

**Present**

Planning Committee Members: Councillors Blencowe, Gawthrope, Hipkin, Pippas and Tunnacliffe

Other members: Councillors Holt and Sargent

**Ward Councillors**

Councillors Abbott and Sarris

**Officers:**

Principal Planning Officer: Nigel Blazeby (Chair)

Planning Officer: Michael Hammond

Democratic Services Officer: Ruth Yule

**For Applicant:**

David Robinson

Craig Wilson

Claire Mills, Savills (Agent)

**For Petitioners:**

Ben Blaukopf

Martin Twiss

Graham Allen

**FOR THE INFORMATION OF THE COUNCIL**

**17/01/DCF Introduction by Chair to the Forum**

The Chair outlined the role and purpose of the Development Control Forum. He stated no decisions would be taken at the meeting.

**17/02/DCF Apologies**

No apologies were noted.

**17/03/DCF Declarations of Interest**

No declarations were made.

**17/04/DCF Application and Petition Details (16/1895/FUL / 1 High Street Chesterton)**

Description: Extend the social area of Elizabeth House  
Applicant: CATS College, Cambridge  
Agent: Savills  
Address: Unex House, 132 -134 Hills Road, Cambridge  
Lead Petitioner: Resident of 291 Chesterton Road, Cambridge CB4 1BH  
Case Officer: Michael Hammond

**Text of Petition:**

Since CATS college commenced operations, the canteen has been frequently used for social activities, particularly discos. These operations have had a serious impact on the lives of local residents, most especially during the summer. In July and August 2016 there were twice weekly discos on Monday and Friday, including during school-term, running until 10.30pm which disturbed the sleep of both adult residents and their children. The canteen is particularly ill-suited to such events, as it is constructed largely of glass, which does little to contain the noise.

The local residents are therefore deeply concerned at the proposal to extend the canteen.

There is additional concern that this will result in the construction of a new area of outdoor seating, necessarily closer to our residences.

There is further concern at the impact caused by the construction work. The previous building operations on site did not adhere to their planning restrictions on times of construction, nor was there any consideration demonstrated with the use of extremely noisy activities.

Finally, there is concern at the attitude of CATS College towards noise made outside by their students. They have stated that they consider it perfectly reasonable to have their students shouting outside until 10pm at night, and until 11pm at weekends.

We propose that the following conditions be imposed to mitigate the impact of this development

- \* That amplified sound, if audible outside the premises, may only be used for social purposes on either Friday or Saturday nights, and only until 10pm.
- \* That after 8pm students shall use the outside social spaces quietly and that this behaviour is to be proactively monitored and enforced by an agreed upon policy.
- \* That construction work or associated activities such as deliveries shall not take place at weekends.

**Case by Applicant**

Mr Wilson, Principal of CATS College, made the following points:

- 1) CATS was an international boarding school taking pupils from 14 years of age to early 20s
- 2) 24-hour pastoral support was provided by house parents, supplemented by a waking night supervisor overnight
- 3) The extension on the dining space was intended to meet pressure on dining facilities at peak times; no growth in pupil numbers was planned
- 4) Statutory consultees had not raised any objections to the application
- 5) CATS sought to be a good neighbour
- 6) Discos were held twice weekly in summer, and infrequently in the rest of the year; they finished at bedtime, 10pm
- 7) The proposal on outdoor seating was to relocate to current hardstanding west and south of porch, but suggestions for alternative locations were welcome
- 8) The use of outdoor seating was seasonal
- 9) CATS would manage the construction process themselves, and would sign up to the Considerate Constructors Scheme, and observe the usual daytime hours for loading and unloading
- 10) Noise from discos was not a matter for this planning application
- 11) CATS would display the contact information sign more prominently on the front fence.

### **Case by Petitioners**

Mr Twiss, Chair, Hall Court Owners Association spoke on behalf of local residents. He made the following points:

- 12) Residents' issues with the application fell into three main categories, regular and significant noise issues throughout the week; displacement of indoor and outdoor activities; and the lack of an effective complaints procedure
- 13) All these issues related to breaches of the existing Section 106 agreements
- 14) Summer short courses for EFL (English as a Foreign Language) students had been particularly problematic because of noise from discos and outdoor activities
- 15) Most of the applicant's remarks had related to year-round students
- 16) The Section 106 agreement included undertakings to not organise EFL-only courses, yet these were still being advertised for summer 2017
- 17) The dining room and extension were made largely of glass, so offered little sound protection
- 18) The outdoor seating area was already a major cause of issues; the application would move it closer to residents
- 19) The indoor social area would be expanded and move closer to residents

- 20) There was no effective mechanism through which to complain to the college
- 21) The undertaking in the Section 106 agreement to display a number for the manager outside the college had never been observed; the number CATS had supplied was answered from a different site
- 22) In mitigation, residents would expect suitable noise mitigation measures to be taken, including appropriate construction materials and acoustic fencing; strict compliance with a curfew suitable for a residential area; responsive on-site management to deal with residents' concerns; and conditions on the hours of construction.

**Case Officer's Comments:**

- 23) Quoted the wording of the Section 106 agreement on the definition of a student as 'a person enrolled in and attending a full-time academic course or programme... not solely for the purpose of learning English as a foreign language'
- 24) The requirement to display a name and 24-hour contact details in a prominent location would be dealt with separately as a planning enforcement matter.

**Case by Ward Councillors**

Councillor Sarris spoke as a Ward Councillor on behalf of local residents. He made the following points:

- 25) He welcomed CATS in East Chesterton, and the great contribution it could make to the area going forward
- 26) The application raised major issues of residential amenity
- 27) Irrespective of differences on points of detail, the conditions requested by the petitioners were very reasonable; CATS said discos already finished at 10pm, as the petitioners wanted, and it was reasonable to ask that students be supervised.

**Members' Questions and Comments:**

The following responses were made to Members' questions and comments.

- 28) The Forum was looking only at the concerns raised by the petitioners; the question of displacement of activities would be raised with the Environmental Health team to see if it would justify the imposing of specific conditions to address the issue
- 29) Any condition on amplified sound could only relate to the extension, and evidence from the Environmental Health team would be needed that the extension would cause additional sound

- 30) A student management plan would be needed, but could probably not be introduced retrospectively on the rest of the site; it would be difficult to enforce that plan just in the canteen area
- 31) Unless there was specific evidence from the Environmental Health team there would be no reason to restrict deliveries and collections from the construction site on a Saturday
- 32) The existing consent had conditions on construction materials, and it would be reasonable to apply the same conditions to the new extension
- 33) There were 261 accommodation units on site, of which 234 were for students, and the remainder for house parents
- 34) Students did not make full use of the available outside space, so loss of the extension area was unlikely to make a significant difference to them
- 35) CATS social activities were open to Elizabeth House residents and to Varsity House residents (older students) in term time; in summer, they were limited to students being taught at Elizabeth House (some of whom might be living in Varsity House)
- 36) There would be no increase in student numbers, and no increase in level of activities, resulting from the current application; the application was intended to provide updated facilities rather than accommodate more students.

### **Summing up by the Applicant's Agent**

- 37) Separate discussions were being conducted in relation to the Section 106 agreement for the previous application
- 38) It would be possible to put noise conditions on the current application
- 39) There would be no increase in student numbers or rooms, and the new area would not have the same intensity of use as the present dining area
- 40) CATS was happy to work with residents in addressing complaints, as it had already shown.

### **Summing up by the Petitioners**

- 41) The residents' group did not feel its concerns were addressed because of the difficulty experienced in contacting an on-site manager
- 42) The present application was making an existing problem larger and bringing it closer to residents
- 43) The conditions on the insulation of the existing building were believed to have been made in the interests of protecting students from external traffic noise, not to limit the noise emitted

- 44) CATS was still advertising mainly EFL courses, in breach of the Section 106 agreement

**Final Comments of the Chair**

The Chair observed the following:

- 45) The comments and responses had been heard
- 46) Officers would look into the allegations of breaches of the Section 106 agreement
- 47) In liaison with Environmental Health, officers would consider what conditions could be imposed on the current application, including the use of amplified music.

The meeting ended at 2.45 pm

**CHAIR**

**CHAIR**