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Planning

Plan/1

Thursday, 10 September 2020

PLANNING

10 September 2020
10.00 am - 5.45 pm

Present:

Planning Committee Members: Councillors Smart (Chair), Baigent (Vice-Chair), Bird, Green, Page-Croft, Porrer and Tunnacliffe

Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Principal Planner: Emma Ousbey

Principal Planner: Lewis Tomlinson

Senior Planner: Aaron Coe

Planner: Mary Collins

Planner: Rebecca Claydon

Legal Adviser: Keith Barber

Committee Manager: James Goddard // Claire Tunnicliffe

Meeting Producer: Tom Mears

FOR THE INFORMATION OF THE COUNCIL

20/40/Plan Apologies

Apologies were received from Councillors Lord, McQueen and Thornburrow. Councillors Bird and Page-Croft were present as Alternates.

20/41/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Extinction Rebellion and the Cambridge Cycling Campaign.
Councillor Tunnicliffe	20/46/Plan	Personal and prejudicial: Would speak in objection as a Ward Councillor. Would withdraw from discussion and did not vote.

Councillor Bird	20/48/Plan	Personal: Discretion unfettered. Application in East Chesterton Ward where she is a councillor. Item adjourned.
Councillor Porrer	20/48/Plan	Personal: Discretion unfettered from discussions at Housing Scrutiny Committee regarding the 'pods' in terms of their support for formerly homeless people in developments across the city. Item adjourned.

20/42/Plan 20/01901/S73 - 157 Histon Road

The Committee received a S73 application to vary condition 14 of planning permission C/95/0110 (as amended 19/1047/S73) that delivery hours shall only take place between 07:00hrs and 22:00hrs Monday to Saturday and 09:00hrs and 19:00hrs on Sundays and Bank Holidays and to remove the limitation on the number of articulated vehicles deliveries per day (Amended description).

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

Councillor Payne (Ward Councillor) addressed the Committee about the application:

- i. Wished to impress on the Committee the close proximity of the Aldi loading bay to Nursery Walk properties. Number 8 Nursery Walk sat directly behind the loading bay.
- ii. Had received over time a number of complaints from residents about the noise caused by deliveries.
- iii. Over the last few months, people really welcomed the support of the Aldi area manager, who has reminded drivers to use the silent entry system. This made a huge difference with the current two deliveries a day, especially while residents were at home during lockdown. The store had been willing to work with residents and was supportive of their needs.
- iv. The issue with removing the limit of delivery vehicles was two-fold:
 - a. It would make use of the silent entry much harder to enforce across a larger number of vehicles.

- b. It was not just the noise of the engines that caused disturbance, it was also the noises that accompanied unloading. Such as beeping, doors banging and the unloaders shouting to one another. This additional disturbance was expected to increase with increased deliveries. The proposed extension of hours would take this into incredibly anti-social hours and cause great disturbance.
- v. Asked the Committee will consider the residents of Nursery Walk with empathy and reject this proposal.

The Committee:

The Committee were of the opinion more information was necessary before determining the application, thus it was deferred by **6 votes to 1** so officers could seek further information regarding:

- i. The view of Environmental Health Officers.
- ii. Aldi's delivery needs.
- iii. Delivery Plan information.
- iv. The number of lorries expected.
- v. Sound barrier specifications.

20/43/Plan 19/1141/FUL - 1 Fitzwilliam Road

The Committee received an application for full planning permission.

The application sought approval for demolition of existing building and construction of three dwellings.

The Committee received a representation in objection to the application from a resident of Fitzwilliam Road [speaking on behalf of 21 residents who opposed this proposal]:

- i. 1 Fitzwilliam is an important corner of the Brooklands Avenue Conservation Area. Many trees, some with Tree Preservation Orders [TPOs], and the open gardens contributed to the sense of green space. The importance of the Conservation Area and its public amenity has increased since the surrounding developments of Kaleidoscope and Cambridge Assessment.
- ii. The rejection of the previous application [in 2015] was upheld at appeal for two reasons: the loss of amenity for neighbours and the detrimental impact on the Conservation Area. This should be the starting point when considering any new application.

- iii. Specific concerns:
 - a. This proposal, though smaller in scale than the previous one, still had accommodation for up to thirty two people in three terraced houses.
 - b. It protruded beyond neighbouring building lines.
 - c. Was over-sized relative to the site and sub-divided this corner plot resulting in tiny gardens dominated by cycle sheds and bin stores.
 - d. The design reflected the modern buildings opposite in Kaleidoscope and neither referenced nor complemented the neighbouring buildings in the Conservation Area.
- iv. The size and configuration strongly suggested an intention to subdivide into multiple occupancy housing in the future. Any such move would have a hugely negative impact on the Conservation Area.
- v. On the potential loss of amenity for neighbours, parking is of particular concern. The Cambridge Local Plan of 2018 was crystal clear on parking. For C3 dwellings in a controlled parking area the ratio must be no more than one parking space per dwelling. This could only be exceeded in exceptional circumstances. There were none in this case. It was close to a bus route, the railway station and just a short walk or cycle from the city centre. This application sought seven spaces for three dwellings, over twice the permitted ratio. It also required the loss of five heavily used on-street residents' parking places. This would be grossly unfair for existing residents.
- vi. The plot was on a three-way corner which was already a dangerous junction. Since the opening of Kaleidoscope and the expansion of Cambridge Assessment, the roads were much more congested at peak times than implied by Highways Department.
- vii. The 2015 scheme did not propose removing any TPO trees, so it was unreasonable and unacceptable that this (smaller) scheme destroyed a protected tree. Expressed concern the Tree Officer has seemingly waved through the removal of one of the iconic protected sycamores and the loss of many other trees and garden landscaping.
- viii. Suggested the application did not satisfy Policy 61 of the Cambridge Local Plan [designs that enhance or preserve the character of a Conversation Area].

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

Councillor Summerbell (Ward Councillor) submitted a statement to the Committee about the application:

- i. Made a representation for two reasons:
 - a. Had received a number of concerns raised by residents. Had not received any representation in favour of the development.
 - b. The objections raised show there was a risk of the Council contravening, or at least appearing to contravene, its own Local Plan. Residents who wanted to seek planning permission must abide by the Local Plan. Both City Council and County Council must respect the Local Plan, and be seen to respect it; otherwise they risked undermining it, with the associated likelihood of increased appeals and objections further congesting an already overstretched planning service.
- ii. The main objections raised were:
 - a. Residents raised concerns that the proposed development was not in line with the character of the Conservation Area.
 - b. Removal of a tree subject to the TPO and the risk to a second, along with the removal of 9 other unprotected trees. This appeared to conflict with policy 52 of the Local Plan.
 - c. Parking spaces were in short supply. The proposal acknowledged this by seeking to assign more than the recommended number of spaces per household, yet this did not create more space on the streets: it required removal of spaces elsewhere.

Councillor Robertson (Ward Councillor) addressed the Committee about the application:

- i. Overdevelopment of the site which is in Brooklands Avenue Conservation Area.
- ii. The application was out of character with the area and did not respond to context.
- iii. The application failed to meet Local Plan policies 56 [integrated into its surroundings] and 57 [landscape impacts and available views].
- iv. Expressed concern over loss of trees, particularly T2.T1 and T2 should be retained, there was no reason to cut down these local landmarks.
- v. Asked the Committee to confirm the TPOs regardless of whether the application was approved or not.

Councillor Jones (Ward County Councillor) addressed the Committee about the application:

- i. Took issue with officer support for over provision of on-site parking. Only three spaces were required, not four, as per the number of dwellings. There were good local transport links.
- ii. Traffic and congestion levels [including taxi and parking space usage] would be exacerbated by the development.
- iii. Clarendon Road and Fitzwilliam Road were used as rat runs to avoid traffic in other areas.
- iv. There was an absence of traffic survey work by the County Council. So it was unclear to date whether there are any “significant safety implications” for local residents as defined under Para 109 of the National Planning Policy Framework.
- v. To conclude, increasing motor traffic movements and the loss of residents' parking bays should be seen as unacceptable in an area experiencing increasing traffic pressures from other recent developments.

Councillor Porrer proposed amendments to the Officer's recommendation to include informatives regarding:

- i. Hedgehog friendly fencing.
- ii. Residents' parking not being available to new builds so it was clear to the developers that they could not access street parking in the controlled parking zone by applying for a residents' permit.

This amendment was **carried unanimously**.

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's report, and subject to the conditions recommended by the Officer plus two extra informatives relating to:

- i. Hedgehog friendly fencing.
- ii. Residents' parking not being available to new builds so it was clear to the developers that they could not access street parking in the controlled parking zone by applying for a residents' permit.

With delegated authority to Officers to draft the informatives in consultation with the Chair and Spokes.

20/44/Plan 20/01568/HFUL - 23 North Street

The Committee received an application for full planning permission.

The application sought approval for a first-floor roof extension and associated works, to create an additional 2no. bedrooms and an en-suite.

The Committee received representation in objection to the application from a resident of North Street:

- i. Was speaking on behalf of several objectors.
- ii. The application would have an adverse effect on the direct neighbours who lived next door to the properties.
- iii. The planning officer's presentation omitted 6 and 8 Canterbury Street which would also be affected by the proposed extension.
- iv. 23 North Street was one of three houses (including 21 and 25 North Street) designed together to form a terrace built in the garden of 59 Histon Road; the original design with subterranean bedrooms and gardens ensured no overlooking into neighbouring properties; the importance of no overlooking had been highlighted in the original planning application.
- v. Building a third story would significantly affect 59 Histon Road; the extension would mean that privacy of the house and garden would be compromised.
- vi. In addition, no's 2, 4, 6 and 8 Canterbury Street [which backed on to North Street] would be overlooked with a large widow [bedroom picture window] at the front of the extension, so occupiers' privacy would be reduced for these properties.
- vii. A bedroom picture window was better suited to a property that overlooked landscapes not a tight residential urban area.
- viii. No. 11 North Street provided the model for the church gable end picture window; the objector of this application (20 Benson Street) noted they could see direct in the bedroom of 11 North Street and this would be the same for no's 24& 26 Benson Street.
- ix. Reiterated a picture window was completely unsuitable for a house on North Street which can be viewed into by neighbours.
- x. If the application were permitted this would change the look of the terrace and set a precedent which could result in further overlooking and loss of privacy for surrounding properties.
- xi. Future extensions could lead to a confusion of different designs.

- xii. Stated that City Councillor Todd-Jones had indicated the goal posts of planning objections had shifted regarding new built properties on North Street; overlooking into neighbouring properties was irrelevant.
- xiii. However, it should be highlighted these new build properties did not have the same impact on neighbouring properties as these faced garages and hedges or end of terraced walls. Therefore, this point was relevant.

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

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

City Councillor Payne (Castle Ward Councillor) addressed the Committee about the application:

- i. The objection to the application was two-fold.
- ii. Firstly, in terms of aesthetics, this property sat in a group of three, an additional storey on only one building would look strange and be out of character with the area.
- iii. North Street sat within a Conservation Area, and the conservation report had noted this would be out of character with the area.
- iv. The application would also lead to neighbouring properties being overlooked and would feel crowded on the narrow streets.
- v. Secondly, if this application were approved, it would then set a clear precedent for the neighbouring houses to do the same. This would substantially change the character of the area and lead to other houses being overlooked.

The Committee:

Resolved (unanimously) to reject the officer recommendation of refusal to the application.

Resolved (unanimously) to approve the application contrary to the officer recommendation for the following reasons:

- i. Positive addition of a high-quality application to the street scene which enhances and improves the Conservation Area.

Resolved (unanimously) to delegate to planning officers to include the standard conditions for the approval of the application in terms of standard time for commencement; development in accordance with approved plans; materials; the removal of permitted development rights under Class B of the

TCP (GPD)O 2015; and the rear bedroom windows to be of obscure glazing in perpetuity.

20/45/Plan 20/01033/FUL - 12 Gilmour Road

The Committee received an application for full planning permission.

The application sought approval for a ground floor extension and access gate alterations within the building curtilage and projection of first floor sitting room window onto the existing terrace. To the rear lower section, the existing decked area was to be changed into habitable space and a square skylight would be added over this area to fully enclose it. Full height sliding glazed doors would be fitted behind the existing rear gate and railings which are to be retained with the gate swing being adjusted so it would swing outwards rather than inwards.

The Committee received a representation in objection to the application from a resident of Accordia

The representation covered the following issues:

- i. Would be speaking on behalf of residents who had objected to this application.
- ii. The Committee had previously refused an application which contained elements of this proposal.
- iii. Requested the Committee refused the application.
- iv. Believed the Planning Officer's recommendation and Conservation Officer's opinion appeared to be influenced by the Inspector's report which dismissed the appeal.
- v. The Inspector concluded the ground floor and first floor elements of the proposal would not detract much from the architectural uniformity of the dwellings in the area; disagreed with this statement as outlined in the submitted objections.
- vi. The Inspector gave no consideration to the effect on car and cycle parking or loss of amenity space; yet the Inspector did not grant planning permission for the ground and first elements alone through a split decision.
- vii. When considering the previous application, the Committee assessed the negative impact on the wider community through loss of amenity value against the benefit to an individual property owner. Believed this

assessment remained as critical and it was residents who represented the broader social and community impact on Accordia.

- viii. A key element of the sense of community amongst residents was they had brought into the style of the development; the landscape was dense with overlooking. The internal open spaces, terraces and balconies were an essential feature for the occupant of each dwelling.
- ix. The application would restrict the open space within the footprint and would leave minimal space for a car which could lead to on street parking. Storage capacity would be lost for such as items as a bicycle.
- x. Residents championed the design, style, and layout of Accordia.
- xi. Stated the achievement of the Article 4 direction, designation of the Conservation Area, the recently approved Design Guide, and the parking scheme were the result of initiatives by residents working with City Council officers to preserve the integrity of the site.
- xii. The application was unacceptable on its own merits and would bring no public benefit.
- xiii. If the application were approved similar applications would be repeated which could increase on street parking and damage the internal open spaces that were an essential element to the site.
- xiv. Accordia should remain a model for good architectural practice.
- xv. Believed the application contravened planning policies 56 b and f, 58 g, 82 b and the Cycle Parking Guide SPD

Ms Richardson (Applicant's Agent) addressed the Committee in support of the application.

Councillor Robertson addressed the Committee about the application on behalf of Councillor Thornburrow (Trumpington Ward Councillor).

- i. Represented those residents who had objected to the application. Some points raised would be theirs, other points highlighted were Councillor's Thornburrow's personal point of view.
- ii. The relevant policies to reference were policies 55 (responding to the context), 58, a, b, c, f, and g (altering and extending existing buildings) and 61 (conservation and enhancement of Cambridge's historic environment).
- iii. Gilmour Road was one of the mews streets in the eastern quarter. The houses had been designed to face towards the mews street for primary access and to the landscape side for amenity.

- iv. Each dwelling was designed to have a discreet on-plot car parking and secure cycle provision with shared access to be free of car parking.
- v. A distinctive theme in the design of the buildings was the contrast of solid and void which believed had been achieved with care.
- vi. The covered space to the side of the dwelling had the added benefit of enabling glimpses through to the garden behind.
- vii. The profile of the terrace was simple, sharply defined and uncluttered at all levels. Elevations of the terrace displayed a strong consistency in appearance.
- viii. The proposed ground floor extension would infill the rear of the covered space and unbalance the solid to void relationship. Glimpses through to the garden would be lost.
- ix. The remaining space may be of sufficient size to park a car but would not allow for the additional parking of cycles, refuse storage and recycling bins. Storage of other domestic items would be compromised.
- x. In practice the application would probably result in the car being parked in the street.
- xi. Adequate cycle parking standards would not be met.
- xii. The existing ground floor plans showed the front doors to the properties on Gilmore Road were not straight off the road but off the car port. The design of the single gate ensured the car was parked towards the rear of the space and created covered clear access and accessibility to the main door.
- xiii. The application proposed the gate was to be doubled to allow the car to be parked away from the glazed wall of the extension and closer to the road. This would reduce the area in front of the main door making it less accessible to enter the house.
- xiv. The main external amenity spaces were across the whole of the rear of the property, some at ground floor level and some at first floor level linked by a staircase and walkway. The proposed ground floor extension and that to the first floor living room would reduce the amenity space by over 40%. The was 34sqm of amenity space would be reduced to 14sqm, a considerable loss for a family home.
- xv. Stated the proposed rear elevation was inaccurate and misleading, the impression given is that the appearance at ground floor would not change but the formation of the living accommodation behind the gates would be clearly seen and incongruous.
- xvi. The full width infill would lead to the loss of the exposed brickwork, separation, and the openness to the side of the house. The pattern and strong rhythm between the fenestration and the gates would be lost harming the appearance and character of the dwelling, terrace, and the distinctive enclosure to the communal garden.

- xvii. The outlook from within the extended living space out to the garden would be through the metal gates immediately to the front of the window; believed this to be poor design and would not be acceptable on a new build scheme.
- xviii. Pressure to remove the gates in future would be inevitable.
- xix. Access from the house to the garden had been carefully provided for in the original design by the principle room opening on to the internal courtyard space and then into the garden. The application would result in the access directly from the living room to the garden, a less practicable arrangement.
- xx. Overall, the application would reduce the flexibility of the home for future occupants and would not represent a public benefit.
- xxi. While the Inspector concluded that neither of the ground or first floor elements would detract from the architectural uniformity of the dwelling, believed the reasons outlined in this objection had shown this would detract from the uniformity.
- xxii. The Inspector gave no consideration to the effect on car and cycle parking and did not exercise discretion to grant planning permission for the ground and first floor elements through a split decision which would have been possible.
- xxiii. With reference to the Cambridge Local Plan 2018 the proposed extension has not responded positively to the distinctive context and failed to comply with policy 55.
- xxiv. The extension was not a high-quality design as required; and did not comply with policy 58, a, b, c, f, and g.
- xxv. The harm to the character and appearance of the Conservation Area conflicts with policy 61 and there was no public benefit.
- xxvi. The proposal was unacceptable.

The Committee:

Unanimously resolved to defer the consideration of the application, pending the submission of further detailed drawings by the planning officer and / or a visit to the site.

20/46/Plan 19/1214/FUL - 56-58 Chesterton Road

The Committee received an application for full planning permission.

The application sought approval for amendments to planning permission reference 17/2157/FUL for redevelopment of site to provide 2no. ground floor commercial units comprising Use Class A1 (shop), A2 (financial and

professional) - in the alternative, with 8no. apartments, cycle parking and associated infrastructure - to allow A4 use (drinking establishments) at ground floor and basement with associated B2 use (microbrewery).

Councillor Tunnacliffe (West Chesterton Ward Councillor) addressed the Committee about the application and then withdrew from the debate:

- i. Was speaking on behalf of objectors.
- ii. The area was heavily populated with drinking establishments such the Fort St George, Portland Arms, The Waterman, Thirsty, The Boat House (considerable in size) and The Old Spring.
- iii. All the named public houses were within fifty to seventy-five yards of the application creating a dense provision which should be taken into consideration.
- iv. Residents have reported the area is subjected to anti-social behaviour believed to derive from drinking. Also parallel to Chesterton Road off Trafalgar Road was an alleyway which was a known spot for drug taking which also increased the anti-social behaviour in the area.
- v. Pavements in the area were narrow, this is highlighted by the establishment Thirsty which is twenty yards from the application. This had a heavily used outside drinking area which made it difficult for pedestrians and cyclists to keep to the pavements going east and east west.
- vi. Due to the current climate of COVID-19 it would be reasonable to assume that drinking would take place outside creating further obstructions with additional street furniture and individuals.

The Committee:

Resolved (**by 6 votes to 0**) to defer the consideration of the application, pending the submission of further detailed and technical drawings by the applicant to show the redesign of the basement layout (including the toilets) and explore the issue of disabled access and an assessment of it from the Access Officer.

Councillor Tunnacliffe withdrew from the meeting for this item following addressing the Committee by speaking on behalf of objectors to the application and subsequently took no part in the discussion or decision making which concluded with the decision to defer it.

20/47/Plan 18/0887/FUL - 75 Newmarket Road

The application was deferred as the Committee ran out of time to hear the application.

20/48/Plan 20/02998/FUL - Land at Dundee Close

The application was deferred as the Committee ran out of time to hear the application.

The meeting ended at 5.45 pm

CHAIR