

DEVELOPMENT CONTROL FORUM

25 October 2022

10.00 - 11.45 am

Present

Planning Committee Members: Councillors Bennett, Gawthrope Wood, Howard, Smart and Thornburrow

Ward Councillor: Davies

Officers:

Interim Delivery Manager and s106: Phil McIntosh

Senior Planning Officer: Charlotte Spencer

Committee Manager: Sarah Steed

Meeting Producer: Chris Connor

For Applicant:

Al Hannify (Agent)

Stephanie Brooks (Architect)

For Petitioners:

Philip Kratz

Janet Grimwood

Residents of Edeva Court

FOR THE INFORMATION OF THE COUNCIL**22/13/DCF Opening Remarks by Chair**

The Chair outlined the role and purpose of the Development Control Forum. They stated no decisions would be taken at the meeting.

22/14/DCF Apologies

Apologies were noted from Councillors Collis and Porrer.

22/15/DCF Declarations of Interest

No declarations were made.

22/16/DCF Application and Petition Details (Ref 22/03076/FUL/ Edeva Court, Cambridge CB1 8AF)

Application No: 22/03076/FUL
Site Address: Edeva Court, Cambridge CB1 8AF
Description: Construction of a single storey extension at roof level comprising 3 no. self-contained residential flats (Use Class C3), including provision of car parking, cycle parking and associated works.
Applicant: Avon Ground Rent Ltd
Agent: Ms Tanya Kozak
Address: 30 Stamford Street London SE1 9LQ
Lead Petitioner: Residents of Edeva Court
Case Officer: Charlotte Spencer

Text of Petition:

We would like to discuss this application and issues we have regarding the submission and communication between the Freeholder and the Leaseholders/Tenants and Neighbours.

Consultation: the Freeholder did not consult or discuss their planned application. We would like the opportunity to put forward our concerns and suggestions.

Additionally, there's not been enough time during the peak holiday month to organise a response that potentially could turn the lives of people living at Edeva Court up side down.

This is a far bigger issue than just the residents of Edeva Court, it is likely to impact many hundred if not thousands of Cambridge residents unless a clear policy is made regarding the circumstances that a residential (or commercial building) can be developed.

1. Noise and disturbance impact survey: This will cover but not be limited to Construction taking place on and within the building, cranes/delivery trucks and storage of materials, security of the building and airborne dust/building materials. We request any decision requires an impact survey and that the applicant provides a fully costed and evidence supported plan to ensure that the occupants peacefully enjoyment is preserved.

Noise levels should be binding by current guidelines.

The survey should include the impact of the proposed construction of 3 flats on the people living in them.

2. Additional parking spaces: only one space has been allocated for the additional flats. To limit construction of any additional flats to the number of new parking spaces without narrowing the gate which is required for large removal vehicles etc. The current 12 spaces are numbered and allocated. Adding one extra space for 3 flats is designing conflict into the community.

To ensure construction vehicles do not adversely effect patrons visiting the pub and people living in Edeva Court. Additionally that once the work is completed there will be no long term negative impact on local parking facility especially in regard to the GP surgery, Pharmacy, local pub and residential care home.

3. To install a lift to bring it in line with other similar developments constructed in Cambridge at the time Edeva Court was built and to bring it in line with the equality act 2010.
4. To improve the current design of the proposed construction so that any additional flat do not cause a loss of privacy or light to the surrounding buildings
5. The building was designed and built as low rise housing: changing this to a 4 story build changes the specification of the services and requirements of the building.

The application to include fully specified upgrade to the current fire prevention systems and ones that ensure that the building does not put at risk the residents at the nearby older peoples' residential home.

6. Internal changes to the building due to the increase in living units to include:
 - Insulation of internal soil pipes.
 - Fire doors to be on automatic release system on the ground floor emergency access.
 - Increase in space and racks for additional bicycles.
7. To limit the working day to no more than 9 to 4 if the flats are occupied. And limit truck movements and access to enable young families to safely enter and exit Edeva Court during the day. To ensure that no works vehicles us the parking outside the GP's surgery or Pharmacy and to discuss with the Queen Edith Pubs landlord how to ensure that vehicles do not negatively impact the pubs business.
8. Loss of green roof: the original planning consent specifically included a green roof which is not part of the new construction.

Case by Applicant

- 1) The site was off Wulfstan Way. The proposal was to extend the building above the existing building using materials similar to what was already there. The increased height of the building would still be lower than neighbouring trees.
- 2) Three flats were proposed, comprising a 1 bed, a 2 bed and a 3 bed, each with their own private amenity space.
- 3) Responses to concerns raised by the Petitioners:
 - a. Noise and disturbance - the Applicant would be required to produce a Construction and Environmental Management Plan which would cover issues such as noise, dust, wheel washing and time frames for deliveries.
 - b. Parking spaces - the Applicant stated that the proposals were developed with the climate emergency in mind and a shift towards sustainable modes of transport. The Parking Strategy had been informed by a parking survey carried out by a Highways Consultant. The survey identified that there was parking available within 200m of the site, this was why only one extra parking space was proposed.
 - c. Width of the entrance gate - it was confirmed that the width of the gate was wide enough for an emergency vehicle and Building Control had advised that the width of the entrance should be 3.7m wide, which the Applicant agreed to.
 - d. Provision of a lift - the Applicant advised that a lift could not be provided within the existing building without impinging on someone's flat. If a lift was provided this would need to be located at the front or the side of the building. Building Control had advised that a lift was not required.
 - e. Privacy - the Applicant stated that no windows were proposed on the north side. The City Council's Design Code stated that a 20m window to window separation distance was sufficient to secure privacy. The Applicant stated that they were happy for the secondary windows to be frosted. Two small balconies proposed, which could have frosted glass.
 - f. Impact on daylight and sunlight - the Applicant advised that a daylight / sunlight assessment had been undertaken and none of

- the 21 windows tested were classed as unacceptable under the BRE guidelines.
- g. Impact of the additional floor on fire prevention - the Applicant advised that a fire consultant would be appointed at the detailed design stage. The building height would not exceed 11m, therefore the Building Regulations categorised it as 'low rise' so it was under the Tall Building threshold.
 - h. Internal soil pipes – noise arising from soil pipes were the responsibility of building management, but the development would assist where it could.
 - i. Cycle parking - six new secure bike parking spaces would be created near the entrance and a Sheffield stand would be provided for visitors.
 - j. Construction hours were usually between 8am-4pm and it was noted that the Petitioners had requested 9am-4pm, the Applicant was happy to negotiate the construction hours.
 - k. Proposals included the reinstatement of the green roof.

Case by Petitioners

- 4) Noted a change in legislation which came into effect in August 2020 which included new permitted development rights for upward extensions. Noted the site was within the protected zone of Cambridge airfield which meant that permitted development rights weren't available.
- 5) Local Plan policy 51 dealt with accessible homes, the policy was trail blazing to ensure that homes were built to M42 standard. Flats built on top of the existing scheme would not meet accessibility standards.
- 6) Local Plan policy 52 – dealt with the sub division of existing dwellings – pointed to sufficient provision of amenity space.
- 7) Local Plan policy 55 – the development should respond to context.
- 8) Local Plan policy 56 required creating successful spaces, the application did not meet this policy.
- 9) Local Plan policy 58 required proposals to reflect or successfully contrast with the existing building form and be sympathetic to the area. The height, scale and massing of the proposals had a permanent adverse impact on the suburban character of the area.
- 10) The provision of one parking space for potentially ten new residents was not sufficient.

- 11) The plans showed poor quality and inadequate private external amenity space.
- 12) The proposals would have an intolerable impact on residents and give rise to an unacceptable level of harm.
- 13) Felt fire safety questions had not been answered. They were speaking as a qualified Tall Building Fire Safety expert.
- 14) Edeva Court was currently built with a steel frame and concrete structure, in a fire the flames would be contained within the structure.
- 15) The Health and Safety Executive advised that the industry needed to stop thinking that fire safety was dealt with at the building regulation stage, fire safety consideration began at the planning stage.
- 16) Modular construction was proposed which would be pre-made and shipped in. This would cut down construction on site, but the structure would be constructed with combustible materials and put on top of the existing building's roof. Experts advised this type of construction would be the new cladding crisis.
- 17) Referred to examples of fires in modular constructed buildings which had passed building regulation checks.
- 18) Felt fire safety considerations should come first at the planning stage.
- 19) Requested the original construction method be used.
- 20) Noted that the first residents heard of the development proposals was when the fire alarm went off and they found people measuring up the building.
- 21) Felt a lift should be added at the back of the building.
- 22) Leaseholders did not want to live in a construction site for 6 months, they would need to move out.
- 23) The building had been poorly built and maintained and a new management agent had been appointed in January 2022.
- 24) Residents were concerned how noise / dust etc would be managed appropriately.
- 25) Felt access and parking was limited. Whilst there were periods where parking requirements were low, there were also times when there were high pressures on parking as there was a doctor's surgery and pharmacy close by.
- 26) Was happy with the building they bought and did not expect something to be built on top of their building. Wanted the building to meet fire safety standards.

Case Officer's Comments:

- 27) The planning application was received on 6 July 2022. Neighbours and consultees were notified of the application on 25 July. A site notice advertising the application was displayed on 4 August.
- 28) Representations had been received from 15 neighbouring properties. In addition, a letter from GSC Solicitors had been sent in on behalf of existing residents of Edeva Court.
- 29) The main objections are summarised as:
- a. Height, scale and massing;
 - b. Detailed design including materials;
 - c. Insufficient parking;
 - d. Inadequate cycle parking and refuse facilities;
 - e. Inadequate private amenity space;
 - f. Impact on the living conditions of existing residents and highway safety during construction works;
 - g. Impact on residential amenity due to loss of privacy;
 - h. Lack of a lift;
 - i. Fire risks;
 - j. Structural concerns;
 - k. Lack of consultation prior to submission.
- 30) A petition requesting the Development Control Forum with 34 signatures was received on 22 August.
- 31) The following consultation responses have been received:
- a. County Highways Development Management - The proposal was for three additional residential units with one additional off street car parking space. The streets in the vicinity provided uncontrolled parking and as there is no effective means to prevent residents owning a car this demand is likely to appear on-street in competition with existing residential units. The development may therefore impose additional parking demands upon on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application.
 - b. Sustainable Drainage Officer - The proposals have not indicated a detailed surface water or foul water drainage scheme however, as

this is a minor development and there are no known flood risk issues, it would be acceptable to obtain this information by way of conditions. The proposals of green roof are welcomed and should be detailed in condition.

- c. Environmental Health Officer - Development is acceptable subject to the imposition of the following conditions: plant noise insulation, construction / demolition hours, demolition/ construction collections/deliveries, noise insulation scheme, EV charging.

32) Relevant site history:

- a. 12/1616/FUL - Demolition of existing public house building and replacement with new public house including ancillary one bedroom managers apartment and single two bedroom resident apartment above and a separate block of 12 two-bed residential apartments with associated access, car parking and landscaping. The application was approved on the 18.9.2013.
- b. 14/1558/FUL – Installation of electric gates at the entrance to apartment's car park and updated hard and soft landscaping proposals to the residential apartments. Approved 4.12.2014.
- c. Pre-application advise was sought by the Applicant in 2021 for the current application.

Case by Ward Councillors

Councillor Davies spoke as a Ward Councillor on behalf of local residents.

- 33) Felt the Applicant had not communicated well with residents regarding their plans for the site.
- 34) Expressed concerns around compliance with planning conditions.
- 35) Questioned the reliability of the results of the parking survey undertaken in May 2021 as noted that most of the appointments undertaken at the Biomedical Campus in May 2021 were being undertaken offsite.
- 36) Edeva Court was adjacent to a doctor's surgery and pharmacy which generated high parking demand.
- 37) Queried who would live in the proposed units and thought it was likely to be occupied as a house share, therefore assumptions regarding the number of cars may not be correct.
- 38) Expressed concern that the Local Plan did not cover this type of development.
- 39) Felt the Petitioners had come forward with a compromise position and engaged constructively with the discussion.

Responses to Members' Questions:

- 40) The case officer advised that the Applicant / Agent could be asked to provide further information upfront to address some of the concerns raised at the Forum but it would be up to the Applicant / Agent to provide it as the information would usually be secured by a planning condition (for example draft Construction Management Plan).
- 41) The Case Officer advised that the Airport Safety Directive issue needed to be looked into further in terms of permitted development rights for upward extensions to blocks of flats.
- 42) The Case Officer confirmed that the parking survey was undertaken in May 2021 and that guidance would be taken from the Highways Authority as to whether this period was appropriate.
- 43) The Agent advised that amenity spaces in the form of balconies were proposed but that no dedicated children play space was proposed and that no space was provided currently. They also noted that a 3 bed flat provided the opportunity for a family to live in the space but did not require it.
- 44) The building currently had 12 2 x bed flats and understood the ground floor flats had access to private outdoor amenity space and then the flats above had balconies.
- 45) The planning application would be reviewed against Local Plan policies.
- 46) The Case Officer noted that fire safety was assessed through Building Regulations.
- 47) The Architect noted comments had been made about locating a lift at the back of the building but stated that there was no space for it. If a lift was installed the maintenance cost (£2000 per annum) would have to be spread across all users.
- 48) The Case Officer confirmed that there was no requirement for affordable housing as only 3 units were being proposed.

Summing up by the Applicant's Agent

- 49) Noted the fire safety issues and concerns which had been raised.
- 50) The proposal would be constructed from a steel frame as per the existing building and would not be a modular construction.
- 51) Mitigation of construction noise would usually be dealt with as part of the Construction and Environment Management Plan. Was happy to provide a draft Construction and Environmental Management Plan.

- 52) The parking survey was undertaken by a specialist Highways Engineer and completed in compliance with policies 53 and 82 of the Local Plan.
- 53) Noted discussions regarding a lift and stated that they had been advised a lift was not required under the Building Regulations.
- 54) The loss of privacy to surrounding properties had been considered as part of the design process.
- 55) Services and fire safety would be assessed by the Council's Building Control Team.
- 56) Six cycle parking spaces were proposed for residents and a Sheffield cycle parking stand was proposed for visitors.
- 57) Would explore the brick faced façade proposed by the Petitioners.

Summing up by the Petitioners

- 58) Questioned who would want to take a pram up four flights of stairs if there was no lift provision.
- 59) Construction noise would be significant, the Applicants advised that tenants would have to live in the building whilst work was carried out. The roof would need to be cut open for the work to be carried out.
- 60) Many of the residents worked at Addenbrookes or worked from home.
- 61) Felt information from the Applicants had not been forthcoming.
- 62) The proposals needed to be fire safety compliant.
- 63) Requested that a Chief Fire Engineer (of the Leaseholder's choice) approved the proposals before it proceeded further.
- 64) Felt the object of the proposals was to increase the freehold value of the flats.

Final Comments of the Chair

- 65) The Chair observed the following points the Applicants said they would re-consider:
- a. Increasing the width of the access;
 - b. The provision of a Draft Construction and Environmental Management Plan.
 - c. The Petitioner's alternative design.
- 66) Notes of the Development Control Forum would be made available to relevant parties, published on the council's website and appended to the Planning Officers report.

- 67) The planning case officer should contact the applicants/agent after the meeting to discuss the outcome of the meeting and to follow up any further action that is necessary. The applicant will be encouraged to keep in direct contact with the petitioners and to seek their views on any proposed amendment/s.
- 68) The Council will follow its normal neighbour notification procedures on any amendments to the application.
- 69) Application to be considered at a future Planning Committee.
- 70) Along with other individuals who may have made representations on the application, the petitioners' representatives will be informed of the date of the meeting at which the application is to be considered by Committee and of their public speaking rights. The Committee report will be publicly available five clear days before the Committee meeting.

The meeting ended at 11.45 am

CHAIR