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Planning

Plan/1

Wednesday, 6 December 2023

PLANNING

6 December 2023

10.00 am - 5.00 pm

Present:

Planning Committee Members: Councillors Smart (Chair), Baigent (Vice-Chair), Bennett, Dryden, Flaubert Levien, Porrer and Thornburrow

Councillor Dryden left after the vote on item 23/113/Plan

Councillor Flaubert left after the vote on item 23/114/Plan, Councillor Levien then jointed the meeting.

Councillor Baigent left after the vote on item 23/116/Plan

Councillor Bennett left after the vote on item 23/116/Plan

Officers:

Delivery Manager: Toby Williams

Area Team Leader: Michael Hammond

Area Team Leader: Michael Sexton:

Principal Planner: Kate Poyser

Principal Conservation Officer: Gail Broom

Principal Conservation Officer: Paul Robertshaw

Senior Planner: Phoebe Carter

Senior Planner: Tom Chenery

Senior Planner: Amy Stocks

Senior Planner: Alice Young

Arboricultural Officer: Joanna Davies

Legal Adviser: Keith Barber

Committee Manager: Claire Tunnicliffe

Meeting Producer: Sarah Steed

FOR THE INFORMATION OF THE COUNCIL

23/110/PlanApologies

Apologies were received from Councillor Carling, Councillor Gilderdale attended as an alternate.

Apologies were also received from Councillor Levien, Councillor Flaubert attended as an alternate until 2.30pm, when Councillor Levien could attend.

23/111/PlanDeclarations of Interest

Name	Item	Interest
Councillor Bennett	23/113/Plan 23/115/Plan	Personal: Member of CAMRA (Campaign for Real Ale) and family regularly attend the Hay Maker public house. Discretion unfettered.
Councillor Porrer	23/118/Plan	Personal: Employed by Anglia Ruskin University. Discretion unfettered.
Councillor Baigent	All	Personal: Member of Cam Cycle
Councillor Gilderdale	23/113/Plan	Personal: Ward Councillor. Discretion unfettered.
Councillor Thornburrow	23/113/Plan	Personal: Attends the Hay Maker public house. Discretion unfettered.

23/112/PlanMinutes

The minutes of the meeting held on 6 September, 4 October and 1 November 2023 were approved as a correct record and signed by the Chair.

23/113/Plan23/00064/FUL Church Hall, 6A Chapel Street

The Committee received an application for full planning permission.

The application sought approval for the refurbishment, reconfiguration and extension of the existing chapel building to create a multi-functional early year's meeting space and thirteen residential apartments (following the demolition of the existing rear two storey building and alterations of building of local interest comprising the demolition of existing rear lean-to, rear (southwest) elevation and roof), together with associated landscaping and infrastructure.

The Case Officer updated his report by referring to the Amendment Sheet advising of a proposed new condition, viz:

- i. No development shall commence until detailed plans and an associated report for the foundation design of the development have been submitted to and approved in writing by the Local Planning Authority. The plans and report shall demonstrate that the foundation design accounts for tree variety and age, soil type, root growth (including root barriers) and ground movement. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the tree roots are suitably protected from development and that the design of the foundations were appropriate (Cambridge Local Plan 2018, policy 71).

The Committee received two representations in objection to the representation from residents of Chapel Street.

The first representation covered the following issues:

- i. The application would be harmful to the neighbourhood and amenities.
- ii. The application was too overbearing compared to the local area and overused for the footprint of the site, bulky in size and massing.
- iii. Would create an increase traffic, parking problems and access issues.
- iv. There would still be only one narrow entry to the street which was not in good repair.
- v. Disagreed with the Officer that cycle parking had been resolved on site; the City Council's Urban Design Team stated this could not be supported.
- vi. The Urban Design Team had objected to the application.
- vii. While the site had been used as a nursery this operated during the day at peak drop off and pick up times.
- viii. If the application was approved the site would be used an early year's centre with traffic being consistent throughout the day.
- ix. Drivers entering Chapel Street did not realise that they could exit via Church Street so attempted to turn around in a limited space which would become a major problem with the increase in vehicle use.
- x. Questioned what restrictions had been placed on the use of community centre and the hours of operation. This would have a negative impact on the surrounding residents.
- xi. The only entrance to the community space faced onto the street and any evening events would create an increase in noise and adversely affect residents.
- xii. Chapel Street was a narrow street which was not wide enough to cope with the increase in the volume of traffic.
- xiii. Residents supported the refurbishment and wanted the building to be used but this application would allow the site to be overused. The

combination of thirteen apartments and a business was too much; it should be one or the other (although thirteen apartments could be deemed too many on the site).

The second representation covered the following issues.

- i. Chapel Street was narrow part of the road was used as a cycle path. An increase in its use would have a damaging effect to residents and increase the risk of accidents.
- ii. The site required off road cycle parking.
- iii. Had been informed previously that that the number of apartments would be reduced - this had not happened.
- iv. The heat pumps facing the back of the Hay Makers public house would generate additional noise.
- v. Conditions should be applied to the operating hours for the community space.

Mrs Janet Robertson (Applicant) addressed the Committee in support of the application.

Councillor Ashton, Cambridge City Councillor, addressed the Committee speaking in support of the application and concluded by asking the Committee to approve the application.

Councillor Porrer requested an additional condition on the installation of the cargo bike parking on site, carried nem con.

Councillor Thornburrow proposed an informative on the measurement of water usage to encourage the reduction of water usage. A condition on the strengthening of designing out crime under Policy 56, and an additional condition concerning the brickwork to the original windows to the front of the Chapel. Both were carried nem con.

Councillor Gilderdale proposed additional conditions on the installation of lights across the alley ways / access routes down both sides of the site and the use of CCTV.

The Committee:

Resolved (7 votes to 1) 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 the conditions recommended by the Officer (with delegated authority to Officers to make minor amendments to the conditions as

drafted); including the new condition set out in the Amendment sheet relating to foundations; completion of a Section 106 Agreement with drafting and terms delegated to Officers; and the following:

- i. An additional condition requiring the submission of a construction management transport plan.
- ii. An additional condition in respect of lighting, CCTV, and other security measures in relation to designing out crime.
- iii. An additional condition to explore the possibility of widening the side access to the flats from Chapel Street.
- iv. An additional condition in relation to a requirement for a schedule of retention and repair including the surrounding brickwork to the original windows to the front of the Chapel.
- v. To include a M4(2) condition with flexibility for an allowance of the two apartments not served by the lift provision.
- vi. Amendment to condition 20 in relation to the cycle parking - to include the wording 'prior to the use of the flats and the community space and the exploration of the provision of the cargo spaces if possible'.
- vii. Condition 19 when submitted to come back through the Chair and Spokes for confirmation that the submission was satisfactory.
- viii. An informative encouraging a reduction in water usage to 100ltrs per person per day.

The precise wording of the additional conditions, the amendment to conditions and the informative delegated to Officers.

23/114/Plan23/02696/FUL Fossdene, Whinside, The Gables, The Knott, Mount Pleasant

Councillor Dryden left the meeting before the consideration of this item.

The Committee received an application for full planning permission.

The application sought approval for the demolition of three residential properties (known as Fossdene, Whinside and The Gables) and the erection of five residential buildings for postgraduate students as well as two storey and single storey extensions to The Knott for postgraduate accommodation and the provision of cycle and bin stores, landscaping and car parking including new boundary treatments.

The Case Officer updated their report by referring to the Amendment Sheet advising of amendments to conditions and a proposed new condition:

- i. Amend Paragraph 1.4 of the report to read:

The proposal would provide accessible student accommodation rooms across the 5 buildings and the scheme would provide a number of public benefits including: the release of 60 student rooms at other properties throughout the city back to the private housing market; biodiversity net gain; a highly sustainable form of accommodation and economic benefits due to the construction related activities and employment opportunities required to manage the site when complete.

ii. Amend condition 8 to read:

The development hereby permitted shall be designed in accordance with the Passivhaus standard, as set out in the Max Fordham Sustainability and Energy Statement Issue 2 dated June 2023.

Within 12 months after occupation, evidence of Passivhaus certification shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020)

iii. Amend condition 26 to read:

Prior to the occupation of units AC01-AC05, the electric vehicle charging points as outlined on plan 818 Site 120 P7 shall be fully installed prior to the first occupation and maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with Policy 36 - Air Quality, Odour and Dust of the Cambridge Local Plan (2018) and with Cambridge City Council's adopted Air Quality Action Plan (2018).

iv. New condition:

No development shall commence until detailed plans and an associated report for the foundation design of the development have been submitted to and approved in writing by the Local Planning Authority. The plans and report shall demonstrate that the foundation design accounts for tree variety and age, soil type, root growth (including root barriers) and ground movement. The development shall be carried out in accordance with the approved details.

Reason: In order to ensure the tree roots are suitably protected from development and that the design of the foundations are appropriate (Cambridge Local Plan 2018, policy 71).

The Committee received a representation in objection to the application from Cambridge Past Present and Future (CPPF):

- i. Objected to the development as proposed and considered that with some revisions it would be possible to have scheme which would be less harmful to the Conservation Area.
- ii. The site contributed to the character of the Conservation Area with its four Victorian properties set within large gardens and mature trees of quality.
- iii. (Along with the Council's Conservation Team and the Victorian Society) CPPF considered that the loss of three of the original buildings, the change of the original plot layouts (with three replacement buildings and two new buildings all larger in height and footprint) and the loss of the sense of individual linear gardens changed the character of the site from domestic to that of a large campus development. This impacted negatively on the character of the Conservation Area.
- iv. Suggested the retention of Whinside (middle of the three dwellings to be demolished).
- v. Whinside differed from the other two villas which were of a more utilitarian nature, described as a handsome structure, 'largely unaltered' according to the applicant's Design and Access statement. It occupied a central place on the site with a quiet dignity.
- vi. Whinside qualities were especially obvious from the Lucy Cavendish side where an entrance from their access road drew attention to its presence. Believed that, suitably handled, it had great potential.
- vii. Retaining Whinside had the capacity to contribute to the proposed development and to add an important dimension to the integration of the domestic and institutional, the old and the new, which typified this location and the Conservation Area generally.
- viii. Considered the heavily wooded nature of the site lent itself to a strategy in which a variety of smaller separate buildings were ranged across it rather than one or two larger and more dominant ones. It could also be designed around retaining more trees. Whinside's retention would fit seamlessly into such a design layout.
- ix. The problem of subsidence of Whinside had been given as a justification for its demolition, however this would not be of sufficient seriousness to currently restrict entry. The problems seemed to have arisen from neglect of tree maintenance on the site, a common problem in the city, and one which there was considerable experience of dealing with. The opportunity afforded by redevelopment of the site seemed an opportune moment to pursue remedies.
- x. Providing adequately sized rooms had been given as another justification for demolition. Rather than buildings for the needs of single students,

renovating Whinside offered the opportunity to provide alternative accommodation such as for young families, thus expanding the College's provision beyond the needs of the stereotypical single scholar.

- xi. Requested the Committee gave weight to the impact of the development on the Conservation Area and should consider deferring the application to allow the applicant to consider an alternative design retaining two of the four dwellings and introduce smaller blocks, reducing the harm to the significance of the conservation area, thus making it compliant with Policy 61.

Alison Cox (Applicant) addressed the Committee in support of the application.

Councillor Porrer proposed the following:

- i. Under the S106 Heads of Terms an amendment to show that the accommodation would be for students only.
- ii. The tree planning condition should be extended from five years to ten years.

These amendments were **carried unanimously**.

The Committee:

Resolved six votes to 0 (with one 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; subject to satisfactory completion of a Section 106 Agreement which included the Heads of Terms (HoT's) as set out in the report with minor amendments to those delegated to Officers; and

- i. With the inclusion of an additional planning obligation to ensure that the initial and ongoing postgraduate use was for the primary occupation of students who were studying on academic courses for that academic year.
- ii. Delegated authority given Officers for the amendment of condition 18, condition 20 and condition 21 to strengthen those conditions as deemed necessary; insert a clause with the substitution of five year to ten years for replacement planting (condition 21).

23/115/Plan23/01579/FUL Land Adjacent The Ship Pub

Councillor Flaubert left the meeting before the consideration of the item and was replaced by Councillor Levien as her alternate.

The Committee received an application for full planning permission.

The application sought approval for the residential development containing nine dwellings along with access, car parking, landscaping and associated infrastructure.

The Case Officer updated their report by referring to the Amendment Sheet highlighting the CAMRA consultation response. The Committee were advised of an additional condition included to secure the delivery of the green roofs on the duplex apartments to the South.

Councillor Bennett proposed an informative to encourage the reduction of water usage.

The proposal was **unanimously** agreed.

Councillor Thornburrow proposed a condition securing the provision of cycle spaces at the front of the properties.

The proposal was **unanimously** agreed.

The Committee:

Resolved Unanimously 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 following:

- i. An additional condition to secure full provision of cycle parking needs arising from those houses to the front of the dwellings.
- ii. An additional condition in relation to green roofs of the secure cycle parking.
- iii. An informative to encourage the reduction of water usage.

23/116/Plan22/05556/FUL 198 Queen Edith's Way

Councillor Gilderdale left the meeting before the consideration of this item.

The Committee received an application for full planning permission.

The application sought approval for demolition of the existing dwelling and erection of four dwellings and associated works.

The Case Officer informed the Committee that condition 3 in the Officer's report had some text missing, additional text underlined:

- i. Reason: To ensure that before any development commences important specified species are fully protected (Cambridge Local Plan 2018 policy 57).

The Committee received a verbal update on comments received from 200 Queen Edith's Way, published 29 November 2023 with further reference to Biodiversity SPD. Reference was made to e-mails received from Councillor Ashton and concern regarding the removal of the hedge and Councillor McPherson's request to keep what was left of the hedge on site.

The Committee received a representation in objection to the application from a resident of Queen Edith's Way.

The representations covered the following issues:

- i. Had lived next door the application site for 36 years and supported the site sustainable development but objected to the application.
- ii. The site would be overdeveloped.
- iii. No consideration had been given to biodiversity on site.
- iv. The City Council's Biodiversity Supplementary Planning Document (SPD) highlighted the importance of biodiversity yet there had been no pre-application advice sought, or an ecological assessment made. There had been three separate clearances of trees and shrubs from the site without any regard for these matters.
- v. The arboricultural impact assessment had failed to accurately identify and assess the remaining biodiversity on site, particularly the various species of the wild plum tree and the substantial eighty-four-year-old hedge which separated the properties.
- vi. No prior assessment had been made on the local wildlife, identifying protected species.
- vii. On 20 June 2023 the Biodiversity Officer requested a protected species bat survey which to date had not been provided.
- viii. The Committee should note that nearby approved planning applications, at the rear of 208 and 210 Queen Edith's Way two bat surveys had been undertaken which had identified nine bats including a nationally rare species.
- ix. The Biodiversity SPD required the protected species survey to be carried out before a decision is made on a planning application.

- x. Highting the two nearby approved planning applications, the Planning Officer and Highways Consultee stated that two parking places per dwelling would be necessary to avoid parking on the public highway. This provision had not been stated for this application. These approved applications would be set back sixty metres from the road, but this proposed development would be on Queen Edith's Way. Each new dwelling with a second car would have to park on the highway.
- xi. The application site was part of the Netherhall School site. No assessment had been conducted on the impact to the children walking to and from school, cyclists and other footpath users of the extra vehicle movements to and from the site.
- xii. The planning application did not comply with significant substantive and procedural planning rules.
- xiii. The site was not just a caretaker's bungalow but included a non-residential private road.
- xiv. If planning rules were not enforced or applied - they effectively did not exist.

Councillor Robertson, Cambridge City Councillor, addressed the Committee speaking in objection of the application and concluded by asking the Committee to refuse the application.

Councillor Bennett proposed an informative to encourage the reduction of water usage and for a bat survey to be undertaken.

These proposals were **unanimously** agreed.

Councillor Porrer proposed the application was deferred for the following reasons which was seconded by Councillor Thornburrow:

- i. Clarification be required on the biodiversity net gain.
- ii. Further information was required on hedge protection.
- iii. Cycle parking at the front of the properties should be resolved.
- iv. A bat survey should be completed.

The Committee:

Resolved (by 4 votes to 2) to defer the application for Officers to secure clarity on items (i) – (iv) before returning to Committee for determination.

23/117/Plan23/03417/FUL 184 Thoday Street

Councillors Bennett and Baigent left the meeting before the consideration of this item.

The Committee received an application for full planning permission.

The application sought approval for a two-storey side and single storey rear extensions and change of use from six bed HMO (C3) to large six bed HMO (8 people) sui generis, along with bike shed storage to the rear.

The Committee:

Resolved unanimously to refuse the application for planning permission in accordance with the Officer recommendation for the reasons set out in the Officer report with an amendment to reason 3 for refusal to include referencing the cycling parking being less accessible than the car parking provision. Final wording delegated to Officers.

23/118/Plan22/04926/S106A Land at 315-349 Mill Road

The Committee received an application for a variation of S106 Agreement.

The application sought approval to modify the planning obligations contained in the S106 Agreement.

Mr Mike Ibbot (Agent) addressed the Committee in support of the application.

The Committee:

Resolved unanimously to approve the application to vary the S106 as set out at paragraph 7.3 of the Officer's report subject to inclusion of provision covering monitoring and administration costs.

23/119/Plan23/03405/S106A Netherhall Farm, Worts Causeway

The Committee received an application for modification of planning obligations associated with outline planning permission ref: 20/01972/OUT.

The application sought agreement to vary the S106 Agreement which would be in the form of a Deed of Variation to change the requirements for cluster sizes for Affordable Housing.

The Committee:

Resolved unanimously to agree the proposed Deed of Variation, in consultation with the Council's Principal Planning Lawyer with any minor changes to the wording delegated to Officers, including negotiating the terms for the monitoring and administration mitigation for this Deed of Variation.

23/120/PlanAppeals 1 Jan 23 to 27 Nov 23

The Committee noted the appeals list from 1 January 2023 to 27 November 2023.

The meeting ended at 5.00 pm

CHAIR

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