

PLANNING

2 February 2022
10.10 am - 5.15 pm

Present:

Planning Committee Members: Councillors Smart (Chair), D. Baigent (Vice-Chair), Dryden, Gawthrop Wood, Porrer and Thornburrow

Also present (virtually) Councillor: Bennett

Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Area Development Manager: Toby Williams

Principal Planner: Steve Fraser-Lim

Principal Planner: Ganesh Gnanamoorthy

Senior Planner: Aaron Coe

Senior Planner: Richard Fitzjohn

Senior Planner: Dean Scrivener

Planner: Sumaya Nakamya

Planning Officer (Strategic Sites): Julia Briggs

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Gary Clift

FOR THE INFORMATION OF THE COUNCIL

22/17/Plan Apologies

Apologies were received from Councillor Flaubert.

22/18/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Thornburrow	22/21/Plan	Personal: Application in Trumpington where she was a Ward Councillor

		until May 2021. Discretion unfettered.
Councillor Dryden	22/22/Plan	Personal: Member of Resident's Association involved in application. Applicant is the City Council (Cambridge Investment Partnership).

22/19/Plan Minutes

The minutes of the meeting held on 3 November 2021 and 1 December 2021 were approved as a correct record and signed by the Chair.

22/20/Plan 21/02052/FUL - Land South of Wilberforce Road

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing buildings/structures and the erection of college accommodation, new access and landscaping.

Mr Shrimplin (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's report, and subject to the conditions recommended by the Officer and the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 [with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary].

22/21/Plan 21/04795/FUL - Retail Units at Hobsons Square Local Centre

The Committee received an application for full planning permission.

The application sought approval for the amalgamation of two of the retail units (consented within parcel 8B under reserved matters approval 15/0844/REM),

to create a single convenience store, amendments to the servicing layby and details of operating hours for the retail units, at Parcel 8B of the Clay Farm Site.

The Planner updated her report by referring to updated condition 15 wording on the Amendment Sheet.

Condition 15 amended to:

Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re1enacting that order with or without modification), the 8 restaurant / café hereby approved (formerly approved as use Class A3) and retail unit 1 (formerly approved as use Class A1) shall not be used for any other purpose than Class E(a) or Class E(b) and retail unit 2 (formerly approved as use Class A1) shall not be used for any other purpose than Class E(a), Class E(b) or Class E(e) within Class E of the Schedule to the Town and Country planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re1enacting that Order with or without modification. Use of these units under any other subcategory of Class E shall not be allowed without the granting of a specific planning permission.

Reason: To ensure that the proposal provides for the day1to-day needs of the local community Cambridge Local Plan policy 72 and section 93 of the NPPF.

The Committee received a representation in objection to the application from a resident of Hering Road:

- i. Neighbours to the units did not support the application.
- ii. The main objection was to the café. Residents were concerned it was described as a bar. They noted officers had restricted the Use class so it could not be used as a bar.
- iii. Expressed concern about how the restaurant would impact on children e.g. the site open to late hours and congregation of smokers outside.

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

Councillor Porrer proposed an amendment to the Officer's recommendation to include a management plan to control areas where people could smoke.

This amendment was **carried unanimously**.

Councillor Smart proposed and Councillor Porrer seconded an amendment to Condition 7 in so far as Sunday opening hours should be restricted to 8am-10pm.

This amendment 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, subject to:

- i. the planning conditions set out in the Officer's report and Amendment Sheet;
- ii. delegated authority to Officers in consultation with the Chair, Vice Chair and Spokes to draft and include the following additional conditions:
 - a. requiring a management plan to control areas where people could smoke; and
 - b. a revised Condition 7 reflecting Sunday opening hours were to be restricted to 8am-10pm instead of 7am-11pm.

22/22/Plan 21/04439/FUL - Land North of Colville Road

The Committee received an application for full planning permission.

The application sought approval for the installation of three modular retail units to provide temporary trading space for the duration of development works associated with planning application reference 21/02759/FUL.

The Principal Planner updated his report by referring to updated Condition 3 wording on the Amendment Sheet (and set out below).

Condition 3 should read as follows:

Within thirty months of the commencement of development under planning permission reference 21/02759/FUL or at least three months prior to the planned removal of the portacabins if sooner than thirty months after installation, details for a programme of work to be undertaken after the temporary permission expires, shall be submitted to

and approved in writing by the local planning authority and these works shall be carried out as approved. Details shall include a method statement describing the full extent of removal of any building foundations where applicable and the strategy and timescales for providing the public car park as approved under planning permission reference 19/1034/FUL.

Reason: To ensure the land is always left in an appropriate condition and that the approved public car park is provided. (Cambridge Local Plan 2018; Policies 55 and 82).

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 subject to the conditions recommended by the Officer including the amendment to Condition 3 as specified in the Amendment Sheet.

22/23/Plan 21/02120/FUL - Telephone boxes adj Church of St Mary

The Committee received an application for change of use of 2 no. BT telephone box to E Class Use (for four brochures).

The Area Development Manager proposed an amendment to the Officer's recommendation to remove A1 Use class from Condition 3.

This amendment was **carried unanimously**.

Councillor Porrer proposed an amendment to the Officer's recommendation to remove old use class A1 restrict Use class in Condition 3 to Ea.

This amendment was **carried unanimously**.

The Area Development Manager proposed an amendment to the Officer's recommendation in Condition 4: Use hereby permitted shall not be operated other than in accordance with the details contained in the Design and Access Statement and Updated Procedure Guide.

This amendment was **carried unanimously**.

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, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:
 - a. Condition 3 as amended

Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for the sale of tour brochures, tickets and maps only and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact. (Cambridge Local Plan 2018 policies 35, 55, 57, and 81) .

- b. Condition 4 (additional)

The use hereby permitted shall not be operated other than in accordance with the details contained in a Design and Access Statement and Updated Procedure Guide.

Reason - To minimise the obstruction to the public highway and the free flow of pedestrians within this busy City Centre location (Cambridge Local Plan 2018 Policy 81).

22/24/Plan 21/02121/LBC - Telephone boxes adj Church of St Mary

The Committee received an application for change of Use and alterations to 2 no. BT telephone box to E Class Use (for tour brochures).

The Committee:

Resolved (by 4 votes to 2) to grant the application for change of Use 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.

22/25/Plan 21/01588/FUL - Telephone boxes, Bridge Street

The Committee received an application for change of Use of 1 no. BT telephone box to 1 no. coffee and snacks pod (Class E(a) (former A1 Use).

The Area Development Manager proposed an amendment to the Officer's recommendation to include Condition 3 (as amended):

Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the premises shall be used for the sale of tour brochures, tickets and maps only and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The application has been assessed on its individual merits and the use of the premises for any other purpose may result in harm which would require re-examination of its impact. (Cambridge Local Plan 2018 policies 35, 55, 57, and 81) .

The Committee:

Unanimously Resolved to reject the Officer recommendation to approve the application.

Unanimously Resolved to refuse the application contrary to the Officer recommendation for the following reasons:

- i. The proposed change of use to a drinks and coffee pod would detract from the character and setting of the listed phone box, surrounding heritage assets and the character and appearance of the Conservation Area. The harm would arise as the nature of the proposed use means that activity could not realistically be contained within the limited confines of the phone box. It is therefore likely that the door would need to be kept open for long periods of time and that the use would be heavily reliant upon the already very busy and congested surrounding outside space to

properly function, thereby resulting in an overdevelopment of the area. The proposed change of use and associated works would therefore be contrary to Policies 58 and 61 of the Cambridge Local Plan 2018. It is considered the degree of harm to the heritage assets would be less than substantial and, whilst it is recognised the proposal would provide an alternative use for this listed structure, this is not considered to constitute sufficient public benefit to outweigh the harm, particularly as there has been no assessment of alternative uses that could secure the reuse of the phone box whilst preserving the character of the area. The proposal is therefore also contrary to Paragraph 202 of the NPPF 2021.

- ii. The phone box is located within an area that already experiences a high level of pedestrian traffic and is surrounded by existing predominantly café and restaurant uses. The proposed change of use to a drinks and coffee pod is likely to result in the doors being kept open for long periods of time and a reliance upon the surrounding outside space to adequately function. The proposal would therefore cause an obstruction to the public highway and free flow of pedestrians within this busy location, adversely affecting the safe and efficient use of the public highway, contrary to Policies 58 and 81 of the Cambridge Local Plan 2018.

22/26/Plan 21/01589/LBC - Telephone boxes, Bridge Street

The Committee received an application for the change of Use and alterations of 1 no. BT telephone box to 1 no. coffee and snacks pod (Class E(a) (former A1 use)).

The Committee:

Unanimously resolved to reject the Officer recommendation to approve the application.

Unanimously resolved to refuse the application contrary to the Officer recommendation for the following reason:

The proposed change of use to a drinks and coffee pod would detract from the character and setting of the listed phone box and surrounding heritage assets. The harm would arise as the nature of the proposed use means that activity could not realistically be contained within the limited confines of the phone box. It is therefore likely that the door would need to be kept open for long periods of time and that the use would be heavily reliant upon the already very busy and congested surrounding outside space to properly function, thereby resulting in an

overdevelopment of the area. Additionally, it has not been demonstrated that the use can be achieved without resulting in damage to the structure of the listed building itself. The proposed change of use and associated works would therefore be contrary to Policies 58 and 61 of the Cambridge Local Plan 2018. It is considered the degree of harm to the heritage assets would be less than substantial and, whilst it is recognised the proposal would provide an alternative use for this listed structure, this is not considered to constitute sufficient public benefit to outweigh the harm, particularly as there has been no assessment of alternative uses that could secure the reuse of the phone box whilst preserving the settings of the phone box and surrounding assets. The proposal is therefore also contrary to Paragraph 202 of the NPPF 2021.

22/27/Plan 21/02862/FUL - 15 Tillyard Way

The Committee received an application for full planning permission.

The application sought approval for a two storey rear extension and loft conversion of existing dwelling to create additional accommodation and development to the side of the existing dwelling to create two self-contained 1-bed flats.

The Planner updated her report by referring to updated conditions 5, 6, 7 and 12 text on the Amendment Sheet.

Councillor Porrer proposed amendments to the Officer's recommendation that:

- i. electric vehicle charging points should be provided for the flats; and
- ii. the landscape condition be strengthened to refer to hedges;

The amendments were **carried unanimously**.

Councillor Smart proposed an amendment to the Officer's recommendation that details on the cycle store be submitted for agreement by Chair, Vice Chair and Spokes prior to occupation of the dwellings.

This amendment was **carried unanimously**.

Councillor Gawthrope Wood proposed amendments to the Officer's recommendation that relative to Condition 9 informatives are included encouraging installation of:

- i. air source heat pumps or other sustainable heating systems (or leaving space so they can be installed in future);

- ii. solar panels on south facing rooves.

The amendments were **carried unanimously**.

Councillor Thornburrow proposed an amendment to the Officer's recommendation encouraging plans to comply with Fire Regulations Part B.

This amendment 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, subject to:

- i. the planning conditions set out in the Officer's report and updated conditions 5, 6, 7 and 12 text on the Amendment Sheet;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:
 - a. electric vehicle charging points should be provided for the flats;
 - b. the landscape condition be strengthened to refer to hedges;
 - c. details on the cycle store condition to be submitted for agreement by Chair, Vice Chair and Spokes prior to occupation of the dwellings.
- iii. informatives included on the planning permission in respect of:
 - a. air source heat pumps or other sustainable heating systems (or leaving space so they can be installed in future);
 - b. solar panels on south facing rooves; and
 - c. encouraging plans to comply with Fire Regulations Part B.

22/28/Plan 20/03579/FUL - Museum of Technology, 44 Cheddars Lane

The Committee received an application for full planning permission.

The application sought approval for retrospective planning permission for an outdoor bar and servery, and an additional toilet block; and to add Use Classes A3 and D2 to existing D1 Use.

The Committee received a representation in objection to the application from a resident of Riverside Place:

- i. Supported the Museum in principle. Facilities were generally made available on the Museum site and there was a buffer between residents and the Museum.
- ii. The Engineer House had a negative impact on residents:
 - a. More traffic on Riverside, particularly in the evening and at closing time.
 - b. Impact on private driveways.
 - c. Anti-social behaviour (e.g. littering).
- iii. Queried how to manage visitors who had left the Museum site but negatively impacted on residents.

Mr Little (Applicant) addressed the Committee in support of the application.

Councillor Bennett (Ward Councillor) addressed the Committee about the application:

- i. The overall use of the Riverside Area was set out in the Riverside Vision.
 - a. Residential area.
 - b. Active travel route.
 - c. Museum.
- ii. Riverside had a long history of suffering from anti-social behaviour and criminal activity particularly drug dealing.
- iii. Residents saw the (legitimate) use of Engineer's House as protection against anti-social behaviour.
- iv. There was a long record of outdoor drinking on Logan's Meadow.
- v. There was a lot of noise and anti-social behaviour issues in the Riverside Area generally unconnected to the Museum.
- vi. A long-standing lack of toilets led to regular anti-social behaviour such as urinating in public (as mentioned by the Objector).
- vii. Any noise management plan would fail without support from the community.
- viii. Queried if the 2 years given to Museum to satisfy financial conditions was fit for purpose in case the Museum could not satisfy these. Planning conditions suited conditions pre-Covid but may not reflect conditions now. Queried impact on Museum's ability to seek grant funding in the future.
- ix. Residents had not objected to Museum's proposals in general, had made some requests for minor amendments such as green instead of blue tarpaulins in green spaces.
- x. The Museum may wish to put funding into toilet facilities and leave temporary structures in place at present?

Councillor Porrer proposed an amendment to the Officer's recommendation to include an informative requesting parking space for cargo bikes.

This amendment was **carried unanimously**.

Councillor Thornburrow proposed an amendment to the Officer's recommendation that a management plan should cover traffic and anti-social behaviour issues. The plan would replace Condition 3.

This amendment was **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for retrospective planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes to draft and include an additional condition requiring a management plan to cover traffic and anti-social behaviour issues. The plan would replace Condition 3 included in the Officer report; and
- iii. informatives included on the planning permission in respect of parking space for cargo bikes.

22/29/Plan 21/02861/FUL - 393-395 Newmarket Road

The Committee received an application for full planning permission.

The application sought approval for the installation of a mezzanine floor to Unit 2 and modification of S106 Agreement associated with planning permission 18/0363/FUL to allow open non-food retail sales (Class E) from the Unit.

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

Councillor Porrer proposed amendments to the Officer's recommendation to include informatives regarding:

- i. storage for cargo bikes; and
- ii. highlight the need for an internal lift if site use changes in future.

The amendments were **carried unanimously**.

Councillor Smart proposed an amendment to the Officer's recommendation to include a condition requiring cycle parking closer to Unit 2.

This amendment 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, subject to:

- i. the prior completion of an Agreement under s106A of the Town and Country Planning Act 1990 with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary;
- ii. the planning conditions set out in the Officer's report;
- iii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes to draft and include the following additional condition requiring cycle parking closer to Unit 2; and
- iv. informatives included on the planning permission in respect of:
 - a. storage for cargo bikes; and
 - b. highlighting the need for an internal lift if site use changes in future.

22/30/Plan 21/01791/FUL - Land rear of 190 Green End Road - 3.15pm

The Committee received an application for full planning permission.

The application sought approval for the construction of a 1 bed bungalow.

Councillor Gawthrope Wood proposed and Councillor Thornburrow seconded a proposal to defer the application seeking information on amenity space, access/egress and boundary lines for the property.

This proposal was **carried unanimously**.

The Committee:

The application was deferred.

22/31/Plan Future Planning Committee Date

The Committee received a request to amend a future Planning Committee date.

Officers suggested moving Planning Committee from 23 March 2022 to 20 April 2022. Councillors may choose to use either or both dates.

The Committee:

Unanimously resolved to accept the Officer recommendation to hold a Committee meeting on Wednesday 20 April. To keep 23 March in the diary only to be used if there were significant business reasons i.e. Planners request using this date.

The meeting ended at 5.15 pm

CHAIR