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Planning

Plan/1

Wednesday, 6 January 2021

PLANNING

6 January 2021

10.00 am - 4.50 pm

Present:

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

Officers:

Assistant Director Delivery: Sharon Brown
Area Development Manager: Toby Williams
Principal Planner: Lewis Tomlinson
Planner: Phoebe Carter
Planner: Mary Collins
Planner: Saffron Loasby
Planner: Dean Scrivener
Legal Adviser: Keith Barber
Committee Manager: James Goddard
Meeting Producer: Gary Clift

FOR THE INFORMATION OF THE COUNCIL

21/1/Plan Apologies

No apologies were received.

21/2/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Extinction Rebellion and the Cambridge Cycling Campaign.
Councillor Green	21/6/Plan	Personal and prejudicial: Knows the neighbour to this application. Withdrew from discussion and did not vote.
Councillor Thornburrow	21/6/Plan	Personal: Spoke for a resident last time this item came to committee.

		Comes to Committee today with an open mind, not pre-determined.
Councillor Thornburrow	21/6/Plan 21/7/Plan 21/10/Plan	Personal: Applications in Trumpington Ward where she is a councillor. Discretion unfettered.

21/3/Plan Minutes

The minutes of the meeting held on 16 October 2020 and 2 December 2020 were approved as a correct record.

21/4/Plan 20/03651/S73 - 6-18 King Street

The Committee received an application for a section 73 variation of Condition 2 (Approved Drawings) of planning permission 17/1497/FUL (Erection of 64 student rooms, 7 student kitchens, 4 college offices, music practice room and seminar rooms, commercial unit (386 sqm) provision of a connection to the Todd Building and associated landscaping and cycle parking (includes demolition of later structure of 6-10 with facade retention, demolition of 12 to 16 and alterations to 18)) to enable alterations to the design and allow for internal adjustments for fire precautions, plant and renewable energy features.

The Planner updated her report by referring to updated details and the removal of condition 21 on the amendment sheet.

The Committee received a representation in objection to the application from a resident of King Street. The written statement was read by the Committee Manager:

- i. Wrote as the lessee (for the last 15) years of this project's adjoining neighbour. A business now called the Stolen Liquor Loft and Restaurant, previously under my care as d'Arry's restaurant.
- ii. Asked the determination of the application be adjourned and remains adjourned until Objector's neighbours demonstrated that they were trust worthy applicants by meeting the planning conditions previously placed upon them and disregarded to date.
- iii. The applicants were granted consent to demolish and rebuild 6 - 18 Kings Street but proceeded to demolish without fulfilling the planning conditions placed upon them.
- iv. They had not agreed noise management or mitigation measures prior to demolition commencement. Despite the demolition being broadly

complete, critical planning conditions (from perspective as a neighbour), relating to the management of the site remained unapproved.

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

Members were asked if they wished to defer this item or continue to consider it at today's Committee. They **resolved (by 4 votes to 4 and on the Chair's casting vote)** to determine the item at this Committee.

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

- i. mitigate the noise of air source heat pumps. The intention is to make the Applicant aware of this issue now as air source heat pumps are the subject of a separate application; and
- ii. restrict the hours of music playing and amplification late into the evening. The intention is to ensure the Applicant aware that noise from the music room could disturb neighbours.

The amendments were **carried unanimously**.

In response to Councillor Thornburrow request to include reference to condition 12G, the Area Development Manager offered Committee an amendment to the Officer's recommendation:

Condition 33. Notwithstanding the approved plans, prior to any development above slab level the installation of any roof top plant or PV panels, details of their height and proposed screening, including external appearance, shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include reference to condition 12G in terms of the location of service risers and the location of the plant location. The rooftop plant and its screening shall be installed thereafter only in accordance the approved details.

Reason: To avoid harm to the special interest of the listed building and Conservation Area and in order to minimise the impact on residential amenity (Cambridge Local Plan 2018, policies 35, 61).

This offer as an amendment to the condition was **carried unanimously**.

Councillor Smart proposed an amendment to the Officer's recommendation to include an informative advising that issues with neighbours should be resolved

at an earlier stage in the process ie planning conditions should be discharged promptly.

This amendment was **carried unanimously**.

The Assistant Director proposed an amendment to the Officer's recommendation to include an informative to use appropriate methods to clean the glazing.

The Committee:

Unanimously resolved to grant the section 73 application 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 and the amendment sheet;
- ii. the removal of condition 21;
- iii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the amended condition 33 (set out above);
- iv. informatives included on the planning permission in respect of:
 - a. air source heat pumps;
 - b. noise from the music room;
 - c. discharge of planning conditions;
 - d. cleaning of glazing.

21/5/Plan 20/03626/LBC - 6-18 King Street

The Committee received an application for Listed Building Consent for provision of connection to the Todd Building.

Councillor Thornburrow proposed an amendment to the Officer's recommendation that condition 3 should be amended so that details were discussed before work took place above slab/ground level.

This amendment was **carried unanimously**.

The Assistant Director proposed an amendment to the Officer's recommendation to include an informative to use appropriate methods to clean the glazing.

This amendment was **carried unanimously**.

The Committee:

Resolved (by 7 votes to 0) to grant the application for Listed Building Consent 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. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the amended condition 3;
- iii. an informative included on the on the Listed Building Consent to use appropriate methods of cleaning the glazing.

21/6/Plan 20/03038/S73 - 60 Trumpington Road

Councillor Green withdrew from the meeting for this item and did not participate in the discussion, the decision making nor did she vote.

The Committee received a Section 73 application for variation of condition 2 (approved plans) of planning application 18/1058/FUL.

The Principal Planner updated his report by stating condition 1 should refer to condition 30 not 40.

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

- i. In the course of the ongoing dispute regarding the width of the right of way, the Police have required undertakings from both the developer and me (the resident) that there will be no activity on the building site until the legal issues regarding the right of way to which neighbours are entitled have been resolved. Until that resolution has been achieved to the satisfaction of both parties any discussion of this Section 73 Notice is premature, if not irrelevant.
- ii. The original planning application was approved with a condition that the only window on the south elevation was to be of limited size, of obscured glass, as a bathroom window. It had been the concern of the owner of the house opposite the proposed development that any further windows would allow the invasion of her privacy.
- iii. The Objector caught the Developer taking photographs from his building site of that neighbour. Allowing him to use today's Section 73 variation to

add a further window or windows on that South elevation Would enable him or others to intrude even more on to her privacy, the very thing the original condition was intended to prevent. If you decide to approve further windows, I suggest that that they be of obscured glass, with no opening lights.

Councillor Porrer proposed an amendment to the Officer's recommendation that a 1.1m obscure glazing strip be used on the balcony (front of house, second floor).

This amendment was **carried (by 6 votes to 1)**.

The Committee:

Resolved (by 5 votes to 2) to grant the Section 73 application 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. condition 1 wording be amended as above;
- iii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include an additional condition relating to a 1.1m obscure glazing strip to be used on the balcony with Chair, Vice Chair and Spokes to be consulted on details regarding the glazing.

21/7/Plan 20/03327/FUL - Rose Cottage, Trumpington

The Committee received an application for full planning permission.

The application sought approval for erection of one two storey dwelling with basement for additional living space.

Councillor Porrer proposed amendments to the Officer's recommendation that informatives be added regarding:

- i. adding electric vehicle charging points;
- ii. being mindful of party wall legislation when undertaking work in the basement.

The amendments were **carried unanimously**.

Councillor Thornburrow proposed amendments to the Officer's recommendation that conditions be added regarding:

- i. the removal of permitted development rights for the detached garage to ensure it was ancillary to the house and not used as accommodation;
- ii. the basement should not be used as a bedroom without a second stairway due to fire regulations.

The amendments were **carried unanimously**.

Councillor Baigent proposed an amendment to the Officer's recommendation that an informative be included discouraging the property being used as AirBnB.

This amendment was **lost by 3 votes to 2**.

The Committee:

Resolved (by 6 votes to 1) 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. the removal of permitted development rights for the detached garage;
 - b. the basement shall not be used as a bedroom;
 - c. a construction management plan
- iii. informatives in respect of:
 - a. electric vehicle charging points;
 - b. party wall legislation.

21/8/Plan 20/03418/FUL - 14-17 Regent Terrace

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garages and erection of a new 4 storey building containing 7 apartments (6 no. 1 bed and 1 no. 2 bed).

Dr Burgess (Applicant's Agent) addressed the Committee in support of the application.

Councillor Porrer proposed amendments to the Officer's recommendation that informatives be added regarding:

- i. residents of the proposed property would not benefit from the resident's parking scheme;
- ii. the protection of Hobson's Conduit;
- iii. post boxes should be located outside the building.

The amendments were **carried unanimously**.

Councillor Thornburrow proposed an amendment to the Officer's recommendation that the green roof should be maintained in perpetuity.

This amendment was **carried unanimously**.

The Committee:

Resolved (by 7 votes to 0) to grant the application for planning permission in accordance with the Officer recommendation (save for the removal of requirement of a s106 Agreement linked to the planning permission), for the reasons set out in the Officer's report, subject to:

- i. the planning conditions set out in the Officer's report and the amendment sheet;
- ii. delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include an additional condition that the green roof shall be maintained in perpetuity;
- iii. informatives in respect of:
 - a. residents of the proposed property would not benefit from the resident's parking scheme;
 - b. the protection of Hobson's Conduit;
 - c. post boxes should be located outside the building.

21/9/Plan 19/1408/FUL - 45 Highworth Avenue

The Committee received an application for full planning permission.

The application sought approval for a residential redevelopment comprising three link detached dwellings to the rear and one detached dwelling on the site frontage along with car and cycle parking and associated infrastructure following demolition of existing building on the site.

The Committee received representations in objection to the application from the following:

- Resident of Hurst Park Avenue.
- Resident of Highworth Avenue.

The representations covered the following issues:

- i. Following the death of the last owner, the property was in the hands of a developer who wanted to develop a garden that overlooked neighbours.
- ii. The design was out of style with the character of the area.
- iii. Expressed concern about the:
 - a. Impact on wildlife in the area.
 - b. Impact on neighbours' amenity.
 - c. The oppressive indoor living environment for residents and unattractive outlook for neighbours.
- iv. Many neighbours had objected to the development:
 - a. Loss of privacy.
 - b. Parking concerns.
 - c. Not a covid friendly development.
- v. Asked for the developer to come back with a scheme that responded to the area, prioritised family housing and had fewer units on site.

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

- i. Supported the recommendation and the reasons for refusal.
- ii. Requested an additional reason for refusal: Highworth Avenue was a residential area not a city centre development as the Agent stated.
- iii. There was a lack of amenity space as this was a garden development and people could not play in the road as they may have done in the past.
- iv. The site could set an unsustainable precedent for demolition of houses and development of gardens in the area.
- v. Negative impact on biodiversity.
- vi. Highworth Avenue had highly individual properties that cumulatively made an arts and craft design style. The modern design style of the application failed to respond to context.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. reason for refusal 4 should reference additional vehicle movements;
- ii. [New reason 5] The proposal has failed to demonstrate that it would not result in a net loss of biodiversity or that through mitigation no net loss or

net gain is possible. As such, the proposal is contrary to policy 70 of the Cambridge Local Plan 2018 and NPPF 2019 guidance, paragraph 170.

The amendments were **carried unanimously**.

The Committee:

Resolved (by 7 votes to 0) to refuse the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report, and amendments as follows:

- i. reason for refusal number 4 should reference additional vehicle movements;
- ii. [New reason 5] The proposal has failed to demonstrate that it would not result in a net loss of biodiversity or that through mitigation no net loss or net gain is possible. As such, the proposal is contrary to policy 70 of the Cambridge Local Plan 2018 and NPPF 2019 guidance, paragraph 170.

21/10/Plan 20/01967/FUL - 6 Chaucer Road

The Committee received an application for full planning permission.

The application sought approval for change of use of the site to use Class D1 (Education); alterations to existing greenhouse to facilitate use as a classroom, erection of a single storey teaching/toilet block, and alterations to boundary treatment.

The Planner updated her report by referring to amended drafting for condition 7 wording on the amendment sheet.

Mr Giarlis (Architect) addressed the Committee in support of the application.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. to include a flat roof condition;
- ii. the 'Reason' in condition 6 should be amended as follows:

Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area **and ensure energy efficient materials are used to provide a sustainable building**.

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 and amendment sheet;
- ii. the following additional/amended conditions, with delegated authority to Officers to draft the conditions in consultation with the Chair, Vice Chair and Spokes:
 - a. to include a flat roof condition;
 - b. reason in condition 6 should be amended to meet the resolution above.

The meeting ended at 4.50 pm

CHAIR

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