents who object to the application.
- ii. Site was a Sterling Prize Winner and needed to be protected.
- iii. Application contravenes Policy 51 as it does not respond to context.
- iv. Application lacks information on elevations.
- v. Impact on the rest of the terrace was unacceptable.
- vi. Accordia Master Plan important to residents.
- vii. Non-compliant with Article 4.
- viii. Palette of materials and colours proposed was unacceptable.
- ix. External space needed to be preserved.
- x. Non-compliant with policies 55, 56, 58, 61 and 62.
- xi. Loss of parking space.
- xii. Application should have been considered by the design panel.

The Committee expressed agreement with Councillor Thornburrow's comments and suggested that the application was non-compliant with policies 55, 56, 58 and 61.

The Committee suggested that a design guide for future application on this site was needed. It was agreed that this was not a matter for the Planning Committee but could be referred to the Executive Councillor for Planning Policy and Transport.

The Committee:

Member requested that votes on reasons for refusal be taken separately as members expressed a view that some elements of the application were acceptable.

**(First Floor Extension)** projection of first floor sitting room window onto the existing terrace and erection of garden studio within the second floor terrace.

**Resolved unanimously** to reject the officer recommendation to approve the application.

**(Ground Floor Extension)** Ground floor extension and access gate alterations within the building curtilage

**Resolved (by 5 votes to 0 and 2 abstentions)** to reject the officer recommendation to approve the application.

**Resolved (unanimously)** to refuse the application contrary to officer recommendation for the following reasons:

The proposed second floor garden studio by virtue of its design, form, materials and its projection above the existing roofline of the dwelling would harm the cohesive architectural uniformity of the wider terrace and the Accordia development as a whole. The development would neither preserve nor enhance the character and appearance of the conservation area and this less than substantial harm is not outweighed by any public benefit. The proposal is therefore contrary to policies 55, 56, 58 and 61 of the Cambridge Local Plan 2018 and paragraph 196 of the NPPF 2019.

The proposed ground floor infill element of the proposal would enclose an existing open area and thereby harm the cohesive architectural uniformity of the wider terrace and the Accordia development as a whole. The development would therefore neither preserve nor enhance the character and appearance of the conservation area and this less than substantial harm is not outweighed by any public benefit.

The proposal is therefore contrary to policies 55, 56, 58 and 61 of the Cambridge Local Plan 2018 and paragraph 196 of the NPPF 2019.

**19/37/Plan 18/0907/FUL - 50 St Stephens Place And 51 Canterbury Street**

This item was withdrawn from the Agenda.

### **19/38/Plan 17/2030/FUL - Land Adjacent To 52 Victoria Road**

The Committee received an application for full planning permission.

The application sought approval for the erection of a single building accommodating 3 no. apartments.

Andy Brand (Applicant's Agent) addressed the Committee in support of the application.

The Committee:

**Unanimously resolved** to refuse the application as per the Officer's recommendation.

### **19/39/Plan 18/0905/FUL - Land To The Rear Of 113 Chesterton Road**

The Committee received an application for full planning permission.

The application sought approval for the Erection of a new building adjoining 113 Chesterton Road containing three 1 x bed flats, along with associated landscaping and car and cycle parking.

The Committee:

**Resolved (by 6 votes to 1 and 1 abstention)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **19/40/Plan 18/0543/FUL - 95 Alex Wood Road**

The Committee received an application for full planning permission.

The application sought approval for the Erection of a detached 1.5 storey two bedroom dwellinghouse on the land to the rear of 95 Alex Wood Road accessed from Montgomery Road (following demolition of existing garage).

The Committee:

**Resolved (by 6 votes to 1 and 1 abstention)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**19/41/Plan 18/0440/FUL - 134 Perne Road**

The Committee received an application for full planning permission.

The application sought approval for single storey rear extension and new bike store and conversion of existing dwelling into two flats.

Members of the Committee expressed concerns that a single person flat would become a two person dwelling and would therefore not meet the required space standards.

The Committee:

**Resolved (by 5 votes to 3)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**19/42/Plan 18/1582/FUL - 36 Amwell Road**

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing bungalow and erection of three terraced houses.

The Committee:

**Resolved (by 7 votes to 0 and 1 abstention)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**19/43/Plan 18/1578/FUL - 32 Brampton Road**

The Committee received an application for full planning permission.

The application sought approval for a two storey side extension, first floor rear extension and replacement of single storey rear flat roof with pitched roof. Roof extension incorporating rear dormer.

The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

The meeting ended at 5.45 pm

**CHAIR**