

PLANNING

4 January 2017
10.00 am - 4.30 pm

Present:

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

Officers:

City Development Manager: Sarah Dyer
Principal Planner: Nigel Blazeby
Principal Planner: Lorraine Casey
Principal Planner: Toby Williams
Senior Planner: Charlotte Burton
Planner: Michael Hammond
Planner: Sav Patel
Interim Arboricultural Officer: Joanna Davies
Arboricultural Officer: Robert Murison
Planning Assistant: Nathan Makwana
Planning Assistant: Mairead O'Sullivan
Legal Advisor: Richard Pitt
Committee Manager: Toni Birkin
Committee Manager: James Goddard

FOR THE INFORMATION OF THE COUNCIL

17/1/Plan Apologies

Apologies were received from Councillor Gawthrope.

17/2/Plan Declarations of Interest

Name	Item	Interest
Councillor Hipkin	17/7/Plan	Personal: Knows Ken Neale of Neale associates (firm making the application)
Councillor Nethsingha	17/19/Plan	Personal: Daughter attends Newnham Croft Primary School.

17/3/Plan Minutes

The Minutes of the last meeting will be considered at the next meeting.

17/4/Plan 15/1759/FUL Murdoch House

Councillor Nethsingha was not present when this application was originally considered and did not take part in the consideration of this application.

The Committee received an application for full planning permission. The application sought permission for the demolition of Murdoch House and the remains of the former Silo and the construction of two new mixed use buildings comprising 767sqm office floorspace (Class B1), 419sqm retail/cafe/restaurant floorspace (Class A1/A3) and 65 residential units for Block I1 and 473sqm retail/cafe/restaurant floorspace (Class A1/A3) and 24 residential units for Block K1, including ancillary accommodation/facilities with a single basement and 71 car parking spaces, with associated plant, 218 internal and external cycle parking spaces, and hard and soft landscaping.

This application was reported to the 2 November 2016 Planning Committee with an officer recommendation of approval. During the consideration of the application, Members of the Committee raised a number of concerns about the proposal. The Committee voted not to accept the officer recommendation of approval and a decision on whether to approve or refuse the application was subsequently deferred because the Adjourned Decision Protocol (ADP) was triggered. The Committee agreed a motion that they were minded to refuse the application for a number of reasons.

The Committee considered the additional information and advice provided by officers and a full response, amended plans and further supporting information provided by the applicant. The Committee also considered advice from the legal department regarding the need to provide a robust defence of a decision to refuse this application should the matter go to an appeal hearing.

The Committee:

Resolved (by 3 votes to 3 and the Chair's casting vote) to grant the application 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, the conditions set out in the Committee Report and amendment to conditions 14, 16, 41 and 42 to read

'Prior to the commencement of development, with the exception of below ground works...' and subject to completion of the necessary s106 agreement (including additional clause relating to on site community facility).

17/5/Plan 16/6001/S106A - Brunswick House

The Committee received an S106 application.

The application sought the modification or discharge of Planning Obligations pursuant to Section 106A of the Town and Country Planning Act 1990 (Restrictions on occupation by students).

The application sought approval for the variation to the S106 Agreement to allow the occupation of the student accommodation block (Brunswick House) by a broader range of students/delegates during the summer vacation period, subject to the inclusion of the Student Management Plan.

The application was considered at Planning Committee on 2nd November 2016. The Committee resolved to defer the application in order to seek advice on whether a Management Plan could be put in place and secured through the revised S106 Agreement.

The Committee noted the contents of the amendment sheet and the verbal correction to the on-site hours of the security staff.

The Committee received a representation in objection to the application from a resident of the Riverside Estate.

The representation covered the following issues:

- i. Local community had suffered disturbance, anti-social behaviour and excessive noise for the last three years.
- ii. The paved courtyard area amplifies evening noise.
- iii. Police had been called to disturbances.
- iv. Elderly residents feel insecure.
- v. Evening noise problematic on warm nights when windows were open.
- vi. University does not deal with unruly tenants.
- vii. Residents had tried, without success, to engage with the management company and University to address issues.
- viii. Requested that Committee reject this application.

Jamie Snary, the Applicant's Agent, addressed the Committee in support of the application.

Councillor Pippas proposed an amendment to the Officer's recommendation that would restrict late check of residents.

This amendment was carried *nem con*.

The Committee:

Resolved (by 5 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 and subject to a variation to s106 agreement and subject to agreement of 10pm as latest check-in time.

17/6/Plan 16/1164/FUL - Former Coach Depot - 4B Kilmaine Close

The Committee received an application for full planning permission.

The application sought approval for the erection of 1no. unit to be used as a builders' merchant (*sui generis*) for display, sale, storage of building, timber and plumbing supplies, plant and tool hire including outside display and storage; with associated servicing arrangements, car parking, landscaping and associated works.

The Committee note the amendment sheet and verbal update regarding conditions as detailed by the Planner.

Kavi Saigai, the Applicant's Agent addressed the Committee in support of the application.

The Committee expressed some concerns regarding the planned location of an industrial site next to residential properties.

A proposed to evoke the Deferred Decision Protocol was lost **(by 5 votes to 2)**.

The Committee:

Resolved (by 5 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 with delegated authority to officers issued for the final wording of conditions 3, 4, 16 and 27.

The wording of condition 20 was agreed to be changed to the following:

“Within 3 months of commencement of development a plan indicating the positions, design, materials and type of boundary treatments to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)”

The wording of condition 21 was agreed to be changed to the following:

“Within 3 months of commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports). Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)”

The wording of condition 24 was agreed to be changed to the following:

“Within 3 months of commencement of development samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)”.

17/7/Plan 16/1044/FUL - Land Adjacent to 4 Stanley Road

The Committee received an application for full planning permission.

The application sought approval for a new dwelling house.

The Committee received a representation in objection to the application from a resident of Newmarket Road.

The representation covered the following issues:

- i. There was insufficient parking on Stanley Road. The application would exacerbate existing problems.
- ii. Queried bin storage arrangements.
- iii. Referred to concerns in neighbours’ representations.
- iv. Expressed concern about:
 - a. Access.
 - b. Loss of amenity, light and air flow.

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.

17/8/Plan 16/1087/FUL - 423-425 Newmarket Road

Deferred at the Applicant’s request due to a discrepancy in submitted plans. Item would be brought back to a future committee.

17/9/Plan 16/1464/FUL - Cherry Hinton Hall

The Committee received an application for full planning permission.

The application sought approval for proposed demolition of existing extensions and their replacement with a new glazed link extension, multi-purpose building, internal reorganisation and refurbishment.

The Planning Officer referred to pre-committee amendments to his recommendation set out on the Amendment Sheet.

Mark Clarke / Laura Fisher (Applicants) addressed the Committee in support of the application.

Councillor Ashton (Cherry Hinton Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Thanked the School, Bidwell's and the Applicants for organising a last minute consultation.
- ii. Residents were concerned that Ward Councillors were unaware of the proposal. Ward Councillors had not been involved in meetings between the School, Bidwell's and Planning Officers.
- iii. The consultation had overcome most concerns but better communication was desirable in future.
- iv. Requested that the maximum number of pupils on-site be firmed up (as discussed in the consultation).
- v. Friends of Cherry Hinton Hall wanted to work better with the School in future.

Councillor Smart proposed an amendment to the Officer's recommendation that detailed treatment of exposed walls be submitted for approval by Officers.

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 report, and subject to the conditions recommended by the officers in the agenda pack and amendment sheet plus additional condition below:

External treatment condition:

Prior to commencement of development, details of the external treatment of the walls to be remediated/repared as a result of the demolition work hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10).

17/10/Plan 16/1465/LBC - Cherry Hinton Hall

The Committee received an application for listed building consent.

The application sought approval for proposed demolition of existing extensions and their replacement with a new glazed link extension, multi-purpose building, internal reorganisation and refurbishment

Councillor Ashton (Cherry Hinton Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. Expressed concern about the creepage of buildings.
- ii. Asked for the capacity/number of pupils on-site be reviewed prior to further work taking place.

Councillor Smart proposed an amendment to the Officer's recommendation that detailed treatment of exposed walls be submitted for approval by Officers.

This amendment was **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for listed building consent in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers plus additional condition below:

External treatment condition:

Prior to commencement of development, details of the external treatment of the walls to be remediated/repared as a result of the demolition work hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10).

17/11/Plan 15/2121/FUL - Netherhall Farm

The Committee received an application for retrospective and full planning permission.

The application sought approval for retrospective change of use of former agricultural barns and paddock to incidental residential use and garden land. Proposed modification to roof form of Barn 2 to a pitched roof.

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

The representation covered the following issues:

- i. Concerns:
 - a. Access.
 - b. Urbanisation and enclosure of site.
 - c. Amenity of site occupiers and neighbours.
- ii. Various concerns had been addressed, but not the openness of the greenbelt and access lane (including maintenance of access track and surrounding hedging).

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

Councillor Blencowe proposed an amendment to the Officer's recommendation that the timescale for completion of work in conditions 8 and 9 be varied from 6 months to 1 year.

This amendment was **carried unanimously**.

The Committee:

Unanimously resolved to grant the application for retrospective and full 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 plus amended conditions:

The start of conditions 8 and 9 being amended to read “Within 12 months of this permission being granted...”

17/12/Plan 16/1794/S73 - Former Penny Ferry, 110 Water Street

The Committee received a Section 73 application.

The application sought approval for application to vary condition 14 of planning permission Reference Number 14/0731/S73 dated 09/07/2014 to read:

The carport levels hereby approved shall remain open in perpetuity and the finished floor level at the rear set no higher than +5.42OSD.

The Committee:

Unanimously resolved to grant the Section 73 application to vary condition 14 in accordance with the officer recommendation, for the reasons set out in the officer report, and subject to the conditions recommended by the officers.

17/13/Plan 16/0837/FUL - 95 Barton Road

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing dwelling and erection of a new single family dwelling together with garage and ancillary studio, bin and cycle storage, access and landscaping.

The Planning Officer referred to a pre-committee amendment to his recommendation as set out on the Amendment Sheet.

The Committee received a representation in objection to the application from a resident of Barton Road.

The representation covered the following issues:

- i. The proposed new house would be bigger than the existing one.
- ii. The design was out of character with the area.

- iii. Expressed concern regarding overshadowing of south facing patio at 93 Barton Road.
- iv. The proposed garage would impede light and access to 93 Barton Road.
- v. Repositioning the property at 95 Barton Road would overcome a number of concerns.
- vi. Suggested Officers had not provided evidence the application met Local Plan policies 70 and 71.

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

Councillor Cantrill (Newnham Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. He had previously opposed the application due to:
 - a. Mass of form.
 - b. Negative impact on streetscape/character of Barton Road.
 - c. Negative impact on environment/ecology of site.
- ii. The above concerns had not been addressed.
- iii. The shadow plan had now been submitted. This showed the mass of the building would negatively impact on neighbours eg overshadowing. The application should be refused due to this.

The Committee:

Resolved (by 5 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 in the agenda pack and amendment sheet.

17/14/Plan 16/1234/FUL - 17 Hills Avenue

The Committee received an application for full planning permission.

The application sought approval for erection of a new dwelling.

The Committee received representations in objection to the application from two residents of Cavendish Avenue.

The representations covered the following issues:

- i. The proposed dwelling was squeezed into the site and located close to the boundary. This was overdevelopment of the site.
- ii. Lack of amenity space.
- iii. The design was out of character with the area.
- iv. The development would set a precedent for unattractive designs in the city/area.
- v. The development was possible (under Local Plan policy 5/1) but not necessary.

Mr Kratz (Applicant's Agent) 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.

17/15/Plan 16/1733/FUL - Land adjacent to 2 Gray Road

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garage and erection of two bed dwelling with associated site works.

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

The Committee:

Resolved (by 5 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.

17/16/Plan 16/1695/FUL - 8A Babraham Road

The Committee received an application for full planning permission.

The application sought approval for a two storey and part single storey rear and side extension along with an additional single storey side extension.

The Committee received a representation in objection to the application from a resident of Babraham Road.

The representation covered the following issues:

- i. Took issue with details in the approved rear elevation for no. 8, as shown on the presentation, as not being as installed (not full height French windows). Point 1 was made prior to the allotted speaking time beginning.
- ii. Had no objection in principle to development of the site.
- iii. Raised the following objections regarding this specific application:
 - a. Materials chosen. Referred to conditions imposed on his planning application in 2012 regarding matching materials which appeared more stringent. The same approach should be taken for the proposed extension given the history of the building.
 - b. Massing of building on the boundary.
 - c. Loss of light.
 - d. Neighbour's amenities.

Dr Rajan (Applicant) addressed the Committee in support of the application.

Councillor Page-Croft (Queen Edith's Ward Councillor) addressed the Committee about the application.

The representation covered the following issues:

- i. The building was originally a single house shared by 2 sisters. It was no longer occupied by the original owners.
- ii. The owners of 8 Babraham Road had to follow Local Plan matching materials conditions to get planning permission (these restricted materials that could be used), so it was reasonable to expect the owners of 8a Babraham Road to do the same.
- iii. If 8a Babraham Road was moved away from the boundary by a couple of metres it would improve the view, outlook and privacy of 8 Babraham Road.

The Committee noted and debated the difference in approach to materials approved for no. 8 and proposed for no. 8A. The Principal Planning Officer explained why a different approach was being taken, namely because it reflected what was being proposed in the two different instances and that the

condition on the permission for no. 8 mirrored the intentions of the applicant to provide matching materials at that time. In such a circumstance, it was explained that it is not uncommon for the Council to impose a matching materials condition. In the current scheme, however, the Principal Planning Officer explained that alternative materials were being proposed, that a contrasting and contemporary materials approach was equally valid in terms of planning policy and that officers supported the visual impact of this. The Committee noted the history of the building, views of it from Babraham Road, the merits of the use of render and the third party objection.

The Principal Planning Officer was asked to explain the discrepancy in the approved plan for no. 8 as pointed out by the objector. It was explained that officers were aware that the approved plan did not match the as-built extension but that it did not alter the officer recommendation; there were still a number of significant windows allowing light into the western side of the property which meant that the scheme was acceptable. The Principal Planning Officer explained the outcome of the BRE Daylight Assessment and its findings in relation to the application and the three associated tests, including the vertical sky component.

Prior to the vote, Cllr Blencowe specifically made reference to the fact that Members were aware that the approved plan as shown in the officer representation were not accurate as to what was built as explained by the objector in his opening remarks.

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.

17/17/Plan 16/1457/FUL - 125 Milton Road

The Committee received an application for full planning permission.

The application sought approval for redevelopment of a vacant site to provide two flats.

The Committee received representations in objection to the application from residents of Mulberry Close.

The representations covered the following issues:

- i. Accepted the development of 125 Milton Road in principle, but objected to this application.
- ii. The distance between the new development's windows and the road was too small.
- iii. Mulberry Close Residents' Society owned the track which is used by residents as access to the local area.
- iv. The track could not accommodate pedestrians and vehicles at the same time now, so would be unsuitable for future access needs of the new development.
- v. The 127 Milton Road development should not be accepted as a precedent for the area.

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

Councillor Nethsingha proposed an amendment to the Officer's recommendation to include an additional reason for refusal:

Both the north east and south west presented blank and harsh faces which exaggerated this is an over development of a constrained site.

The Principal Planner augmented this:

The proposal by virtue of its poor design, in relation in particular to the north east and south west walls that present blank and harsh facades that exaggerate the cramped and overdeveloped nature of the proposal, fails to respond positively to its surroundings. As such the proposal is contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006.

This amendment was **carried by 3 votes to 0.**

The Committee:

Unanimously resolved to refuse 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 plus additional fifth reason for refusal below:

The proposal by virtue of its poor design, in relation in particular to the north east and south west walls that present blank and harsh facades that exaggerate the cramped and overdeveloped nature of the proposal, fails to respond positively to its surroundings. As such the proposal is contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006.

17/18/Plan 16/0624/FUL - 10 Milton Road

The Committee received an application for change of use.

The application sought approval for change of use from A2 to two residential apartments on first and second floor including roof extensions

The Committee:

Unanimously resolved 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.

17/19/Plan Tree Works Report (16/462/TTCA) - Newnham Croft Primary School

A 211 Notice was received to carry out works to fifteen trees outside Newnham Croft Primary School and fronting Chedworth Street.

An objection to the proposed works was received from a resident of Chedworth Street.

As the objection to the proposed works were maintained, an assurance was sought from the applicant that no works would be undertaken until after a decision has been made by committee.

Members were asked to decide:

- (1) Not to object to the works or;
- (2) To serve a TPO and let the applicant apply for works under the TPO.

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

The representation covered the following issues:

- i. Referred to the picture on P440 of the agenda pack.

- ii. The woodland was small but viewed by lots of people. It had lots of species of trees and a path through it.
- iii. If trees were replaced by flowers as proposed, the woodland would become a garden and reduce:
 - a. People's amenity space.
 - b. Noise buffering between the school and local residents.
- iv. Asked for TPOs to be put in place on certain trees if the woodland could not be protected as a whole.
- v. The woodland needed maintenance, but proposed actions were too drastic.

The Committee:

Unanimously resolved to accept the officer recommendation and not to object to the works.

The meeting ended at 4.30 pm

CHAIR