

PLANNING COMMITTEE MEETING – 6th March 2019

Amendment/De-brief Sheet

MAJOR PLANNING APPLICATIONS

Circulation: First Item:
Reference Number: 18/1329/FUL
Address: 188 - 192 Mill Road And 2B Cockburn Street Cambridge
Cambridgeshire CB1 3LP
Determination Date: 10 December 2018
To Note: Nothing.
Amendments to Text: None.
Pre-Committee Amendments to Recommendation: None.
Decision:

Circulation: First Item:
Reference Number: 18/1470/FUL
Address: 9-10A Ventress Close Cambridge Cambridgeshire CB1
8QX
Determination Date: 17 December 2018
To Note: Nothing
Amendments to Text: None
Pre-Committee Amendments to Recommendation: None.
Decision:

MINOR PLANNING APPLICATIONS

Circulation: First Item:
Reference Number: 17/1748/FUL
Address: 45 Cavendish Avenue Cambridge CB1 7UR
Determination Date: 5 December 2017
To Note:
Amendments to Text: Paragraph 8.7 to be amended to read:

A letter has been received from Richard Buxton Solicitors advising that there are two material errors in the officer report and that, if not addressed, any decision to approve the application would be open to a successful judicial review. These are:

- Failing to advise Members of the full grounds for refusal on appeal of application ref 12/1436/FUL at 83 Cavendish Avenue; and
- Failure to secure adequate flood risk mitigation measures to address the Drainage Officer's responses, notably that precludes the potential for any surface water drainage solution to incorporate a pumped system.

These issues are considered further below

83 Cavendish Avenue appeal

Planning application ref: 12/1436/FUL was refused under delegated powers for the following three reasons:

1. The proposed development by the virtue of the limited size of the outdoor amenity space serving the proposed dwelling and its relationship with adjacent dwellings being overlooked fails to provide an adequate level of private amenity space for future occupiers. In so doing the development fails to respond positively to the site context and constraints and would have an adverse impact on the level of amenity, which the future occupiers of 83a Cavendish Avenue could reasonably expect to enjoy. Therefore the development is contrary to Cambridge Local Plan (2006) policies 3/4, 3/10 and 3/14 and advice provided in government guidance NPPF.

2. The proposal being a full two storey height building and gable design, by virtue of the relationship of the proposed dwelling to 30a Hinton Avenue and its private amenity space, coming closer to the common boundary with 30a Hinton Avenue, would create a sense of enclosure and loss of light to the detriment of the occupiers of 30a Hinton Avenue. The proposed development would have an enclosing effect on that dwelling and its associated garden on the south side and would lead to a reduction in light to and outlook from the garden. In so doing the development fails to respond positively to the site context and constraints and would have an adverse impact on the level of amenity, which the occupiers of 30a Hinton Avenue could reasonably expect to enjoy. The development is contrary to Cambridge Local Plan (2006) policies 3/4 and 3/14 advice provided by NPPF.

3. The proposed development does not make appropriate provision for public open space, community development facilities, waste storage or monitoring, in accordance with policies 3/7, 3/8, 3/12, 5/14 and 10/1 of the Cambridge Local Plan 2006 and policies P6/1 and P9/8 of the Cambridgeshire and Peterborough Structure Plan 2003; and as detailed in the Planning Obligation Strategy 2010, and Guidance for Interpretation and Implementation of Open Space Standards 2010.

This application was dismissed at appeal (APP/Q0505/A/13/2193266) for the following reasons:

- Given its corner location, the proposed building would be prominent, and the small garden with its tight enclosure would appear both incongruous and jarring in views. As such, the character of the area would be negatively affected. (Paragraph 7 of the appeal decision)
- Both the rear and front garden would be overlooked and would fail to provide acceptable living conditions for future occupiers. (Paragraphs 12 & 13)

Neighbours consider the current proposal at No.45 to be directly comparable with the above appeal. However, the only similarity between the above application at 83 Cavendish Avenue and this application at 45 Cavendish is that both applications are proposals to subdivide plots. The proposal at 83 Cavendish Avenue sought planning permission to erect a two storey dwelling through a side extension to the existing dwelling. The proposal at 45 Cavendish is to subdivide the rear garden to erect a dwelling at the very rear of the site.

The first reason why the appeal at 83 Cavendish Avenue was dismissed was based on character grounds (albeit this wasn't one of the Council's reasons for refusal). Given the difference in the nature and siting of the proposed dwellings, this reason is not directly comparable to the proposal at 45 Cavendish Avenue. The second reason why the appeal at 83 Cavendish Avenue was dismissed was based on overlooking of the proposed garden. This was because the proposed front garden would have been 4.4m away from the first floor windows on the side elevation of 30a Hinton Avenue as well as being very visible from the road. The rear garden would have also been only 4.4m away from the first floor windows on the rear elevation of 30a Hinton Avenue, which is angled so that it directly faces the garden. In this case, the rear elevation of No.45 Cavendish Avenue is 11.9m away from the boundary of the proposed dwelling and the garden is 10m in depth. The rear courtyard area would be small and overlooked by No.6 Magnolia Close but, given the ample space to the front and that the rear courtyard is not the sole outdoor amenity space, I do not consider that the future occupiers would suffer an unacceptable level of privacy/amenity.

Flood risk

Officers have sought Legal advice on this matter and concur that the Council's Sustainable Drainage Engineer has made it clear in her comments that support could not be given to a pumped drainage system, which would not be a sustainable form of drainage. However, the condition as currently drafted does, as noted in the solicitor's letter, potentially leave the door open for a pumped drainage proposal if a gravity drainage system is unfeasible.

Officers concur that the wording of proposed condition 10 needs to be revised accordingly and the amended wording is set out below:

Pre-Committee
Amendments to
Recommendation:

Condition 10 reworded:

No development hereby permitted shall be commenced until surface water drainage works have been submitted to and approved in writing by the local planning authority. Before these details are submitted, an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The National Planning Policy Framework and associated Guidance, which would prohibit

a solution that requires water to be mechanically pumped from the site, and the results of the assessment provided to the local planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% an allowance for climate change. The submitted details shall:

- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
- provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan.

The need for two further conditions was referred to in the report but the conditions were not added within the recommendation. The additional recommended conditions are:

Condition 16:

No development above ground level, other than demolition, shall commence until full details of green and brown roofs have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include details of build-ups, make up of substrates, planting plans for biodiverse roofs, methodologies for translocation strategy and drainage details where applicable. The roofs shall be maintained thereafter in accordance with the approved details.

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 2018 policies 355, 57 and 59)]

Condition 17

For the hereby approved dwelling, notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-

enacting that order with or without modification): the enlargement, improvement or other alteration of the dwellinghouse, including insertion of new windows; loft conversion including rear dormers; and the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, shall not be allowed without the granting of specific planning permission.

Reason: To ensure sufficient amenity space is retained for future occupiers of the dwelling, to protect the character of the area and to protect the amenity of neighbouring occupiers (Cambridge Local Plan 2018 policies 52 and 57)

Decision:

Circulation:	First	Item:
Reference Number:	18/0830/FUL	
Address:	St Andrews Street Entrance, Lion Yard, Cambridge	
Determination Date:	25 July 2018	
To Note:	Nothing.	
Amendments to Text:	None.	
Pre-Committee Amendments to Recommendation:	None.	

Decision:

Circulation:	First	Item:
Reference Number:	18/0829/FUL	
Address:	Lion House And St George House, Lion Yard, Petty Cury, Cambridge	
Determination Date:	17 July 2018	
To Note:	The recommendation on the addendum report is unclear and further text is proposed to be added for clarity.	
Amendments to Text:	0.12 RECOMMENDATION APPROVE subject to: (i) the prior completion of an Agreement under S106 of the Town and Country Planning Act 1990 with the delegated authority to officers to negotiate, secure and complete such	

an Agreement on the terms considered appropriate and necessary; and (ii) Those conditions detailed in paragraph 10.0 of the December 2018 Planning Committee Officer Report for this application (see appendix 1)

Pre-Committee
Amendments to
Recommendation:

The recommendation remains unchanged but the above wording clearly sets out the recommendation.

Decision:

Circulation:	First	Item:
Reference Number:	18/0363/FUL	
Address:	393 Newmarket Road Cambridge CB5 8JL	
Determination Date:	7 May 2018	
To Note:	The resident from 27 Longworth Avenue has been in contact to outline that they did not make a representation on the application.	

The applicant has circulated a document to members of planning committee in support of the application. This has been uploaded to the public file.

Amendments to
Text:

The recommendation on the report is not adequately clear and additional text is recommended to ensure clarity.

27 Longworth Avenue should be removed from the list of people who made a representation.

10.0 RECOMMENDATION

APPROVE ~~subject to the below conditions and prior completion of a deed of variation to the S106 Agreement securing:~~

- ~~-Use by Aldi~~
- ~~-Plant noise insulation~~
- ~~-Servicing noise plan~~
- ~~-Acoustic fence~~
- ~~-Delivery hours~~
- ~~-Operational hours~~
- ~~-Cycle parking spaces~~
- ~~-Works to nearby bus stops~~

APPROVE subject to:

(i) the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 with the delegated authority to officers to negotiate secure and complete such an Agreement on the terms outlined in this Report and any others considered appropriate and necessary; and (2) the following conditions:

Pre-Committee
Amendments to
Recommendation:

The recommendation remains the same but the wording has been amended for clarity. See above.

Decision:

Circulation:	First	Item:
Reference Number:	18/1813/FUL	
Address:	12 Gilmour Road Cambridge CB2 8DX	
Determination Date:	16 January 2019	
To Note:	Objectors have submitted photographs to be shown at the committee	
Amendments to Text:	Correction to Paragraph 7.1 of officers report	
	“Councillor Thornburrow has called the application to committee to “consider the application in relation to the residents’ objections”. and then listed the relevant Local Plan 2018 policies.	
	This is important, as being part of the Stirling Award is not a material consideration.	
	Comment received from Alison Brooks Architects, one of the original architects of the Accordia scheme.	

The proposals outlined within application 18/1813/FUL include the introduction of a permanent, habitable, pitched structure to the second floor terrace of 12 Gilmour Road. The language, materials, scale and form of this structure differ to those of the Accordia Estate, in an effort to differentiate it as a new addition. While we understand the designers effort to formally separate the proposed new structure from it's host, by pulling it away from the existing masonry and through the use of a 'glass connection', the residual space left around the 'infill development' is problematic for access, maintenance and prevents the passage of light reaching into the Mews and neighbouring gardens. By obstructing sunlight and permeability the proposed 'infill development' diminishes the quality of the public realm. The 'infill development' further diminishes the quality and character of the Accordia Conservation Area by interrupting the distinctive rhythm of solid to void at the second floor/ attic storey. To consent this proposal would introduce and set a precedent for an 'ad hoc' approach to infilling the conservation area's distinctive roof terraces, therefore diminishing the Conservation Area street scene. For these reasons, we cannot support the proposal and suggest that the application be refused.

Comment received from Peter Studdert Planning.

I have been asked by the Accordia Residents' Association to look at this planning application as it is likely to set some important precedents for alterations to houses in Accordia if it is approved. In my view the erection of a study on the second floor terrace is a particularly intrusive precedent that could lead to a rash of similar additions, which, over time, could erode a key feature of this important development. The infilling of the ground floor undercroft may be acceptable if the detailed design preserves the open feeling of the undercroft and retains sufficient space for car parking and bikes and bins, but this would also set a precedent for alterations of this particular house type which, if done badly, could have a negative impact on the Conservation Area and the cohesiveness of this group of houses. Having gone to the trouble of declaring Accordia a Conservation Area and making an Article 4 Direction I would have thought the sensible next step would be for the City Council, in consultation with residents and the Design and Conservation Panel, produce an Accordia Design Guide that shows what alterations and extensions might be acceptable. This should learn from an analysis of what opportunities might exist for extending and altering the different house types, looking both at the internal layout and functionality of the different house types and the external cohesion and composition of the terraces. Perhaps an approach could be made to the original architects to help draw up this Design Guide? Meanwhile I consider that this application be refused on the grounds that it fails to preserve or enhance the character of the Conservation Area.



This photograph does not show 12 Gilmour Road, but it demonstrates the style of the whole estate. It illustrates the density of the pattern of building, and shows how large numbers of terraces and private spaces are overlooked from other houses.



From 3 Morland Terrace living room



From 3 Morland Terrace living room



From 3 Morland Terrace (moving back towards kitchen), from dining area

Pre-Committee None
Amendments to
Recommendation:

Decision:

Circulation: First Item:
Reference Number: 18/0907/FUL
Address: 50 St Stephens Place And 51 Canterbury Street
 Cambridge CB3 0JE
Determination Date: 5 September 2018
To Note:
Amendments to 44 St Stephens Place was missed off the list of neighbours
Text: who made representations. This is because the occupier
 also wrote in a capacity as the Chair of Poolheath
 Residents Association which represented the owners and
 occupiers of all 48 flats that comprise St Stephens Place.

Pre-Committee None
Amendments to
Recommendation:

Decision:

Circulation: First Item:
Reference Number: 17/2030/FUL
Address: Land Adjacent To 52 Victoria Road Cambridge
 Cambridgeshire CB4 3DU
Determination Date: 19 January 2018
To Note: Nothing
Amendments to None
Text:
Pre-Committee None
Amendments to
Recommendation:

Decision:

Circulation: First Item:
Reference Number: 18/0905/FUL
Address: Land To The Rear Of 113 Chesterton Road Cambridge

CB4 3AR

Determination Date: 6 August 2018

To Note: Nothing

Amendments to
Text: None

Pre-Committee
Amendments to
Recommendation: None

Decision:

Circulation:

First

Item:

Reference Number: 18/0543/FUL

Address: 95 Alex Wood Road Cambridge CB4 2EG

Determination Date: 13 March 2019

To Note: There was a discrepancy in the plans as the rooflights shown within the floor plans and section were not shown on the rear elevation drawing. An amended plan has now been submitted that corrects this error, with the rooflights being removed from both the floor plan and section drawing.

A letter of objection has been received from 18 Montgomery Road, who raises the following concerns:

- The Flood Risk Assessment does not take account of the impact on surrounding dwellings.
- Increase in on-street parking pressures in the area.
- Potential overloading of surface water and foul sewage drainage systems.
- The existing garage is used for storage purposes rather than parking and the existing access is not therefore used regularly at present. The proposal would lead to a more intensive use of the access and impact the safety of children walking and cycling to school.

Amendments to
Text:

The issues of flood risk, parking and highway safety have been addressed in the Officer report. Additional points to note are:

- The FRA has been updated to address the Council Drainage Officer's concern that the original version did not adequately assess off-site flood risk

implications. These concerns have now been addressed sufficiently that outstanding matters can be resolved by conditions [Nos. 12, 13 & 14].

- There is an access to the site at present and nothing to prevent the existing owner using it on a daily basis. Notwithstanding this, the existing access is proposed to be widened and constructed to the County Council's specification, including the incorporation of 2m x 2m pedestrian visibility splays, which would be secured through proposed condition 5.

Pre-Committee
Amendments to
Recommendation:

Decision:

Circulation:	First	Item:
Reference Number:	18/0440/FUL	
Address:	134 Perne Road Cambridge CB1 3NX	
Determination Date:	16 May 2018	
To Note:	Nothing	
Amendments to Text:	None	
Pre-Committee Amendments to Recommendation:	None	

Decision:

Circulation:	First	Item:
Reference Number:	18/1582/FUL	
Address:	36 Amwell Road Cambridge CB4 2UH	
Determination Date:	4 December 2018	
To Note:	Nothing	
Amendments to Text:	None	
Pre-Committee Amendments to Recommendation:	None	

Decision:

Circulation:	First	Item:
Reference Number:	18/1578/FUL	
Address:	32 Brampton Road Cambridge Cambridgeshire CB1 3HL	
Determination Date:	11 December 2018	
To Note:	Nothing	
Amendments to Text:	None	
Pre-Committee Amendments to Recommendation:	None	

Decision: