

# Public Document Pack



**NORTH AREA COMMITTEE**  
Chair : Councillor Diane Armstrong  
Labour Spokesperson:  
Mike Todd-Jones



## AGENDA

**To:** Councillors McGovern (Vice-Chair), Blair, Boyce, Kerr, Levy, Nimmo-Smith, Pitt, Todd-Jones, Upstone, Ward, Moss-Eccardt, Pellew, Wijssenbeek and Wilkins

**Co-opted non-voting members:**

**County Councillors:** Rupert Moss-Eccardt (Arbury), Andy Pellew (King's Hedges), Siep Wijssenbeek (East Chesterton), Kevin Wilkins (West Chesterton)

*Despatched: Wednesday, 21 April 2010*

**Date:** Planning Items 6:30pm  
Main Meeting Thursday, 29 April 2010  
**Time:** 6.30 pm  
**Venue:** Main Hall - Manor Community College  
**Contact:** James Goddard **Direct Dial:** 01223 457015

## INFORMATION FOR THE PUBLIC

**The Open Forum section of the Agenda:** Members of the public are invited to ask any question, or make a statement on any matter related to their local area covered by the City Council Wards for this Area Committee. The Forum will last up to 30 minutes, but may be extended at the Chair's discretion. The Chair may also time limit speakers to ensure as many are accommodated as practicable.

***To ensure that your views are heard, please note that there are Question Slips for Members of the Public to complete.***

**Public speaking rules relating to planning applications:**

Anyone wishing to speak about one of these applications, may do so provided that they have made a representation in writing within the consultation period and have notified the Area Committee Manager shown at the top of the agenda **by 12 Noon on the day before the meeting** of the Area Committee.

**Filming, photography and recording** is not permitted at council meetings. Any request to do so must be put to the committee manager at least 24 hours before the start time of the relevant meeting.

## AGENDA

### 8 AMENDMENT SHEET (*Pages 1 - 24*)

Planning amendment sheet for 29th April 2010 and attachments (*Pages 1 - 24*)

### REPRESENTATIONS ON PLANNING APPLICATIONS

**Public representations** on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

**Submission of late information** after the officer's report has been published is to be avoided. A written representation submitted to the Environment and Planning Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

At the meeting public speakers at Committee will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

#### **To all members of the Public**

Any comments that you want to make about the way the Council is running Area Committees are very welcome. Please contact the Committee Manager listed at the top of this agenda or complete the forms supplied at the meeting.

If you would like to receive this agenda by e-mail, please contact the Committee Manager.

Additional information for public: City Council officers can also be emailed [firstname.lastname@cambridge.gov.uk](mailto:firstname.lastname@cambridge.gov.uk)

Information (including contact details) of the Members of the City Council can be found from this page:

<http://www.cambridge.gov.uk/ccm/navigation/about-the-council/councillors/>

## NORTH AREA COMMITTEE MEETING – 29<sup>th</sup> APRIL 2010

### Pre-Committee Amendment Sheet

#### PLANNING APPLICATIONS

CIRCULATION: First

ITEM:                      APPLICATION REF:              **09/1184/FUL**

Location:              Old Manor House, St Andrews Road, Cambridge

Target Date:              1 March 2010

#### To Note:

Councillor Clare Blair has made further comments on the proposal in relation to the revised site access. I have summarised these below:

- The original application and consultation with neighbours was on the existing access.
- It is my strong view that any change of access point on this very sensitive bend requires neighbour consultation.
- The enclosed letter from the applicants, taken off the web, clearly (and at that juncture understandably) does not take into account the current proposals to put double yellow lines on both sides (removing existing single yellow lines) from the church entrance all the way round the bend and beyond the Community Hall. It does appear though the applicant believes they can utilise parking at the Community Hall and Vie development.
- The new Riverside Bridge sees some 2000 daily trips by cyclists and pedestrians down past this property aside from vehicle movements and I am unclear whether this has been taken into account in the Highways section.

Comments have been received from several members of the Old Chesterton Residents Association regarding the amended access to the site. The main points are summarised below:

- OCRA were happy not to comment on the original proposal as in our view it did not fundamentally change the existing layout of the premises and used an existing access.
- A new access directly on to a corner already considered very dangerous by cyclists and other road users requires proper advertisement and consideration.
- I am also aware that proposals for the access to Riverside Bridge and other matters affecting Church Street and St Andrew's Road are under consideration by County Council officers and are due to be consulted on in the very near future.

### Officer Comments

- On reflection, I recognise that residents would have benefited from further notification of the repositioned access, although in my view it did not constitute such a significant change to require formal reconsultation.
- I have liaised with the Highway Authority and the repositioned access is unlikely in their view conflict with future plans for cycle improvements to Riverside Bridge. There are no detailed design proposals for these future improvements at present.
- I appreciate that accessing the premises is sensitive given its location on the bend, but the repositioned access will give improved sight lines, which enables the Highways Authority to withdrawn previous objections.
- There is no intention to use the adjacent community hall for car parking or drop off.

Amendments To Text: None.

Pre-Committee Amendments to Recommendation: No amendments.

### **DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: **10/0091/FUL**

Location: 9 and 11, and r/o 15 Green Park, Cambridge

Target Date: 31 March 2010

#### To Note:

1. A Unilateral Undertaking under Section 106 has now been completed.
2. The two previous appeal decision notices were not attached to the report as indicated. They are attached to this amendment sheet.

Amendments To Text: Delete the words 'Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2004)' from the beginning of paragraphs 8.29, 8.31 and 8.33.

Pre-Committee Amendments to Recommendation: Delete the words 'subject to the completion of a Section 106 agreement by 7<sup>th</sup> May 2010 and' from the recommendation.

### **DECISION:**

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CIRCULATION: First

ITEM:                    APPLICATION REF:        **10/0015/FUL**

Location:        22 Leys Road, Cambridge

Target Date:        8 March 2010

To Note: Amended plans have now been received setting the proposed side extension 300mm off the boundary with the neighbour at 20 Leys Road. The neighbours have confirmed that they do not object to the revised plans.

Amendments To Text:        None

Pre-Committee Amendments to Recommendation:        None

**DECISION:**

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CIRCULATION: First

ITEM:                    APPLICATION REF:        **10/0050/FUL**

Location:        56 Hawthorn Way, Cambridge

Target Date:        18 March 2010

To Note: Please see Appendix 1 which are annotated photographs provided by the agent, in response to the Officer's Committee report.

Amendments To Text:

Para. 8.21 The final sentence should read 'In my opinion the proposal is contrary to East of England Plan (2008) policy T14 and Cambridge Local Plan policy 8/10.'

Pre-Committee Amendments to Recommendation:

**DECISION:**

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CIRCULATION: First

ITEM:                    APPLICATION REF:        **09/1134/FUL**

Location: Land Between 34 And 35 Pakenham Close, Cambridge

Target Date: 9 February 2010

To Note:

Access for the emergency services and refuse collectors would be possible from Pakenham Close (between the rear of No. 34 and the front of No. 32). Access directly though the site from Pakenham Close and Tuscan Court is currently obstructed by bollards, and therefore the development on this site would not, in my opinion, restrict access for the emergency services.

Amendments To Text:

Omit paragraph 8.12.

Pre-Committee Amendments to Recommendation:

**DECISION:**

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# Appeal Decision

Site visit made on 21 January 2008

by Frances Mahoney DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
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Decision date:  
1 February 2008

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## Appeal Ref: APP/Q0505/A/07/2055156 Land to the rear of 9, 11 & 15 Green Park Cambridge, CB4 1SX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Professor S Maddrell against the decision of Cambridge City Council.
- The application Ref 07/0199/FUL, dated 21 February 2007, was refused by notice dated 23 May 2007.
- The development proposed is the erection of a two storey building, comprising 13 no units and 1x1 bed flat, cycle & bin storage, car parking and new access road, following the demolition of no 9 Green Park.

### Decision

1. I dismiss the appeal.

### Procedural matter

2. In respect of the requirement for contributions towards public open space, community development facilities, education, transport and public art the appellant has shown a willingness to meet these requirements through the terms of the submitted legal agreement. The Council has confirmed that they are content with the terms of the agreement. I have no doubt that, allowing for sufficient time, the legal agreement could be appropriately completed. Therefore, in these circumstances, I see no reason to consider this particular aspect of the case further.

### Main issues

3. The main issues in this case are the effect of the proposed building of 14 units on the character and appearance of the surrounding area and on the living conditions of the neighbouring residents particularly with regard to privacy, outlook, noise and disturbance.

### Reasons

#### *Character and appearance*

4. Green Park lies within an established residential area where properties vary in design and have a predominantly domestic scale. Along Green Park the semi-detached houses set out in a row are one particular characterising feature, which gives a strong linear emphasis to this part of the street scene. The appeal proposal is to build a large 2 storey block accommodating 13 studio

units with a flat within the roof space, on land behind the frontage houses and accessed between nos 7 and 11 Green Park. This would involve the demolition of no 9 and works to establish no 11 as a detached house. The proposed punctuation of the existing row of semis with an access road and the introduction of a detached house would not, in my view, diminish the visual impact of the row of houses on the northern side of Green Park. No 11 would retain some of the design features of the neighbouring houses and the gap would only be visually apparent when viewed close by.

5. The appeal proposal amounts to a back land form of development on a site which forms part of an open, spacious area behind the frontage houses, made up mainly of gardens. However, I consider that on a site which can be considered to be previously-developed, in an urban setting and with ready access to public transport and local facilities, an appropriately designed development could be accommodated on the appeal site.
6. My concern lies with the scale and massing of the proposed building. Being sited behind the existing frontage development which surrounds it, views of the building would be readily available from the gardens and houses of the neighbouring properties, as well as from the public footpath to the rear. In addition the building would be seen from Green Park along the access and there would be further glimpsed views between the houses. The appeal proposal is in essence a large single block which spans much of the width of the site. Projecting wings front and back attempt to break down the scale of the development, but in my view fail. The building would lack any sense of the domestic scale of the surrounding properties. Its scale and mass would have a harmful effect on the character and appearance of the area contrary to the Cambridgeshire & Peterborough Structure Plan 2003 Policy P1/3, and the Cambridge City Council Local Plan 2006 Policy 3/4, which seek to achieve a high standard of design and sustainability whilst responding to context to create distinctive places.

#### *Living Conditions*

7. Whilst some of the adjacent gardens do include mature trees and shrubs on, or close to the common boundaries, I have no doubt that the building, at the size and scale proposed would dominate the outlook of the residents of the neighbouring properties. This would be particularly the case for the residents of nos 7, 11, 15 and 17 Green Park and the terraced houses in Gainsborough Close. However, due to the separation distances between the existing houses and the proposed building, along with their orientation one to another, I do not consider that any resultant overshadowing of neighbouring properties would be significant.
8. Turning then to any loss of privacy to neighbours. The linear layout of the existing properties adjacent to the appeal site does allow for some degree of overlooking to neighbouring gardens, from first floor windows, which are likely to be bedrooms. From what I saw this seems dependant on the amount and maturity of the trees and shrubs within the gardens and is a common situation in such an urban location. Concern has been expressed that first floor windows on the front elevation of the proposed building, would give the residents of the new studio units direct views over the neighbouring gardens of nos 7, 11, 15 and 17. There may also be some oblique views beyond but my main concern

lies with these four houses. By the very nature of the proposed studio units these first floor windows would serve dual purpose living spaces which, it is reasonable to suppose, would be more readily used than a bedroom.

9. I have already indicated that there is some mutual overlooking between properties at present. However, the proposal would present a more intense and direct form of overlooking than that which already exists. I consider neighbouring residents, when out enjoying their gardens, or even within their houses would be more aware of surveillance from the neighbouring first floor windows than is currently the case. In these circumstances I consider that the proposed first floor windows of the front elevation would harm the living conditions of the neighbouring residents by reason of a loss of privacy.
10. The proposed access driveway would be located very close to the side wall of no 11. Vehicles turning, manoeuvring and passing up and down the proposed driveway in close proximity to the rooms of the house, as well its rear garden would cause noise and disturbance to its residents. The impact on the living conditions of the residents of no 7 would be affected to a lesser degree as the house is set off the boundary and it is proposed to erect a 1.8 metre wall along the boundary. Nonetheless, in my view, the appeal proposal would change the nature of the use of the land immediately adjacent to nos 7 and 11 Green Park. Whilst I accept that the site is located in a sustainable location where residents would not be dependant on the car for their transport needs, the development would still provide parking for 8 vehicles. Along with the normal everyday comings and goings of domestic life, the vehicle movements associated with a development of this size would, in my view, cause unacceptable noise and disturbance to the adjoining residents either side of the access. The proposed parking area is sufficiently separated from the neighbouring properties so as not to be, in itself, a particular matter of concern. I also appreciate it would be possible to use a surface treatment which could assist in reducing noise. However, I do not consider such a measure would effectively diminish the harm to the adjoining residents' living conditions identified above.
11. Therefore, for all the reasons set out above, I conclude that the appeal proposal would unacceptably harm the living conditions of the neighbouring residents contrary to LP Policy 3/4.
12. The limited size and arrangement of the proposed amenity space and the concentration of the parking area to the front of the building has been identified as not providing an attractive, high quality, or stimulating living environment for residents. The proposed garden space for residents has been concentrated to the rear of the building, which would take advantage of the southern aspect. In the absence of evidence to the contrary, in my view this area would be perfectly adequate for a development of small units. The front parking area and boundary beds could be attractive features with the use of high quality materials and sympathetic planting. Therefore I do not consider this is a matter upon which this appeal should turn.

### **Conclusion**

13. Notwithstanding my favourable conclusion relating to the quality of the living environment for residents, my concerns regarding the harm caused to the character and appearance of the surrounding area and to the living conditions

of the neighbouring residents are so significant as to warrant, on balance, the rejection of this proposal. In reaching this conclusion I have taken into account all other matters raised.

*Frances Mahoney*

INSPECTOR



# Appeal Decision

Site visit made on 5 October 2009

by **Richard High BA MA MRTPI**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
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**Decision date:**  
**19 October 2009**

**Appeal Ref: APP/Q0505/A/09/2102848**

**Nos 9-11 Green Park and land to rear of 9-15 Green Park, Cambridge, CB4 1SX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Prof. Simon Maddrell against the decision of Cambridge City Council.
- The application, Ref. 09/0030/FUL dated 12 January 2009 was refused by notice dated 19 March 2009.
- The development proposed is the demolition of 9 and 11 Green Park and erection of a replacement block containing 2 no 1 bed flats and 3 no 2 bed and 3 no 1 bed link-detached dwellings to land rear of 9-15 Green Park.

## Decision

1. I dismiss the appeal.

## Procedural Matter

2. I have been informed that a completed planning obligation providing for contributions to infrastructure and community facilities has been submitted to the local planning authority. This agreement is acceptable to the Council and the third reason for the refusal of the application has been withdrawn.

## Main issues

3. The main issues are:
  - 1) the effect of the proposed development on the character and appearance of the area;
  - 2) the effect of the proposed development on the living conditions of occupants of the new dwellings in relation to the adequacy of amenity space and overlooking.

## Reasons

4. Green Park and the surrounding area are characterised by a typically suburban scale of development comprising mainly semi-detached houses set back from the road with fairly long gardens. There has, however, been some more intensive backland development in Gainsborough Close, to the rear of Green Park and immediately north-east of the proposed site, where there is a series of terraces with significantly smaller houses and gardens. The gardens of 9 and 11 Green Park are unusually long and I accept the view of the Inspector in determining an earlier appeal that they could accommodate some development.

5. The proposed development would be served by a private shared drive, referred to as a mews, and the eight new units would be arranged tightly between the drive and the boundaries of the site. A new building accommodating 2 one bedroom flats would lie between the drive and No 15 and its hipped roof style set back from the road would reflect that of the other houses in Green Park. The other 6 units would be gable ended and unusually narrow in relation to their width, with units 1 and 2 fronting directly on to the driveway on the left, as viewed from the entrance to the site, and units 3-6 gable end to the road on the right and about 3m apart from each other. Between the units on both sides there would be a carport at ground level with a terraced amenity area above.
6. I accept that there would be some resonance with the scale of development in Gainsborough Close. However the form of the buildings and the arrangement of the plots would have little regard for the prevailing grain of the area. The arrangement of Units 3-6 with the front of one unit facing the bare rear wall of the next would appear regimented and contrived, while Units 1 and 2 would be uncomfortably squeezed between the mews and the boundary.
7. I acknowledge that the proposal would result in the efficient use of land and that the density of existing development should not determine that of new development. However, this does not override the requirement for development to be well integrated with and complement the local area. In my view the proximity of the dwellings to the driveway, the boundaries of the site and each other would result in a very dense, cramped and urbanised form of development which would be in sharp contrast with and detrimental to the suburban character of the area.
8. I therefore conclude on the first issue that the development would be harmful to the character and appearance of the area and contrary to Policies 3/4, 3/7 and 3/10 of the Cambridge City Council Local Plan 2006, which both emphasise the importance of the relationship between existing and new development.
9. Turning to the issue of amenity space, each of the units on plots 1-6 would have a small outside garden area and plots 1 and 3-6 would have a terrace at first floor level above a car port. Plots 7 and 8 would share a very small outside amenity area and would be adjacent to a small public open area. In most cases part of the outside amenity area is in the form of a narrow strip of land that would be difficult to use or enjoy. The small terraces would be screened to front and rear to avoid overlooking and would have a very enclosed character as a result.
10. I accept that for one bedroom flats the requirement for outdoor amenity space may be slight but three of these units are two bedroom flats which could accommodate families and units 3-6, while shown as one bedroom, could easily become two bedroom with the study used as a second bedroom. For two bedroom dwellings the amount of amenity space proposed would be very limited. I note that some of the plots in Gainsborough Crescent have relatively small gardens, though still significantly larger than most of those proposed here and easier to use as they are not split between ground and first floor. The alignment of the buildings from south-west to north-east would mean that the amount of sunlight particularly to the areas at ground level would be limited.

11. In a dense urban environment the amount and form of amenity space could be considered acceptable. However, in this suburban location it would, in my view, be less than adequate because of its limited size and fragmented character which would result from the dense form of this development which I have found would be harmful to the character of the area.
12. Although overlooking between the new dwellings is not one of the reasons for the refusal of the application it is raised in the Council's appeal statement and is a material planning consideration which I must address. For the most part the arrangement of units 3-6 at right angles to units 1 and 2 would mean that despite their proximity the proposed dwellings would not overlook each other. However, the living room and kitchens on the ground floor of plots 1-2 would have windows directly onto the mews and the facing first floor kitchen windows in the dwelling on plots 3-6 and ground floor study windows on plots 4-6 would be only slightly offset at a distance of only about 7m. This would be a further consequence of the cramped form of development and would result in a loss of privacy, particularly in the dwellings on plots 1 and 2.
13. I conclude on the second issue that the private amenity space for the proposed dwellings would be inadequate and that there would be some harmful overlooking between the proposed dwellings. For both these reasons the development would fail to comply with Policy 3/10 of the Local Plan. These findings add weight to my conclusion regarding the effect of the development on the character of the area.

#### **Other Matters**

14. I have carefully considered the many other matters raised in the representations of neighbouring residents. The parking provision of one space for each of these small dwellings plus two visitor spaces, would reflect government guidance that parking provision should be limited and would in my view be just adequate. I do not consider that there would be any harm in terms of noise and disturbance or loss of privacy to residents in Gainsborough Close or Green Park because of the length of gardens at Green Park and the screening of the elevated terraces.

#### **Conclusion**

15. For the reasons I have given and having considered all other matters raised I conclude that the appeal should be dismissed.

*Richard High*

INSPECTOR





**ELIZABETH WAY/HAWTHORN WAY**



**ELIZABETH WAY**



**ELIZABETH WAY/MONTAGUE ROAD**



**ELIZABETH WAY**



**MILTON ROAD**



**CHESTERTON ROAD**



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**56, HAWTHORN WAY, CAMBRIDGE, CAMBRIDGESHIRE**

**COMMENTS IN RESPECT OF ATTACHED PHOTOGRAPHS 1-9 INCLUSIVE**

Photograph 1

The current development at 56 Hawthorn Way, at the junction with Elizabeth Way. This is cited as an example, contrary to report comments 8.8, that it does not act as a full stop to the perceived open space at the south east. Indeed the gap resulting from Hawthorn Way up to 75 Elizabeth Way visually reads as a much more substantial impression of open space than the rear garden plot to No. 56 Hawthorn Way.

The photograph also demonstrates that contrary to report para. 8.1.13, the eaves height of the proposal matches that of No. 56 Hawthorn Way, which in turn is identical to the original properties in this road.

Photograph 2

Example of a development in Elizabeth Way, which is significantly larger than the surrounding properties and is not in keeping with the established character of the original terraced properties. The development is also a counter to the report findings in that the elevation is virtually founded on the rear pavement line.

Photograph 3

As number 2, taken from a different angle, further showing the unbalanced relationship with neighbouring properties. There is also a clear use of the head of Montague Road for on street parking, identical with the provisions of Hawthorn Way.

Photograph 4

Further modern development in Elizabeth Way which is not integrated with the existing houses and contrary to the character of the existing street scene. It is more substantial and significantly different in design to any other properties in Elizabeth Way.

This development serves to counter the argument that typically sections of Elizabeth Way can be identified by their original character and development type.

Photographs 5, 7, 8 & 9

These demonstrate how Local and Central Government Planning Policies have previously been interpreted to allow uncharacteristic developments in the immediate local, which is at odds with Planning Report paras. 8.7, 8.8 and 8.10. In addition, the conclusion paras. 1 and 2.

Photograph 6

This shows that under current Planning Policies, the continuing change of street scene is permitted, even where such resulting development is uncharacteristic of the area. Chesterton Road is of course in close proximity to the review proposal.