

# Public Document Pack

Planning

Plan/1

Wednesday, 3 November 2021

## PLANNING

3 November 2021

10.00 am - 4.20 pm

### Present:

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

Councillor Dryden left after the vote on Item 6 - 11 Queen Ediths Way.

Councillor Page-Croft was not present for the discussion/vote on Item 7 - Land at Borrowdale.

### Officers:

Delivery Manager Development Management: Nigel Blazeby

Area Development Manager: Lorraine Casey

Area Development Manager: Toby Williams

Principal Planner: Ganesh Gnanamoorthy

Principal Urban Designer: Joanna Preston

Senior Planner: Aaron Coe

Senior Planner: Tom Gray

Senior Planner: Charlotte Spencer

Planner: Mary Collins

Planner: Lawrence Moore

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Committee Manager: Sarah Steed

## FOR THE INFORMATION OF THE COUNCIL

### 21/115/PlanApologies

Apologies were received from Councillor Flaubert. Councillor Page-Croft attended as her Alternate.

### 21/116/PlanDeclarations of Interest

Name	Item	Interest
Councillor Baigent	All	Member of Cambridge Cycling

		Campaign
Councillor Porrer	21/118/Plan	Personal: Worked at ARU, who was a tenant of the building and was also a ward councillor.
Councillor Porrer	21/119/Plan	Personal: Family member owns property right behind the site. Did not vote or participate in the debate.
Councillor Page-Croft	21/119/Plan	Personal: Was a ward councillor but had had no involvement in the application.
Councillor Smart	21/119/Plan	Personal: Worked at Addenbrookes.
Councillor Gawthrope-Wood	21/121/Plan	Personal: Lives in same city ward as application.
Councillor Smart	21/124/Plan	Personal: Lives in same city ward as application.
Councillor Porrer	21/124/Plan	Personal: Spoke as a Ward Councillor. Did not vote or participate in the debate.
Councillor Page-Croft	21/124/Plan	Personal: Was a Ward Councillor but had had no involvement in the application.

### **21/117/PlanMinutes**

The minutes of the meeting held on 1 September and 6 October were approved as a correct record and signed by the Chair.

### **21/118/Plan21/01136/FUL - 164-167 Abbeygate House, East Road**

The Committee received an application for full planning permission.

The application sought approval for demolition of existing building and redevelopment of the site to provide a new building containing retail and office floorspace (Use Class E).

The Principal Planner updated his report stating that conditions 26 and 27 needed a correction regarding the Drainage Strategy and reference to the up-to-date Local Plan. He requested delegated authority for officers to correct the wording of these conditions if the application was approved.

Paul Newton (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 prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary
- ii. the planning conditions set out in the Officer's report;
- iii. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft the following amendments to conditions:
  - a. 26 and 27 to correct references to the Drainage Strategy and the current Local Plan; and
  - b. 16 regarding pedestrian and cycle routes during construction works;
- iv. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft and amendment to informatives to be included on the planning permission in respect of:
  - a. off gauge cycle provision;
  - b. gas assisted cycle racks;
  - c. planting under solar panels where possible; and
  - d. inclusive access arrangements.

### **21/119/Plan20/02172/FUL - Land at 11 Queen Ediths Way**

The Committee received an application for full planning permission.

The application sought approval for the erection of new buildings to provide 40 serviced apartments (sui generis) together with hard and soft landscaping, basement car parking spaces and associated infrastructure and works.

The Planner referred to an extra representation detailed on the Amendment Sheet.

The Committee received two representations in objection to the application.

The first representation covered the following issues (owner of 62 Holbrook Road):

- i. Expressed concerns about Blocks C1 and C2 and security risks to their property.
- ii. Expressed concerns regarding damage to the mature hedges which provided screening.
- iii. Block B would block the sun they naturally received at the moment, which would impact on their mental health and wellbeing.
- iv. Asked for hedges to be protected.

The second representation covered the following issues:

- i. Requested an assessment of scale against neighbouring properties which had not been done.
- ii. Suggested the privacy analysis and shadow analysis were flawed as it did not take into consideration the difference in the level of the ground.
- iii. Noted it was a residential area and that development for the Cambridge Biomedical Campus should be on the Cambridge Biomedical Campus.

Matt Hare (Applicant's Agent) addressed the Committee in support of the application.

The Committee Manager read out the following points on behalf of Councillor S.Davies (Queen Edith's Ward Councillor):

- i. The officer's report referred to Policy 77, Development and Expansion of Visitor Accommodation. Policy 77 stated that high quality accommodation would be supported "at Cambridge Biomedical Campus (including Addenbrooke's hospital)". In paragraph 8.5 of the Officer's report, the officer suggested that 11 Queen Edith's Way was close enough to the Campus to qualify for approval under Policy 77.
- ii. Policy 77 should not be considered in isolation from Policy 17, Cambridge Biomedical Campus Area of Major Change. Policy 17 both explained the intention to include visitor accommodation on the Campus (para 3.45); and described the Campus boundaries (para 3.46). It was clearly the intention of Policy 77 that the Campus' visitor accommodation needs should be met on the Campus site, that site being defined in paragraph 3.46. This being the case, the officer argued that Policy 17 effectively trumped Policy 77 in this instance, as the *raison d'être* of this Queen Edith's Way development was to provide

visitor accommodation for the Campus, and Policy 17 detailed that the Campus should be meeting these needs on its own site.

- iii. The interpretation was further supported by Policy S/CBC in the new Local Plan First Proposals. These rightly required the Biomedical Campus to utilise its own land efficiently to meet its needs and specifies:
- iv. Given the existing piecemeal development on the Biomedical Campus, any proposed release must contribute towards improving the wellbeing of campus users and surrounding communities, as well as addressing the spill over impacts on individuals and communities of this intensive employment location.
- v. The clear intention of this provision, to ensure that the Campus no longer pushed out its negative externalities into the surrounding residential neighbourhood, reinforces the primacy of Policy 17 over Policy 77 in relation to this application.
- vi. It was this point which Officer Collins and Councillor S.Davies further discussed. Understood that Policy 77 allowed for the development of visitor accommodation in sustainable locations outside the city centre. However, the sustainability of this location (11 Queen Edith's Way) related solely to its proximity to the Biomedical Campus, as could be seen by:
  - the developer's proposal which stated that there was a current demand for 18,600 short stay nights a year for the visitors to Cambridge Biomedical Campus. The proposed development would provide 15,476 nights a year assuming an 80% occupancy level.
  - the Officer's report to Committee on 6th October which made a direct linkage between the failure to build the hotel on the Campus envisaged in Policy 17 and the viability of this project (see paragraph 8.12).

Given that:

- a. the viability of this project was based exclusively on demand for visitor accommodation generated by the Campus;
  - b. Policy 17 of the 2018 Local Plan clearly intends that visitor accommodation for the Campus was built on its own site; and
  - c. Policy S/CBC of the emerging Joint Local Plan specifically requires the curtailment of the spillover effects of the Campus on adjoining communities
- vii. Asked colleagues on the Committee to give due weight to the intentions of Policy 17 and reject the application.

The Committee:

A vote was taken on the Officer recommendation, to grant planning permission for the reasons set out in the Officer's report, and subject to the conditions recommended by the Officer including:

- i. a revised landscape condition regarding the retention of the hedge where possible with delegated authority for officers to draft the condition and
- ii. the correction of road names in the Officer report.

**Resolved (unanimously)** to reject the Officer recommendation to approve the application.

Officers drafted the following reasons for refusal reflecting the policy concerns expressed by Members for rejecting the Officer's recommendation. Members were advised by Officers they ought not to include reason 3 because in the opinion of Officers' reason 3 could not be sustained at appeal.

**Resolved unanimously** to agree the first reason for refusal:

1. By virtue of the scale, massing, siting and design of the buildings, the proposal would result in a form of development that would be out of keeping with the character and appearance of the area, and fail to satisfactorily respond to its context. Consequently, the development would be contrary to Policies 55, 56, 57 and 59 of the Cambridge Local Plan 2018.

**Resolved unanimously** to agree the second reason for refusal:

2. The proposal, which seeks to construct 40 serviced apartments on the site with a low level of communal facilities, would result in an overly intense level of activity on the site and comings and goings, both from occupiers and associated service/delivery vehicles, that would harm the amenities of surrounding residents. Consequently, the development would be contrary to Policies 35 and 56 of the Cambridge Local Plan 2018.

**Contrary to Officer advice, resolved by 5 votes to 1** to agree and apply the third reason for refusal:

3. By virtue of the number of proposed units, the small size of each of the units, and the limited internal and external communal facilities, the development would provide a poor level of accommodation and standard of amenity for future occupants. Consequently, the development would be contrary to Policy 56 of the Cambridge Local Plan 2018.

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

1. By virtue of the scale, massing, siting and design of the buildings, the proposal would result in a form of development that would be out of keeping with the character and appearance of the area, and fail to satisfactorily respond to its context. Consequently, the development would be contrary to Policies 55, 56, 57 and 59 of the Cambridge Local Plan 2018.
2. The proposal, which seeks to construct 40 serviced apartments on the site with a low level of communal facilities, would result in an overly intense level of activity on the site and comings and goings, both from occupiers and associated service/delivery vehicles, that would harm the amenities of surrounding residents. Consequently, the development would be contrary to Policies 35 and 56 of the Cambridge Local Plan 2018.
3. By virtue of the number of proposed units, the small size of each of the units, and the limited internal and external communal facilities, the development would provide a poor level of accommodation and standard of amenity for future occupants. Consequently, the development would be contrary to Policy 56 of the Cambridge Local Plan 2018.

## **21/120/PlanRe-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.

## **21/121/Plan21/03498/FUL - Land at Borrowdale**

The Committee received an application for full planning permission.

The application sought approval for demolition of existing garages and area of hardstanding and erection of 3 No. dwellings together with car parking, landscaping, bin and bike stores and associated infrastructure.

Councillor Porrer proposed an amendment to the Officer's recommendation to include an informative requesting the Applicant considered provision for 3 car club parking spaces with electric vehicle charging points.

This amendment was **carried unanimously**.

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, subject to:

- i. the prior completion of an Agreement under s106 of the Town and Country Planning Act 1990 [with delegated authority granted to Officers to negotiate, secure and complete such an Agreement on terms considered appropriate and necessary];
- ii. the planning conditions set out in the Officer's report;
- iii. an informative requesting the Applicant consider provision for electric vehicle charging points in 3 car club parking spaces.

### **21/122/Plan21/01437/FUL - 18 Adams Road**

Councillor Smart proposed and Councillor Gawthrope Wood seconded a motion deferring the application until further information could be obtained from an officer led site visit.

This motion was **carried (by 3 votes to 2)**.

### **21/123/Plan21/00351/HFUL - 100 Queen Ediths Way**

The Committee received an application for full planning permission.

The application sought approval for ground floor rear extension, first floor rear extension, loft conversion with raised ridge height, rear dormer windows and internal alterations.

Dr Thippweswamy (Applicant) addressed the Committee in support of the application.

Councillor Smart drew the Committee's attention to representations from former Councillor Colin McGerty and the resident of 98 Queen Ediths Way set out on Page 224 of the Officer's report.

#### The Committee:

**Resolved (by 6 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.

**21/124/Plan20/03552/FUL Ice Rink**

The Committee received an application for full planning permission.

The application sought approval to renew the installation of a temporary real-ice ice rink with viewing platform and back-of-house/plant area; a family entertainment area with children's rides & food concessions (including the Big Wheel); and a Christmas market with stalls & concessions, to one quadrangle of Parkers Piece. Event to run from 1 November 2020 to 31 January 2025.

The Planner updated his report by referring to updated condition wording and the addition of conditions details on the amendment sheet and officer presentation:

- i. replacement Condition 9 (grass re-establishment);
- ii. new Condition 12 (big wheel power);
- iii. new Condition 13 (electricity supply);
- iv. new Condition 14 (biofuel generators).

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

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

- i. Faced a fait accompli (a thing that has already happened or been decided before those affected hear about it, leaving them with no option but to accept it).
- ii. The ice rink was due to be set up 2 days before committee heard this application. Work was starting today (the day of committee).
- iii. There had been a lack of consultation before work started.
- iv. Expressed concern that the big wheel was being set up on Parker's Piece open space. Residents were concerned about this.
- v. The big wheel would be in place for 9 months, this was not "temporary" as set out in the application.
- vi. Noted changes to the application through revised conditions. There was still 1 'thrill ride' so residents would be disturbed by noise.
- vii. Concerns were addressed by revised conditions set out in committee today so please accept them.

Councillor Porrer then withdrew from the meeting taking no part in either the debate or the vote on its determination.

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

- i. He and Councillor Porrer were not opposed to a seasonal ice rink, they wanted to shape it going in appropriately.
- ii. No stakeholder consultation had been undertaken by the City Council (as site owner) or the Applicant before the rink was set up.
- iii. Lessons from previous years had not been taken onboard. For example a palisade had been erected around the site, which looked out of place on an open space.
- iv. Requested that permission be given for 1 year not 4, so stock could be taken of the impact of the rink on Parkers Piece. For example, the impact of heavy machinery on an open space, and how this could be put right after the rink closed/ended.
- v. A large area of open space had been out of action for longer than expected to allow the grassed area to recover after previous rinks closed and left the site. Referred to paragraph 8.1 in the Officer's report, previous repair/reseeding methods were not effective. What would be different this time?
- vi. The City Council had just approved perimeter planting on Parkers Piece. Hoped this long term project would not be negatively impacted by the rink.

Councillor Smart noted the City Council had an interest in the application as it derived income from the event.

Councillor Baigent proposed an amendment to the Officer's recommendation that permission might be granted for 1 year not 4 years.

This amendment was **carried by 4 votes to 1**.

#### The Committee:

(Councillor Porrer spoke as a Ward Councillor so had already withdrawn from debate and did not vote.)

**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, 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 following additional/amended conditions:
  - a. revised Condition 1 granting permission for 1 year only;

- b. replacement Condition 9 (Grass re-establishment): The scheme detailing the method of ground protection and re-establishment 2021/22 onwards as submitted in the document dated 24th August 2020 and as updated and amended in the email dated 2nd November 21, shall be fully implemented, maintained and not altered. For the avoidance of doubt, the ground protection and restoring the land to its previous condition shall not include the use of herbicides or pesticides. The development shall be carried out in accordance with the approved details and timescales, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To mitigate against excessive permanent damage to the grassed areas of Parkers Piece and to ensure that all repairs are to an acceptable standard. (Cambridge Local Plan policies 55, 56, 60 and 61);

- c. new Condition 12 (Big Wheel): The Big Wheel shall be run off a power pack and recharged by solar PV and only recharged by a biofuel generator on site in the event that the solar PV is incapable of recharging the power pack to an appropriate level. In the event that a viable electricity connection is subsequently made available, the use of the generator to recharge the power pack shall cease.

Reason: To protect the residential amenity of neighbouring properties (Cambridge Local Plan 2018 Policy 35);

- d. new Condition 13 (Bio-fuel Generators): The generators used on the site shall be bio-fuel.

Reason: To reduce the carbon footprint of the operation (Cambridge Local Plan 2018 policy 28).

The meeting ended at 4.20 pm

**CHAIR**

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