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Planning	Plan/1	Wednesday, 10 January 2024
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PLANNING

10 January 2024
10.15 am - 6.30 pm

Present:

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

Officers:

Delivery Manager: Toby Williams
Area Manager (East): Jane Rodens
Area Team Leader: Michael Hammond
Senior Planner: Tom Chenery
Senior Planner: Charlotte Spencer
Environmental Health Officer: Ben Walther
Arboricultural Officer: Joanna Davies
Legal Adviser: Keith Barber
Committee Manager: James Goddard
Meeting Producer: Chris Connor

FOR THE INFORMATION OF THE COUNCIL

24/1/Plan Apologies

Apologies were received from Councillor Dryden.

24/2/Plan Declarations of Interest

Name	Item	Interest
Councillor Baigent	All	Personal: Member of Cambridge Cycling Campaign.
Councillor Baigent	24/5/Plan	Personal and Prejudicial: This was a Romsey specific application so would speak as Ward Councillor. Withdrew from discussion and did not vote.

24/3/Plan Minutes

The minutes of the meeting held on 6 December 2023 were approved as a correct record and signed by the Chair.

24/4/Plan 23-02952-S73 Land South of Wilberforce Road

The Committee received an S73 application to vary condition 2 (drawings), 18 (tree removal compliance), 19 (Arboricultural Method Statement), Tree Protection Plan, 20 (pre-commencement site meeting) 26 (hard and soft landscaping), condition 40 (bin stores), of ref: 21/02052/FUL (Demolition of existing buildings/structures and the erection of college accommodation, new access and landscaping) to include alterations to Blocks E-F, changes to trees and compliance requirements, changes to landscaping scheme and refuse storage.

The Senior Planner updated her report by referring to the amendment sheet:

- i. Amendments to text.
- ii. Change to list of approved documents in Condition 25.

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

Councillors Smart and Bennett proposed an amendment to the Officer's recommendation to be mindful of Design Out Crime Officer comments referring to the bike store and bin store (in the Officer report) when discharging those particular conditions.

This amendment was **carried unanimously**.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. to add a criteria (i) to Condition 32 regarding the need to replace any biodiversity lost from the removal of trees;
- ii. amend Condition 21 to extend the tree protection period from 5 to 10 years;
- iii. an informative to seek 10% biodiversity net gain within remit of s73 application as 21/02052/FUL had already been approved.

The amendments were **carried unanimously**.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. keep apple tree in its current location and move services around it if possible;
- ii. when building be mindful of the need to ensure foundations were more substantial than normal standard so they would not be damaged by nearby trees roots.

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, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following amendment to condition 32:
 - a. add criteria (i) to Condition 32 for biodiversity lost through the removal of trees to be replaced;
- iii. delegated authority to Officers to amend Condition 21 to extend the tree protection period from 5 to 10 years;
- iv. delegated authority to Officers to add a foundation design condition and how this impacts on trees (when building need to ensure foundations were more substantial than normal standard so they would not be damaged by nearby trees roots), Officers to be mindful of trigger point in condition wording;
- v. informatives included on the planning permission in respect of:
 - a. criteria for Condition 32(i);
 - b. 10% biodiversity net gain;
 - c. keep apple tree in its current location and move services around it if possible;
 - d. be mindful of Design Out Crime Officer comments referring to the bike store and bin store (in the planning report) when discharging conditions.

24/5/Plan 23-03068-FUL 163-167 Mill Road

Councillor Baigent 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 of the building including internal slab openings with steel framing, roof replacement and raising the flat roof finish height, parapet works, new plant, substation, external alterations and temporary removal of shopfront to facilitate MRI installation (first phase).

The Senior Planner updated his report by referring to paragraph 10.6 in the Officer's report. There was no official fallback position, contrary to report details, but this was not a material consideration for this application.

The Committee received a representation in objection to the application from a resident of Sedgwick St:

- i. An MRI facility was a good thing, but Mill Road was the wrong location.
- ii. Raised the following noise concerns:
 - a. Levels of noise.
 - b. Type of noise.
 - c. Enforcement.
 - d. There was no baseline to measure noise against, so it was hard to hold the Applicant against conditions.
- iii. Requested the following conditions:
 - a. A noise management condition to control:
 - i. Noise level.
 - ii. Maximum amount, not average amount.
 - b. To avoid additional plant.
 - c. To avoid increasing operating hours.
 - d. To stop the Applicant lighting up (illuminating) the back of the site.

The Committee received a representation in objection to the application from a second resident of Sedgwick St:

- i. Expressed concern about noise levels.
- ii. Suggested there were inaccurate noise base line details in the Officer's report.
- iii. There was more background noise than listed in the Officer's report.
- iv. Took issue with proposed noise mitigation measures. Noise pollution from the site was expected to be higher than measures could cope with.

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

Councillor Baigent, Cambridge City Councillor (Ward Member), addressed the Committee speaking in objection of the application and concluded by asking the Committee to refuse the application.

Councillor Thornburrow proposed an amendment to the Officer's recommendation to include a condition limiting operating hours. Details could be drafted by Officers, in consultation with the Chair, Vice Chair and Spokes.

This amendment was **carried unanimously**.

Councillor Bennett proposed an amendment to the Officer's recommendation to include a condition to control general operating noise and vibration, with clear links to the Local Plan.

This amendment was **carried unanimously**.

Councilor Porrer proposed, seconded by Councillor Thornburrow, to defer the determination of the application seeking information on:

- i. Opening hours.
- ii. Chiller function on ground floor.
- iii. A clear statement about the noise baseline and how residents could raise concerns about noise levels.

The Committee:

Resolved (by 4 votes to 2) to defer the application pending receipt of clarification and information on matters i-iii above.

24/6/Plan 22-01971-FUL 346 Milton Road

The Committee received an application for full planning permission.

The application sought approval for demolition of existing double garage and shed, and erection of a detached single storey dwelling to the rear.

Councillor Gawthrope Wood, Cambridge City Councillor, addressed the Committee speaking in objection of the application (written statement read by Committee Manager).

Councillor Bennett proposed an amendment to the Officer's recommendation requesting a condition with details of paving with porous materials.

This amendment was **carried unanimously**.

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. Letterbox condition to comply with Policy 57(g) of the Local Plan.

This amendment was **carried by 5 votes to 0 with 2 abstentions**.

- ii. Foundation design condition (when building need to ensure foundations were more substantial than normal standard so they would not be damaged by nearby trees roots).

The amendment was **carried by 5 votes to 1 with 1 abstention**.

Councillor Porrer proposed amendments to the Officer's recommendation:

- i. Construction and Traffic Management Plan condition.
- ii. Informative for suitable lighting of the premises access.

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;
- ii. delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft and include the following additional conditions:
 - a. Construction and Traffic Management Plan condition;
 - b. details of a paving with porous materials condition;
 - c. letterbox condition to comply with Policy 57(g) of the Local Plan;
 - d. foundation design condition;

- iii. an informative included on the planning permission in respect of suitable lighting of access.

24/7/Plan 23-04248-FUL 122 Union Lane

The Committee received an application for full planning permission.

The application sought approval for ground floor rear extension and change of use from C4 (6-Bed HMO) to Sui Generis (7-Bed HMO) Resubmission of 23/03520/FUL.

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

Councillor Porrer proposed an amendment to the Officer's recommendation to include an informative recommending low water usage.

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, and subject to the conditions recommended by the Officer (with delegated authority to Officers to make minor amendments to the conditions as drafted) and an informative recommending low water usage.

24/8/Plan 23-02622-FUL 4 Cavendish Avenue

The Committee received an application for full planning permission.

The application sought approval for erection of dwelling following demolition of existing triple garage block, new vehicular access from the highway to serve existing dwelling.

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

- i. Objected to the garden in-fill property proposed at the back of 4 Cavendish Avenue for the following reasons:
 - a. Neighbour at 4 Cavendish Avenue sought to build a house for commercial purposes, to make money. In order to maintain the commercial value of her house, the proposed building was situated as far as possible away from her house, but very close to the Objector's home.

Objector's coach house (a separate building and residence) was 290 cm away from the boundary where permission was sought to build a new house.

- b. This would result in a very crowded corner at the back and to the side of Objector's property (1 Hills Avenue) and with 3 Hills Avenue as well. There would be four houses in this corner which was not typical of this part of Cambridge. The design of the house detracted from the separate 1840's coach house/stable and the adjacent house of the same period at 3 Hills Avenue.
- c. Was concerned that the proposed building would have a damaging effect on:
 - 1. a Victorian Brick wall which was on the boundary and;
 - 2. the Victorian coach house (circa 1840), neither of which had modern day standard foundations.
- d. If the Council was minded to give permission to this application:
 - 1. Asked for conditions to protect trees and the hedge. Sought special consideration to be given to Objector's two large historic apple trees, which were marked individually on historic maps. Two of these trees were on the boundary with the proposed development.
 - 2. The Council should include special protection to avoid damage to the building and wall on Objector's property which had limited building foundations.

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

Councillor Thornburrow proposed amendments to the Officer's recommendation:

- i. for the inclusion of a cycle and bin storage condition;
- ii. check Cavendish Avenue boundary line on plan and amend after Committee if required.

The amendments were **carried unanimously**.

Councillor Smart proposed an amendment to the Officer's recommendation for a condition to ensure foundations were more substantial than normal standard so they would not be damaged by nearby tree roots.

This amendment was **carried unanimously**.

Councillor Baigent proposed and Councillor Smart seconded deferring in favour of the need for a site visit.

Resolved 5 votes to 2 not to defer the application.

The Committee:

Resolved (by 6 votes to 1) to reject the Officer recommendation to approve the application for planning permission in accordance with the Officer recommendation (as amended in debate).

Councillors suggested 'minded to refuse' reasons linked to:

- i. Policy 34b;
- ii. Policy 57a, b, d, h;
- iii. Policy 52a, b, c;
- iv. There being no reference to the details of the offsite biodiversity net gain;
- v. materials not in keeping with character of the area.

Resolved (by 6 votes to 1) to refuse the application contrary to the Officer recommendation with delegated authority to Officers, in consultation with the Chair, Vice Chair and Spokes, to draft full reason text based on the reasons listed above.

24/9/Plan Appeals Information

The Committee noted the appeals list from December 2023.

24/10/Plan 22-02066-FUL Owlstone Croft Planning Process Overview Report

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 process and engagement regarding application number 22/02066/FUL for Owlstone Croft, Owlstone Road. An appeal was heard by a Planning Inspector against this Committee's decision 15 November 2023.

The Committee:

Unanimously resolved to note the officer report.

The meeting ended at 6.30 pm

CHAIR