

**PLANNING**

7 November 2018  
10.05 am - 3.10 pm

**Present:**

**Planning Committee Members:** Councillors Blencowe (Vice-Chair, in the Chair), Baigent, Green, Hart, Hipkin, McQueen, Nethsingha, Page-Croft, Thornburrow and Tunnacliffe

**Officers:**

Interim Planning Delivery Manager: Eileen Paterson  
Principal Planner: Nigel Blazeby  
Principal Planner: Tony Collins  
Principal Planner: John Evans  
Senior Planning Officer: Lewis Tomlinson  
Arboricultural Officer: Joanna Davies  
Planner: Mairead O'Sullivan  
Planner: David Spring  
Legal Advisor: Keith Barber  
Committee Manager: Toni Birkin  
Committee Manager: James Goddard

**FOR THE INFORMATION OF THE COUNCIL**

**18/149/PlanApologies**

Apologies were received from Councillor Smart. Councillor Green was present as the alternate.

**18/150/PlanDeclarations of Interest**

Name	Item	Interest
Councillor Hipkin	18/152/Plan	Personal: Daughter attends St Mary's School.
Councillor Baigent	18/153/Plan	Personal: Made objections to application prior to this meeting. Undertook to consider the application objectively at this meeting.

Councillor Baigent	18/155/Plan	Personal: a) Member of Cambridge cycling Campaign b) Made comments regarding this application prior to this meeting. Undertook to consider the application objectively at this meeting.
--------------------	-------------	---

### **18/151/PlanMinutes**

The minutes of the meeting held on 29 August 2018 were approved as a correct record and signed by the Chair.

### **18/152/PlanPlanning Report 16/1884/FUL - St Marys School Playing Field**

The Committee received an application for full planning permission.

The application sought approval for the demolition of an existing sports pavilion, erection of a new sports pavilion, alterations to an existing car park and a vehicular access, a cycle shelter, new flood-lit artificial surfaced sports pitches and associated soft and hard landscaping.

The Planner updated his report:

- i. Corrected condition 15 (P64). Access would be provided as per drawings.
- ii. Referred to amended recommendations on the amendment sheet.

The Chair referred to 'change of circumstances' document on the amendment sheet.

Ms Avery (Applicant's Representative) addressed the Committee in support of the application.

#### The Committee:

**Resolved (by 8 votes to 1)** to approve planning permission, subject to a S106 to secure the community use and subject to referral to the Secretary of State in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officer plus additional ones set out on the amendment sheet (and below).

Additional condition:

Prior to the first use of the pavilion building, hereby permitted, visibility splays shall be provided each side of the vehicular access. Minimum dimensions to secure the required splays shall be 2.4m, measured along the centre line of the proposed access from its junction with the channel line of the highway carriageway, and 70m, measured along the channel line of the highway carriageway from the centre line of the proposed access. The splays shall be thereafter maintained free from any obstruction exceeding 0.6m above the level of the highway carriageway.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

Additional informative:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

## **18/153/Plan18/0002/FUL - Planning Report - Romsey Labour Club, Mill Road**

The Committee received an application for full planning permission.

The application sought approval for mixed use development comprising a Day Nursery at ground floor and 37 self-contained 1xbed student rooms at the rear and on the upper floors along with a vehicle drop-off zone, disabled car parking space, cycle parking and associated landscaping.

This application is returned to Planning Committee because there has been a key change in the planning policy background since an earlier Committee resolution 28 March 2018 to grant permission. As a result of this change, officers now recommend refusal.

The Principal Planner updated his report (as shown in bold) to supplement/correct details on P75:

3.2 The Cambridge Local Plan 2006 contained a policy.....

**3.2a Policy 46 of the Local Plan states:**

Proposals for new student accommodation will be permitted if they meet identified.....

The Committee:

**Resolved (by 7 votes to 0)** to refuse the application for planning permission in accordance with the officer recommendation, for the reason set out in the officer report.

**18/154/Plan17/1815/FUL - Planning Report - 143 - 147 Newmarket Road And 149 Newmarket Road**

The Committee received an application for full planning permission.

The application sought approval for demolition of No.149 Newmarket Road and existing garage structures, the erection of new buildings producing a total of 11 residential units, the formation of a cafe space (use class A3) on the ground floor of Logic House, brick and tile tinting to Logic House and associated infrastructure and works.

At the 29 August meeting of Planning Committee, Members resolved they were minded to refuse the application, a decision on whether to approve or refuse the application was subsequently deferred under the Adjourned Decision Protocol.

Under the Council's agreed Adjourned Decisions Protocol this application has been brought back to Committee to allow further discussion of reasons for refusal.

A decision could no longer be issued so agreement on the basis for the Statement of Case was required.

The Committee received a representation in objection to the application from the Appointed Person on the Parish Church Council of Christ Church.

The representation covered the following issues:

- i. Referred to his comments made at 29 August 2018 Planning Committee.

- ii. The Church and Logic House site developer were now having fruitful discussions on how to develop the site as a whole. (Note: Applications for 143-147 Newmarket Road and 149 Newmarket Road and Abbey Church impacted on each other.)

### The Committee:

**Resolved (by 9 votes to 0)** to accept reasons for refusal in line with the Officer recommendation. A decision cannot be issued as an appeal against non-determination has been lodged. The accepted reasons for refusal will form the basis of the Council's statement of case.

### **18/155/Plan17/1484/OUT - Planning Report Land adjacent to Barnwell Lake**

The Chair read the following statement before the considering of this item:

This application now returns to Committee today after its last presentation at Committee on 1st November 2017. At that meeting, pending the submission of further technical information by the applicant, a decision was deferred by initiating the Adjourned Decision Making Protocol. Officers have now advised the Protocol was incorrectly applied because this is a *minor* application; the Protocol applies only to *major* applications. Committee in effect resolved to *defer* its decision. As a consequence the application now comes to you for determination free of the Protocol thus enabling all Members to now participate and vote in its determination. The Protocol does not apply.

The Committee received an application for outline planning permission.

The application sought approval for the erection of a cycle themed cafe with ancillary kitchen, storage area, WCs, bin enclosure and cycle repair outlet along with associated infrastructure including 24 car parking spaces, 100 cycle parking spaces, a partly new and upgraded internal road, public open space and associated picnic/ play areas.

The Committee noted the amendment sheet and the late submissions as detailed by the Planning Officer.

The Committee received representations in support of the application.

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

The representation covered the following issues:

- i. Application contravenes policy guidelines.
- ii. Wildlife and commercial interests on a limited site would be contradictory use.
- iii. Application was, in essence, for unspecified private use and could be used for any restaurant.
- iv. Green belt deserved to be protected.
- v. There were a number of other places to eat very near this site.

Councillor Johnson (Abbey Ward Councillor) was unable to attend to address the Committee regarding the application so the Chair read out the following statement on his behalf:

I ask that the Planning Committee consider approving this application as I believe that the reasons suggested for refusal do not fully account for the progress made in revising the proposals since the original plans were put forward.

It is clear that much thought and consideration has gone into ensuring the cafe development is sensitive to the surrounding area around Barnwell Lake, including Coldham's Common. The footprint of the proposal has been reduced in size and the scale has also been revised since last considered.

The wider area is due to see up to five thousand cycle movements per day as a consequence of the Chisholm Trail, and the construction of this new facility will positively assist with the promotion of the trail as an important piece of our city's transport infrastructure.

The position of the proposed cafe will bring people to this hitherto neglected part of the city's green and open spaces and, from an ecology standpoint, I am reassured by the applicant's aspiration to not only deliver a sustainable development, but to also allow the facility to act as a catalyst for potential regeneration of the immediate vicinity for flowers and other flora.

Members of the Committee suggested that the development was needed and would enhance the area, encourage cycle use and allow wider public use of the lakeside area. Members took the view that steps could be taken to mitigate any impact on wildlife and flora in the area, through an Ecological Design Statement Condition.

Members noted that the scale of the revised proposal had been reduced and that the corridor will change significantly through the creation of the Chisholm Trail underpass.

The Interim Planning Delivery Manager outlined material considerations in the National Policy Framework which stated that developments within the green belt were by definition inappropriate. She reminded the Committee that, if they were minded to reject the officer's recommendation of refusal, they would need to provide very special circumstances.

#### The Committee:

**Resolved (by 6 votes to 4)** to reject the officer recommendation to refuse the application.

**Resolved (by 9 votes to 0)** an additional condition regarding opening hours of 6am to 8pm.

**Resolved (by 7 votes to 3)** to approve the application contrary to the officer recommendation for the following reasons, subject to referral to the Secretary of State for the following reasons:

The very special circumstances advanced by Committee include that the development would result in increased recreational use of a private area of Green Belt land which would result in considerable public benefit. The development would support recreational and commuting cyclists and encourage others to make sustainable travel choices in the interests of reducing congestion in the City and promoting wellbeing. This includes expanding opportunities for social interaction and healthy lifestyles, principles set out in paragraph 91 of the NPPF (2018).

The development is considered to provide essential refreshment and cycle repair facilities to meet the needs of users of the Chisholm Trail and the angling club, thereby providing an essential resource for community use at a strategic location along the Trail.

The proposed café facility would increase public access to a private site to the benefit of the surrounding community, this is by reason of the picnic and recreation areas which would be created and a layout which would encourage walking and cycling.

The development would have limited visual impact due to the sunken nature of the site and the low impact design of the building, which includes the single storey design of the building and the use of a green roof. This would ensure the visual impacts of the development would not be harmful and would not conflict with the purposes of including land within the Green Belt.

The very special circumstances are unique to this site because of the combination of the lakeside setting, its relationship with the new Chisholm Trail strategic cycle route and the benefit to the immediate surrounding local community. The development would provide a new facility open to the community which would positively enhance the beneficial use of the land through public access, providing opportunities for recreation, which is a principle set out in paragraphs 91 and 141 of the NPPF (2018). These very special circumstances are considered to clearly outweigh the harm by reason of inappropriate development which satisfies the test of paragraph 144 of the NPPF (2018) and Cambridge Local Plan (2018) policy 4.

Necessary planning conditions include those relating to the ecology and the Ecological Design Statement; 'permitted development' restrictions; hours of use; restrictions on lighting and advertisements; drainage related conditions; Environmental Health conditions; delivery restrictions and a site management plan.

The final drafting of the reason for approval and planning conditions is to be agreed through consultation with Chair, Vice Chair and Spokes.

### **18/156/Plan18/1414/FUL - Planning Report - Colville Road Garages**

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing garages and erection of 3no. affordable dwellings, partial widening of access and associated works.

The Committee:

**Resolved (by 9 votes to 0)** 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 delegated powers to add informative regarding assisted bin collection and amend accessible housing condition to include a car parking space to meet requirements of Part M4(2).

**18/157/Plan18/1309/S73 Planning Report - 2 Barrow Road**

The Committee received an application for Section 73 application to vary condition 1.

The Section 73 application sought approval to vary condition 1 (Approved Drawings) of permission 15/0804/FUL (New dwelling to rear of site with access from Trumpington Road) to omit the basement level and ground floor rooflights, enlarge the first floor and install a green roof.

The Committee:

**Resolved (by 9 votes to 0)** 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.

**INFORMATIVE:** The developer is encouraged to include hedgehog holes within the boundaries in order to promote biodiversity by allowing the movement of hedgehogs between existing gardens and the development site, which could be agreed under condition 18.

**18/158/Plan18/0861/FUL - Planning Report - 7 Durnford Way**

The Committee received an application for full planning permission.

The application sought approval for the erection of a two storey dwelling house, following demolition of the existing bungalow.

Sam Hicks (Applicant's Agent) 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.

### **18/159/PlanTPO 16/2018 - Report - Selwyn College**

The Committee received an application for the...

The Committee received an application to confirm, not to confirm, or confirm subject to modifications the Tree Preservation Order 16/2018 that relates to a Selwyn College, Grange Road.

The Committee:

**Unanimously resolved** to accept the officer recommendation and grant permission to confirm the TPO that was the subject of the application.

### **18/160/PlanGeneral Report - Affordable Housing Threshold**

The Committee received a report informing Committee about the differences between the affordable housing threshold set out in the Local Plan 2018 (in policy 45 affordable housing), and that in the new National Planning Policy Framework 2018 (NPPF) and recommend that significant weight be given to the national threshold in planning decision making and when planning advice was given.

The Committee:

**Resolved (9 votes to 0)** to accept the officer recommendation to:

- i. Take note of the different affordable housing thresholds between the adopted Local Plan 2018 (policy 45) and the National Planning Policy Framework 2018 (at paragraph 63 and the glossary); and
- ii. Agree that, for the reasons set out in the in paragraphs 5-16 of the Officer's report, that when determining planning applications and when giving pre-application advice that significant weight will be given to the affordable housing threshold policy set out in the National Planning Policy Framework 2018 (at paragraph 63 and the glossary).

The meeting ended at 3.10 pm

**CHAIR**