

DEVELOPMENT CONTROL FORUM

13 January 2020
10.30 - 11.30 am

Present

Planning Committee Members: Councillors Porrer, Sargeant

Ward Councillor: Councillor Cantrill

Officers:

Principal Planner: Lorraine Casey
Consultant Planner: Phil Macintosh
Committee Manager: Sarah Steed

For Applicant:

Jay Gort (Architect)
Declan O'Halloran (Engineer, Projects – Cambridge City Council)
John Richards (Project Manager – Cambridge City Council)

For Petitioners:

Three representatives of the Friends of Queens Green Group

FOR THE INFORMATION OF THE COUNCIL

20/25/DCF Opening remarks by Chair

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

20/26/DCF Apologies

Apologies were received from Councillors Smart, Thornburrow and and Councillor Matthews as Ward Councillor.

20/27/DCF Declarations of Interest

Member	Item	Interest
Porrer	20/28/DCF	Was a City Councillor and this was a City Council application.

Sargeant	20/28/DCF	Was a City Councillor and this was a City Council application.
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20/28/DCF Application and Petition Details (19/1350/LBC / Public Toilet Silver Street Cambridge Cambridgeshire)

Application No: 19/1350/LBC

Site Address: Public Toilet Silver Street Cambridge Cambridgeshire

Description: Refurbishment of existing basement toilets and associated works to include the provision of a new guard rail to the basement stairs, and the erection of a replacement wheelchair accessible WC and kiosk (following demolition of the existing wheelchair accessible WC structure).

Applicant: Declan O Halloran

Agent: Joseph Mac Mahon

Address: 55 Leroy Street London SE1 4SN

Lead Petitioner: Resident of Wilberforce Road

Case Officer: Phil Mcintosh

Text of Petition:

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

Policy 55. Responding to context.

Design & integration with the immediate locality

The new footprint extends the current solid build-line to the line of the overhang canopy. The siting, massing, scale does not respond to the context. It is not well integrated with the immediate locality.

This design presented in isolation, lacks consideration of the public realm gathering area as a whole. There is no rubbish bin plan, seating plan or cycle rack plan. No restriction of advertising plan.

Policy 61: Conservation and enhancement of Cambridge's historic environment.

Silver Street bridge is a Grade 2 listed Heritage Asset. The new kiosk /disabled toilet building and new railings do not enhance the significance of the setting and views. There is inadequate detailed analysis of the asset and proposal.

Policy 59: Designing landscape and the public realm

The proposal requires substantial undercutting the canopy of the willow tree to accommodate the height of the kiosk and water collecting tower. This harsh treatment of the tree is not acceptable. The tree is important for biodiversity, providing shade and shelter and is an existing feature that contributes positively to the quality and character of the area.

Policy 63: Works to a heritage asset to address climate change

The rain water capture scheme feature is unlikely to function effectively under a tree canopy with leaf fall. The embodied energy costs of removing and replacing the existing forged metal work railings are not considered. The design and condition of the railings are not evaluated.

Trading

Is the new Kiosk an additional licensed retail unit or is replacing one of the two existing units in this location? We object to any additional licensed retail units in this location.

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

Yes. If yes, please explain:

- Retain the Willow tree canopy's natural shape, allowing for normal pruning.
- The tree canopy should not be reduced by a third to accommodate the extra height of the new kiosk / toilet. The design of the roof tank should be modified instead.
- Reduce the foot print of build line so it does not extend into the busy pavement space area.
- Evaluate condition & design of existing railings and consider retaining them.
- Present a public realm improvement plan across the bridge area with a detailed analysis of the broader context. Views, river setting, bins, benches, racks and signage.
- We do not object to the new Kiosk if one or both current kiosks on the bridge were removed.
- Please note - We do accept the principles of refurbishment of the Public Toilets on and under Silver Street Bridge.

Case by Applicant

- 1) The Applicant was concerned about the heritage and how the development would sit within the existing location. The concept was to create a special building on Silver Street.
- 2) It had taken 3 and a half years to be able to get to the current position.
- 3) The footprint of the proposed building was smaller than the existing building; the scale and footprint had been carefully considered. The footprint would not come in front of the existing overhang of the building.
- 4) The design of the toilets responded to the angled building of Darwin College library and the Willow trees behind the toilets.
- 5) Wanted to open up the area which currently had a dark appearance.
- 6) Commented that the proposed building had a green tone but this could be changed to a warmer tone to match the bricks at Darwin College.
- 7) The building design did not preclude possible locations for other public realm elements such as bins and benches, but this was not part of the current application.
- 8) A smaller footprint was considered to give something back to the public realm.
- 9) The willow trees were fantastic assets but one of the willow trees had collapsed in August 2019 and had to be pollarded and replaced.
- 10) Noted that the railings were built as part of the last development of the Silver Street toilets in 1985.
- 11) The public toilets needed to be robust to withstand vandalism and be as sustainable as possible.
- 12) There is a kiosk within the building but there is no contract currently in place for a tenant although there has been interest expressed from Visit Cambridge and Beyond in occupying the space.

Case by Petitioners

- 1) Stated that the Friends of Queens Green Group comprised members of colleges as well as local residents.
- 2) Commented that there had not been much public consultation on this application.
- 3) Was pleased that the Making Space for People, Supplementary Planning Document (SPD) had been mentioned.
- 4) Was aware that this application was in an area of high importance.

- 5) The willow trees were an essential aspect for increasing biodiversity.
The importance of the river spoke for itself.
- 6) Silver Street Bridge was an access point which could be enhanced.
- 7) Was aware of the pressure of tourism and this area needed to be good enough.
- 8) Not being able to look at this area as a whole was an issue.
- 9) Noted that the context of the application was subjective but appreciated the Applicants talking the Petitioners through the application.
- 10) The last building to have been built on Silver Street was the Porters Lodge and this was very sympathetically designed.
- 11) Silver Street bridge had been appropriated by businesses.
- 12) Two matters were being proposed which would impact on heritage a) the toilets and b) a kiosk, there had been no analysis undertaken to show how the kiosk would impact on the surrounding area.
- 13) Questioned if the benefits of the development outweighed the harm.
Noted that there were benefits and negatives arising from this application for example this application could potentially add a lot more people (congestion) into the area.
- 14) The application was for a special building which must respond to the ambitions for a sustainable future.
- 15) Although the willow trees were due to be pruned, they provide a significant habitat, noted that the Design and Access Statement talked about how bugs etc would inhabit the new building.
- 16) Significant modification and maintenance would be required to maintain the trees as proposed.
- 17) The willow trees were an indicator for the river which would be lost as a result of the development. The trees required space to mature.
- 18) Questioned how effective the water tank would be. There needed to be much more detail about how water was going to be used more efficiently. Also questioned that given so much habitat was being sacrificed was it really worth it.
- 19) Silver Street bridge was a grade II listed building and was a key gateway into the historic city and was a key component of the public realm.
- 20) The petitioners showed the committee a picture taken in 2012 when the area was clear of bins, signs, parked cars and businesses and stated that without consideration of the public realm the council had a duty to

consider the impact on the Conservation Area as incremental changes had taken place.

- 21) Silver Street bridge was deeply congested all year round and with so much street furniture it was a safety concern for a number of pedestrians. The pedestrian crossing was originally introduced because of a fatality in the area.
- 22) The issue regarding the building line was to do with the canopy which was not a solid build line. This decreased the available prominent width to the road and the ability to see safely around the corner
- 23) Commented that the Head of Cambridge University Disability Resources Centre no longer felt able to direct disabled students across Silver Street bridge; this was largely to do with the number of pedestrians using the access and possibly pushing people onto the road.
- 24) Corrected a typographical error in the presentation which said that the Supplementary Planning Document (SPD) - Making Space for People was drafted in 2009, this should have read 2019.
- 25) Believed in the principle 'do no harm', or that any harm resulting from the development be minimal.
- 26) The subterranean development was necessary and of public benefit but the development above ground which reduced the size of the pavement did not benefit users; this was an opportunity to consider this area in a holistic way.
- 27) Summarised their points:
 - a) 'no public harm' was not a good enough justification for the application
 - b) there should be a special strategy to consider special considerations
 - c) the footprint was small but the positioning of the development was strange
 - d) suggested deferring the application for further consideration and consultation.

Case Officer's Comments:

- 1) Two applications had been submitted, the full planning application 19/1167/FUL was submitted on 21 August 2019 and a listed building consent 19/1350/LBC was submitted on 30 September 2019; both applications had complied with the requisite consultation requirements.
- 2) Two representations had been received in addition to the petitioners' response, one as an objection and the other as a neutral response.

- 3) The objection response commented that public convenience provision was inadequate for the 8.1 million annual visitors. Also commented that subterranean provision was discriminatory for those who were unable to manage the underground access. The refurbishment of the toilets just tinkered at the edges.
- 4) The neutral response noted that the use of the Silver Street bridge by all types of users had increased since the existing toilet structure was built. Congestion was exacerbated by trade stalls and punt businesses and increasingly safety seemed to be an issue. It was desirable to reclaim as much of the pavement circulation space as possible for safety reasons. The proposed gap between the new pavilion and the turnstiles did not appear to serve any purpose. If this were eliminated and the turnstiles made to stand against the pavilion this would widen the footpath on the road side. The consideration of nearby street furniture and permitted locations of trader stalls may also help improve circulation and safety.
- 5) Historic England said the application would not cause harm to the Conservation Area and the scale, massing and design would enhance the area.
- 6) The Conservation Officer said subject to conditions there would be no adverse impact on the listed buildings, their settings or the Conservation Area.
- 7) The Highways Authority had raised no objections but asked for conditions regarding delivery times, and the submission of a traffic management plan.
- 8) The Streets and Open Spaces Team raised no concerns and commented that works to the trees would be carried out for arboricultural reasons irrespective of whether the development went ahead.
- 9) The Access Officer commented that a changing places standard toilet was needed and both left and right hand transfer wheelchair accessible toilets were needed with toilet doors opening outwards. Squat toilets were not suitable.
- 10) The Disability Panel were disappointed with the lack of changing places toilet provision.
- 11) Environmental Health had no objections but suggested conditions to do with construction hours.
- 12) Cambridge Past Present and Future had raised no objections but made the following comments, sought assurance that the waste and drainage

consultees had been satisfied. The variety of toilets was interesting but was unclear whether there was a need for these. The area was already cluttered and sought the Making Space for People SPD to address the area to improve the public realm.

- 13) The Environment Agency raised no objections subject to flood resilience set out in the flood risk assessment.

Case by Ward Councillor

Councillor Cantrill spoke as a Ward Councillor on behalf of local residents. He made the following points:

- 1) There were three issues a) functionality b) flow of individuals / people movement and c) form.
- 2) This was a very important site contextually, the functionality of the building and the toilets in the subterranean part of the proposal is critical for visitors and residents.
- 3) The current toilets had an inability to perform the function it needed to perform, and the disabled access was continually having to be repaired because of vandalism.
- 4) A significant amount of money was being invested and the development needed to have a significant life span.
- 5) The flow of people on Silver Street had a big mixture of different types of movement. There was a significant tourist movement but also significant commuter traffic which lead to significant numbers of people on both sides of the street and people crossing the road.
- 6) This was a very important proposal as it formed a key component of the public space and whilst the proposal only moved the footprint of the development a small amount this still had a significant impact. This was a major missed opportunity given it did not look at the extensive public space of which it forms a part.
- 7) This structure predated the Darwin College Library which had been built in the mid 90s.
- 8) The building had been reversed engineered, form was important in terms of functionality. Instead of this being a jewel it will be tarnished.
- 9) This building needed to be robust enough to last for the next 30 to 40 years.
- 10) Once there has been consultation about the location, there should be a pause to consider the issues raised in the petition.

Case by Executive Councillor

Councillor Moore spoke as the Executive Councillor for Climate Change, Environment and City Centre. She made the following points:

- 1) Although interlinked could not expect the planning application plans for the toilets to resolve the issues of congestion in the area.
- 2) They were trying to control the number of coaches dropping off in the area but this was an issue with the County Council. She wanted the coaches to book in advance for drop off and pick up of customers, this was also why it was desirable for Visit Cambridge to be located in the new kiosk rather than a company for example selling ice creams.
- 3) Understood that it would be nice to try and resolve all the outstanding issues in one go however the toilets really needed updating now, the other solution would be to close the toilets.
- 4) Thanked the architect for the work which had been put into the planning application, wanted to get the best design and had taken careful notes about the bins and the traders but it was not something that could be considered as part of the planning application.

Members' Questions and Comments:

The Applicant made the following comments in response to Members' questions

- 1) They had spent considerable time observing how people used the area. There was a key desire line across the zebra crossing and there was also a constraint with the Thames Water sewer line. There was a desire to replace the footprint of the building to allow access to the subterranean level without having to go all the way around the building and also avoid creating a dead end. Could consider a slight change with the position of the building but the closer you got to the railings the closer you got to the trees.
- 2) He had spoken about the trees and it had been taken as a given not to extend beyond the existing building line.
- 3) He acknowledged that it was a good point that there wasn't a lot of rainfall but the water tank was a gesture towards sustainability.
- 4) The building needed to be robust and resilient for the next 20 to 30 years.

- 5) It was difficult to get light in the subterranean toilets because of the listed structure of the bridge.
- 6) The top structure was not essential in terms of providing water for functioning toilets but was integral to the overall design philosophy and in terms of enhancing sustainability credentials, through rainwater capture, had been developed following discussions with Councillors and Ward Councillors at the Environment and Community Scrutiny Committee. He would take on board the comments about grey water recycling. If they removed the water tank from the design this would preclude rainwater harvesting.
- 7) One of the Willow trees had failed but this was due to be replaced.

The Petitioners made the following comments in response to Members' questions:

- 1) Would welcome some movement to the proposed location of the toilets as the current structure had limitations however their concerns were not just about how far forward the building was but also about the proposed kiosk as this would mean that more tourists would stop there, block the pavement and caused congestion.
- 2) There was a risk that the project had been reverse engineered.
- 3) The nature of willow trees was that the more you pruned them the more they grew.
- 4) At night time the space behind the toilets was used for crime for example drug dealing.

Summing up by the Agent

- 1) Would take forward robustness to how specify and design the building.
- 2) Noted questions which had been raised over form, agreed it was a special building and would do all he could to take forward.
- 3) The extra height of the building was not a retrofit idea the height came before the fit of the water tank.
- 4) Would look at the location of the building in relation to constraints.
- 5) Thought linking the alley to the turnstiles would make it more of a dead end down to the river.
- 6) Would look at the water strategy and grey water harvesting and would be happy to accept a condition if could come up with a credible solution.
- 7) Was willing to share samples of materials with the petitioners.

- 8) The city needed toilets and would be a modest construction.

Summing up Petitioners

- 1) It was important to consider the safety and functionality of the space beyond the toilets for students, residents and communities.
- 2) The location was dark even when the trees would be pollarded.
- 3) Notion of kiosk just wondered if there was an alternative way of informing the public for example online or using QR codes.
- 4) Raised the issue of the impact of tourism and questioned who the development was for.

Final Comments of the Chair

- 1) Summarised the main issues discussed:
 - a) siting of building and whether there was scope to reposition
 - b) the street scene and the building in context
 - c) comparative footprint based on canopy line rather than wall line
 - d) the inclusion of the kiosk and the impact of this
 - e) robustness of the building design and whether the building would be fit for purpose
 - f) choice of materials
 - g) Impact on the Willow trees although noted plans to pollard the trees in any event
 - h) water collection point on the roof and the efficiency of this and needs to see details of grey water harvesting and noted that the applicants would be happy to accept conditions
 - i) petitioners expressed concerns about the design of the railings and the agent said would be picked up.
- 2) Notes of the Development Control Forum would be made available to relevant parties.
- 3) Application to be considered at a future Planning Committee.

The meeting ended at 11.30 am

CHAIR