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Planning

Plan/1

Wednesday, 4 November 2020

PLANNING

4 November 2020

10.00 am - 3.45 pm

Present:

Planning Committee Members: Councillors Baigent (Vice-Chair, in the Chair), Green, Page-Croft, Porrer, Thornburrow and Tunnacliffe

Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Principal Planner: Ganesh Gnanamoorthy

Principal Planner: David Norris

Senior Planner: Luke Waddington

Planning Project Officer: Dean Scrivener

Legal Adviser: Keith Barber

Committee Manager: Meeting Producer: Liam Martin

Other Officers Present:

Area Development Manager: Toby Williams

FOR THE INFORMATION OF THE COUNCIL

20/67/Plan Apologies

Apologies were received from Councillors McQueen and Smart.

20/68/Plan Declarations of Interest

Name	Item	Interest
Cllr Baigent	All	Personal - Member of Extinction Rebellion and the Cambridge Cycling Campaign.
Cllr Porrer	20/70/Plan	Personal and Prejudicial - Spoke as a Ward Councillor. Withdrew from discussion and did not vote.

Cllr Tunnacliffe	20/71/Plan	Personal and Prejudicial - Knew people living in the immediate vicinity. Withdrew from discussion and did not vote.
Cllr Porrer	20/72/Plan	Personal – Application was located within her ward division but she had not discussed it or fettered her discretion.
Cllr Thornburrow	20/72/Plan	Personal and Prejudicial – Was acquainted with the Applicant. Withdrew from discussion and did not vote.

20/69/Plan Minutes

The minutes of the meeting held on 10 September were approved as a correct record and signed by the Chair.

20/70/Plan 20/03373/S73 - Park Street Car Park

The Committee received a Section 73 application to vary condition 2 (Approved Plans) of planning permission reference number 19/1159/FUL (demolition of existing multi-storey car park and erection of an aparthotel (Use Class C1) alongside an underground public car park, public cycle store and associated works). The proposal sought to make the following changes:

Internal layout alterations, two additional aparthotel rooms at ground floor level, external elevational alterations, additional rooftop plant to facilitate the removal of all gas use from the scheme, rooftop screening and balustrade alterations, and other associated alterations.

The Principal Planner referred to details on the amendment sheet.

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

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

- i. Welcomed removal of gas from the scheme and understood additional planting on the roof was related to this.
- ii. Regretted as Ward Councillor that the opportunity wasn't taken to look at toilet provision, including disabled access.
- iii. As a current mobile phone mast was to be removed from the roof, would like to note concern around where the mast would be reinstated if new plant works no longer allowed it to be located on the roof. Especially as a potential replacement location[s] could be a green space such as Jesus Green.

Councillor Porrer withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee:

Resolved (by 4 votes to 0 with 1 abstention) to grant the Section 73 application in accordance with the Officer recommendation, for the reasons set out in the Officer's report, subject to the planning conditions recommended by the officer in the report and amendment sheet.

20/71/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).

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

Councillor Tunnacliffe withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee:

Resolved (by 5 votes to 0) 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.

20/72/Plan 20/0034/FUL - Jesus Green Moorings, Thompsons Lane

The Committee received an application for full planning permission.

The application sought approval for extension of the existing pontoon.

The Committee received a representation in objection to the application from the Company Secretary for Beaufort Place.

The representation covered the following issues:

- i. The punting station was granted by St John's College to the county council as a public punting station and this application would prevent the location being used as a community facility, cementing its use as a commercial centre.
- ii. The punting operation of 28 punts continues through 365 days per year, from early morning to late at night, up to 2am in summer months. The punting companies actively encouraged the use of punts for stag parties and similar uses, drunken behaviour linked to this had a dramatic detrimental effect on the peace and enjoyment of residents.
- iii. There had been a lack of consideration and consultation with the residents of Beaufort Place over a change of use from what was intended to be a small public punting station to a commercial centre similar to a nightclub or hospitality event.

Ms Wynne from Rutherford's Punting Company (Applicant) addressed the Committee in support of the application.

The Committee:

Councillor Thornburrow withdrew from the meeting during this item and did not participate in the discussion or decision making.

Resolved (by 4 votes to 0 with 1 abstention) to reject the Officer recommendation to approve the application.

Members proposed draft 'minded to' reasons for refusal which were re-worded by Officers into a format for the minutes. Members **resolved (by 5 votes to 0)** to accept both reasons for 'minded to' refusal and the wording therein.

Resolved (by 5 votes to 0) to refuse the application contrary to the Officer recommendation for the following reasons:

- i. By virtue of the scale of the proposed extension to the pontoon, the scissor lift and associated works, the development would increase the presence and urbanise the appearance of the existing facility. In doing so, it would result in less than substantial harm to the character and appearance of the Conservation Area and the setting of nearby Listed Buildings, and would also harm the special landscape qualities of the River Cam and Protected Open Space. Whilst the works are intended to improve accessibility to this punting operation and improve loading and unloading arrangements, these benefits are considered to be predominantly confined to users of the punt operation and to be of limited wider public benefit. As such, they do not outweigh the identified less than substantial harm to the heritage assets, as set out in Paragraph 196 of the National Planning Policy Framework 2019. Consequently, the proposal would be contrary to Policies 7, 55, 61, 65 and 67 of the Cambridge Local Plan 2018.
- ii. The applicant had failed to demonstrate that the proposed development would not give rise to an intensification in the use of the pontoon and associated pedestrian activity in this area of Jesus Green, which already suffers from pedestrian congestion. As such, the proposal may impede the free flow of pedestrian movement, contrary to Policies 56, 65 and 80 of the Cambridge Local Plan 2018, and to Paragraph 110 of the National Planning Policy Framework 2019.

20/73/Plan 20/01738/FUL - Land at Lilac Court

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garages and redevelopment to provide eight residential dwellings (Use Class C3) along with car and cycle parking and associated infrastructure and landscaping.

The Senior Planner referred to details on the amendment sheet.

Mr McKeown (Applicant's Agent) addressed the Committee in support of the application. His written statement was read by the Committee Manager.

The Committee received a representation in objection to the application from residents of Hinton Avenue, Courtland Avenue, and Lilac Court.

The representation covered the following issues:

- i. There was a dangerous potential for vehicle strike due to tight constraints of the development, also impacting the current on-street vehicle parking and the safety of residents exiting properties.
- ii. A lack of footpaths outside proposed houses would lead to a requirement for dropped kerbs for wheelchair/buggy use, displacing required parking. A reduction in the southern turning circle would lead to increased danger from larger vehicles.
- iii. New dwellings would overlook and intrude on surrounding residents, including windows and balconies facing habitable rooms. Additionally several of the new dwellings included no proper amenity space.
- iv. Tree officers did not support the application as several trees would have to be felled.
- v. The Applicant's claim that the garages were not in use and a site of antisocial behaviour were inaccurate. Also, the designated site was not available for development as several residents have access rights across it to access their freehold and leasehold garages.

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

- i. Was pleased this had come to committee as there had been two applications, one of which was withdrawn before a decision notice could be issued.
- ii. Took issue with the accuracy of details previously submitted by the Applicant and stated inaccurate material had been provided previously regarding tree surveys and computer-generated images.
- iii. The 11m width of the designated area was too small for this type of development and the close proximity to current properties which had large habitable room windows would lead to new properties requiring significant measures to obscure their views. This would impact on existing residents' privacy and amenity.
- iv. Asked the committee to consider/review text in the existing reasons for refusal, but there were several strong reasons included, so please support the officer recommendation to refuse. The application would exacerbate existing issues in the area such as traffic and refuse (waste) collection lorry manoeuvrability in the turning head.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. Reason for refusal 5 should include a note that there would be a net loss of biodiversity from the development.
- ii. The louvred windows in bedrooms would mean a lack of appropriate amenity and light.

Councillor Thornburrow proposed an amendment to the Officer's recommendation. The description within the reason for refusal 6 should make mention that the development is of eight 3 bedroom houses, not two 3 bedroom houses and six 2 bedroom houses, which strengthened the issues of inadequate cycle storage and not meeting M4(2) accessible homes standards.

The Committee:

Resolved (by 4 votes to 2) to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report and amendment sheet, including the amendment to:

- i. Reason for Refusal 5, to include that the proposal will result in a net loss of biodiversity.
- ii. Reason for Refusal 6, to reword to include that the proposal failed to provide adequate levels of cycle parking provision for the dwellings proposed.
- iii. Draft an additional reason for refusal, relating to poor amenity for future occupants of the dwellings, due to the louvred windows being the only windows in certain bedrooms.

Delegated authority was given to officers, to draft the conditions in consultation with the Chair and Spokes.

20/74/Plan 20/0050/FUL - 54A Cherry Hinton Road

The Committee received an application for change of use from HMO (use class C4), single storey rear extension and two-storey side extension following demolition of rear extension. To create 4no. artists studios (use class B1), 2no. communal / gallery spaces (use class D1) and associated service provision. Retention of barbers premises (use class A1). Retention of 1no. studio flat as caretaker's accommodation (use class C3).

The Committee received a representation in objection to the application from a resident of Cherry Hinton Road:

- i. Would be significantly negatively impacted by the applicant's proposed overbearing development.
- ii. Was speaking on behalf of herself and the local Residents' Association who were very concerned that their concerns had not been addressed.
 - a. Over development - B1, C3, D1 together with the current A1 use on the footprint of a Victorian end of terrace house with a narrow garden was unacceptable.
 - b. Loss of residential space.
 - c. Scale and mass - This was far more than a typical 'back of house extension' as mentioned in 'Local Character' in the 'Design and Access Statement'. Although the design was described as one storey and in keeping with domestic scale it would protrude massively above the existing wall and fence lines and crosses the 45 degree line from speaker's 1st floor back bedroom.
 - d. Loss of amenity –
 1. No updated shadow statement to show the effect on 52 Cherry Hinton Road. Expressed concern that speaker's right to light would be lost on the basis that artists require a minimum ceiling height of 2.4m for aesthetic purposes.
 2. No plan to replace the trees already been lost to the barber shop car park, or the tree that will be lost to future development.
 - e. Parking – The development would exacerbate existing problems. No parking study has been carried out. Spaces won't cater for the number of users.
 - f. Safety –
 1. The lane has a 3 ton carrying capacity so was unsuitable for delivery vehicles.
 2. In places there is no footpath and only space for a small vehicle to navigate.
 3. There was no turning head or barriers to prevent customer access onto private property.
 4. No statement about safety of cyclists and pedestrians using the lane.
 - g. Future use - There were no guarantees that the buildings will not be used for light industrial use in the future.

- iii. Councillor Colin McGerty made the point on a site visit that there would be a 'canyon of buildings' in that section of the lane if the proposed development behind EACH goes ahead too. This reflects how under siege residents felt about development on these very small patches of land.

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

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

- i. An informative to ensure residents of the proposed property would not benefit from the resident's parking scheme.
- ii. A condition to retain one accessible car parking space.

The amendments were **carried unanimously**.

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's report, and subject to the conditions recommended by the Officer including the amendments to include:

- i. An informative to ensure that residents of the proposed property would not benefit from the resident's parking scheme.
- ii. A condition to retain one accessible car parking space.

20/75/Plan 20/03202/FUL - 523 Coldhams Lane

The Committee received an application for full planning permission.

The application sought approval for erection of 6 No. 1-bed dwellings following the demolition of an existing building.

The Committee received a representation in objection to the application from a resident of Fulbourn Old Drift:

- i. 523 Coldhams Lane had off road parking with a garden behind it. The application would set a precedent for garden development.
- ii. The application was near the green space around St Andrew's Church and could negatively impact on the amenity of groups who used the

green space. It was the only space that could be used for concerts in the area.

- iii. Recent developments in the area had increased the demand to use the open space around St Andrew's Church for community purposes.
- iv. The Church could 'go out of business' if it lost its parking spaces and delicate eco-systems.

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

- i. A condition to retain the green roof in perpetuity.
- ii. A condition to retain new/existing trees.

The amendments were **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's report, subject to:

- i. the planning conditions set out in the Officer's report;
- ii. the following additional conditions, with delegated authority to Officers to draft the conditions in consultation with the Chair and Spokes:
 - a. A condition to retain the green roof in perpetuity.
 - b. A condition to retain new/existing trees.

The meeting ended at 3.45 pm

CHAIR