

**PLANNING**

3 August 2022  
10.00 am - 6.00 pm

**Present:**

**Planning Committee Members:** Councillors Smart (Chair), D. Baigent (Vice-Chair), Bennett, Collis, Dryden, Gawthrop Wood, Page-Croft, Porrer, Thornburrow and Flaubert

Interim Development Management and Planning Compliance Manager: Toby Williams

Principal Planner: Steve Fraser-Lim

Principal Planner: Michael Hammond

Senior Planner: Phoebe Carter

Senior Planner: Mary Collins

Senior Planner: Alice Young

Senior Planner: Amy Stocks

Planning Enforcement Officer: John Shuttlewood

Legal Adviser: Keith Barber

Committee Manager: Sarah Steed

Meeting Producer: James Goddard

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**22/79/Plan Apologies**

Councillor Page-Croft advised that she would only be able to attend Planning Committee until 1pm. She was present for item 22/01982/FUL but left before the vote on item 22/01432/FUL. Councillor Flaubert attended as Alternate for part of the meeting and was present for items 21/05549/FUL, 22/02111/FUL, 22/02520/FUL and 22/00469/FUL.

**22/80/Plan Declarations of Interest**

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Porrer	22/90/Plan	Applicant contacted her but she took no action and forwarded the email on to other Ward Cllrs.
Baigent	All	Member of Cambridge Cycling Campaign.

Baigent	22/90/Plan	Would withdraw from Committee and Chamber for the duration of the item.
Thornburrow	22/82/Plan	Was a Ward Cllr for Petersfield and had been contacted about the application by a number of people but had refrained from making any judgement.
Collis	22/86/Plan	Would withdraw from Committee and Chamber as was Executive Councillor involved with the development of the project.
Smart	22/82/Plan	Had loyalty membership card with Travis Perkins.
Baigent, Dryden and Porrer	22/85/Plan	Advised that they had attended a site visit to look at alternative locations proposed for the sculpture.

### **22/81/Plan Minutes**

The minutes of the meeting held on 14 June 2022 were approved as a correct record and signed by the Chair.

**Under paragraph 4.2.1 of the Council Procedure Rules, the Chair exercised their discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the published agenda.**

### **22/82/Plan 22/01982/FUL - Devonshire Gardens - 10am**

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing depot building and the redevelopment of the site to provide three new buildings comprising Class E (g) (i) / E (g) (ii) floorspace with associated plant and cycle parking, two new residential buildings comprising 70 residential units with associated plant and cycle parking, one new building comprising flexible

commercial space (Class E) to include a creche with associated cycle parking, flexible community space (Class F.1 / F.2), hard and soft landscaping and associated access.

The Planner updated the Committee report by referring to amendments within the Amendment Sheet namely:

- a request from the East of England Ambulance Service Trust for a s106 / Community Infrastructure Levy contribution, which officers sought delegated authority to assess.
- additional comments from Cambridge Library of Things, Mill Road Traders and Cambridge Muslim Trust.
- amendments to paragraph 10.91 of the Officer's report regarding County Highways comments and paragraph 10.142 regarding the financial contribution for play space.

Doug Higgins (Project Manager for the Applicant) and Vic Annells (CEO Cambridgeshire Chamber of Commerce) 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, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 including the Heads of Terms set out in the Officer's report with delegated authority granted to Officers for minor amendments to the Heads of Terms, subject to consultation with the Chair, Vice-Chair and Spokes with regards to the Buy to Rent provisions;
- iii. delegated authority to Officers to consider whether a contribution to the East of England Ambulance Service Trust is justified in terms of the CIL Regulations;
- iv. delegated authority to Officers to draft amendments to conditions:
  - a. 5 to refer to piling and foundations to reflect the Environment Agency consultation response to the planning application;
  - b. 32 to include reference to the resident's parking scheme which is in operation;
  - c. 38 to include reference to EV charging;
- v. delegated authority to Officers to draft additional conditions covering:

- a. letterbox provision on the outside of properties if possible (ref Local Plan Policy 55);
  - b. the control of aerial and satellite dishes; and
- vi. Informatives included on the planning permission in respect of:
  - a. Part O Building Regulations regarding overheating;
  - b. residents' parking

### **22/83/Plan 22/01432/FUL - Romsey Labour Club - 10.45am**

Councillor Page-Croft left the Committee during debate, before the decision was taken and did not return.

The Committee received an application for full planning permission.

The application sought approval for part demolition of the existing Romsey Labour Club building with the retention of the Building of Local Interest (BLI) historic frontage and the erection of 43 serviced apartment development (sui generis use) along with a cafe, gymnasium, community space, and associated infrastructure and landscaping.

The Planner updated their report by referring to the Amendment Sheet, containing an amendment to condition 2 and additional Informatives.

The Committee received a representation in objection to the application from a representative of Cambridge Past Present and Future.

The representation covered the following issues:

- i. The detrimental impact on the Conservation Area through overdevelopment of the site and the loss of a building of local interest (BLI).
- ii. Noted an application approved in 2019 had the development description changed to 36 units (from 39 units) on the Committee's Amendment Sheet.
- iii. The current application was for 43 units which was 7 additional units over the previous permission, this resulted in a scale and mass detrimental to the conservation area location on a visually important junction.
- iv. An application for 44 units submitted in 2021 was withdrawn.
- v. The current application for 43 units only reduced the scale and massing by the removal of a single unit which was replaced by a refuse and cycle

store and the slight set-back of upper floors. This did not resolve the overdevelopment of the site.

- vi. Retention of the building's external elevation was a token gesture.
- vii. Demolition of the majority of the building would cause substantial loss of significance contrary to Policy 62 on Local Heritage Assets.
- viii. Considered the application did not meet Local Plan Policies 57, 61 and 62 and the application should be refused.

Peter McKeown (Applicant's Agent) addressed the Committee in support of the application.

The Committee Manager read out the following points on behalf of Councillor Pounds (Romsey Ward Councillor):

- i. The development sat on a busy road junction.
- ii. The proposed development of 43 serviced apartments was out of character with the surrounding area, which formed part of the Romsey Conservation Area and would adversely affect its neighbours and surroundings which consisted of Victorian terraced houses.
- iii. There was no provision for car parking which would add to street parking and insufficient bike parking.
- iv. The proposed apartments were small with limited ventilation and there was no green space proposed for residents.
- v. Felt the proximity of the site to busy roads would make these poor-quality homes.

The Committee Manager read out the following points on behalf of Councillor Healy (Romsey Ward Councillor):

- i. The application was contrary to Policy 24 as it proposed to turn a building of historical significance in Romsey into 43 tiny, overcrowded studio style corporate serviced apartments. This would run contrary to the ethos and history of the building which was built by the hands of working-class men and women from Romsey.
- ii. The Labour Club was a historically important building opened by Ramsey Macdonald in 1928 following support of the 1926 General Strike when many of Romsey residents who were rail workers supported it.
- iii. The application did not demonstrate how the interior spaces of the building were significant and did not incorporate this into the proposed scheme.
- iv. The proposed plans would demolish almost the entirety of the historic building and only retain the front facades. It ignored the historic importance of the building.

- v. The retention of the building's external façade was a token gesture. The demolition of most of the building would cause a substantial loss of significance which was contrary to Policy 62 on Local Heritage Assets.
- vi. The height of the proposed development was 4 storeys high, whereas the Labour Club is single storey. This height would be significantly detrimental to views from Mill Road as it would block out longer views and would visually dominate neighbouring properties which were Victorian terraces in the area, contrary to Policy 55 Context, and Policy 58 Altering and Extending Existing Buildings.
- vii. The development represented an overdevelopment of the site, with poor quality tiny housing for which there was no demand in Romsey. Policy 61 Conservation and Enhancement of Cambridge's Historic Environment required development to be of an appropriate scale, form and height. The new build was considered out of scale and diminishes the quality and significance of the asset to the Conservation Area.
- viii. The current application was for 43 units which was an additional 7 units over a previous permission, resulting in a scale and mass detrimental to the Conservation Area location on a prominent road junction.
- ix. Serviced corporate apartments meeting short term occupation did not address the significant housing issue in Cambridge.
- x. The proposed outdoor space was small and of a poor quality. This was contrary to Policy 59, Designing Landscape and the Public Realm. Furthermore, it was contrary to Policy 68 which stated that 'All residential development proposals should contribute to the provision of open space and recreation sites/facilities on-site.'
- xi. Final concern was in relation to the development having no parking. There was no mechanism to enforce a car-free residence which would result in significant pressure on all the surrounding streets. This was also raised as a concern in the local highways authority report which was commissioned in relation to the proposed development which noted that the development is likely to lead to "on-street parking in competition with existing residential users. The development may therefore impose additional parking demands upon the on-street parking in the surrounding area."

The Interim Development Management and Planning Compliance Manager advised Members to give due regard to the extant permission following Member's comments during debate regarding the principles of use and design. They also noted that the Conservation Officer had responded to the application and recommended conditions.

A vote was taken on the Officer's recommendation to grant planning permission for the reasons set out in the Officer's report with delegated authority to Officers for minor amendments and subject to the following additional conditions and Informatives recommended by the Officer arising from Member debate including:

- i. amendment to condition 2 and the additional Informatives contained in the Amendment Sheet;
- ii. additional conditions regarding:
  - a. EV point in the disabled parking space;
  - b. external letterboxes; and
  - c. siting a commemorative plaque.

The vote on the Officer's recommendation (as amended) was lost by 1 vote in favour to 5 against with 2 abstentions.

Officers drafted the following reason for refusal reflecting the policy concerns expressed by Members for rejecting the Officer's recommendation:

- i. The proposed development by virtue of the quantum of serviced apartments (over and above those approved on the extant permission 19/0004/FUL on the site), and the design, layout and provision of communal open space within the courtyard and community space within the building, would fail to provide a suitable amount (proportionate to the extant consent which is 7 fewer than proposed) of communal space appropriate to a high quality scheme, and fail to be inclusive and accessible for future occupants and visitors to the building and as such is contrary to Policies 56 and 57 of the Cambridge Local Plan 2018 and NPPF 2021 paragraphs 92 and 130.

The Committee approved the reason for refusal unanimously.

#### The Committee:

**Resolved (unanimously)** to refuse the application contrary to the Officer recommendation for the following reason:

- i. The proposed development by virtue of the quantum of serviced apartments (over and above those approved on the extant permission 19/0004/FUL on the site), and the design, layout and provision of communal open space within the courtyard and community space within the building, would fail to provide a suitable amount (proportionate to the

extant consent which is 7 fewer than proposed) of communal space appropriate to a high quality scheme, and fail to be inclusive and accessible for future occupants and visitors to the building and as such is contrary to Policies 56 and 57 of the Cambridge Local Plan 2018 and NPPF 2021 paras. 92 and 130.

**22/84/Plan 21/05549/FUL - Emperor, 21 Hills Road - 11.30am**

Councillor Flaubert was present as Alternate Member for the duration of the item.

The Committee

**Resolved by 8 votes to 1** to defer determination of the application pending receipt of the Fire Officer's report.

**22/85/Plan 22/02111/FUL - King's College - 12.15pm**

Councillor Flaubert was present as Alternate Member for the duration of the item.

The Committee received an application for full planning permission.

The application sought approval for the installation of an Antony Gormley sculpture, steel construction with concrete footing on an area of York stone paving immediately adjacent to the Wilkins Building.

Professor Nicolette Zeeman (Applicant's Representative) addressed the Committee in support of the application.

The Committee:

**Resolved (by 5 votes to 3 with 1 abstention)** 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 an Informative in relation to a Public Access Management Plan which would be agreed in consultation with the Chair, Vice-Chair and Spokes.

**22/86/Plan 22/02520/FUL - Midsummer Common Sculpture Trail - 12.45pm**

Councillor Collis withdrew from the meeting for this item and did not participate in the discussion or decision making.

Councillor Flaubert was present as Alternate Member for the duration of this item.

The Committee received an application for full planning permission.

The application sought approval for the installation of 11 sculptures and 5 benches and associated structures forming a sculpture trail of a scale model of the solar system for a temporary period from 25th July 2022 to 4th September 2022 (including installation and removal) from Midsummer Common via Riverside and Stourbridge Common, Cambridge along the River Cam towpath to Cow Hollow Wood, Waterbeach. This was a cross boundary application, the South Cambridgeshire District Council application could be found under application reference 22/02402/FUL.

The Planner updated their report by referring to updated wording for condition 7 which was detailed in the Amendment Sheet.

The Committee received a representation in objection to the application from Milton Cycling Campaign as a written statement read by the Committee Manager:

The representation covered the following issues:

- i. Expressed concern with the location, within the highway, of structures 10 and 8. This route was part of the National Cycling Network Route 11 and a major cycling transport corridor between Cambridge and Waterbeach. Believed that the location of these two structures posed a hazard to the legal users of this path.
- ii. Structure 10 for the planet Neptune was located within a very narrow towpath (in itself less than 2m wide at most points). The structure narrowed the path further to 1.6m with the structure columns causing a further narrowing of the path. The structure was also only illuminated if approached from the Cambridge end and there was no illumination if approached from the Waterbeach side. Conflict had been seen first-hand during the weekend when a cyclist tried to go past some people taking photographs near the path, and as they walked backwards the cyclist almost collided with the pedestrians.
- iii. The other problematic structure was structure 8 for Saturn, which was located near the entrance to the Abbey-Chesterton bridge, part of the Chisholm Trail. This structure had been placed in the natural swept path

- of cycles and during their visit had observed at least two potential collisions between two cyclists and people admiring the structure.
- iv. Noted that structure 9 had not been installed where it was originally proposed in the plans, because it caused an obstruction to operate the lock safely.
  - v. Felt it was unfortunate that these structures have been installed at these two locations. The path was perceived by many residents as the only safe cycle path between Milton and Waterbeach to Cambridge, and the locations of these structures would cause conflict between the users of the path.
  - vi. Suggested that structure 8 was moved to the other side of the bridge in Ditton Meadows, outside of the path, just like other structures within the trail.
  - vii. Suggested structure 10 should be installed outside of the main path but recognised that there might not be enough space alongside the river. Instead suggested installing reflective material on the back of the structure and some temporary signage asking cyclists to slow down. These would be similar to the signs asking visitors not to climb on the structures.
  - viii. The small changes suggested should help to mitigate the narrowing issues these structures create.

Jenny Page (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 including the amendment to condition 7 detailed in the Amendment Sheet.

**22/87/Plan 22/00469/FUL - 157 Green End Road - 13.15pm**

Councillor Flaubert was present as Alternate Member for the duration of the item.

The Committee received an application for full planning permission.

The application sought approval for the erection of a 2 bed bungalow to the rear of 157 Green End Road.

The Committee received a representation in objection to the application as a written statement read by the Committee Manager:

The representation covered the following issues:

- i. Requested the Committee refuse the application.
- ii. The living area of the proposed dwelling had six full height glass patio doors which would face directly into the living area of 9 Evergreens at a distance of 15.4m. Noted that the proposed dwelling would also be close to 11 Evergreens.
- iii. The City Council had no Supplementary Planning Document specifying minimum separation distances between the windows of habitable rooms but noted that South Cambridgeshire District Council specified a separation distance of 25m and Southwark specified 21m. Noted properties in the locality had separation distances of around 27m-100m.
- iv. The proposed separation distance of 15.4m would not give adequate privacy or amenity.
- v. Disagreed with the case officer that the walnut tree would provide privacy. The tree was only in leaf for 6 months of the year and had a limited lifespan. Even when the tree was in leaf there was a clear view under the canopy.
- vi. 9 Evergreens would see directly into the living room and kitchen of the proposed dwelling and would have a view of the entire back garden. 11 Evergreens would also have a view.
- vii. There was a direct view from the proposed living room into the bedrooms of 9 Evergreens and to some degree 11 Evergreens.
- viii. Expressed concern regarding noise, which was contrary to Local Plan Policy 52c.
- ix. The previous application was refused. The shift of the dwelling by 2.9m did not significantly improve privacy.
- x. Queried the submitted 'Certificate A' as the boundary exceeded the applicant's Land Registry title and used part of a publicly maintained grass verge as garden.

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:

- vii. the planning conditions set out in the Officer's report;
- viii. delegated authority to Officers in consultation with the Chair, Vice Chair and Spokes, to draft and include the following:
  - a. an additional boundary treatment condition which includes provision ensuring gaps for hedgehogs;
  - b. an amendment to condition 8 to remove the word 'not';
- ix. Informatives included on the planning permission in respect of:
  - a. referencing to condition 16 in relation to the relocation of the cycle store to the front of the property;
  - b. solar PV positioning on the roof; and
  - c. pedestrian visibility splays and that the telecommunication infrastructure cabinets may need to be relocated.

**22/88/Plan 22/02030/FUL - Land r/o 1 Priory Street - 13.45pm**

Following a vote to determine whether the Committee would extend beyond 6pm, Committee resolved not to do so, consequently this application was deferred to a future Committee.

**22/89/Plan 22/01952/FUL - 108 Suez Road - 14.15pm**

Following a vote to determine whether the Committee would extend beyond 6pm, Committee resolved not to do so, consequently this application was deferred to a future Committee.

**22/90/Plan 22/01348/FUL - Land at 64 Cromwell Road - 14.45pm**

Councillor Baigent withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing garage and the creation of a new one bedroom dwelling including outdoor amenity space and pedestrian access from Cromwell Road.

Richard Sykes-Popham (Applicant) addressed the Committee in support of the application.

The Committee Manager read out the following points on behalf of Councillor Pounds (Romsey Ward Councillor):

- i. Had visited the site and discussed the application with the applicant. Felt the proposal was in keeping with planning policy and the applicant had addressed the concerns raised in relation to their original application.
- ii. The access path to the dwelling would be 1.2m wide and would be in full view of the flats and neighbouring property so would be safe and adequate. Bin storage and off-road parking was proposed in the property's front garden.
- iii. The new dwelling would be separated from the main house by a reasonable length of garden so there should be no sense of over-intensification. Felt the proposal was attractive architecturally and in keeping with the character of the road. The dwelling would sit in line with a row of garages and outbuildings and was in no way incongruous, interfering to garden views or over-powering to neighbours.
- iv. Felt the new dwelling would provide an attractive, sustainable dwelling for the right occupant with plenty of light and ventilation in an area where there is need of housing.

The Committee Manager read out the following points on behalf of Councillor Healy (Romsey Ward Councillor):

- i. The initial application was withdrawn by the applicant in February and then resubmitted to address all concerns of the case officer. Had been to see the property, reviewed the plans and felt that the applicant had addressed all concerns raised by the case officer.
- ii. This application included a wider access path of 1.2 metres rather than 1 metre previously proposed, no access from the track to the rear, a stepped planted lower area to improve the outlook for future occupants and an additional rooflight to the lower ground level to provide extra daylight in the kitchen and dining area.
- iii. Noted that the case officer had now advised the application should be refused based on two new reasons for refusal which were not previously cited as concerns by the case officer in the previous application.
- iv. The first reason for refusal was that 'the development was not compatible with the surrounding area where there are a number of outside buildings and the proposed dwelling would be adjacent to 62 and 66's rear garages'. Given the surrounding context alongside the relatively small scale of the proposed dwelling, felt the proposal would not result in harm to residential properties in terms of overshadowing, overbearing or overlooking. While the proposal would create a new dwelling, the noise impact arising from any increased movement would not be significant. Felt the proposal adequately respected the residential amenity of its

- neighbours and the constraints of the site and felt that it was compliant with Cambridge Local Plan (2018) Policy 57.
- v. Noted other rear gardens along Cromwell Road and Brampton Road had annexes which were used in the same manner as separate dwellings and that the proposed dwelling's above ground mass would be smaller than many of the other rear garden buildings in the area, which would make it less obtrusive.
  - vi. The applicant had advised that of the two amenity areas proposed, the lower ground area was more likely to get used so the sound from this area would travel up (rather than outwards) and activity would not be visible from surrounding properties. The nature of the rear gardens on Cromwell Road were not likely to experience any change at all, contrary to what was suggested. Felt the proposal was not contrary to Policies 52 or 55 of the Local Plan.
  - vii. The case officer had also suggested that the proposed long narrow access from Cromwell Road would not create a "safe or inclusive access to the proposed dwelling, posing a safety risk for future occupiers". Felt that no evidence had been provided for these concerns and having visited the site felt the concerns were unfounded. The length of the access (main door at lower ground level to the highway) was 42 metres which was in keeping with several similar approved schemes in the city which were a similar distance from the highway.
  - viii. The access met the accessibility requirements set out in the Building Regulations Part M4(2). The access also met the requirements of Secured by Design Homes 2019 Version 2, March 2019. The proposal was not contrary to Local Plan Policies 55, 56 or 57 of the Local Plan and paragraph 130 of the NPPF.
  - ix. Noted the benefits of the development which included high-quality residential accommodation within the City, which was accessible to amenities. It was a high-quality design and highly sustainable; the development was energy and water efficient, generated no carbon emissions 'at source' and met a significant proportion of its own energy requirements through solar photovoltaics. It also made effective and efficient use of a site, which was already partially developed but underutilised and would help to meet the housing needs of the City.

Councillor Shailer (Ward County Councillor and who lived close to the site) addressed the Committee about the application:

- i. Noted that the access lane to the rear of the proposed site was 3.5m wide although it narrowed in some places. Expressed interest in how the lane could be brought up to adoptable standard.

- ii. Noted over the last 30 years the area had become much safer and more integrated.
- iii. The area was becoming a muse-like urban environment.
- iv. The proposal did not increase the living space density as high as that elsewhere in the City but being within walking distance of amenities was important.
- v. The proposal was better than most other new builds and would be a decent well-made accommodation.
- vi. The proposal would increase housing stock in the City at no cost to the local authority.

### The Committee:

**Resolved (unanimously)** to refuse the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer report.

### **22/91/Plan Enforcement Monthly Report - 15.15pm**

The Committee received an information report from the Principal Planning Enforcement Officer.

On 30th April 2022 there were 123 open cases, including 61 Short Term Visitor Accommodation investigations. The previous figure at the end of April February was 140.

In June 2022, 1 new case was opened and 4 investigations were closed.

In May 2022, 19 new cases were opened and 33 investigations were closed.

### The Committee

**Noted** the Officer's report.

The meeting ended at 6.00 pm

**CHAIR**