

DEVELOPMENT CONTROL FORUM

27 September 2022
10.00 - 11.44 am

Present

Councillors: Bennett, Collis, Porrer
Ward Councillors: Bick, Gilderdale

Officers:

Interim Development Management and Planning Compliance Manager: Toby Williams
Senior Planner: Mary Collins
Committee Manager: Sarah Steed
Meeting Producer: Claire Tunnicliffe

For Applicant:

Senior Heritage Consultant (Turley): Declan Carroll,
Architect: Alan Miles
Operations Manager Pembroke College: Robert Griggs

For Petitioners:

Chair of Newtown Residents Association
Residents Panton Street
Resident St Eligius Street

FOR THE INFORMATION OF THE COUNCIL

22/9/DCF Opening Remarks by Chair

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

22/10/DCF Apologies

Apologies were received from Councillors D.Baigent, Smart and Thornburrow.

22/11/DCF Declarations of Interest

Member	Item	Interest
Councillor Porrer	22/12/DCF	Personal: Had been copied into email correspondence by

		residents but had forwarded this on to other Ward Councillors to respond to.
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22/12/DCF Application and Petition Details (Ref 22/02776/FUL / address 32-40 Panton Street, Cambridge, CB2 1HP)

Application No: Ref 22/02776/FUL

Site Address: 32-40 Panton Street, Cambridge, CB2 1HP

Description: Erection of 3no 2bed units providing accommodation for use by Pembroke College, as well as alterations/refurbishment of existing Coach House to rear of 32 Panton Street and associated landscape works/vehicle and cycle parking, and bins storage, including the front gardens of nos 32-40 Panton Street. | The Coach House Rear Of 32 Panton Street Cambridge Cambridgeshire CB2 1HP

Applicant: Pembroke College

Agent: Declan Carroll

Address: 8 Quy Court Colliers Lane Stow Cum Quy Cambridge CB25 9AU

Lead Petitioner: Resident(s) of North Newtown Residents Association

Case Officer: Mary Collins

Text of Petition:

The grounds for asking for a Forum on this application are as follows:

A previous application in 2006/07 for development of no 32 - 40 Panton Street rear gardens was rejected by the Planning Department, and Planning Inspector at appeal. The determination at appeal confirmed:

- The rear gardens of the appeal site are an integral part of the "back lane" character [of St Eligius Street] and they provide a green interruption to the hard surfaces of bricks and mortar...
- Their importance is as part of a vegetated open space, which is of considerable value and makes a positive contribution towards local distinctiveness and the character of the conservation area.
- These provide a green setting and a visual interruption that helps diffuse the intensity of an otherwise tightly packed built environment.

The new, revised planning application is giving many residents concern on the following items:

1. Impact on Conservation Area Character – the rear gardens are currently appropriately sized for the Panton Street houses, housing 5-8 inhabitants per household. To build on the gardens as proposed would a) affect the ‘back lane’ character of St Eligius Street, and b) remove the ‘green setting’ and ‘visual interruption’ that diffuses the ‘tightly packed built environment’ of Newtown, thus does not ‘preserve or enhance’ the Conservation Area.
2. Design Approach/Over-Development – there are precedents on St Eligius Street at Bateman Street-end where Panton Street houses have developed small studios in rear gardens, leaving family homes with small courtyard gardens. This application should seek to provide a better design approach if it were to build, using the no 32’s ‘Coach House’ as a guide and seeking to retain more of the gardens & trees for their amenity & environmental value.
3. Gardens (Front & Rear) – this is an opportunity to improve walls, heritage features and planting schemes. The proposals do not go far enough to address the loss of trees & hedges over the years prior to this application. With an improved approach, the issues of cycle parking, service vehicle parking and location of bin stores – that currently affect residents & neighbours, and the proposed application has not satisfactorily solved – can be addressed. The improvements to frontages and rear gardens will benefit residents, the local street scene and environment of the Conservation Area.
4. Noise Levels – with a significant increase in the number of occupants based on sub-division of gardens and over-development of the plots, the removal of garden features and walls that might limit noise between households is put at risk; an improved approach might address this. In addition the noise from 3 Air Source Heat Pumps (40dB at 3m distance, and 50dB at 1m distance) for the new houses and small gardens, close to residents that need to enjoy them, impacts their amenity value and are poor implementations. Smaller new buildings with a focus on energy efficiency with passive house design and solar PV slates might negate the need for air source heat pumps. Further it would demonstrate solutions that deliver similar aims, whilst benefitting the residents and neighbouring properties, and be a reference project to others in the city.

5. Merging Properties & Gardens – the removal of garden dividing walls and building across the width of nos.32 – 40 to the rear, removes city centre housing stock suitable for other residential uses and limits the 'site' for use by institutions only. An improved approach that ensures each plot can be treated individually for other needs in future also removes the need for extensive re-work and carbon emissions to achieve this.

Do you think there are changes that could be made to overcome your concerns?

(Please note that a DCF will not be held where a petition expresses an in-principle outright objection to the application with no suggestions for a compromise solution).

Yes.

If Yes, please explain what changes could be made to overcome your concerns:

With reference to the supplied plan illustrations, we propose that improved designs and re-configuration of key features can deliver a similar level of accommodation without the impact on the conservation area character, gardens & trees, current residents of 32 – 40 as well as neighbouring properties and streets. These are:

2 Coach House-style buildings (2-4 residents) instead of '3' Terraced Houses (4.5 standard-width houses)

- Design & scale is in keeping with existing a) heritage building at no 32, and b) street scene & character
- Rear garden access is available via back gates to all properties
- Reduces over-looking & privacy issues to St Eligius Street
- Each plot is self-contained with minimal re-work to restore walls and relocate features in future if required
- Rear garden gates are set back from pavement via paths (with encaustic tiles or similar). This provides a) improved residents' safety on narrow St Eligius Street (given vehicles mount pavement to pass houses), b) additional natural light to rear of properties & gardens, and c) provides wall openings/articulations & planting to improve street scene and preserve its open aspect

2-Floor Extension (32 Panton Street) (2+ residents) in place of 3rd house enabling parking to the rear entrance

- Is in keeping with no 34's style and its established building line
- Provides 2 additional resident bedrooms for two or more residents
- Provides 1 additional WC for the new residents as well as benefitting the existing residents
- Provides 1 additional SH (for the reasons above)
- Features an inner courtyard for suitable planting, permitting light to rear elevation bedroom(s)

Cycle Storage

- Enables all cycle racks to be located to the rear of properties improving security, and noise & disturbance to neighbours (being contained within rear garden perimeters with suitable planting)
- Features 'Sheffield Stands' (750mm x 750mm) with 1000mm spacing for best practice installation

Services (Refuse Area & Parking)

- New pathways connect houses & gardens to refuse area and parking area
- Refuse area (6 x 1100 litre bins, 1270mm x 986mm, 65kg) is set back from residents' rooms & neighbour's property which would otherwise overlook this area. Access via Coronation Street via side gate (to be re-hung as right-handed) gives Refuse Collection space to stop & empty bins without blocking St Eligius Street
- Parking is for 1–2 vehicles based on size of a Large Panel Van (5m x 2.5m) with bays 5m x 3.8m. This would be gated (a pair of gates, or two pairs of smaller ones) to prevent current issues of building materials and rubbish being dumped, local school staff smoking & loitering, and make the gardens visible, opening their aspect to the street without compromising security. Cellular confinement system surface to be installed to prevent compaction of tree roots

Gardens

- Maximum garden space retained to feature lawns, borders & trees with paths for areas with high footfall. The quality of garden spaces is to be in keeping with similar in-college student gardens
- Improved retention of key trees, especially a) the Yew Tree (note: these are mostly dioecious, so loss of the tree is likely to affect others in the area) and b) the Cotoneaster. These are both street scene features. Both

would benefit from being crown lifted & cut back to accommodate car parking and corner plot build.

- Opportunity to replace trees removed/lost in previous years
- Full landscaping of decluttered front & back gardens, with restored front walls & railings to all properties

Case by Applicant

- 1) The college had no suitable affordable accommodation to offer couples / parents with children who wanted to study. The demand for this type of accommodation was increasing. The current accommodation the College could offer were houses in multiple occupation (HMOs) and this type of accommodation was not suitable for families for safeguarding reasons.
- 2) Students with accessibility issues or who required additional support may also benefit from different accommodation.
- 3) A previous application had been submitted but not progressed as priorities arose elsewhere.
- 4) Time had been spent on addressing objections which had been raised in relation to the previous application.
- 5) During their 8 years at Pembroke College the only objection they were aware of related to rear entrances on to St Eligius Street.
- 6) Felt the current application would provide family accommodation which was close to the college.
- 7) The scheme provided good versatile accommodation, in an appropriate location which was appropriate in scale and proportion and significantly improved the street scene.
- 8) The scale of the development took into account the Coach House and replicated this.
- 9) The planning proposal put forward three two bed houses, the petition puts forward two single houses with combined living space. Did not feel that the two single houses could accommodate four people. The Petition proposals would not meet the College's needs.
- 10) Noted the Petition proposals put forward an extension to 32 Panton Street to make up the reduced amount of accommodation but this had no windows and would not provide an autonomous accommodation.
- 11) Noted the Petition proposals presented a blank façade which had been raised as an objection on the previous application.
- 12) Expressed concern about the proposal to have spaces between the houses as felt this presented a security and safety risk.

- 13) Noted the Petition scheme did not include a disabled parking space.
- 14) Felt the location of cycle spaces to the rear of the development was an interesting concept as thought it was planning policy to have cycle parking to the front of properties. Noted the same amount of cycle parking was not being proposed.
- 15) Planning and Building Regulations addressed sustainability issues.
- 16) Advised the scheme would comply with the updated Building Regulations with regards to insulation which came into force from June 2022.
- 17) Photovoltaic panels had been considered but due to the orientation of the buildings being east to west it was felt that these would not be effective.
- 18) There was always a planning balance with any development.
- 19) The current proposals would enhance the Conservation Area which is varied in character.
- 20) The proposals had considered the previous Planning Inspector's comments and those of the statutory consultees.

Case by Petitioners

- 21) Noted there were 85 members of North Newtown Residents Association.
- 22) Wanted a design approach which was more sympathetic to the context and character of the area.
- 23) Felt there were features of the Applicant's proposals which could be reconfigured which would address the concerns of local residents.
- 24) A previous planning application submitted in 2006/2007 was rejected by the City Council and also by the Planning Inspector on the grounds of 'unacceptable harm to the visual amenities of the street scene' and failure to 'respect its context within the conservation area...the way that buildings, walls and spaces interrelate with each other'.
- 25) Concern 1 – impact on Conservation Area character. The rear gardens were appropriately sized for Panton Street properties and the number of inhabitants. To sub-divide and build on the gardens in the proposed design terms would:
 - a. Materially affect the back lane character of St Eligius Street and the gardens of the large family homes / boarding houses.
 - b. Remove the green setting and visual interruption that diffuses the tightly packed built environment.

- c. Increase the densification of the built environment whilst obscuring the trees and architectural interest of the rear elevations of the Panton Street houses.

26) Concern 2 – design approach. 1-11 Eligius Street had been referenced which is a terrace dating back to 1871 and imposes a design and mass of built form which was stylistically not in keeping with:

- a. The spacing of the properties on the street. No houses were set opposite each other.
- b. The proposed houses were wider than 1-11 Eligius Street. Noted the buildings were proposed to be built wider as building deeper was not an option.
- c. Buildings in the rear gardens of 60-70 Panton Street were of small studio-type and not houses, more in keeping with the Coach House design than 1-11 Eligius Street.
- d. Similar schemes in New Square (19/0560/FUL) delivered single storey properties with a design approach more aware of the context of the street and was sensitive to it.

27) Concern 3 – a material reduction in rear garden size limited the opportunities to improve the front and back gardens:

- a. The rear garden was more pathway and hardstanding than lawn. Queried where the 30 plus residents and their visitors were meant to sit outside bearing in mind the close proximity to heat pumps and rooms that would overlook them.
- b. Front garden improvements were welcome but needed to go further:
 - i. Not all gardens planned to receive treatments so queried what the options were.
 - ii. Cycle stand massing limited the objective of decluttering the front gardens and there would be limited rear garden space.
 - iii. Low maintenance paving or loose stone, with little planting. Water run-off to pavements. Planting schemes to improve street scene.
 - iv. A number of trees had been removed over the years from the rear gardens and hedge at no. 32 initially without planning permission.

28) Concern 4 – noise levels due to a material increase in the number of occupants in a smaller shared garden.

- a. Removal of garden walls which mitigated noise between households.
 - b. Massing of bikes, vehicle parking and refuse area at no. 32 immediately adjacent to no 30 where significant increase of movement and noise throughout the day and evening could be expected.
 - c. Noise from three air source heat pumps.
 - d. Large amount of hard landscaping that would not absorb sound between the main house and rear garden buildings.
- 29) Concern 5 – merging properties and gardens. The removal of garden diving walls and building across the width of numbers 32-40:
- a. Removed the city centre housing stock suitable for other residential uses
 - b. Limited the site for use by institutions only.
 - c. An improved approach would ensure each plot could be treated individually for other needs in the future and would remove the need for extensive re-work and carbon emissions to achieve this.
- 30) Proposals to use coach style buildings was just a starting point. Adopting this change in approach respected the back street context of the rear garden relationship with St Eligius Street. Having a turning point was something to investigate.
- 31) Two floor extension at 32 Panton Street should be built in keeping with number 34's building line or set back further. The extension would provide two additional bedrooms with an inner courtyard for suitable planting, permitting light to rear elevation bedrooms.
- 32) Requested the retention of maximum garden space and also the retention of key trees.
- 33) Requested that the refuse area was set back from resident's rooms and was not adjacent to a residential property.
- 34) Noted that the Applicant had previously said that the accommodation was not for people with specific needs but at the Forum they were saying the opposite.
- 35) The area was currently a quiet Victorian street and the proposed development would significantly change the character of the area.
- 36) Noted that there were no supporting comments for the development listed on the Planning Portal.

- 37) Felt an additional 30-40 people living in the area would significantly increase footfall and refuse.
- 38) Expressed concerns about car parking in the area which would directly impact the desirability of their home.
- 39) The proposed location for refuse bins was directly next to their garden wall. Their raised patio area would directly overlook the bin area.

Case Officer's Comments:

- 40) The planning application was received on 16 June 2022. Neighbours and consultees were notified of the application on 8 July. A site notice advertising the application was displayed on 29 July and a press notice was published in the Cambridge Independent on 13 July 2022.
- 41) Representations had been received from 33 residents which were all in objection. The main objections included:
 - a. Loss of important open space and trees and the negative impact on the Conservation Area. The proposal to plant three cherry trees within the development would have no impact on the actual streetscape. There was not enough room for new trees to grow.
 - b. Impact on Conservation Area - The rear gardens of the application site were an integral part of the 'back lane character' of St Eligius Street, and 'provided a green interruption to the hard surfaces of bricks and mortar.'
 - c. A similar previous proposal had been rejected.
 - d. This was overdevelopment in an already very crowded area.
 - e. Adverse impact on neighbour amenity.
 - f. The scale of the proposed development was too high and would be overbearing on the current residents of houses on the street.
 - g. Increased noise levels, from additional residents, delivery vehicles, servicing of properties and from air source heat pumps.
 - h. The proposed siting of the waste bins which was proposed to be adjacent to the wall of 30 Panton Street.
 - i. Drainage issues – blockages of drains by debris was already an issue. Also expressed concerns with the Victorian system of water pipes, designed for single family households. New hardstanding and loss of permeable land would have an immediate and severe impact on the treatment of water runoff; with attendant risk to private and public infrastructure.
 - j. Proximity of development to natural resource of Hobson's Conduit in terms of machinery coming onto/exiting the site and in terms of construction debris running off into the watercourse.

- k. Road safety concerns - schools were close by and the new properties would be in close proximity to roads.
- 42) Consultation responses have been received from:
- a. County Highways Development Management had no objections but had requested conditions including that a condition survey be undertaken and requiring any damage be made good, restriction of construction vehicles of a certain weight and informatives that residents would not qualify for parking permits (except visitor permits) and the prevention of encroachment on highway land.
 - b. Sustainable Drainage Officer requested a condition be added that a detailed drainage scheme should be developed and details submitted.
 - c. Conservation Team were supportive of the scheme but noted that the right materials and detailing needed to be used. The proposal showed a mixture of new walls without railings and new low wall and railings fronting 32-34 Panton Street. Subject to details of the walls and railings this would be an improvement to the street scene.
 - d. Ecology Officer suggested the applicant refer to the adopted Biodiversity SPD for guidance on ecological information requirement for small sites. Noted that a protected species survey may be required.
 - e. Tree Officer expressed concerns regarding the removal of Yew trees and noted insufficient space for replacement planting. For the above reasons did not support the application and recommended refusal.
 - f. Environmental Health commented that the development was acceptable subject to the imposition of conditions regarding construction hours, piling, plant noise insulation and an informative regarding air source heat pumps.

Case by Ward Councillors

Councillor Bick spoke as a Ward Councillor and made the following points:

- 43) Noted the College sought to provide accommodation they had a need for.
- 44) Did not think residents opposed development completely but there were concerns which needed to be taken into account.
- 45) Residents had illustrated an alternative proposal to promote discussion about issues that they were concerned with.
- 46) St Eligius Street was one of the narrowest streets in the city and consideration needed to be given to this context.

- 47) Concern 1 – Context - Noted there were buildings on each side of the street but none of the buildings directly faced another building.
- 48) Expressed concerns regarding residential amenity if the development went ahead as people would be able to look directly into each other's front building.
- 49) 1 and 3 St Eligius Street looked out onto the side of other buildings.
- 50) Commented that the applicant needed to re-look at the orientation of buildings following concerns raised by residents.
- 51) Concern 2 – collection of refuse – asked if the location of refuse bins could be sited away from the boundary with a residential property.
- 52) Concern 3 – trees – felt the trees formed an important part of the characteristic of the street and added a sense of nature to the area.
- 53) Felt the applicant needed to consider how they could address concerns 1-3.

Members' Questions and Comments:

The Applicant answered as follows in response to Members' questions:

- 54) The aim of this development was to provide accommodation for families or for people who required additional support for example for people with mental health conditions. The College had accommodation on-site for people who were wheelchair users.
- 55) The disabled parking space was aimed more for visitors of the site. The other parking space was proposed to be used for example by college maintenance staff. Noted that there was already a parking space to the rear of the Panton Street properties so a parking space was simply being replaced. The College was not suggesting that the parking spaces were used by students.
- 56) Two trees were proposed to be removed to facilitate the development and acknowledged this would have an impact on the visual appearance of the street. Noted concerns which had been raised about tree removal and commented that the removal of these trees had been included in the previous appeal scheme and as part of pre-application discussions with the Local Planning Authority and no concerns about tree loss had been raised. Felt the proposal would have a positive impact as it would create an active frontage, poor quality garages would be removed and properties would be set back allowing for additional planting which reflected properties 1-11 St Eligius Street.

- 57) Noted the concerns raised about the height of buildings. The Coach House already had very low ceilings and would have to be lowered further. The increase in building heights was necessary to meet good living standards and today's requirements for insulation standards.
- 58) The bin location had been carefully considered as it was managed by the College's housekeeping team. The proposed location was based on the ease of access to the street where the bins would be collected by refuse collectors. Mitigation measures could be considered.
- 59) Noted concerns which had been raised about building orientation but noted that properties further down St Eligius Street had been built in the same orientation as that proposed.
- 60) Commented that St Eligius Street was not the only narrow street in the area and noted that the front of 2 and 4 St Eligius Street was not dissimilar to the adjacent Norwich Street.
- 61) St Eligius Street was developed over time, the properties further down St Eligius were themselves built in the same orientation the current development was proposing to the back of the properties of 42-50 Panton Street. 1-11 St Eligius Street were then developed to the rear of those properties.
- 62) The proposals put forward had been developed as a result of discussions with Planning Officers. Previous proposals had a different appearance and were adapted to reflect comments received. Efforts to replicate the appearance of front elevations of properties further along the street is what had been presented.
- 63) Noted the comments made by Councillor Bick about properties not facing each other directly but the current proposals would be facing properties slightly set back from the edge of the pavement. There was distance across the street.
- 64) Felt comments made by the Planning Inspector on a previous appeal application had been taken out of context and that the Planning Inspector had said St Eligius Street had back lane character in places, which established that there were areas along the street which did not have back lane character and equally contributed to the character of the Conservation Area. The Inspector also commented that the orientation of the building presented at the time which sought to retain a back lane appearance by facing away from the street was not a successful way of maintaining the back lane appearance of the site. The Applicant's had

responded by introducing an active frontage in this application which responded to the character of 1-11 St Eligius Street.

Summing up by the Applicant's Agent

- 65) The application had been prepared following a previous application and subsequent pre-application discussions. The Applicant felt the application responded to the Planning Inspector's comments.
- 66) The Conservation Team supported the application subject to standard conditions.
- 67) The Sustainable Drainage Officer, County Highways and the Environmental Health Team raised no objections subject to conditions being added to the permission.
- 68) Felt when judging the planning balance, there was no harm to the character and appearance of the Conservation Area in the context of the statutory duty or in planning policy.
- 69) Felt the removal of poor-quality garages and the replacement with a high quality development would enhance the site.
- 70) Noted that preserving the character of an individual site was different to preserving the established character of the Conservation Area.
- 71) Felt the proposals were appropriate and in character of the current area.

Summing up by the Petitioners

- 72) Questioned how the Victorian sewage system would cope with the proposed development.
- 73) Asked the Applicant to give consideration to the compromise plans put forward by the Petitioners, which had been proposed to reduce the impacts of the development.
- 74) Requested a bit more open space and the retention of surviving trees.
- 75) Learnt from the Forum that the intention of the development was to provide housing for couples and families.
- 76) Noted that 1-11 Eligius Street was built later but these were courtyard buildings with limited amenity space.
- 77) Noted that none of the residents supported the development.
- 78) Felt if the development went ahead as proposed felt that large Victorian family homes would be turned into high density homes.
- 79) Asked the Applicants to consider the ideas which had been put forward by the Petitioners.

Final Comments of the Chair

80) The Chair observed the following:

- Notes of the Development Control Forum would be made available to relevant parties, published on the council's website and appended to the Planning Officers report.
- The planning case officer should contact the applicants/agent after the meeting to discuss the outcome of the meeting and to follow up any further action that is necessary. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any proposed amendment/s.
- The Council will follow its normal neighbour notification procedures on any amendments to the application.
- Application to be considered at a future Planning Committee.
- Along with other individuals who may have made representations on the application, the petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by Committee and of their public speaking rights. The Committee report will be publicly available five clear days before the Committee meeting.

The meeting ended at 11.44 am

CHAIR