

**PLANNING**

4 August 2021  
10.00 am - 2.20 pm

**Present:**

**Planning Committee Members:** Councillors Smart (Chair), D. Baigent (Vice-Chair), Flaubert, Gawthrope Wood, Porrer and Thornburrow

**Officers:**

Delivery Manager Development Management: Nigel Blazeby  
Area Development Manager: Lorraine Casey  
Principal Planner: Ganesh Gnanamoorthy  
Legal Adviser: Keith Barber  
Committee Manager: Sarah Steed

**FOR THE INFORMATION OF THE COUNCIL**

**21/81/Plan Apologies**

Apologies were received from Councillor Dryden.

**21/82/Plan Declarations of Interest**

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Camcycle.

**21/83/Plan Minutes**

There were no minutes to approve.

**21/84/Plan 21/01271/S73 - 74-82 Akeman Street Cambridge**

The Committee received a s73 application to vary condition 25 of ref: 19/0261/FUL (Erection of 3 no. retail units (2 x use class A1 and 1 x use class A5), 1no. Community Centre (use class D1) and provision of 14 no. dwellings (8 flats and 6 maisonettes) following demolition of existing commercial units and flats). This application seeks to change the condition from Prior to the first occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the Local Planning Authority. The approved

extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such. Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2018 policy 36) To Prior to the first use of the hot food takeaway unit, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such. Reason: To protect the amenity of nearby properties. (Cambridge Local Plan 2018 policy 36).

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, and subject to the conditions recommended by the Officer.

**21/85/Plan 20/01229/FUL - 34 Barrow Road**

This item was considered and determined at the 29 July 2021 Planning Committee.

**21/86/Plan 21/00383/FUL - 5 Luard Close**

This item was considered and determined at the 29 July 2021 Planning Committee.

**21/87/Plan 21/00437/FUL - 31 Newnham Road**

The Committee received an application for full planning permission.

The application sought approval for the change of use of the ground floor of the replacement building approved under planning permission ref. 18/1807/FUL for business use as an office (Class E)

Councillor Porrer proposed an amendment to the Officer's recommendation that condition 6 was amended to include nursery use.

This amendment was **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, and subject to the conditions recommended by the Officer with delegated authority to officers to amend condition 6 to prohibit any nursery use.

### **21/88/Plan 21/00434/HFUL - 167 Chesterton Road**

This item was considered and determined at the 29 July 2021 Planning Committee.

### **21/89/Plan 20/04076/FUL - 36 Wilberforce Road**

The Committee received an application for full planning permission.

The application sought approval for the demolition of the existing dwelling, garage and outbuildings and the erection of a new replacement dwelling with indoor swimming pool.

The Area Development Manager updated the report by referring to the additional information contained in the Amendment Sheet which included:

- i. Correcting figures contained in the space standards table.
- ii. Amendment to the conclusion of the report now making reference to the conservation area.
- iii. Amendment to condition 9 to make specific reference to the retention of the beech hedgerow at the front of the property.
- iv. Amendment to paragraph 8.5 of the officer report; the proposal now maintains a single entrance and exit to the site.

The Committee received a representation in objection to the application from the following (written statement read by Committee Manager):

- Resident of 34 Wilberforce Road.

The representation covered the following issues:

- i. The owners and occupants of No 34 continued to strongly object to the above application for the reasons set out in the detailed comments filed for No 34 Wilberforce Road on the Cambridge City Planning Portal on 3 November 2020 and which were available as part of the online file for this application.

- ii. Believed there were sound planning objections to permission being granted for the proposed development which had not been adequately addressed in the report prepared for the Committee.
- iii. Noted a report prepared for the Committee by the planning officer had appeared on the public file with a publication date of 4 August and recommended approval of the scheme in its amended form.
- iv. Felt the report did not address the lack of public benefit identified in the objections. Nor did it adequately explain why it was desirable or necessary in the context of the Conservation Area to demolish a perfectly good house that was in keeping with its surroundings and which had such an important and commanding position overlooking Wilberforce Road and Emmanuel playing fields.
- v. The "sustainability" arguments in the officer report did not stack up next to the considerable environmental waste, emissions and disturbance that would result from a full scale demolition and rebuilding of a new, much larger house on site. Felt the swimming pool could be accommodated by a low-level rear extension to the property. This would create a fraction of the environmental impact, waste and disturbance of the present project and would not damage an asset of the Conservation Area or affect the amenity of adjacent properties.
- vi. It was not understood how the planning officer had been able to conclude in paragraph 8.10 that the proposals "*are not considered to have an adverse impact on the amenity of the neighbouring property (i.e. No.34)*" given the scale and nature of the new house, even in the amended application.
- vii. The suggestion in paragraph 8.21 of the officer report that "*in terms of sustainability benefits the existing property is very poor in terms of environmental performance*" ignored the fact that through refurbishment, rewiring etc its energy efficiency rating and performance could be massively increased (as was pointed out in the objections) and all without the acknowledged environment damage, pollution, waste and consumption of new materials etc caused by demolition and rebuilding. The applicant's sustainability report stated that due to the demolition etc there would be no material savings in terms of carbon emissions over its life – as was pointed out in the objections. The fact that the property and its grounds had largely been left unoccupied since it was purchased by the present owners may also have contributed to its "poor environmental

performance" but that was not an acceptable reason for favouring the grant of planning consent.

- viii. The whole scheme involved the demolition and building of a new house on site which would massively increase the noise and disturbance impact on those living at No.34, for a greatly extended period and this factor was simply glossed over in the planning officer's report at paragraph 8.22. Work is enabled to start at 0800 hrs during weekdays and on Saturdays. There would be no respite from the huge construction project, possibly for years.
- ix. The occupants of No. 34 disagreed with the conclusion at paragraph 9.1 of the officer's report. Contrary to that conclusion, the unnecessary demolition of the property and rebuilding would have an adverse impact on the character of the Conservation area and the amenity of No.34. It was not justified in terms of "sustainability" and the expansion of the size of this property and addition of new amenities such as the swimming pool could be readily achieved through a less damaging, disruptive and visually intrusive rear extension. Further, there was in substance no countervailing public benefit whatsoever to be had from the project that justified the destruction of a Conservation Area asset in these circumstances.
- x. Even in its amended form, this application should be rejected.

Jeremy Ashworth (Architect) addressed the Committee in support of the application.

#### 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 the Amendment Sheet;
- ii. granted delegated authority to officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional or amended conditions and informatives:
  - a. to secure on-site EV charging points;

- b. for the details of cycle parking provision before development above ground level in order to meet the policy requirements set out in the Local Plan;
- c. for details of all plant and machinery to be used / provided serving the swimming pool;
- d. that condition 12 be amended to require a minimum of 10% net gain for biodiversity; and

An informative included on the planning permission in respect of air source heat pumps.

### **21/90/Plan 21/01125/HFUL - 8 Kelsey Crescent Cambridge**

The Committee received an application for retrospective full planning permission seeking approval for the erection of an ancillary annex.

The Delivery Manager Development Management corrected paragraph 8.2 of the officer's report and commented that if the application was refused it would not be for the Planning Committee to authorise enforcement action, that decision (whether or not to pursue enforcement) would be taken by the relevant authorised officer.

The Committee received a representation in objection to the application from a local resident:

- i. Expressed concern that the development had not been built in accordance with the approved plans. The plans were approved in 2019.
- ii. The roof overhang was not included in the approved plans.
- iii. The roof and fascia works were completed in March 2021.
- iv. Expressed concern that the annex could be let as a separate dwelling.
- v. Had been advised that the tree had been removed because of the groundworks.
- vi. Expressed concern with the scale of the development and the glare from the plastic fascia.
- vii. Queried how officers could comment on the development when they had not visited the site.
- viii. Stated the originally approved plans should be complied with and the annex used in accordance with the original permission.

The Committee Manager read a statement on behalf of the Applicant which addressed the Committee in support of the application.

Councillor Ashton (Cherry Hinton Ward Councillor) addressed the Committee about the application:

- i. Referred to a letter from the applicant which stated previously that:
  1. The existing garage would be extended and not demolished.
  2. They found their property too small, an extension was what they could afford. Planned to use the extension as a multi-function room.
  3. A second toilet and bathroom would be included in the extension.
- ii. Queried why the extension was not attached to the property but was built as a separate annex.
- iii. Queried why a door with a post box had been put into the annex.
- iv. Noted that the planning permission decision letter stated that development must be carried out in accordance with the approved plans and that failure to do so may invalidate the permission granted.
- v. When the development was being built, they contacted the Planning Department to query what was being built and were advised that the matter would be followed up with a retrospective planning application. Did not agree with this approach.
- vi. The height of the annex was higher than what had been agreed.
- vii. Expressed concerns regarding the overhang of the roof.
- viii. Noted that vehicles could no longer park in front of the property.
- ix. Requested that veranda extension rights should be removed from the property and that the fascia should be changed.

The Committee Manager read out the following points on behalf of Councillor Dryden (Cherry Hinton Ward Councillor):

- i. Had visited the site as a ward councillor.
- ii. Queried the scale of the building and whether the application should be approved.
- iii. Queried the need for a letterbox in the annex door.

The Delivery Manager Development Management made the following comments in response to issues raised by the public speakers:

- i. The application concerned an annex and not a dwelling.
- ii. It was not an offence to build not in accordance with approved plans. People would take a risk if they did not build their development in accordance with approved plans as enforcement action may be taken if it was considered expedient to do so.
- iii. Members should consider what had been built and whether this was acceptable in planning terms.

A vote was taken on the officer recommendation to approve the application with an additional condition regarding remedial treatment of the fascia, with delegated authority to officers to draft the condition. This was lost by 1 vote to 4.

The Committee:

**Resolved (unanimously)** to refuse the application contrary to the Officer recommendation for the following reasons:

- i. By virtue of the siting and height of the building, together with its materials and detailing, which includes a deep white-painted fascia and overhang, the development fails to respond to its context and adversely affects the character and appearance of the area. Consequently, the proposal is contrary to policies 55, 56 and 57 of the Cambridge Local Plan 2018.
- ii. By virtue of the height, siting and design of the building, the development is an unacceptably overbearing presence on the garden of the adjacent property at 4 Windemere Close, contrary to Policies 55 and 57 of the Cambridge Local Plan 2018.

**21/91/Plan 21/01342/HFUL - 14 Rathmore Road**

The Committee received an application for full planning permission.

The application sought approval for a single storey garage extension to create space for a workshop, the addition of 2 roof lights to the existing garage roof and minor amendments to the south elevation of the existing garage.

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, and subject to the conditions recommended by the Officer.

**21/92/Plan 20/03966/FUL - 1 Blackhall Road**

The Committee received an application for full planning permission.

The application sought approval for the change of use from one dwelling to three flats, single storey rear extension and internal alterations.

The Committee Manager read a written statement on behalf of an objector:

The representation covered the following issues:

- i. Objected to the planning application amendment and referred to Policy 52 of the Cambridge Local Plan (2018).  
Policy 52: Protecting garden land and the subdivision of existing dwelling plots
  - a. Proposals for development on sites that form part of a garden or group of gardens or that subdivide an existing residential plot will only be permitted where:
  - b. the form, height and layout of the proposed development is appropriate to the surrounding pattern of development and the character of the area;
  - c. sufficient garden space and space around existing dwellings is retained, especially where these spaces and any trees are worthy of retention due to their contribution to the character of the area and their importance for biodiversity;
  - d. the amenity and privacy of neighbouring, existing and new properties is protected;
  - e. provision is made for adequate amenity space, vehicular access arrangements and parking spaces for the proposed and existing properties; and
  - f. there is no detrimental effect on the potential comprehensive development of the wider area.
- ii. The proposal by virtue of its footprint and density represented a cramped form of development which reduced the suburban quality of the area which is reinforced by spaciousness about and between the dwellings.
- iii. Blackhall Road is characterised bungalows on moderately sized plots. The proposal would take up a large proportion of the site area and the density did not reflect that of the area.
- iv. The frontage would be visually dominated by parking and did not represent a form of development where parking was well integrated within the site and would result in significant visual impact upon the immediate area.
- v. The proposed units offered a poor standard of accommodation. Some of the units were below the adopted National Space Standards (Policy 50). The outlook was generally poor and bedrooms to Flats 1 & 2 were likely to suffer noise and disturbance from other occupants.

- vi. The proposal would impact on the tree lined boundaries that contributed to the character of the area and their importance for biodiversity. There was also no provision for uplift of biodiversity.
- vii. The windows to Flat 3 bathroom and bedroom would look directly into the rear garden of 11 Brierley Walk. The old boundary fence did not provide suitable screening.

Philip Kratz (Applicant's Agent) addressed the Committee in support of the application.

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. with delegated authority to officers to draft and include the following additional conditions:
  - a. the removal of permitted development rights in use classes A, B and E of the GPDO;
  - b. Explore the practicality of providing two EV charging points on site; and to amend the EV charging condition accordingly if applicable
- iii. informatives included on the planning permission in respect of:
  - a. Solar panels / solar thermals.
  - b. Air source heat pumps
  - c. Encouraging a more sustainable heating source than a gas boiler.

The meeting ended at 2.20 pm

**CHAIR**