

# Public Document Pack

Planning

Plan/1

Wednesday, 26 April 2023

## PLANNING

26 April 2023

10.30 am - 4.15 pm

### Present:

**Planning Committee Members:** Councillors Smart (Chair), Baigent (Vice-Chair), Bennett, Collis, Dryden, Gawthrop Wood, Levien, Porrer and Thornburrow

Also present Councillor: Bick

### Officers:

Delivery Manager: Toby Williams

Senior Planner: Charlotte Spencer

Senior Planner: Amy Stocks

Senior Planner: Alice Young

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Meeting Producer: Chris Connor

## FOR THE INFORMATION OF THE COUNCIL

### 23/34/Plan Apologies

Apologies were received from Councillor Page-Croft (Councillor Levien attended as Alternate).

### 23/35/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Bennett	23/37/Plan	Personal: Application in same road as she lived, albeit some distance away. Discretion unfettered.
Councillor Porrer	23/38/Plan	Personal and prejudicial: Had interacted as Ward Councillor on

		this application.
Councillor Thornburrow	23/39/Plan	Personal: Application in her ward. Discretion unfettered.
Councillor Bennett	23/43/Plan	Personal: Application in her ward. Discretion unfettered.
Councillor Porrer	23/44/Plan	Personal: This was an Anglia Ruskin application and she worked for ARU. Discretion unfettered.

### 23/36/Plan Minutes

No minutes were presented for review.

### 23/37/Plan 22-04356-FUL 185-189 Newmarket and 1 Godesdone Road

The Committee received an application for full planning permission.

The application sought approval for conversion and extensions to the existing buildings including demolition of the existing block to the rear of 1 Godesdone Road to deliver a mixed use development comprising a ground floor retail space and 12 1xbed residential units (net increase 9) to the rear and above along with cycle parking and associated infrastructure.

The Senior Planner updated her report by referring to revised text on the Amendment Sheet.

Councillor Thornburrow proposed amendments to the Officer's recommendation to include informatives requesting the following:

- i. Details about brick pillar and structural design of the glass building corner.
- ii. More light/ventilation to flat 5 such as a studio layout.

The amendments were **carried unanimously**.

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

- i. Additional retail cycle parking.
- ii. To encourage the use of solar panels and all energy efficient renewable measures by the scheme.

The amendments were **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 (with delegated authority to Officers to make minor amendments to the conditions as drafted), subject to:

- i. the planning conditions set out in the Officer's report and amendment sheet;
- ii. delegated authority to officers to resolve the Anglian Water representation issue;
- iii. delegated authority to officers to revise condition 32 to include all utilities;
- iv. informatives included on the planning permission in respect of:
  - a. details about brick pillar and structural design of the glass building corner;
  - b. retail cycle parking;
  - c. use of solar panels and all energy efficient renewable measures by the scheme should be encouraged;
  - d. suggested changes to the internal layout of flat 5 to include more light/ventilation, studio layout encouraged.

**23/38/Plan 22-04491-FUL 2-14 Fitzroy Street**

Councillor Porrer withdrew from the meeting for this item and did not participate in the discussion or decision making.

The Committee received an application for full planning permission.

The application sought approval for refurbishment and extension, including terrace and replacement plant and flue at roof top level, external alterations and re-ordering of service yard, parking provision, replacement plant and new bin and plant enclosure.

The Senior Planner updated her report by referring to updated wording to condition 21 in her presentation.

21. The back up power unit with battery storage, hereby approved, shall not be installed until technical details of the **back up** power system has been submitted to, and agreed in writing with the Local Planning Authority. The details shall include predicted noise levels and if necessary, a detailed noise impact assessment. The approved system shall be installed, maintained and operated in accordance with the approved details.

The Committee received a representation in objection to the application from a resident of New Square:

- i. The style of architecture does not fit into the character of the area.
- ii. Concern over hazardous material storage on site.
- iii. To protect neighbours' amenity, could the proposed slatted screen with shrubbery around the employees' amenity area be replaced with a solid screen up to head height to stop noise?
- iv. Has limited view of skyline at present from his property. This would be reduced even more by the application that would add another storey to the existing building plus a 3.8m chimney that takes away fumes from the lab.
- v. Expressed concern that siting an urban lab chimney in a residential area would exacerbate air quality issues.

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

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

- i. As a result of the Central Government review of change of use classification, less oversight was required to change shops into urban labs.
- ii. Shopping habits had changed and there was less demand for retail outlets.
- iii. There was a need to ensure remaining shops were viable when others nearby had closed.
- iv. Urban labs needed to be appropriate for the area.
- v. Asked the Committee to listen to representations from neighbours to ensure appropriate conditions were in place to mitigate the impact of the urban lab on residents.

- vi. Expressed concern the lab would evict viable shops instead of using empty properties. Thanked the applicant for listening to Ward Councillors and residents' concerns about the loss of retail units, also for the re-installation of Waitrose on site. Awaited news on whether Greggs could be located on site.

Councillor Gawthrope Wood proposed an amendment to the Officer's recommendation by way of an informative to encourage use of solar panels and all energy efficient renewable measures by the scheme.

This amendment was **carried unanimously**.

The Committee:

**Resolved (by 6 votes to 0 with 2 abstentions)** 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 make minor amendments to the conditions as drafted) including the amendment to condition 21 and the informative relating to encouraging use of energy efficient renewable measures.

### **23/39/Plan 22-05493-S73 1 Fitzwilliam Road (with basement)**

The Committee received a S73 application to vary condition 2 (approved drawings) of ref: 19/1141/FUL (demolition of existing building and construction of three dwellings) to allow for minor material amendments including the retention of basements.

The Senior Planner updated her report by referring to the Amendment Sheet:

- i. Amendments to text.
- ii. New condition 28: Those windows shown to be obscure glazed on the approved plans shall be obscured to at least Pilkington level 3 prior to occupation of the dwelling(s) and shall be retained as such for the lifetime of the development. Any openings shall be above 1.7m from the internal finished floor level nearest the respective window unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity (Cambridge Local Plan policies 55, 56, 57)

The Senior Planner also provided an update during their presentation:

- i. There was a discrepancy over the location of the basement staircase (now corrected on plans in presentation).
- ii. A window was added back into bedroom 4 on floor 3 – which had originally been missing from the plans.

The Committee received a representation in objection to the application from a resident of Clarendon Road (written statement read by Committee Manager):

- i. Comments referred to both 22/05493/S73 and 22/05093/S73 Section 73 applications.
- ii. The last Section 73 application was rejected by Officers due to exceeding the number of car parking spaces allowed and because it would reduce on-street parking provision in an area of high demand.
- iii. 6 car parking spaces still breached City Council parking policy. The number of spaces should be limited to 3 as there were 3 houses and the site was in the Controlled Parking Zone.
- iv. The loss of 2 residents' parking bays, one from Fitzwilliam Road and one from Clarendon Road, would exacerbate existing parking stress. It was out of character for the Conservation Area to have so many car spaces on the site, which would dominate the streetscape.
- v. Several properties on Fitzwilliam Road had no off-street parking so many residents only used on-street parking bays. The new primary school and nursery at the other end of Fitzwilliam Road had caused a considerable increase in parking pressure.
- vi. There was a significant change to the east elevation of Plot 3. The new first floor window was four times wider than other windows on this elevation and would lead to loss of privacy for residents living opposite in the Kaleidoscope flats.
- vii. The cycle parking layout was inadequate and did not meet City Council cycle parking standards in the Local Plan.
- viii. The site plan showed 12 of the cycle spaces in 3 cycle stores in the back gardens. These cycle stores would be difficult to access. To reach their bikes, more than 30 residents would wheel them through gardens and alleyways to reach the road.
- ix. Cycle parking in back gardens was contrary to Cycle Parking standards which stated that it should be at the front of the house and be at least as convenient as the car parking.

- x. Therefore, the 3 extra car spaces on the Clarendon Road side of the site should be replaced by cycle stores.
- xi. The dominance of car parking had compromised the landscaping and the potential to improve biodiversity on the site. As well as breaching Local Plan standards, this excessive level could not be justified on the grounds of character, sustainability and air quality. It would set a precedent for other residential developments in the Controlled Parking Zone. Urged Councillors to reject both Section 73 applications and asked the developers to revise their plans.

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

Councillor Gawthrope Wood proposed an amendment to the Officer's recommendation that condition 23 should refer to the most up to date building regulations regarding solar glazing and other energy efficiency measures.

This amendment was **carried unanimously**.

#### The Committee:

**Unanimously resolved** to grant the s73 application 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 [report and amendment sheet] (with delegated authority to Officers to make minor amendments to the conditions as drafted) including the new condition 28, plus the revision to condition 23 to refer to the most up to date building regulations.

#### **23/40/Plan 22-05093-S73 1 Fitzwilliam Road (no basement)**

The Committee received an s73 application to vary condition 2 (approved drawings) of ref: 19/1141/FUL (Demolition of existing building and construction of three dwellings) to allow for minor material amendments.

The Senior Planner updated her report by referring to the Amendment Sheet:

- i. Amendments to text.
- ii. New condition 28: Those windows shown to be obscure glazed on the approved plans shall be obscured to at least Pilkington level 3 prior to occupation of the dwelling(s) and shall be retained as such for the lifetime of the development. Any openings shall be above 1.7m from the

internal finished floor level nearest the respective window unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity (Cambridge Local Plan policies 55, 56, 57)

The Senior Planner also provided an update during their presentation:

- iii. There was a discrepancy over the location of the basement staircase (now corrected on plans in presentation).
- iv. A window was added back into bedroom 4 on floor 3 – which had originally been missing from the plans.

The Committee received a representation in objection to the application from a resident of Clarendon Road (written statement read by Committee Manager).

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

Councillor Gawthrope Wood proposed an amendment to the Officer's recommendation that condition 23 should refer to the most up to date building regulations regarding solar glazing and other energy efficiency measures.

This amendment was **carried unanimously**.

The Committee:

**Unanimously resolved** to grant the s73 application 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 [report and amendment sheet] (with delegated authority to Officers to make minor amendments to the conditions as drafted) including the new condition 28, plus the revision to condition 23 to refer to the most up to date building regulations.

### **23/41/Plan 22-04180-FUL 136 Mowbray Road**

The Committee received an application for full planning permission.

The application sought approval for division of existing property into 2no. 2bed flats, single storey rear and two storey side extensions and a partial first floor extension.



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

- i. 136 was due south of my property and already set back further within its plot. Significant first floor extensions to the side and rear would have a significant negative impact in terms of loss of light and overshadowing, exacerbated by the position to the south. This would see an overbearing form of development contrary to Policy 53, part d.
- ii. The application included some limited daylight and sunlight assessments which comprised a brief dismissal of concerns in terms of the impact upon my property as first floor windows were stated as not 'habitable'. These assessments were just one aspect of amenity. The development would have a significant impact by being visually oppressive and overshadowing my property and garden, as acknowledged in the officer's report to committee. "I object to paragraph 8.59 of the report stating the harm done to my garden by reason of enclosure is outweighed by the provision of an additional residential unit".
- iii. The proposals would have an unacceptable impact on the character of the area for the following reasons:
  - a. The design comprises significant overdevelopment.
  - b. The flat-roofed rear extension was of poor design relating poorly to the current property and wider surroundings.
  - c. The two-storey side extension erodes the space at first floor level and creates a terracing effect contrary to the character of this section of Mowbray Road, characterised by pairs of semi-detached houses with gaps between.
  - d. The parking arrangement was unacceptable in highway safety terms as vehicles cannot turn and exit the site in forward gear leading to reversing onto the busy A1134 Mowbray Road across the pavement and cycle lane.
- iv. Issues with the application which should have been corrected before it came before planning committee were:
  - a. The baseline shown on the existing plans included existing extensions to the side and front that had already been made to the property without the necessary planning permission. Despite concerns being raised on 4 separate occasions in writing, no action has been taken against these extensions.

- b. There was no consultation on any of the amended plans or documents for the application.
- c. The drawings continuously refer to 'concept' plans, which were incorrect for a full planning application.
- d. Requests for the planning officer to view the site from Objector's property had been dismissed.
- v. In summary, the proposals comprised significant overdevelopment of this semi-detached property to create 2 flats to benefit the landlord of 136 whilst having a significant, unacceptable impact and detriment to my residential amenity through overshadowing and an oppressive form of development. The proposals were of poor design, which would negatively impact upon the surroundings and raise concerns for walkers, cyclists and other vehicles as cars reverse onto Mowbray Road.
- vi. Asked that committee refused planning permission for this application as it was contrary to policy 53.

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

Councillor Thornburrow proposed an amendment to the Officer's recommendation to refer to the most up to date building regulations regarding solar glazing and other energy efficiency measures by way of an informative.

This amendment was **carried unanimously**.

The Committee:

**Resolved (by 8 votes to 0 with 1 abstention)** 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 make minor amendments to the conditions as drafted), plus the new informative relating to building regulations.

### **23/42/Plan 21-00526-FUL 2 Galfrid Road**

The Committee received an application for change of use of dwelling from small house in multiple occupation (HMO) to large scale 7 no. person HMO (Sui Generis), including use of the existing rear L-shape extension and retrospective permission for the existing rear L-shape extension.

The Senior Planner updated her report by referring to the Amendment Sheet:

- i. Amendments to text.
- ii. Revised condition 4 wording: “Notwithstanding the approved plans, the cycle shelter shall have a green biodiverse roof and the development shall not be occupied or the permitted use commenced until the cycle shelter has been erected.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).”

Councillor Thornburrow proposed an amendment to the Officer’s recommendation that space should be specified in rooms to ensure the property met HMO standards.

This amendment was **carried unanimously**.

Councilor Porrer proposed and Councillor Collis seconded deferring the application to:

- i. Seek information on the difference between ‘before’ and ‘after’ retrospective work that had taken place on the extension.
- ii. Clarify if the property met fire safety and council HMO policy requirements.

The Committee:

**Unanimously resolved** to defer the application.

### **23/43/Plan 20-04107-s106a 55-68-84-97 Hampden Gardens**

The Committee received an application for the modification of planning obligations contained in a S106 Agreement dated 23rd May 2005 pursuant to planning permission C/03/0922.

The Committee:

**Unanimously resolved** to grant the application for the modification of planning obligations 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.

**23/44/Plan 22-04926-S106A 315-349 Mill Road**

The Committee received an application for the modification of planning obligations contained in a S106 agreement dated 12th October 2015 ref: 14/1496/FUL.

The Senior Planner updated her report by referring to the Amendment Sheet:

- i. Amendments to text.
- ii. Amendments to recommendation:
  - a. the application to vary the restrictions contained within Schedule 5 of the existing S106 Agreement relating to occupation of the student accommodation block as set out at para. 7.3; and
  - b. the completed s106A Deed of Variation provides for the payment of the monitoring fees specified in paras 6.8 and 7.18 of the Officer's report.

Councilor Porrer proposed and Councillor Bennett seconded deferring the application to clarify:

- i. Site usage.
- ii. Definition of the term 'delegate'.

The Committee:

**Resolved (by 7 votes to 1)** to defer the application.

**23/45/Plan Member Training**

Noted.

**23/46/Plan Confidential Item 21-05549-FUL Emperor PH 21 Hills Road**

The Planning Committee resolved to exclude members of the public from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Committee received a report regarding The Emperor, 21 Hills Road, reference 21/05549/FUL was reported to City Planning Committee on 5th October 2022 with an officer recommendation for approval. The Planning Committee resolved to refuse the application.

An appeal has been lodged against this decision.

The Committee:

**Unanimously resolved** to accept the officer recommendation regarding conducting the Council's case.

The meeting ended at 4.15 pm

**CHAIR**

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