

**EAST AREA COMMITTEE MEETING – 17<sup>th</sup> December 2009**

**Pre-Committee Amendment Sheet**

**PLANNING APPLICATIONS**

CIRCULATION: First

ITEM: APPLICATION REF: **09/0977/S73**

Location: **639 Newmarket Road**

Target Date: **16<sup>th</sup> December 2009**

To Note:

Amendments To Text:

The following representations were accidentally omitted from the Committee report:

- 59 Ekin Road
- 21 Wadloes Road

A petition with 34 signatories has also been received. It states, "We the undersigned would not wish to see the drive-through restaurant at the corner of Newmarket Road with Wadloes Road open at 6am instead of 7am.

We understand this is likely to be the subject of a forthcoming planning application following national publicity implying that all McDonald's restaurants are opening at this time."

Pre-Committee Amendments to Recommendation:

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: **09/1045/FUL**

Location: **Land Adjacent To 95 Ditton Walk**

Target Date: **5<sup>th</sup> January 2010**

To Note:

**2 Representations Received**

Number 95b Ditton Walk

- The new buildings adjacent will block light
- The rear terrace is too close to the workshop to the north which creates noise

Agent acting on behalf of number 95b

I have copied this representation below in full:

*Mr John Evans Planning Officer*

*Following our meeting of the 8<sup>th</sup> December 2009 at the Planning Offices in the Guildhall, I have been instructed by Mr Stepney to make the following responses regarding the application.*

- 1. While not an integral part of the planning application, the issue of building work on the boundary with 95b Ditton Walk raises key issues in relation to the exact position of the foundations that should not encroach on my client's land.*
- 2. Scaffolding would also need to be erected during the construction of flank walls and the curtain wall between the two housing blocks and the positioning of such scaffolding would need to be clarified by the contractors to avoid any encroachment on land at 95b Ditton Walk.*
- 3. Any piling/construction work would have a direct impact on the existing property at 95b Ditton Walk which already suffered physical damage from a previous development on the opposite boundary wall, despite the housing units being at a greater distance from the property than the 1.4 metres being proposed.*
- 4. The proposed raised/open communal space between the two housing terraces would create significantly increased noise levels, especially in the warmer months. It is suggested that each property should have its own fenced space to reduce the possibility of larger gatherings. The communal area should not be elevated, as this would also increase the possibility of "overlooking" into the garden of 95b.*
- 5. The flank wall of units P5-P8 will significantly shadow 95b as the space between the properties would be minimal and these proposed units should therefore be sited further from the boundary of the properties. The existing path width between 95b and the boundary is only 1.4 metres.*
- 6. The "Buffer Zone" presents a potential security risk to 95b and the boundary wall should therefore be significantly higher than the 600 height currently shown on the proposal. Specific details of the gating arrangements at the rear of 95b also need to be shown in some detail.*
- 7. There are no details of parking spaces. Are they open marked spaces or will garages be built? In any event the total spaces are inadequate for the number of proposed units. There is also no provision for visitor parking.*

8. *Overall there would be a loss of privacy from units P5-P8 as they would overlook the garden of 95b.*

### Officer Comments

The majority of the issues raised have been adequately considered within the main Committee report. I would however make the following additional comments:

- Raised communal space: This is unlikely to create undue noise and disturbance to the neighbouring number 95b, because each unit has their own private area for sitting out. It is not considered necessary to form defined barriers to each of the patio areas, as this would detract from the character of the development.
- 'Buffer Zone': I would agree that the boundary wall to this area could be higher to increase security to number 95b. I would therefore suggest the imposition of a suitable boundary treatment condition for this to be agreed (new condition 13 detailed below).

### Further Consultation Responses

#### Environmental Health

No objections in principle. Conditions are recommended regarding insulation requirements set out in the submitted Cass Allen Associates Noise Assessment. (New conditions 11 and 12 below).

#### Landscape Team

I have verbally discussed the proposed landscaping to the shared amenity area. Comments are generally positive, although more seasonal planting is needed and specific species can be agreed through the imposition of a soft landscaping condition, (new condition 14).

#### Cambridgeshire County Highways

The front gardens occupy an area of public highway. This would require a Stopping up Order but the Highway Authority would object to a Stopping up Order.

ECATP contributions are required.

No parking provision is made for the flat and parking is possible on the street. Therefore the development cannot be regarded as effective car free development. The accessway should be designed as a true shared surface.

### Officer Comments

In response to the land ownership issue raised by the County Highways Authority, amended plans have been received which slightly alters the siting of the front terrace in relation Ditton Walk.

Units P1 to P4 now have a uniform building line and slightly reduced front garden areas. This change is not of such significance that further consultation is required. The revised siting will not in my view adversely affect the character and appearance of the development within the Ditton Walk street scene. These changes now meet the approval of the County Highways Authority.

The amended block plan now shows a shared surface accessway, which is to the satisfaction of the County Highways Authority.

#### Amendments To Text:

Paragraph 8.36: Please ignore the first sentence. This related to the previous application. The figures listed for the required contributions are correct.

#### Pre-Committee Amendments to Recommendation:

**'Approve subject to the satisfactory completion of the S106 Agreement by 5 January 2010 and subject to the following conditions'.**

#### **New additional conditions**

##### **Condition 11**

Prior to the commencement of the development, details of the insulation for the wall construction, and the sound insulation for the glazing to the rear terrace to the north of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of future occupiers and to ensure that the development is constructed in accordance with the submitted noise assessment, Cambridge Local Plan 2006 policy 4/13.

##### **Condition 12**

The proposed velux roof lights to the northern rear elevation of the rear terrace shall be fixed shut, in accordance with the recommendations of the submitted noise assessment report, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of future occupiers, Cambridge Local Plan 2006 policy 4/13.

##### **Condition 13**

No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the position, design, materials and type of boundary treatment to be erected to the buffer zone area, north of the rear terrace. The development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented, Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12.

#### **Condition 14**

No development shall commence until details of soft landscape works have been submitted to and approved in writing by the local planning authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development, Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12.

#### **APPENDIX 1: Previous Reasons for refusal of application 09/0108/FUL**

I have copied the decision notice below:

The Council hereby refuse permission for:

**Residential development to form 12 x 1-bed units with associated car/cycle parking and landscaping (following demolition of existing garages).**

at

**Land Adjacent To 95 Ditton Walk Cambridge Cambridgeshire CB5 8QD**

in accordance with your application received 6th February 2009 and the plans, drawings and documents which form part of the application, for the following reasons:

1. The proposed building is unacceptable because of its overall size, height and bulk in relation to surrounding neighbouring 2 storey residential properties in the street scene, and would constitute a development out of context with the site and the characteristics of the locality. The proposal fails to respond to its context, would not be integrated into the immediate locality, and has not used the characteristics of the locality to help inform its siting, massing and design; instead it would have a detrimental impact on the character and appearance of the area and have a negative impact on its setting. The proposed building does not provide an attractive built frontage to enhance the townscape, by reason of its high eaves line and overall height. The proposal is therefore contrary to policies 3/4, 3/7, and 3/12 of the Cambridge Local Plan 2006, policy ENV7 of the East of England Plan 2008, and advice in PPS1: Delivering Sustainable Development 2005, which states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.
2. The proposed development, which rises to approximately 10m, with the stairwell projection rising to 7.5m would have an unduly dominating and overbearing relationship with No. 95b to the south west. The building would have a presence, because of its scale, its height and depth, that would cause the occupiers of No.95b to be unduly dominated and to suffer an unreasonable sense of enclosure, to the detriment of the amenity that they might otherwise reasonably expect to enjoy. In having these negative impacts on number 95b Ditton Walk, the proposal fails to respond to its context and does not achieve good integration between buildings. The proposal is therefore contrary to policies 3/4, 3/7 and 3/12 of the Cambridge Local Plan 2006, and policy ENV7 of the East of England Plan 2008.
3. The proposed development does not make appropriate provision for public open space, community development facilities, education and life-long learning facilities, transport mitigation measures, or public art, in accordance with policies 3/7, 3/8, 5/5, 5/14, 8/3, and 10/1 of the Cambridge Local Plan 2006, and policies P6/1, P9/8 and P9/9 of the Cambridgeshire and Peterborough Structure Plan 2003, and as detailed in the Planning Obligation Strategy 2004, Eastern Corridor Area Transport Plan 2002, Provision of Public Art as Part of New Development Schemes 2002, and the Open Space and Recreation Strategy 2006.

This decision notice relates to the following drawings: **LOCATION PLAN 1:1250, (21)01A, (21)02A,**

A copy of the refused plan(s) is/are kept in the planning application file.

Dated: 29 April 2009

Guildhall, Cambridge, CB2 3QJ

Director of Environment & Planning

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: **09/0749/FUL**

Location: **12 Brookfields**

Target Date: **15<sup>th</sup> October 2009**

To Note: Nothing

Amendments To Text: Nothing

Pre-Committee Amendments to Recommendation: Nothing

**DECISION:**

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CIRCULATION: First

ITEM: APPLICATION REF: **09/1008/FUL**

Location: **36 Priory Road**

Target Date: **23<sup>rd</sup> December 2009**

To Note: Nothing

Amendments To Text: Nothing

Pre-Committee Amendments to Recommendation: Nothing

**DECISION:**

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