

## PLANNING COMMITTEE MEETING – 6th November 2024

### Amendment/De-brief Sheet

#### TREE APPLICATION

Circulation:	First	Item:
Reference Number:	24/0413/TTPO	
Address:	193 Sturton Street	
Determination Date:	4 June 2024	

Following the site visit of 28<sup>th</sup> October, provided below are comments relevant to the specific topics addressed on site and the subject of compensation associated with tree work applications.

To Note:

1. 2019 damage was limited to two areas, one at the front of the house and one between 191 and 193 Sturton Street. Cracking is now visible in additional locations indicating a worsening problem. New cracking visible internally despite temporary repairs indicates continued movement of foundations.
2. Damage to boundary wall adjacent to previously removed False Acacia is not connected to damage to the house. Damage is indicative of direct pressure and has likely been exacerbated by ice over winters. As the foundations of the wall will be of a much shallower construction the influence of shrink and swell of the clay soil could also contribute to additional damage.
3. There were a few errors in the original reports including the incorrect ageing of the property, which led to the lack of a heave assessment. This error was highlighted to previous applicants early on and the age of the property corrected. The evidence supports cyclical drying and rewetting of the soil which is caused by trees taking moisture out of the soil over the growing seasons and soil rewetting over the dormant seasons. The evidence does not support a continued rewetting of the soil that might result in heave. The independent chartered

structural engineer commissioned by Cambridge City Council to assess the evidence confirmed that damage was indicative of subsidence not heave and that the future risk of heave is minimal.

4. Trial pits and roots. Three trial pits were attempted with TP1 abandoned due to water main and compaction. TP1 was located closer to the planes than TP2 and TP3. Roots were found in the two pits closest to the planes, TP1 and TP3 but as TP1 was abandoned before the bottom of the foundations was located root and soil samples were not taken. TP2 was located at the rear of the property and no roots were located in 2020. This only tells us that roots were not located in that precise location. Since the initial site investigations damage has occurred to the rear of the property and evidence shows increased seasonal foundation movement from 2020 to 2023 at the rear of the property. TP3 was located between TP1 and TP2 therefore further from the planes than the original TP1. Roots in this location were found to be plane and false acacia. This is consistent with the pattern of foundation movement, with the greatest movement being across the front of the house on Sturton Street, a localised spike of recovery at datum points 4 and 5, towards the north of the property, following the removal of the false acacia in 2021 but continued and progressive drying over the growing seasons due the influence of the planes.
5. The house foundations were built according to best practice and building regulations. NHBC Chapter 4.2 deals with building near trees. Regulations do not require buildings to be constructed to eliminate the risk of tree related subsidence but do require foundations to be taken to a depth where the likelihood of damaging movement is low.
6. The location of the barrier as proposed, from Young Street plus 30m south to just beyond 191 Sturton Street, will likely result in localised loss of tree roots from 4 trees but the extent of loss will diminish with increasing distance. Plane trees have a high tolerance to construction activity and are able to adapt to significant root and/or canopy reduction. Like leaves, the fine feeder roots, that would be effected by the barrier installation have a

short lifespan so are continually dying and being replaced.

7. Regulation 24 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 deals with claims for compensation to the local planning authority regarding tree work applications.

**24.—(1)** *If, on a claim under this regulation, a person establishes that loss or damage has been caused or incurred in consequence of—*

*(a) the refusal of any consent required under these Regulations;*

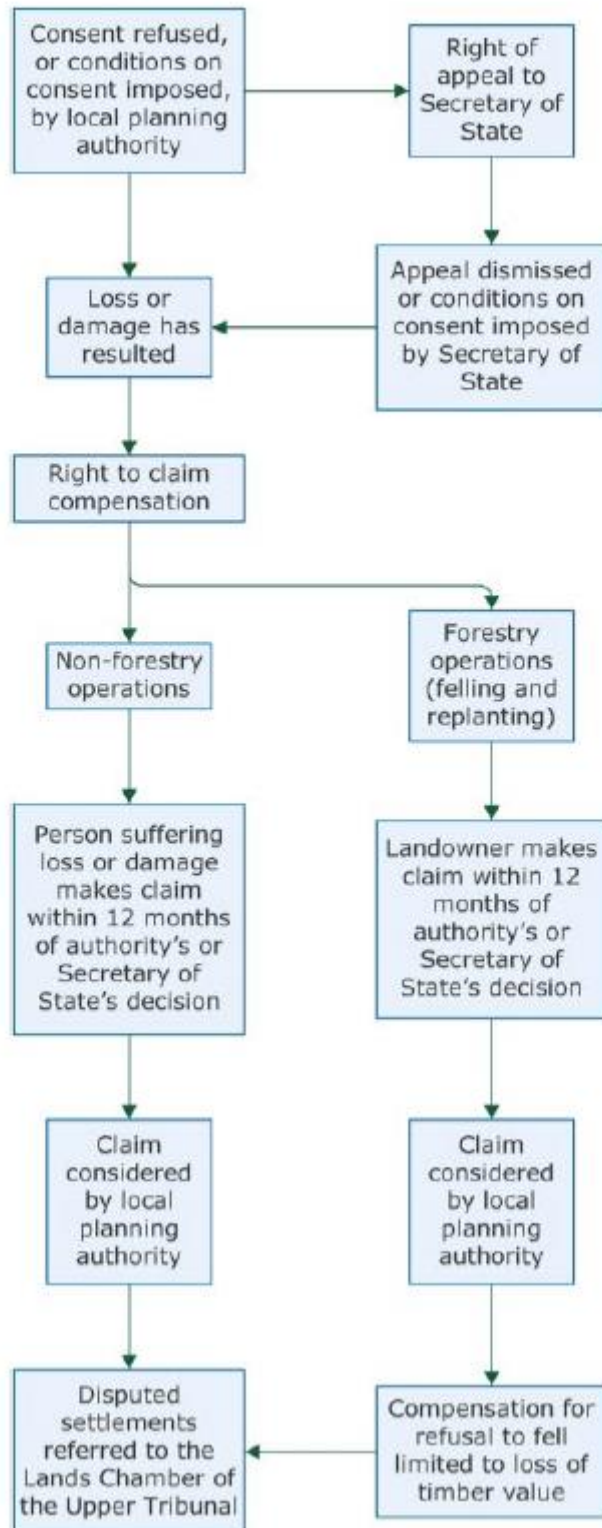
*(b) the grant of any such consent subject to conditions; or*

*(c) the refusal of any consent, agreement or approval required under such a condition,*

*that person shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.*

The following flow chart is extracted from PPG Tree Preservation Orders and trees in conservation areas.

Flowchart 4: Compensation



Amendments to  
Text:

Pre-Committee  
Amendments to -  
Recommendation:

**Decision:**

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**MINOR PLANNING APPLICATIONS**

Circulation: First Item:  
Reference Number: 24/01588/FUL  
Address: 16 - 17 Sidney Street, 18 - 19 Sidney Street, and 21  
Hobson Street  
Determination Date: 25 July 2024  
To Note: -  
Amendments to  
Text: -  
Pre-Committee  
Amendments to -  
Recommendation:  
**Decision:**

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Circulation: First Item:  
Reference Number: 24/02695/FUL  
Address: Wilbury, Latham Road  
Determination Date: 20 September 2024  
To Note:

- Two additional third-party objections received.
- Objection statement received from Cllr Hauk
- Further information provided regarding the sustainability principles of the scheme
- Proposed Location Plan provided

Amendments to  
Text: 10.13: Policy 31 of the Local Plan requires any flat roofs within residential properties to be constructed as green or biodiverse roofs. It is noted that the plans provided show a significant area of the roofs of the dwelling

proposed to be green, with the exception of the area of roof to house the solar panels which would need access for maintenance. As such a condition to require this is not considered to be reasonable, as the green roof shown on the plans would be controlled via any approved plans condition. A condition will however be attached to ensure that the flat roof with access is not used as an area of amenity. *It is noted that comments have noted the mention of a detached garage within the provided documents. This is not shown on any plans that would be approved and has been confirmed that this is no longer applied for. If permission is granted it would not be for a detached garage.*

Pre-Committee  
Amendments to  
Recommendation: N/A

**Decision:**

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Circulation: First Item:  
Reference Number: 23/03579/FUL  
Address: 35 Milton Road  
Determination Date: 19 December 2023  
To Note: Nothing  
Amendments to  
Text: None  
Pre-Committee  
Amendments to  
Recommendation: None

**Decision:**

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Circulation: First Item:  
Reference Number: 24/02574/FUL  
Address: Land At 4 Cavendish Avenue  
Determination Date: 3 September 2024  
To Note: -

Amendments to Text: -  
Pre-Committee Amendments to Recommendation: -

**Decision:**

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Circulation: First Item:  
Reference Number: 24/02896/FUL  
Address: 246 Coldhams Lane  
Determination Date: 30 September 2024  
To Note: A request was received to withdraw the application on the 1 November 2024.  
Amendments to Text: Nothing  
Pre-Committee Amendments to Recommendation: The applicant wishes to withdraw the application and no decision made by the Planning Committee Members.  
**Decision:** Not considered

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Circulation: First Item:  
Reference Number: 24/00962/FUL  
Address: Plots 312 and 313 at BDW5&6 Land between Huntingdon Road and Histon Road, Cambridge Known As Darwin Green One  
Determination Date: 13 November 2024  
To Note: -  
Amendments to Text: Update to paragraph 8.1 - Councillor Simon Smith (Ward Councillor – Castle) submitted correspondence during the course of the application in relation to representations made by residents summarised in Section 7.0.  
  
Update to paragraph 9.80 - ~~Subject to this~~ On this basis, the current proposal would have an improved relationship with the neighbouring property compared to the approved reserved matters by virtue of the greater separation distance and is acceptable.

Pre-Committee  
Amendments to  
Recommendation:

### **Condition 6 – Piling**

Piling shall only be carried out in accordance with the method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration approved in writing by the local planning authority as required by condition 55 on the outline consent 07/0003/OUT in relation to the reserved matters consent 21/03619/REM. The approved method statement shall be adhered to and implemented throughout the duration of piling works strictly in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

### **Decision:**

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Circulation:	First	Item:
Reference Number:	24/03157/FUL	
Address:	27 Hawkins Road	
Determination Date:	15 October 2024	
To Note:	-	
Amendments to Text:	-	
Pre-Committee Amendments to Recommendation:	-	

### **Decision:**

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