

# Public Document Pack

Planning

Plan/1

Wednesday, 1 September 2021

## PLANNING

1 September 2021  
10.00 am - 3.30 pm

### Present:

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

### Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Area Development Manager: Toby Williams

Senior Planner: Aaron Coe

Senior Planner: Charlotte Spencer

Arboricultural Officer: Joanna Davies

Planner: Charlotte Peet

Legal Adviser: Keith Barber

Committee Manager: James Goddard

## FOR THE INFORMATION OF THE COUNCIL

### 21/93/Plan Apologies

Apologies were received from Councillor Dryden.

### 21/94/Plan Declarations of Interest

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

### 21/95/Plan Minutes

The minutes of the meeting held on 30 June and, 7 July and 4 August 2021 were approved as a correct record and signed by the Chair subject to the following corrections:

- i. Wednesday 7 July 2021. 21/67/Plan. (Councillor Porrer) Personal: Application in Market Ward where she is a Ward Councillor. ~~Discretion unfettered.~~ **Would not vote.**

- ii. Wednesday 4 August 2021. 21/87/Plan 21/00437/FUL - 31 Newnham Road. Councillor Porrer proposed an amendment to the Officer's recommendation that condition 6 was amended to ~~include~~ **prohibit** nursery use.

### **21/96/Plan 21/01476/FUL - 45 Highworth Avenue**

The Committee received an application for full planning permission.

The application sought approval for residential redevelopment comprising two 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 buildings on site.

The Area Development Manager updated the Principal Planner's report by referring to the amendment sheet:

- i. updated condition wording;
- ii. condition 8 relating to gas boilers was not needed;
- iii. condition 19 was a duplicate so could be replaced with a management plan.

The Area Development Manager said he had been advised today (the morning of the Committee) that chimneys in the application were decorative, not functional.

The Committee received a representation in objection to the application from a resident of Highworth Avenue:

- i. Significant impact on nearby neighbours. Impact on privacy and amenities.
- ii. Unattractive design.
- iii. Overbearing.
- iv. Out of character with the area.
- v. Took issue with accuracy of drawing P12.
- vi. Parking spaces and turning circle for others is opposite her property, so will contravene Local Plan policies as per reasons for refusal for the previous iteration of the application.
- vii. Concern over loss of trees as a result of the development.
- viii. Took issue with back land development.

The Committee received a representation in objection to the application from a representative from Hurst Park Estate Residents' Association:

- i. Neighbours would be affected by noise, bin movements and disturbance.
- ii. The proposed number of vehicle and vehicle movements on-site would be the same for this application as for the previous application.
- iii. Previous reason for refusal relating to 'overbearing' had not been overcome.
- iv. Design out of character with the area.
- v. Had only heard at committee this morning:
  - a. that chimneys on the application were for aesthetic purpose and were not functional;
  - b. about electronic vehicle charging points.
- vi. An update report (para 8.32 of Officer's report) was due for committee but had not been made available.
- vii. Took issue with statement early in Officer's report that on balance there was more benefit than harm from the proposed development. Back garden developments would cause more harm than good, so were contrary to planning policy.

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

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

- i. Expressed concern that if this application were approved it would be seen as a landmark development that allowed back garden development.
- ii. Local Plan Policy 52 would not be worth anything if this application were approved. Suggested the application did not satisfy criteria in Local Plan Policy 52.
- iii. Referred to paragraph 8.21 in the Officer's report. Queried if the benefits of the application outweighed the harm? This was a new type of development and could set a precedent for homes with restricted outdoor play space.
- iv. Reasons for refusal for the previous application had not been addressed, and Policy 52 had not been satisfied:
  1. The new proposal was not in-keeping with the private and verdant rear style of other properties in the area.

2. The new proposal was higher than the previous application (which was refused). It would overlook neighbours and remove their privacy.
  3. Overbearing.
  4. There was no evidence that vehicular movements would be reduced with this application compared to the last. It would reduce neighbour's privacy and amenity.
  5. There would be loss of diversity and trees/hedges in the area before build out. More will be lost through the back land development and area for car parking spaces. The loss of gardens will negatively impact biodiversity and block the wildlife corridor.
- v. The character of Highworth Avenue was under threat from the development. Highworth Avenue was individual and arts&crafts in style.

Councillor Gawthrop Wood proposed amendments to the Officer's recommendations:

- i. ornamental chimneys and fireplaces should not be used for open or wood burning stoves;
- ii. request a cycle store;
- iii. obscure glazing on front of house.

The amendments were **carried unanimously**.

#### The Committee:

**Resolved (by 5 votes to 0 with 1 abstention)** to reject the Officer recommendation to approve the application as amended in committee.

**Resolved (by 5 votes to 0 with 1 abstention)** to refuse the application contrary to the Officer recommendation for the following reasons:

1. The proposed scale, bulk and form of the dwellings at the rear of the site would appear as inappropriate back-land development, starkly out of keeping with the verdant rear garden environment in which the properties would be located and particularly when viewed from Highworth Avenue down the long driveway. The proposal would be out of keeping with the character of the surrounding area contrary to Policies 52, 55 and 57 of the Cambridge Local Plan 2018.
2. No.51's garden is sited immediately adjacent to the north-west rear boundary of the site and plot 2. The excessive length, height, form and

bulk of the north west facing elevation and its return would result in a significant overbearing impact upon the rear garden of No.51 Highworth Avenue contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.

3. The rear dwellings plots 1 and 2 would be sited directly and in close proximity to the rear of the gardens of No.43 and 47 Highworth Avenue. Due to the limited gap between these properties and the proposed dwellings, and by virtue of the proposed scale, bulk and form of the dwellings, the proposal would result in an unacceptable sense of overbearing upon the rear gardens of No.43 and 47 Highworth Avenue contrary to Policies 52, 55, 56 and 57 of the Cambridge Local Plan 2018.
4. The proposal would introduce additional vehicular movements into an otherwise peaceful rear garden environment generating additional noise and disturbance impacts to neighbouring properties contrary to Policies 35, 52, 55, 56 and 57 of the Cambridge Local Plan 2018.
5. Biodiversity: Legitimacy of the previous reason for refusal 5 being appended again or a variation thereof given the loss of habitat for biodiversity delegated to officers in consultation with Chair, Vice Chair and Spokes following consultation with the Council's Nature Conservation Officer

Officers undertook to explore if potential reason 5 re biodiversity could be justified as a reason for refusal. They would liaise with the Chair, Vice Chair and Spokes after committee if the reason could be used or not.

### **21/97/Plan 20/05298/HFUL - 2 Barrow Road**

The Committee received an application for full planning permission.

The application sought approval for extension, remodelling and refurbishment of the existing dwelling including two-storey rear and side extension with associated landscaping works.

The Senior Planner updated his report by referring to amendments in his presentation:

- an additional representation;
  - an additional condition to secure the installation of green or brown roofs.
- 1) The flat roof(s) hereby approved shall be a Green Roof or Brown Roof in perpetuity unless otherwise agreed in writing by the Local Planning Authority. A Green Roof shall be designed to be partially or completely

covered with plants in accordance with the Cambridge Local Plan 2018 glossary definition, a Brown Roof shall be constructed with a substrate which would be allowed to self-vegetate.

Reason: To ensure that the development integrates the principles of sustainable design and construction and contributes to water management and adaptation to climate change (Cambridge Local Plan 2018 policies 28 and 31)

- Additional condition required:
  - 2) Prior to the commencement of the development a plan shall be submitted to and approved in writing by the Local Authority detailing the proposed specification, number and locations of internal and / or external bird and bat boxes on the new buildings, hedgehog boundary access features and proposed native planting. The installation shall be carried out and subsequently maintained thereafter in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species on the site. In accordance with Cambridge Local Plan policy 70.

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

The Committee received a representation in objection to the application from the Solicitor on behalf of Barrow Road residents:

- ix. The scheme was not consistent with Planning Policy. Suggested the application was only recommended for approval by the Officer due to the fall back position. Took issue with this.
- x. Anticipated the Applicant wanted a larger property on-site than in the application and may seek this through separate planning applications.
- xi. For any development to be lawful it should be done as one application.
- xii. Suggested the application would harm the character of the area and there were no public benefits from it.

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

- i. Wished to protect the character of the area and Conservation Area.
- ii. People appreciated amenity space, particularly after lockdown.

Councillor Slatter tabled a statement setting out possible breaches of the Cambridge Local Plan and National Planning Policy Framework from Councillor Hauk:

- i. Possible breaches of policies in the National Planning Policy Framework:
  - a. NPPF 8c.
  - b. NPPF 118 (e).
  - c. NPPF 125.
  - d. NPPF 127 (b, c).
  - e. NPPF 185 (c).
- ii. Possible breaches of Cambridge Local Plan policies:
  - a. CLP 55 (c).
  - b. CLP 56 (a, l).
  - c. CLP 57 (a).
  - d. CLP 59 (a), (b), (f), (g).
  - e. CLP 61 (a, c).
  - f. CLP 52 (a).

Councillor Slatter read out the following points on behalf of Councillor Hauk (City Ward Councillor):

- i. Having studied the documents on the planning portal and visited the site in person, did not agree Planning Officer's recommendation to approve and wished to highlight several issues that may constitute policy breaches of the National Planning Policy Framework and the Cambridge Local Plan with regard to detrimental impact on a conservation area.
- ii. The Barrow Road Conservation Area Appraisal from 2016 outlines the features and characteristics of the Barrow Road area that would be diminished by the proposed development. The appraisal states that "The road is distinguished by its low-density layout with wide green verges planted with trees behind which stand detached two-storey houses" that give a "predominant impression of greenery and openness". "The relationship between the buildings and their leafy setting is particularly important for the road's distinctive character." Key characteristics are that "architectural unity is ensured by the common scale of the houses: all were originally designed as detached two storey dwellings and have the same ridge height." Its recommendations clearly emphasise "preservation of the roofs and the common ridge height". "The open and leafy character of the road should be preserved". If there is any significance in the establishment of a "conservation" area, then the planned development must be prevented.

- iii. The destruction and replacement of the existing building was first approved in 2015, before the Barrow Road Conservation Area was created. A new permission was granted for essentially the same development in 2017. Of course, people should be able to build houses they want to live in. However, the 2017 approval was only granted because it was for the same in principle development as the 2015 and the Council felt that its hands were tied by the precedent.
- iv. However, the previous approval was given before the Barrow Road Conservation Area was created. The new development would result in a nearly three-fold increase in floor space on a plot that has already been subdivided and would also add extensive side and rear extensions. The proposal is for a three-storey building in a conservation area characterised by two-storey buildings. 2 Barrow Road is one of two symmetrically designed gateway houses (with 1 Barrow Road) into the conservation areas from Trumpington Road, and therefore essential for the character and amenity of the whole area. The design is clearly overbearing, out of scale and out of character with houses in the conservation area.
- v. This view is supported by the Twentieth Century Society, who objected to previous plans to demolish 2 Barrow Road between 2014 and 2017 based on breaches of the NPPF 192 & 193, and CLP 61 (14/1615/FUL, 15/0225/FUL and 17/0826/FUL), and Cambridge Past Present & Future who objected based on Cambridge Local Plan 6, 58 and 61. The council's conservation team opposes the current plans based on CLP 58 and 61 and NPPF 196, as they did with the previous plans, due to extensive side and rear extensions, the overbearing ridge height of the three-storey development, and the design of the garage.

The Committee Manager read out the following points on behalf of Councillor Robertson (City Ward Councillor):

- i. The statement from the planning solicitor (name redacted) comprehensively provides the technical issues and reasons why this application should be rejected. Councillor Hauk is also providing a clear analysis of this application's conflicts with planning policy. Would not repeat the issues covered by them and trust that the committee will recognise the validity of their statements.
- ii. the council has an obligation to recognise the very significant nature of Barrow Road as a heritage asset. Even within the special environment of Cambridge, Barrow Road stands out as a unique street which must be preserved.



- iii. It is clear that the proposal is in reality to demolish and replace No. 2 Barrow Road with a much larger building which would be significantly different from No. 1 Barrow Road opposite. This would impose great harm on the symmetry of the two houses on either side of the entrance to the road which are a fundamental and key feature of this conservation area.
- iv. The credibility of the council's policies on preservation of heritage assets and use of conservation areas is at stake. Urged Committee to reject this application.

Councillor Porrer proposed an amendment to the Officer's recommendation to include provision for electric vehicle charging points.

This amendment was **carried unanimously**.

Councillor Baigent proposed an amendment to the Officer's recommendation to include air source heat pumps.

This amendment was **carried unanimously**.

Councillor Baigent proposed an amendment to the Officer's recommendation to include bike storage.

This amendment was **lost by 2 votes to 3 with 1 abstention**.

The Committee:

**Resolved (by 4 votes to 0 with 2 abstentions)** to reject the Officer recommendation to approve the application.

Reasons for refusal that were not agreed by the committee (**voted by 4 votes to 0 with 2 abstentions**) to reject

- i. Energy efficiency.
- ii. Garage in gable incongruous.

**Resolved (by 4 votes to 0 with 2 abstentions)** to refuse the application contrary to the Officer recommendation for the following reason:

The proposed development, by reason of the scale, depth, design and detailing of the extensions, would result in a form of development that fails to respond positively to the character, appearance and articulation of the existing dwelling. The resultant dwelling would fail to satisfactorily respond to its context or to preserve or enhance the character of the

Conservation Area. There are not considered to be sufficient public benefits to outweigh this harm, including the likelihood of the extant fallback scheme being developed out. Consequently the development would be contrary to Policies 55, 56, 57, 59 and 61 of the Cambridge Local Plan 2018 and to paragraph 202 of the NPPF July 2021.

### **21/98/Plan Re-Ordering Agenda**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the published agenda.

### **21/99/Plan 21/01107/FUL - 72 Canterbury Street - 11am**

The Committee received an application for full planning permission.

The application sought approval for first floor rear extension to create 2no 2bed apartments.

The Senior Planner updated her report by requesting delegated powers to amend Conditions 3 and 8.

This amendment was **carried unanimously**.

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

- i. provision for electric vehicle charging point for the second car parking space;
- ii. details for bike and bin storage;
- iii. a flat green roof on the bike shed;
- iv. the expectation the development would lead to a net gain in diversity;
- v. a party wall agreement so that people are mindful of the party wall if extensions were put in.

The amendments were **carried unanimously**.

Councillor Gawthrop Wood proposed amendments to the Officer's recommendation to include informatives requesting:

- i. not to pave over the small open space on the property;
- ii. advocating the use of sustainable forms of heating such as solar panels on the roof and air source heat pumps instead of gas.

The amendments were **carried unanimously**.

Councillor Thornburrow proposed an amendment to the Officer's recommendation that the Applicant should demonstrate how the boiler could be adapted away from gas to other forms of heating in the future.

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, subject to:

- i. the planning conditions set out in the Officer's report with delegated powers to amend Conditions 3 and 8;
- ii. the following additional conditions, with delegated authority to Officers to draft the conditions in consultation with the Chair, Vice Chair and Spokes:
  - a. details for bike and bin storage;
  - b. a flat green roof on the bike shed;
  - c. the expectation the development would lead to a net gain in diversity;
  - d. Prior to the occupation of the new residential unit (ground floor flat), an Energy Statement shall be submitted to, and approved in writing by, the local planning authority. The Statement shall demonstrate that a minimum of 10% carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The approved scheme shall be fully installed and operational prior to the occupation of the development and thereafter maintained in accordance with the approved details.
- iii. informatives included on the planning permission in respect of:
  - a. party wall agreement so that people are mindful of the party wall if extensions were put in];
  - b. not to pave over the small open space on the property;

- c. if any new heating system is to be installed than it is encouraged that sustainable forms of heating be explored and that gas powered boilers are not used;
- d. provision for electric vehicle charging point for the second car parking space.

### **21/100/Plan21/01386/PRI16A - Wulfstan Way, Cambridge - 11.30am**

The Committee received an application for full planning permission.

The application sought approval for installation of 15m Phase 8 Monopole C/W wrapround Cabinet at base and associated ancillary works.

The Committee Manager read out the following points on behalf of Councillor Page-Croft (City Ward Councillor):

- i. Was not opposed to having a pole in Queen Edith for an improved internet.
- ii. After the last 18months of having council meetings on Teams and ward/party meetings on Zoom, realised the importance of having a good internet/phone service.
- iii. It has been a great tool, the council have been able to carry on meetings, getting help to those who need it. A lot more residents logged into the on-line meetings.
- iv. Councillor Page-Croft and a number of residents had a big problem with this proposal:
  - 1. The height of the pole, which has been reduced from 18mtrs to 15 mtrs.
  - 2. The position of the pole and cabinets.
  - 3. Much too close to the school.
  - 4. Much too close to the crossing.
  - 5. A very busy road,
  - 6. Lookout from coffee house.
- v. This is a very busy road. Buses passed both ways every 20 minutes, plus traffic to the schools, deliveries, and is used as a bit of a rat run to Queen Edith way and visa versa. Also pedestrians such as school children and residents from Dunstan court.
- vi. Welcomed the idea to mingle the pole in with the trees, but could not see it helping.
- vii. This is a risky place to put the pole and the cabinets, between a bus shelter and a zebra crossing.

- viii. There is a space just a few yards up the road, in front of the hedge, by the Queen Edith doctors car park, it is not used and there was plenty of room for all the equipment.
- ix. Requested the company came to our South Area Committee meeting on 6 September, but did not get a response.
- x. Please support the Officer recommendation to refuse.

The Committee Manager read out the following points on behalf of Councillor Davies (City Ward Councillor):

- i. Supported the Officer's recommendation is to reject this application. There is strong local opposition to the siting of a mast in this location, as is demonstrated by the number of objections received. Wished to emphasise two aspects in comments today.
- ii. Firstly, residents could well visualise the overbearing height of the proposed mast, which would intrude on what is a valued green space at the heart of our community. The resulting detrimental impact would conflict with Policy 72 of the 2018 Local Plan, which is designed to "protect and enhance" designated Neighbourhood Centres such as Wulfstan Way. It would also be an insult to the local residents, community groups and businesses have invested considerable time and money in upgrading the area over the last couple of years, to improve its ambience and function and make it a more attractive space.
- iii. Secondly, residents were very conscious of the safety hazard presented by the proposed array of cabinets on the roadside. Placed right next to a zebra crossing used daily by primary school children and by older and less mobile residents accessing the local shops, this would create an extremely dangerous blind spot, as has been highlighted in the comment by the Local Highways Authority.
- iv. Trusted that Planning Committee would support the officer's conclusions and reject this entirely inappropriate application.

#### The Committee:

**Unanimously resolved** to refuse the application for planning permission in accordance with the officer recommendation, for the reasons set out in the officer report.

#### **21/101/PlanTPO 0019 (2021) - 7 Hedgerley Close**

A TPO has been served to protect a Pine tree at 7 Hedgerley Close. The decision whether or not to confirm the order is brought before Committee as objections have been received to the TPO.

The Officer recommendation was to confirm the Tree Preservation Order.

The Committee:

**Unanimously resolved** to accept the officer recommendation and confirm the TPO that was the subject of the application.

### **21/102/PlanTPO 0021 (2021) - 3 Shaftesbury Road**

A TPO has been served to protect a Walnut tree at 3 Shaftesbury Road. The decision whether or not to confirm the order is brought before Committee as objections have been received to the TPO.

The Officer recommendation was to confirm the Tree Preservation Order.

The Committee:

**Unanimously resolved** to accept the officer recommendation and confirm the TPO that was the subject of the application.

### **21/103/PlanTPO 0025(2021) - 33 Wadloes Road**

A TPO has been served to protect a Walnut Tree at 33 Wadloes Road. The decision whether or not to confirm the order is brought before Committee as objections have been received to the TPO.

The Officer recommendation was to confirm the Tree Preservation Order.

The Committee:

**Unanimously resolved** to accept the officer recommendation and confirm the TPO that was the subject of the application.

### **21/104/PlanTPO 0026 (2021) - 255 Ditton Fields**

A TPO has been served to protect a Walnut Tree at 255 Ditton Fields. The decision whether or not to confirm the order is brought before Committee as objections have been received to the TPO.

The Officer recommendation was to confirm the Tree Preservation Order.

The Committee:

**Unanimously resolved** to accept the officer recommendation and confirm the TPO that was the subject of the application.

The meeting ended at 3.30 pm

**CHAIR**

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