

# Public Document Pack

Planning

Plan/1

Wednesday, 30 November 2016

## PLANNING

30 November 2016  
10.00 am - 5.25 pm

### Present:

**Planning Committee Members:** Councillors Hipkin (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Nethsingha, Pippas, Smart and Tunnacliffe

Councillor Pippas left before the vote on item 16/191/Plan

Councillor Nethsingha left after the vote on item 16/194/Plan

### Officers:

City Development Manager: Sarah Dyer

Principal Planner: Nigel Blazeby

Principal Planner: Lorraine Casey

Principal Planner: Toby Williams

Senior Planner: Charlotte Burton

Planner: Sophia Dudding

Planner: Michael Hammond

Planner: Sav Patel

Planning Assistant: Mairead O'Sullivan

Legal Advisor: Richard Pitt

Principal Conservation and Design Officer: Christian Brady

Transport Officer, Cambs County Council: Tom Parry

Transport Officer, Cambs County Council: Emily Butler

Committee Manager: Toni Birkin

Committee Manager: James Goddard

## FOR THE INFORMATION OF THE COUNCIL

### 16/179/PlanApologies

No apologies were received.

### 16/180/PlanDeclarations of Interest

Name	Item	Interest
------	------	----------

Councillor Hipkin	16/190/Plan	Personal and Prejudicial: (Knows the Applicant)  Withdrew from discussion and room, and did not vote
-------------------	-------------	---

### **16/181/PlanMinutes**

The minutes of the meeting held on 2<sup>nd</sup> November 2016 were approved as a correct record and signed by the Chair.

### **Change to Published Agenda Order**

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

### **16/182/Plan16/0673/FUL - Cambridge Union Society, 9A Bridge Street**

The Committee received an application for full planning permission.

The application sought approval for demolition of ancillary buildings and removal of 1930's facade at the grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 38 room post-graduate student accommodation above (use class C2) together with basement storage and services

Adam Halford (Planning Agent, Bidwell's), Dr Rod Pullen (Junior Pursar, Trinity College and Asia Lambert, (President of Cambridge Union Society) addressed the Committee in support of the application.

### **The Committee:**

**Unanimously resolved** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the

officer report, and subject to the conditions recommended by the officers and subject to completion of S106 Agreement.

**DELEGATED AUTHORITY granted to officers** to compose appropriate substitute wording for conditions; 3, 4, 8, 11, 13, 14, 15, 16, 22, 24, 25, 26, 27, 28, 39, 40, 41, 42, 44, 45 and informatives; 46 and 58.

### **16/183/Plan16/0674/LBC - Cambridge Union Society, 9A Bridge Street**

The Committee received an application for Listed Building Consent.

The application sought approval for demolition of ancillary buildings and removal of 1930's facade at the grade II listed Cambridge Union Society. Construction of replacement facade, reinstatement and refurbishment of historic features and internal and external access and refurbishment works including enlargement of existing cafe (use class A3) and re-opening of 'footlight's' entertainment space (sui generis). Demolition of squash courts and un-listed 3-5 Round Church Street in the conservation area. Construction of new link building for access and ancillary uses for the Union Society. Construction of adjacent new building with ground floor restaurant (use class A3) with 38 room post-graduate student accommodation above (use class C2) together with basement storage and services.

#### The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**DELEGATED AUTHORITY granted to officers** to compose appropriate substitute wording for condition 3 and informative 13.

### **Principal Planning Officer overview of the following three application relating to Citylife House Sturton Street**

The Committee noted the Principal Planning Officer update regarding additional third party representations and corrections to the planning history of the site. He further highlighted Queen's Counsel advice and the legal status of the three applications.

### **16/184/Plan16/1272/S73 - Citylife House, Sturton Street**

The Committee received a section 73 application.

The application sought approval to vary condition number 2 of permission 14/1252/FUL to permit revised cycle and bin storage locations, revised internal configurations and revised location of plant from the eastern elevation to the roof.

The Committee received representations in objection to the application from the following:

Representative of Petersfield Area Action Community Trust:

- i. Objects to new plant equipment.
- ii. Objects to new paths across open space.
- iii. The area is dense and the limited open space is highly valued.

Resident of Edward Street:

- i. Paths appear to be needed for future developments rather than current use.
- ii. Applicant suggests paths are needed to make the building Disability Discrimination Act compliant however, disabled user groups say they are unsuitable.
- iii. Intrusive appearance of the plant is unacceptable.

Julian Curry, Applicant's Agent, Elizabeth Nantais and Guy Vallantine of CSVPA addressed the Committee in support of the application.

Councillor Robertson, Cambridge City Council Ward Councillor addressed the Committee regarding the application and made the following points:

- i. Concerned that the applicant had already completed all work.
- ii. Does not respect the nature of a conservation area.
- iii. Plans unacceptable.
- iv. Photos taken on 2014 show nothing above the roof line.
- v. Plant was now prominent and intrusive.
- vi. Has appearance of a factory.

Councillor Hipkin proposed and Councillor Nethsingha seconded an amendment to the Officer's recommendation (Recommendation 6) to read as follows:

Within 1 month from the date of the approval, details of a louvre screen enclosing all sides of the rooftop plant shall be submitted to and approved in writing by the Local Planning Authority. The details shall include elevations, material sample, and colour. The approved screen shall be installed no later than 3 months from the date of the discharge of the condition.

Reason: To ensure the appearance of the rooftop plant is screened from view and does not appear visually obtrusive within the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/14 and 4/11).

This amendment was lost by 5 votes to 3.

Councillor Blencowe proposed and Councillor Smart seconded deferring the application so that further information and visual images of the roof plant could be considered.

The Legal Advisor agreed that a deferral to allow the submission of further information would be appropriate,

The Committee:

**Unanimously resolved to DEFER** to allow submission of details of roof plant visual impact mitigation measures.

### **16/185/Plan15/2372/FUL - Citylife House, Sturton Street**

The Committee received an application for change of use.

The application sought approval for change of use from the permitted use as a studio/cafe/bar/multimedia education centre and community facility (sui generis) granted under permission 97/1020 to general education use within use class D1, including alterations to eastern & southern elevations, external landscaping and reconfigured cycle parking.

The Committee noted slight changes to the proposed conditions as outlined by the Principal Planning Officer.

The Principal Planning Officer suggested that, having deferred application 16/1272/S73, it might be prudent to also defer this application.

The Committee received representations in objection to the application from the following:

Representative of Peterfield Area Community Trust:

- i. Peterfield Area Community Trust was formed following the loss of this building as a community building.
- ii. The proposed future community use of this building is unclear.
- iii. Intended occupier has made positive comments but proposal lacks details.

Local resident:

- i. Had concerns over community use.
- ii. Policy 5.11 addresses community use and proposals do not address this.
- iii. Community use is not a minor matter and as there is currently no provision, it is important to the community.
- iv. Members need to see what they are agreeing to.
- v. The path of this application has been a catalogue of errors.
- vi. The Community Access Agreement has been delayed for 4 months.
- vii. Major problems still exist.
- viii. It would be unsafe to agree application today.
- ix. A pause would be a valid option.

Resident of Edward Street:

- i. Conditions need to be resolved.
- ii. 1997 application contained conditions regarding the open space.
- iii. The application needs something about maintaining the open space and protection of the trees and plants.
- iv. A car park maintenance plan is needed.
- v. Conditions 4, 7 and 9 are flawed.
- vi. Professional advice is needed regarding the acoustics.
- vii. Clarity is needed over condition 7 and the designation of a language school.

Julian Curry, Applicant's Agent, Elizabeth Nantais and Guy Vallantine of CSVPA addressed the Committee in support of the application.

Councillor Robertson, Cambridge City Council Ward Councillor, addressed the Committee regarding the application:

- i. There has been a long history of concern over this building.
- ii. Community have previously taken action to protect the space.
- iii. It is valued as a community asset.
- iv. It could be lost to the community for ever.

- v. The area lacks facilities.
- vi. The current applicant would make good use of the space but this could change in the future.
- vii. The Community Access Agreement is current poor and needs to be re-drafted.
- viii. The Committee needs more time to consider the latest proposals as they contain contradictions.
- ix. Application should be deferred.

Councillor Walsh, Cambridgeshire County Council Ward Councillor, addressed the Committee regarding the application:

- i. Policies 4.2 and 5.11 require that this application be deferred or refused.
- ii. Without permission paths had been installed across protected open space.
- iii. There was strong support in the area for community access and local provision within this building.
- iv. Applicant had been bullish in approach.
- v. Bodywork had not been given access to the building.
- vi. 5.11 could allow the building to become an educational establishment and the community access could be lost.

Councillor Blencowe proposed and Councillor Smart seconded deferring the application on the ground of the unresolved issue of the plant and to allow a detailed Community Access Agreement to be submitted.

#### The Committee:

**Resolved (by 6 votes to 0 and 2 abstentions) to DEFER** to allow submission of details of roof plant visual impact mitigation measures and Community Access Agreement prior to determination of the application.

#### **16/186/Plan14/1252/COND12A - Citylife House, Sturton Street**

The Committee received an application to discharge condition 12.

The application sought approval to discharge condition 12 which related to a Travel Plan for the permitted dance school/studio use.

The Committee received representations in objection to the application from the following:

Resident of Gwydir Street:

- i. The existing permissions related to 'body works' a local dance school company.
- ii. Application was no compliant with policy 5.11 as CSVPA would not cater for a local market.
- iii. Travel plan should not contravene the Local Plan.
- iv. Community use plan lacks sufficient detail.

Local resident:

- i. Applications should be considered before work starts and not when that work has been completed.
- ii. Sixth iteration of the plan.
- iii. Application should be rejected.

Resident of Edward Street:

- i. Local residents had concern about evening and weekend use of the building.
- ii. A travel plan should address all journeys.
- iii. No assessment of weekend or evening use has been provided.
- iv. It is difficult to see how monitoring of weekend and evening journeys could be undertaken.

Julian Curry, the Applicant's Agent, Elizabeth Nantais and Guy Vallantine of CSVPA addressed the Committee in support of the application.

Councillor Robertson, Cambridge City Council Ward Councillor addressed the Committee regarding the application and made the following points:

- i. Condition 12 was linked to use.
- ii. CSVPA would create different traffic movements to an organisation catering for the local community.
- iii. Future use of the building was no guaranteed.
- iv. Travel plan should be compliant with policy 5.11.
- v. Assessment lack recognitions of use of the building.
- vi. Data assumptions are inconsistent.
- vii. If this application is accepted, it should be subject to an annual review for the next five years.

County Council Transport officers confirmed that they were only able to assess the plan provided.



The Committee:

**Resolved (by 5 votes to 3)** to grant the application to discharge condition 12 in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**16/187/Plan16/1633/FUL - 39 Durnford Way**

The Committee received an application for retrospective planning permission.

The application sought approval for the erection of a single storey garage extension to the rear (south), a single storey extension to the east side including front bay, attic conversion incorporating dormer windows to the front (north) and rear (south), and a sunken balcony to the east side.

The Committee received a representation in objection to the application from a resident of 3 Wynborne Close.

The representation covered the following issues:

- i. Objected to the sunken balcony on the east side.
- ii. Raised the following concerns:
  - a. It was not necessary to have a balcony, a window would let in light / air.
  - b. Overlooking.
  - c. Impact on neighbours' amenities.
- iii. Took issue with:
  - a. Actions taken by the Planning Department during the application process.
  - b. The recommendation for retrospective planning permission.
  - c. Building work undertaken did not match the approval given.

Councillor Todd-Jones (Arbury Ward Councillor) addressed the Committee about the application.

- i. Referred to paragraph 2.3 on P234 and paragraph 7.1 on P237. Specifically the Design & Access Statement in the previously approved application.
  - a. Obscured glazing had been recommended.
  - b. The Statement said neighbouring properties would not be overlooked.

- ii. The application did not satisfy Local Plan policy 3.14b (extended building) as work did not match approved plans. The design as approved was acceptable however.
- iii. No. 6 Wynborne Close's amenity space was now overlooked by the Applicant's balcony, obscure film on the windows would not mitigate this.

The Committee:

**Resolved (by 7 votes to 1)** to grant the application for retrospective planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**16/188/Plan16/1371/FUL - 77 And 77A Shelford Road**

The Committee received an application for full planning permission.

The application sought approval for the proposed demolition of existing dwelling and workshops and erection of 9 dwellings.

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

The Committee:

**Unanimously resolved** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**16/189/Plan16/1057/FUL - 37 Grantchester Street**

Councillor Hipkin withdrew from the meeting just for this item and Councillor Blencowe took the Chair.

The Committee received an application for full planning permission.

The application sought approval for a two storey side extension and rear roof extension incorporating dormer window, including subdivision into two dwelling units, following demolition of converted side garage.

The Committee received a representation in objection to the application from a resident of Eltisley Avenue.

The representation covered the following issues:

- i. The revisions in the latest iteration of plans did not address problems raised in the July application.
- ii. Specific concerns:
  - a. Texture, paintwork and cladding revisions.
  - b. The main finding in the July application was the extension was too big. It did not comply with NPPF 17 due to size and dominance of the building.
  - c. The drawings just showed the application, not the distance to neighbours. It would adversely impact on them.

The Applicant's daughter addressed the Committee in support of the application.

The Committee:

**Resolved (by 4 votes to 3)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **16/190/Plan16/1171/FUL - City of Cambridge Boathouse, Kimberley Road**

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing boathouse and its replacement with a new boathouse.

The Committee:

**Resolved (by 7 votes to 0)** to defer the application for planning permission in accordance with the officer recommendation as set out in the planning amendment sheet.

This is because a neighbour has requested a daylight and sunlight study be conducted for the new dwelling approved under planning permission reference 15/1710/FUL on the land behind 89-91 De Freville Avenue. The applicants have agreed to commission this work. A deferral will allow time for the study to be conducted and the relevant neighbours' be consulted, prior to the application being determined. The neighbour has also asked that members of Planning Committee visit the site of the approved dwelling. The deferral will

also allow such a visit to be organised to give Planning Committee this opportunity.

### **16/191/Plan16/1413/FUL - 207 Green End Road**

The Committee received an application for full planning permission.

The application sought approval for a mixed use development, comprising of 2No. Hot Food Takeaways (A5 use) and 8 No. Flats following demolition of existing buildings.

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

The representation covered the following concerns:

- i. Loss of light.
- ii. Impact on amenity space.

A resident of Green End Road and Mr Phillips (Applicant's Agent) addressed the Committee in support of the application.

#### The Committee:

**Resolved (by 6 votes to 0)** to refuse planning permission in accordance with the officer recommendation, for the reasons set out in the officer report.

### **16/192/Plan16/1586/FUL - 5 Hooper Street**

The Committee received an application for full planning permission.

The application sought approval for the demolition of the 6 existing garages. These are to be replaced by a 2 storey detached dwelling.

Councillor Hipkin read a written statement from Ms Parkes (Applicant's Agent) to the Committee in support of the application.

#### The Committee:

**Resolved (by 7 votes to 0)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**16/193/Plan16/1543/FUL - 2 Uphall Road**

The Committee received an application for full planning permission.

The application sought approval for the erection of a new three bed detached dwelling on land adjacent to 2 Uphall Road.

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

The Committee:

**Resolved (by 7 votes to 0)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**16/194/Plan16/1514/FUL - Land at 161 Newmarket Road**

The Committee received an application for full planning permission.

The application sought approval for the erection of four self-contained flats & associated works & infrastructure.

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 report, and subject to the conditions recommended by the officers.

**16/195/Plan16/0851/FUL - 13 Swann Road**

The Committee received an application for change of use.

The application sought approval for the change of use from the existing industrial car workshop to car sale showroom (sui generis) incorporating demolition of an existing wash bay and installation of new wall cladding and glazed walling.

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

The Committee:

**Resolved (by 6 votes to 0)** to grant the application for change of use in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **16/196/Plan16/1587/FUL - 58 Harvey Goodwin Avenue**

The Committee received an application for full planning permission.

The application sought approval for the erection of bed-sit/studio to the rear of 58 Harvey Goodwin Avenue, with access from Hale Avenue.

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

#### The Committee:

**Resolved (by 5 votes to 1)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

### **16/197/Plan16/0990/FUL - 1 Great Eastern Street**

The Committee received an application for full planning permission.

The application sought approval for the demolition of existing frontage building (1 Great Eastern Street) and replace with 2no. flats (as approved under application 14/0607/FUL), alteration to the cycle / refuse area and minor fenestration alterations.

The Committee received a representation in objection to the application from a resident of Great Eastern Street.

The representation covered the following issues:

- i. Specific concerns:
  - a. Demolition of building at 1 Great Eastern Street by the developer without permission, only the façade was left.
  - b. Took issue with the details referred to on P441-442 in the Planning Officer's report. The application was reliant on 2m of land being conceded to 3 Great Eastern Street by the developer, but this had not yet occurred.
  - c. The developer was disrespectful of the planning process.

- ii. Asked for an adjournment or refusal decision from the Planning Committee until concerns had been addressed.

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

The Committee:

**Resolved (by 4 votes to 0)** to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

**16/198/Plan14/1905/FUL - 64 Newmarket Road**

The Committee received an application for full planning permission.

The application had been reported back to the 3 February 2016 Planning Committee as part of the Adjourned Decision Protocol. The officer recommendation of approval for the scheme was supported at that meeting and the Committee resolved to approve planning permission subject to the completion of a S106.

The officer recommendation included a requirement for a clause in the S106 agreement to secure direct odour mitigation at the Orchid Restaurant, which is adjacent to the site. This was because the restaurant does not currently have any form of odour abatement other than high level discharge and standard grease filters and the proposal would place residential windows/balconies close to and higher than the extract. This has the potential to expose future residents to cooking odour.

The Committee were recommended to approve the planning application in line with the previous recommendation, subject to:

1: Removal of the S106 requirement for at source mitigation of odour from the Orchid Restaurant.

2: Imposition of two new conditions to read as follows:

37: Non opening windows/doors – compliance

To mitigate against adverse odour and noise impact, all non-opening windows and doors as highlighted in yellow within the Alison Brooks Architects Ltd

Drawings (East facing elevation - Block A-G, ref: 2348\_A\_SE\_XX\_0152, dated 29/6/16 and Second Floor Plan as repeated on other levels 161.02.103 REVA, dated 26/10/16) shall be fully installed, maintained as non-opening and not altered.

Reason: In order to protect the amenity of future residents (Cambridge Local Plan policy 4/13).

38: Mechanical ventilation to serve non opening window rooms

Prior to the commencement of development above ground floor level, details of an alternate ventilation scheme for the accommodation units with non-opening windows/doors specified in condition 37, shall be submitted to and approved in writing by the local planning authority. The ventilation scheme shall source air from the West façade of the development, away from traffic and odour sources. The ventilation scheme shall achieve at least 2 air changes per hour. The scheme shall be installed before the use hereby permitted is commenced. The scheme shall be retained and shall not be altered.

Reason: In order to protect the amenity of future residents (Cambridge Local Plan policy 4/13).

The Committee:

**Resolved (3 votes to 3 – and on the Chair’s casting vote as** issues were so finely balanced that he would be going with the officer recommendation having initially gone against them) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers as listed above.

The meeting ended at 5.25 pm

**CHAIR**