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Planning	Plan/1	Wednesday, 24 March 2021
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PLANNING

24 March 2021
10.00 am - 5.45 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
Delivery Manager Development Management: Nigel Blazeby
Consultant Planner: Phil McIntosh
Senior Planner: Saffron Loasby
Planner: Dean Scrivener
Legal Adviser: Keith Barber
Committee Manager: James Goddard // Sarah Steed
Meeting Producer: Liam Martin

Other Officers Present:

Principal Conservation and Design Officer: Christian Brady
Principal Sustainability Officer: Emma Davies
Principal Urban Designer: Joanne Preston

FOR THE INFORMATION OF THE COUNCIL

21/28/Plan Apologies

Apologies were received from Councillor McQueen who expected to join the Committee late, sometime during the discussion of 104-112 Hills Road.

21/29/Plan Declarations of Interest

Name	Item	Interest
Councillors Smart and Tunnacliffe	20/31/Plan	Personal: Received a book on the Flying Pig Pub. Discretion unfettered.
Councillor Page-Croft	20/31/Plan	Personal: Received a book on the Flying Pig Pub. Family have visited the Flying Pig. Attended a site visit

		pre-committee. Discretion unfettered.
Councillor Porrer	20/31/Plan	Personal: Received a book on the Flying Pig Pub. Discretion unfettered.
Councillor Thornburrow	20/31/Plan	Personal: Application in Trumpington Ward where she is a councillor. Attended a pre-application presentation and Design and Construction Panel. Received a book on the Flying Pig Pub. Discretion unfettered.
Councillor Green	20/32/Plan	Personal: Application in Petersfield Ward. Liaised with Petersfield Residents Group about the application as a Ward Councillor. Discretion unfettered.
Councillor Baigent	All	Personal: Member of Extinction Rebellion and the Cambridge Cycling Campaign.

21/30/Plan Minutes

The minutes of the meeting held on 6 January and 3 March 2021 were approved as a correct record.

21/31/Plan 20/03429/FUL 104 - 112 Hills Road Cambridge Cambridgeshire

Councillor McQueen did not take part in the debate or vote on the application.

The Committee received an application for full planning permission.

The application sought approval for (1) the demolition of Betjeman House, Broadcasting House, Ortona House, Francis House, and the rear multi-storey carpark to Francis House, together with existing refuse and cycle stores; to allow for construction of two new commercial buildings of five and seven storeys respectively, providing flexible B1(a), B1(b), A1, A2, A3 uses on the ground floor and Class B1(a) and B1(b) on the upper floors; - (2) the construction of basement with mezzanine level to provide for building services, cycle parking and car parking for the proposed commercial buildings, cycle and car parking spaces for Botanic House and services for Flying Pig Public House; - (3) the refurbishment of the Flying Pig Public House at 106 Hills

Road, including demolition of part single/part two storey outrigger and single storey store, alterations to elevations, construction of extension to enable level access and layout pub garden; - (4) creation of new public realm and landscaping, incorporating segregated vehicular and cycle access from Hills Road, a new access to service areas and substations, and taxi drop off for both the development proposed and existing Botanic House

The Consultant Planner updated his report by referring to updated condition wording on the Amendment Sheet.

The Committee received a representation in objection to the application from a resident of Cambridge. The Committee Manager read a written statement:

- i. In late November 2020, the Applicant modified their planning application. Raised concerns about the changes as a concerned local resident, but some of these comments were not published on the planning portal, due to Council technical issues.
- ii. A new technical fault with the portal in 2021 made it difficult to view the application. (Was able to access other websites, and the planning portal until 2021.)
- iii. Raised these problems respectively with PlanningComments@greatercambridgeplanning.org on 7 Dec 2020 and with planning@greatercambridgeplanning.org on 25 Feb 2021, but only received acknowledgements of the faults, not explanations or solutions. Queried how many other constituents were affected.
- iv. There were many reasons to reject this application. The fact that online commenting and scrutiny were not possible for some locals due to Council technical faults, while offline engagement difficult through COVID, was itself reason enough to reject the application.
- v. Requested postponing this hearing until the portal was fixed and backlogged comments from 2020 and 2021 published.

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

- i. The development was expected to be a mixed-use development of offices and houses. At some point this was lost.
- ii. This site was in the local plan.
- iii. Housing was expensive in the City.
- iv. The Applicant had not responded to the City Council's questions about houses so officers appeared to have removed details from the housing trajectory. Sixty-one affordable homes were deleted from the scheme.

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

- i. Expressed concern that the number of additional job figures and commuter trip figures appeared not to tally.
- ii. A wholly non-residential scheme was unsuitable for the site.
- iii. Queried why offices were included in the application instead of housing.
- iv. The scale of the application was better suited to London than Cambridge.
- v. The viability of the Flying Pig pub was not demonstrated. This application would make the pub unviable.

The Committee received a representation in objection to the application from a resident of Vinter Terrace:

- i. Expressed concern about lack of housing.
- ii. Housing was required, but not more office space as the City had enough already.
- iii. Five years has been requested to undertake building work. This was too long and would impact on Hills Road residents. Eighteen months was more reasonable.
- iv. Expressed concern about the design of the building front.

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

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

- i. The site was in a prominent location and needed a better design.
- ii. Suggested the application did not comply with policies 28, 55, 56, 57, 59, 60 and 61 in the 2018 Local Plan.
 - a. The site was in a Conservation Area and needed to demonstrate more public benefit than harm.
 - b. The design was unattractive and did not suit the character of the area.
 - c. Retention of the Flying Pig pub was welcome, but it would look odd when surrounded by office buildings.
- iii. This was a change of use application on extant permission. The Applicant was no longer building homes in a mixed-use development. The Applicant should not be allowed to drop housing from the site.

- iv. The first iteration of the application was submitted in 2005. The current application was trying to return to the [refused] design of 2007 which had buildings that were too tall.
- v. Extant permission was granted 2007, the 2018 Local Plan has higher specifications which were not being met by the current design. The design maybe better than that allowed under extant permission, but it did not meet 2018 Local Plan policies, so should not be approved.

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

- i. The application did not meet Local Plan policies 57, 58, 62 and 76 relating to scale, massing and architectural value.
- ii. Retention of the Flying Pig pub was welcome but it would look out of context. Please do so in a sensitive manner. The pub could be made unviable by 20/03429/FUL. It was viable at present.

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

- i. 20/03429/FUL had some architectural merits such as meeting BREEAM standards.
- ii. In order to ensure the site was viable as an office location, the merits of having parking on site versus none had to be weighed up.
- iii. The proposal was better than the impact of what could be implemented under extant permission, but the Committee had to judge if it also met 2018 Local Plan standards.
- iv. Residents were concerned about:
 - a. Impact of 20/03429/FUL on the Botanic Garden.
 - b. Height of proposed buildings.
 - c. The loss of the Flying Pig pub.
 - i. Victorian buildings were increasingly rare in the City and should be protected.
 - ii. A community had grown up around it.
 - iii. Residents were desperate to get back to the pub and use it as a music venue. No alternative venues were available if the pub closed to allow construction of 20/03429/FUL, so it would be unlikely to re-establish itself as a music scene

contributor/venue having closed for construction of 20/03429/FUL.

- v. Asked the Committee to impose conditions so the Flying Pig could remain viable:
 - a. Protect the pub structure and repair any damage caused during the construction of 20/03429/FUL.
 - b. Mitigate the loss of venue. Suggest access to s106 funding (as per the Joiner's Arms pub funding award). Funding to be scaled for the length of Flying Pig pub closure.
 - c. Provision made for rapid restoration of Flying Pig pub as a viable business such as 18 months free of rent.

Following member debate, officers tabled the following revised recommendations:

Grant planning permission subject to:

- (i) the prior completion of an Agreement under s106 TCPA 1990 with delegated authority to officers (in consultation with the Chair, Vice-Chair & Spokes) to negotiate and complete such an Agreement on the terms set out below including terms covering appropriate financial mitigation provisions for the Flying Pig which will contribute to its viability, its possible relocation to alternative premises for the period of its closure during construction of the development and other terms considered appropriate to make the development acceptable in planning terms including:
 - a. fixtures and fittings, apart from personal belongings of the existing tenant/s, shall be surveyed/recorded, protected and reinstated, to maintain the internal character of the Flying Pig Public House
 - b. the Flying Pig Public House is to be fitted out internally by the applicant to allow full commercial operation including residential occupation
 - c. the provision of a free to use electric bicycle (minimum 50 bicycles) scheme for tenants within the building
 - d. a car Parking Management Strategy to secure access by EVs only
 - e. Secure a financial contribution of £500,000 towards Station Road/Hills Road junction improvements; and
- (ii) delegated authority to officers to include as part of the decision notice and in accordance with the Town and Country Planning (EIA) Regulations 2017, Regulation 29 'information to accompany decisions' a reasoned conclusion of the significant effects of the

- development on the environment and to carry out appropriate notification under Regulation 30 accordingly; and
- (iii) including delegated authority to officers to include any minor drafting changes to the following conditions including those detailed in the Amendment Sheet.

The amended officer recommendation was **lost unanimously (7 votes to 0)**. Councillor McQueen did not take part in the vote as she joined the Committee during the discussion.

Members provided officers with a list of 'minded to refuse' reasons to refuse the application. There was a short adjournment whilst officers drafted full reasons for refusal. On return from the adjournment Members were provided with the full text of the minded to refuse reasons voting unanimously **(by 7 votes to 0)** to approve all three reasons for refusal.

The Committee:

Resolved (unanimously 7 votes to 0) to refuse the application contrary to the Officer recommendation for the following reasons:

1. The site is located within the Station Areas West and Clifton Road Area of Major Change which seeks to support the continued and complete regeneration of mixed-use areas of the city. Site M44 is allocated for mixed use development including residential use. The proposed development fails to provide residential dwellings and therefore, does not provide an appropriate mix of uses within this Area of Major Change contrary to policy 21 of the Cambridge Local Plan 2018.
2. The proposed development by virtue of its siting, massing, height, scale and design would appear as an incongruous addition to the streetscene and cause an undue sense of enclosure significantly reducing the openness of the Botanic Garden, to the detriment of the character of the area. Furthermore, it fails to preserve or enhance the character and appearance of the New Town and Glisson Road Conservation Area or preserve the setting of the Botanic Garden. The harm caused by the proposed development amounts to less than substantial harm however, the public benefits do not outweigh this harm. The proposed development is therefore contrary to the National Planning Policy Framework and policies 55, 56, 57, 61 and 67 of the Cambridge Local Plan 2018.
3. Insufficient information has been provided to demonstrate that the proposed development would not adversely affect the viability of the

Flying Pig public house contrary to the National Planning Policy Framework and parts (d) and (e) of policy 76 of the Cambridge Local Plan 2018.

21/32/Plan 20/04514/FUL - St Matthews Centre

The Committee received an application for full planning permission.

The application sought approval for erection of a building comprising student accommodation (C2) (113 rooms in 14no flats), including an ancillary reception building, part change of use of existing building from non-residential institution (D1) to cafe (A3), including outdoor terrace with associated development

The Committee received representations in objection to the application.

The representations made on behalf of Friends of St Matthew's Piece and Cambridge Past Present and Future covered the following issues:

- i. The Cambridge Local Plan protects resident's quality of life, heritage and environmental assets, which was threatened by this application. Hundreds of objections were lodged, without a single supporting comment.
- ii. Planning law required applications to be determined in accordance with the Local Plan. This placed a heavy burden on any applicant to show why a decision should be taken contrary to that Plan. The Officer's report demonstrated that the application substantially breached many Local Plan Policies.
- iii. Objected to this application in the strongest terms and supported the officer's recommendation of refusal. Objections were supported by officers and key consultees and focussed on how the application failed to comply with Local Plan policies.
- iv. If approved, the development would fatally undermine the Local Plan. The proposals would significantly harm the Conservation Area, the glorious mature trees the community prized so highly, disrupt the resident's only park and its tranquillity, and despoil residential amenity. The building would dominate and overshadow protected open space and the modest homes that encircled St Matthew's Piece.
- v. Under Policy 60, any proposal significantly taller than the surrounding built form must demonstrate that it had no adverse impact on either

neighbouring buildings or open spaces in terms of “overlooking or overshadowing”. The development breached Policy 60d.

- vi. For 4,300 residents, St Matthew's Piece is the park nearest their home. Proximity is of particular significance to people with disabilities and their carers, and for those with impaired mobility due to advanced age or the challenges of looking after young children. Surrounding properties included flats with little or no private garden or compact terraced homes with very small gardens. During the current pandemic, St Matthew's Piece had been essential to preserving resident's mental and physical health. Its vital role as a public open space was indisputable.
- vii. Asked Members to refuse this application as there were no substantive public benefit arguments in support of the proposals.

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

- i. No-one had a positive view of the application.
- ii. It failed to enhance the character of the area.
- iii. The application caused overlooking / overshadowing.
- iv. It would diminish the amount of open space which allowed people to meet safely and socially distanced.
- v. Beautiful trees would be lost.
- vi. The building was too high and the design did not fit with the setting.
- vii. Streets surrounding the development were narrow and the development would increase traffic and exacerbate anti-social driving in the area.
- viii. Expressed concerns regarding the delivery of construction materials.
- ix. The benefit of the open space to residents and their mental health should be taken into consideration.

The following statement was read out by the Committee Manager on behalf of Cambridge School of Visual and Performing Arts (CSVPA) in support of the application:

- i. Expressed disappointment regarding the officer recommendation to refuse planning permission for the proposal to create a purpose built student accommodation at St Matthews Centre.
- ii. Since CSVPA had launched as a standalone school in 2014, St Matthew's Centre had provided an important education facility for them. The Centre continued to be central to their planned growth as they further developed their performing arts courses.

- iii. CSVPA vision was to grow the talent pipeline for the creative industries from 16 plus and to develop visual arts digital talent from games design to data visualisation and other such subjects.
- iv. The College's existing under 18 year old accommodation was fully utilised with no opportunities for expansion. The site at Sturton Street with its existing Performing Arts Building provided an unrivalled opportunity to support the work and vision of the College and its growth aspirations for 16-18 age accommodation.
- v. The integration of new student accommodation with St Matthew's Centre, where students were taught, meant the space/facility would be uniquely and ideally suited to meet the needs of their students with a localized 'campus'.
- vi. The provision of purpose-built student accommodation would also allow CSVPA to have greater direct management of students and a greater capacity to support the learning, health and wellbeing of the students. A strong emphasis on pastoral care was provided and all under 18 year olds boarding were managed by a highly trained team of professional House Parents who would reside at the property. All students must obey the College's clear conduct rules and curfew times to be back in their rooms. There was also a 24 hour emergency number which could be called, as well as a telephone number for the House Parent.
- vii. CSVPA trusted the Committee could recognise the significant opportunity that the proposal represented in supporting the continued growth of a Cambridge based institution and its ability to compete nationally and internationally, together with adding to the vibrancy of the City.

Rob Hopwood (Applicant's Agent) addressed the Committee in support of the application.

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

- i. The drawing did not convey the true scale of the development.
- ii. Asked the developer not to proceed with the development.
- iii. Noted that despite negative responses to the public consultation the developer submitted an application very similar to the application consulted on.
- iv. Referred to the protected open space and the fact that the stairs would intrude onto protected open space.
- v. Existing dwellings would be over-shadowed by the application.
- vi. It was an enormous proposal, proposed on a park.
- vii. Sunlight would be taken from buildings if the development went ahead.

- viii. It was imposing on the street scape.
- ix. The proposal sought to ignore requirements in the local plan.
- x. CSVPA needed to recognise that the accommodation would not be guaranteed for their school. CSVPA could not always guarantee that they would lease the building.
- xi. Requested an additional reason for refusal based on policy 60d, which was concerned with structures significantly taller than surroundings overall by virtue of excessive scale, height and depth, which would result in adverse impact in terms of overlooking and overshadowing.

Councillor Davies (Abbey Ward Councillor) addressed the Committee about the application:

- i. Neighbouring residents to the development were Abbey residents.
- ii. The breadth of objections made clear the number of local plan policies breached by the proposal.
- iii. Policy 60d needed to be added to any reasons for refusal. The structure breached the existing skyline.
- iv. The applicants should have demonstrated that there were no adverse impacts.
- v. There would be an adverse impact on New Street, the development would clearly overlook and overshadow this street.
- vi. Sun light would be blocked by the development at noon and at certain times of the day.
- vii. The development would overshadow and adversely impact 89 New Street which had solar panels. Interference of solar panels was a material planning consideration.
- viii. Referred to Policy 67 and the protection of open space. The development would damage the open space. St Matthews Piece was important to the riverside community. It was the only green space walking back from Mill Road, the Grafton Centre and the railway.
- ix. This was precious open space in Petersfield and to Abbey ward residents.

Councillor Davey (Petersfield Ward Councillor) read out the following statement from County Councillor Jones.

- i. This is an instance of overdevelopment on a site that was adjacent to one of the few public open spaces in the densely populated Petersfield area. The County Councillor also lived locally and regularly used this area for walking and cycling.
- ii. Challenged the claim in the Bidwells' report that a shortage of student accommodation currently existed (para 6.17), given the less than full

- capacity evidence from other sites and the likely impact of online learning. There was no evidence for the claim contained in the report.
- iii. Challenged the framing of the 'moderate adverse impact' (para. 6.46) that Bidwells set out. They argued that the admitted 'moderate adverse impact' could be reduced to being 'minor' or even 'negligible' (para. 49) by the additional biodiversity/landscaping.
 - iv. The presentation of the 'walkway' to St Matthew's Piece from New Street as an 'accessibility' gain overlooked the fact that over 100 plus students were likely to be reducing the accessibility for local residents.
 - v. As a local councillor, he challenged the assumptions made about access and travel. Similar claims had been made for other student developments at planning stage claiming that student travel was almost exclusively by cycle and foot, yet subsequently residents have reported noise and inconvenience, caused in part by high use of taxis and late night activity. There was no date given for the travel survey in Appendix B so it was unclear if this was a summer or winter snapshot of existing travel modes and unreliable as a predictor of a new student group.
 - vi. The earlier claims (para.3.13) about no parking spaces except for disabled changed in para. 6.75 to 5 disabled and 2 others. The purpose of the 'others' was unclear.

Councillor Davey (Petersfield Ward Councillor) addressed the Committee about the application:

- i. Was not against landmark buildings however the development disrespected the community where the development was going to be.
- ii. Asked for a further reason for refusal to be included based on policy 60d.
- iii. Noted the Fire and Rescue Service response had not been received.
- iv. The applicant failed to comply with local plan requirements.
- v. Referred to policy 23, the Eastern Gateway SPD - applications had to comply with a duty to enhance the character of the area. The Applicant stated that the effect of the development only partially complied with this policy.
- vi. The special character of Cambridge needed to be protected.
- vii. The project was out of scale.
- viii. Noted policy 57 of the local plan stated that high quality buildings could be supported if they had a positive impact.
- ix. Cycle parking was inappropriate.
- x. Referred to policy 59 of the local plan and noted that the contribution was negative.
- xi. Referred to policy 60d and noted that there was a requirement to demonstrate that there was no adverse impact, the application could not do this.

- xii. The St Mathew's Piece had been in existence since 1898 and was on the only designated park in the Petersfield ward.
- xiii. The application did not recognise the importance of St Matthew's Piece.
- xiv. Referred to local plan policy 67 and noted that students would significantly impact on St Matthew's Piece and would harm the character of it.
- xv. Referred to local plan policy 71 and noted that the open space had been essential during the pandemic.
- xvi. Noted that the trees within the area were significant and nothing should compromise them.
- xvii. No-one supported the application, it was a bad application, in the wrong place.

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 report subject to an:

- i. Amendment to condition 1 to include a reference regarding a threat to crime; and
- ii. Amendment to condition 5 to reference loss of open space.

Committee delegated authority to officers to amend the reasons for refusal in accordance with i and ii above.

21/33/Plan 20/01609/FUL - 25B Bishops Road

Application deferred to the next Planning Committee as the Committee had insufficient time to properly consider the application.

21/34/Plan Planning Advisory Service Review

The Assistant Director Delivery summarised the Planning Advisory Service review report.

The Committee:

- i. Noted the content and recommendations set out in the Planning Advisory Service report.
- ii. Noted that a further report would be taken to Planning and Transport Scrutiny Committee/Executive Councillor in June 2021 to recommend setting up a joint Member/Officer Group on a task and finish basis to

oversee the implementation of the PAS report recommendations or, where appropriate to agree the reasons for not implementing any specific recommendation(s) and more specifically to set its terms of reference.

- iii. Considered what representation this Planning Committee should have on the Group and to advise Scrutiny Committee/the Executive Councillor direct and individually with any Member views. The Committee agreed that any reference to Chair and Vice-Chair in the report would include reference to Spokes.

The meeting ended at 5.45 pm

CHAIR