

## PLANNING

4 September 2019  
10.45 am - 4.50 pm

### Present:

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

### Officers:

Joint Director of Planning and Economic Development: Stephen Kelly  
Delivery Manager Development Management: Nigel Blazeby  
Principal Planner: Lorraine Casey  
Senior Planner: Emily Burton  
Senior Planner: Alice Young  
Senior Planner: Mairead O'Sullivan  
Senior Planning Officer: Lewis Tomlinson  
Planner: Mary Collins  
Legal Adviser: Keith Barber  
Committee Manager: Toni Birkin  
Committee Manager: James Goddard

## FOR THE INFORMATION OF THE COUNCIL

### 19/41/Plan Apologies

Apologies were received from Councillors Lord, McQueen and Page-Croft. Councillor Thornburrow attended as the Alternate.

Councillor Sargeant left after the consideration of item 19/52/Plan.

### 19/42/Plan Declarations of Interest

Name	Item	Interest
Councillors Baigent and Smart	All	Personal: Member of the Cambridge Cycling Campaign
Councillor Smart	All	Member of bus users' group.
Councillor Green	19/44/Plan	Personal: Owns a small guest house.
Councillor Green	19/45/Plan	Personal: Knows one of the

		objectors. Did not take part in the consideration of this item.
Councillor Thornburrow	19/45/Plan	Personal and Prejudicial: Spoke as a Ward Councillor and took not part in the consideration of this item.
Councillors Smart and Tunnacliffe	19/47/Plan	Personal: Member of 'Friends of Mitcham's Corner.

### **19/43/Plan Minutes**

The minutes of the meeting held on 11 June and 3 July 2019 were approved as a correct record and signed by the Chair.

### **19/44/Plan Planning Application 18/1002/FUL - 211 - 213 Newmarket Road And 2 Godesdone Road**

The Committee adjourned 10:00am until 10:45 whilst Officers and the Chair considered an allegation of procedural and factual errors regarding the consideration of this application.

The Delivery Manager said the complaint was made verbally just prior to the committee's meeting beginning. As the complaint was not made in writing and delivered before Committee. The concerns would be addressed in the Officer's introduction to the application.

The Legal Advisor said the Committee had sufficient detail and facts in the Officer's report enabling it to come to a decision today. A verbal complaint had been made today. Information regarding the application had been in the public domain for some time so there had been sufficient time for the complaint to be put in writing prior to this meeting.

The Committee received an application for full planning permission. The application had been reported to the 17 June 2019 Planning Committee with an Officer recommendation of approval. During the consideration of the application, Members of the Committee raised a number of concerns about the proposal. Members' concerns were sufficient for a move to refuse the application contrary to the Officer recommendation. Members therefore resolved in favour of a 'minded to refuse' decision contrary to the Officer's recommendation resulting with the Adjourned Decision Protocol (ADP) being applied.

The Committee gave three reasons on which it was minded to refuse planning permission and which are set out in the Officer's report.

The application sought approval for demolition of existing buildings at 211-213 Newmarket Road and construction of a hotel (C1 use), with change of use and conversion of 2 Godesdone Road to C1 use, and provision of associated infrastructure.

The Committee received the Principal Planner's assessment of the three minded to refuse reasons. The Officer corrected a typographical error in the planning report: the loading bay was on the opposite side of the road to the location given in the report and further towards Number 4.

The Chair asked the Committee if they had sufficient information to consider the application today in light of the verbal complaint, or if they wished to defer the application to seek further information. The Committee **unanimously resolved** to consider and determine the application today.

The Committee discussed the following points:

- i. Concerns had not been addressed relative to surface water and foul water drainage.
- ii. The application would not alleviate traffic problems in the area. There was an expectation of higher numbers of cars/people visiting the site if it became a hotel (compared to its current usage).
- iii. Local residents could be disturbed by:
  - a. Taxis dropping off visitors.
  - b. Hotel guests smoking and talking outside the hotel as it had no café/amenity area where guest could congregate.
- iv. Queried if the application was for a super-budget hotel as costs were similar to 'normal' hotels.
- v. Disagreed there was unmet demand for (super budget) hotels in the city. The Hotel Future Study was out of date.

The Principal Planner responded to Councillors:

- i. The Committee were asked to consider the 'minded to refuse' reasons as set out in the Officer's report. All concerns should have been raised and discussed at the 17 June Committee so Members could set out reasons why they were minded to refuse, and confirm which, if any of these were still relevant. New reasons should not be introduced now.

Anglian Water had made a representation, which focussed on surface water.

The Officer:

- i. Recommended an additional foul water drainage condition in response to the representation.
- ii. There were low visitor numbers to the site when Coopers traded from the site. The site had an A1 use so a new user could have higher throughput of visitors (under the existing use).
- iii. The hotel could instruct taxis to drop-off customers in Newmarket Road to minimise disturbance to neighbours although such a requirement would be difficult to enforce. There were no Highways Authority objections to the application.
- iv. The application was described as a super budget hotel. It was similar in cost to others but had fewer facilities.
- v. The Hotel Future Study stated demand for budget hotels had been satisfied. However, Officers were aware that circumstances had changed since the study was commissioned. A business case was also set out in the Applicant's report, so there was a need for overnight accommodation.

The Committee:

**Resolved (by 3 votes to 3 – and on Chair's casting vote)** to grant the application for planning permission in accordance with the Officer's recommendation, for the reasons set out in the Officer's report, and subject to (1) the conditions recommended therein; (2) the prior completion of a Section 106 Agreement securing the planning obligations identified in the Officer's report; (3) the additional conditions recommended within the Highway Authority's consultation responses; (4) a condition requiring foul water drainage details.

### **19/45/Plan Planning Report - 18/1058/FUL - 60 Trumpington Road and 2 Nightingale Cottages**

Councillors Green and Thornburrow neither participated nor voted in the determination of this application.

The Committee received an application for full planning permission.

The application sought approval for demolition of the former Zahza Grill Restaurant and replacement with 4 terraced dwellings, along with access, parking and landscaping. First floor rear extension to No.2 Nightingale Cottages, with new front door and removal of existing lean-to element.

The Committee noted the Amendment Sheet.

The Committee received representations in objection to the application from local residents.

The representations covered the following issues:

- i. Residents of North Cottages did not object to some development of the site and had worked with the Developer.
- ii. The disputed boundary of the site remains unresolved.
- iii. The proposal would be overbearing.
- iv. Massing of building would be out of keeping with area.
- v. Access for emergency vehicles would be lost.
- vi. Would result in loss of light for neighbours.
- vii. Proposal fails Government guidelines on access arrangements.

Rupert Kirby (Applicant's Agent) addressed the Committee in support of the application.

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

- i. Building proposed to be demolished was a safeguarded Public House and was afforded special protection by policy 76 the 2018 Local Plan.
- ii. Lack of viability of the Public House had not been demonstrated.
- iii. The view of North Cottages from the Public House currently enjoyed some screening.
- iv. The proposal would have a negative impact on North Cottages and in particular No 1.
- v. Dispute over boundary needed to be resolved.
- vi. Existing Hedge should be retained.

The Committee:

**Resolved by 4 votes to 0 (unanimous of those taking part in the determination of this item)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officers.

**19/46/Plan Planning Report - 19/0183/FUL - 3 Saxon Street**

Withdrawn from the Agenda

**19/47/Plan Planning Report - 19/0046/FUL - The Tivoli, 16 Chesterton Road**

The Committee received an application for full planning permission.

The application sought approval for alterations and repairs to the building including reinstatement of frontages and side walls, bricking up of some openings, replacement windows and fire escape. Creation of second floor element and enclosed roof terraces to first and second floor. Part change of use of the existing building to recreational uses.

The Committee noted the Amendment Sheet.

Oliver Trezise (Applicant's Agent) addressed the Committee in support of the application.

The Committee raised concerns regarding the visual impact of proposed plan on the roof of the building. An amendment to condition 13 was agreed regarding the visual impact of plant located on the roof on visual amenity of local residents. This was **carried unanimously**.

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 Officer including the amendment to condition 13 concerning the air conditioning plant.

**19/48/Plan Planning Report - 19/0400/FUL - 348 Milton Road**

The Committee received an application for full planning permission.

The application sought approval for the erection of a single storey dwelling to the rear of 348 Milton Road.

The Committee raised concerns regarding access for emergency vehicles. An informative regarding mitigation measures was proposed which was **carried unanimously**.

The Committee:

**Resolved (by 5 votes to 0 with 1 abstention)** to grant the application for planning permission in accordance with the Officer's recommendation, for the reasons set out in the Officer report, and subject to the conditions recommended by the Officer including an informative relating to fire access.

### **19/49/Plan Planning Report - 19/0707/FUL - 62-64 King Street**

The Committee received a retrospective application for full planning permission.

The application sought approval for retrospective change of use from A1 to A1 with an associated A3 or A4 use in the alternative.

The Committee noted the 3 additional conditions proposed by the Environmental Health Department regarding noise, use of the courtyard and plant, as detailed in the Amendment Sheet.

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

The representation covered the following issues:

- i. Concerns regarding noise and anti-social behaviour in a largely residential area.
- ii. Alcohol consumption and associated problems.
- iii. Evening and late-night noise disturbance.
- iv. Impact on nearby social housing.
- v. Concentration of similar food and drink establishments in a small area.
- vi. Obstruction of the footpath.
- vii. Smoking outside the front of the building.

Sam Owens (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's report, and subject to the conditions recommended by the Officers including three additional conditions relating to (1) the hours of use of the courtyard; (2) playing music in the courtyard; and (3) plant noise insulation.

### **19/50/Plan Planning Report - 19/0252/FUL - 342 Mill Road**

The Committee received an application for full planning permission.

The application sought approval for the replacement of existing outbuilding to two storey annex to the rear of the garden.

The Committee:

**Resolved (by 4 votes to 2)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer.

### **19/51/Plan Planning Report - 18/1319/FUL - 24 Elfleda Road**

The Committee received an application for full planning permission.

The application sought approval for the erection of a 2 bedroom bungalow in the rear garden of 24 Elfleda Road.

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

The representation covered the following issues:

- i. The Officer's report was incorrect in suggesting that loss of light to neighbours would be insignificant.
- ii. The proposal would result in significant loss of afternoon and early evening light to number 25.
- iii. The proposed roof height would be overbearing to number 25.
- iv. The existing fence was of a wire construction and allowed light through. Replacing this with a board fence would result in a feeling of enclosure.
- v. Treatment of the boundary was unclear.

In response to concerns raised by the Committee, the Officer proposed additional conditions regarding (1) boundary treatment and (2) hard and soft landscaping.

These amendments were **carried unanimously**.

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's report, and subject to the conditions recommended by the Officers including the addition of conditions regarding (1) boundary treatment and (2) hard and soft landscaping.

### **19/52/Plan Planning Report - 19/0555/FUL - 84 Ditton Lane**

The Committee received an application for full planning permission.

The application sought approval for the sub-division of the existing site to build new one and a half storey 2-bed detached dwelling to the rear, and bike store.

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

The representation covered the following issues:

- i. Local residents do not feel they had the chance to respond to the application due to very limited advertising of the plans.
- ii. Development would increase parking pressure.
- iii. Building on a blind corner would endanger local children on their way to school.
- iv. A single storey unit would be more appropriate.
- v. Building could be located further back in the site.

Chris Todd (Applicant's Agent) addressed the Committee in support of the application.

Councillor Thornburrow proposed a boundary treatment condition regarding low level planning and landscaping should be added to the Officer's recommendation, which was **carried unanimously**.

#### 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's report, and subject to the conditions recommended by the Officer and subject to two additional conditions relating to (1) hard and soft landscape and (2) boundary treatment, as follows:

14 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

planting to the front of the property to provide defensible space. The planting adjacent to the northern elevation shall be kept at a low level to ensure it does not restrict visibility of the footway.

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)

15. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. Boundary treatments to adjoining gardens should include sufficient gaps (150mm X 150mm) to allow access for hedgehogs. 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.

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).

### **19/53/Plan Planning Report - 18/1712/FUL - 198A Kings Hedges**

The Committee received an application for full planning permission.

The application sought approval for extensions to existing development of flats (including an additional floor) to create three additional flats and one duplex unit.

In response to concerns raised by the Committee, the Officer proposed additional conditions regarding (1) boundary treatment and (2) soft landscaping, which were **carried unanimously**.

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's report, and subject to the conditions recommended by the Officer including additional conditions relating to (1) boundary treatment and (2) soft landscaping.

The meeting ended at 4.50 pm

**CHAIR**