



EAST AREA COMMITTEE
CHAIR COUNCILLOR KEVIN BLENCOWE



AGENDA

To: City Councillors: Blencowe (Chair), Wright (Vice-Chair), Benstead, Brown, Hart, Herbert, Marchant-Daisley, Moghadas, Owers, Pogonowski, Saunders and Smart

County Councillors: Bourke, Harrison, Sadiq and Sedgwick-Jell

Dispatched: Monday, 17 October 2011

Date: Tuesday, 25 October 2011

Time: 7.00 pm

Venue: Small Hall - The Guildhall

Contact: James Goddard

Direct Dial: 01223 457015

3 PLANNING APPLICATIONS – AMENDMENT SHEET (*Pages 1 - 28*)

The applications for planning permission require determination. A report is attached with a plan showing the location of the relevant site. Detailed plans relating to the applications will be displayed at the meeting. (*Pages 1 - 28*)

INFORMATION FOR THE PUBLIC

The East Area Committee agenda is usually in the following order:

- Open Forum for public contributions
- Delegated decisions and issues that are of public concern, including further public contributions
- Planning Applications

This means that planning items will not normally be considered until at least 8.30pm- see also estimated times on the agenda.

The Open Forum section of the Agenda: Members of the public are invited to ask any question, or make a statement on any matter related to their local area covered by the City Council Wards for this Area Committee. The Forum will last up to 30 minutes, but may be extended at the Chair's discretion. The Chair may also time limit speakers to ensure as many are accommodated as practicable.

To ensure that your views are heard, please note that there are Question Slips for Members of the Public to complete.

Public speaking rules relating to planning applications:

Anyone wishing to speak about one of these applications may do so provided that they have made a representation in writing within the consultation period and have notified the Area Committee Manager shown at the top of the agenda **by 12 Noon on the day before the meeting** of the Area Committee.

Filming, recording and photography at council meetings is allowed subject to certain restrictions and prior agreement from the chair of the meeting.

Requests to film, record or photograph, whether from a media organisation or a member of the public, must be made to the democratic services manager at least three working days before the meeting.

REPRESENTATIONS ON PLANNING APPLICATIONS

Public representations on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

Submission of late information after the officer's report has been published is to be avoided. A written representation submitted to the Environment Department by a

member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report.

Any public representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

At the meeting public speakers at Committee will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

To all members of the Public

Any comments that you want to make about the way the Council is running Area Committees are very welcome. Please contact the Committee Manager listed at the top of this agenda or complete the forms supplied at the meeting.

If you would like to receive this agenda by e-mail, please contact the Committee Manager.

Additional information for public: City Council officers can also be emailed firstname.lastname@cambridge.gov.uk

Information (including contact details) of the Members of the City Council can be found from this page:

<http://www.cambridge.gov.uk/democracy>

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EAST AREA COMMITTEE MEETING – 25th OCTOBER 2011

Amendment Sheet/De-brief note

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: **11/0710/FUL**

Location: 103 Mill Road, Cambridge

Target Date: 16th August 2011

To Note:

A.1 Two further emails have been received from the Mill Road Society (MRS), which contain additional comments on the application, including the proposed delivery bay. The comments are from three different members of the Society. The issues raised are as follows.

A.2 Member 1

1. Mill Road is less wide outside the application site than the applicants' delivery bay drawings suggest.
2. A lamppost at the west end of the site frontage, and trees at the east end, would obstruct the formation of the proposed delivery bay.
3. The Savill Bird and Axon report submitted by the applicants is wrong to say that congestion and delays do not occur when deliveries are made along this section of Mill Road.

A.3 Member 2

1. At time of permission for D2 use in 2001, the highway authority commented that removal of vehicular access from front of building would have significant benefit for highway safety.
2. Proposal for an on-street delivery bay at 163-167 Mill Road in 2007 was opposed by the highway authority on the basis of conflicts created between delivery movements and pedestrians.
3. Observations by Mill Road Society at Sainsbury's store in St Andrew's Street suggest the main delivery there takes several times longer than the applicants in this case suggest, and that more than one delivery vehicle may be present at the same time.
4. Insufficient time to comment on amendments have been submitted very late in the process, and interested parties have had insufficient time to comment.
5. Applicants' claim that highways issues do not constitute legitimate ground for refusal is incorrect.
6. Dawcroft accounts filed at Companies House for the financial year to

April 2010 show an increase of turnover by 15%, and increase in operating profit by 142%, and an increase in net profit by more than 100%, compared to 2008-2009. This undermines the applicants suggestion that the pool hall has experienced a steady decline in turnover.

A.4 Member 3

1. Dawecroft cannot settle this year's bank obligation without selling part of their property. As the Burleigh Street snooker club is less accessible, that should be the property sold, not 103 Mill Road.

A.5 The highway authority has responded to the above points as follows.

A.6 MRS Member 1, point 1: The restricted width of Mill Road at this point would be addressed by the provision of the loading bay, as would impact affecting congestion on Mill Road. By provision of the loading bay the servicing vehicle is able to leave the carriageway unobstructed, hence the Highway Authority's objection only being addressed by a full-width loading bay.

A.7 MRS Member 1, point 2: The lamp post restricts passage along Mill Road, but it would be difficult to demonstrate that that is made significantly worse by the proposal. It is already there. The proposal may, however, provide an opportunity to relocate it to a position where the obstruction is reduced, alongside the layby where the footway, at 1.8 metres, is wider than surrounding footways. The tree located to the north-western end of the layby would require to be addressed within the design. That is not an issue for the Highway Authority, but for the developer and the Planning Authority to consider. By imposing a Grampian condition the position of the Planning Authority would appear to me to be safeguarded as only an approved scheme could be constructed, and without such a scheme, opening of the site as a retail unit would be precluded by the condition.

A.8 MRS Member 2, point 1: Whilst removal of previous frontage access at the time Class D2 use was permitted was regarded as providing a significant benefit, the removal of access could not be required by the Highway Authority as retention would not have resulted in detriment. The comment of the highway authority indicated a positive benefit resultant from that proposal at the time. Furthermore access at that time was unrestricted: it was available to both customers and deliveries, and available to multiple vehicles simultaneously. In this case, it is not proposed that vehicles are able to access the site in the same way, but to provide an identified layby with a geometry suitable to allow access and egress for vehicles making deliveries.

A.9 MRS Member 2, point 2: Any application must be considered in context with regard to individual characteristics and circumstances relating to the site. At 163-167 Mill Road, there is a rear service yard. The present application site does not, and has been serviced, albeit at a lower intensity, from the frontage on Mill Road. The use of the service bay proposed at 163-167 Mill Road would not have been limited to particular times. The bay proposed in this case would be subject

to the same time restrictions as that frontage of Mill Road already experiences. This restricts usage to periods of lower traffic flow on Mill Road. The loading bay on Mill Road would be within the public highway and usable by any delivery vehicle, giving a degree of potential benefit to flow on that frontage, with its restricted width. However there is a possibility that a servicing vehicle for Sainsbury's will arrive when the bay is occupied. Under such circumstances it would be difficult to demonstrate significant additional detriment as currently the servicing vehicle occupying the bay would be obstructing flow. The bay effectively provides accommodation for one vehicle servicing and offsets the needs for one vehicle servicing. Servicing from the road, by the existing units, as well as the applicants, is a material consideration and, for the circumstances and conditions at and around the application site. The applicant has proposed a servicing plan for their operation which I must take at face value. If the applicant can, in the Planning Authority's opinion, be held to the proposed servicing arrangements, then those servicing proposals would be acceptable.

- B.1 An email has been received from the organization Living Streets (formerly the Pedestrians' Association, commenting on the proposed delivery bay).
- B.2 The response states: 'It is unacceptable that, in an area where the width and amenity of many of the footways leave much to be desired, pedestrians should be confronted on their desire line with either a lorry (during the hours when deliveries are permitted), illegally parked vehicles (which will inevitably take advantage of the bay at any time) or a descent and ascent into and out of the bay (particularly disadvantageous to the visually impaired). The necessary diversion around the bay shows scant regard for the position of pedestrians at the head of the hierarchy of road users.'
- C.1 An email has been received from a pedestrians' representative on the Cambridge Cycle/Walking Liaison Group, stating: 'I wish to express my utmost concern at the Sainsbury's request for planning permission to create a loading lay-by actually on the pavement in Mill Road. I feel that such a proposal would compromise the safety of disabled people such as myself, as well as elderly people and adults with prams. The implications of such people being forced to step into the road and therefore facing traffic, even cyclists, at their peril, fills me with utter horror and dread. Therefore, I am totally against this specific proposal.
- D.1 An email has been received from the Cambridge Cycling Campaign making further objections to the application, including the proposed amendment to include a delivery bay. The documents submitted are attached to the amendment sheet. The key issues raised are as follows.
- The applicant has proposed a loading bay that simply will not fit an 11m lorry, according to our expert on lorry tracking diagrams
 - The cycle parking will not fit;
 - Theft of the pavement for a loading bay is unacceptable and unprecedented.

- E.1 An email has been received from the City Council Access officer, stating: 'Mill Road footways are not ideal for the visually impaired, wheelchair users or those walking with mobility aids. The reduction in the width of the footway and the loss of a straight section of footway will both cause difficulties for disabled people.'
- F.1 The applicants have submitted a revised Certificate B indicating that they have notified the owners of the additional land required to create the proposed delivery bay, and a revised location plan for the application which includes within the red line all the land required for the creation of the delivery bay and the dedication of additional land as public highway to create the necessary footway width.
- G.1 A communication has been received from Dawecroft, the present operators of the site and 39b Burleigh Street. The letter sets out the operators reasons for wishing to consolidate at WT's and close Mickey Flynn's, as follows.
- G.2 Mickey Flynn's will close irrespective of the conclusion of this application. We, as a business, cannot continue to operate two premises in such close proximity to each other. Given the longer opening hours and larger premises already available at WT's, we will be able to accommodate the demand created by the closure of Mickey Flynn's. As such, we satisfy the provisions of Policy 6/1 of the Local Plan.
- G.3 Much has been made of the potential loss of leisure to the area yet we do not see how this is a valid point. All members of Mickey Flynn's are automatically members at WT's at no extra cost. The two sites are situated less than 1.0km from each other and, until people were forced to be more cautious about their leisure spending, a large number of our core members patronised both premises regularly.
- G.4 It has been suggested that we attempt to market the premises to alternative leisure operators or snooker/pool hall operators so that leisure facilities are not lost. Apart from the fact that this would no more ensure the survival of our overall business than trying to maintain both premises, we are certain that this would not make an attractive going-concern for other leisure operators. Our business straddles the snooker and pool industry and the licensed premises industry, both of which have been in sharp decline during the last five years. Snooker clubs in Newmarket and Rushden have been recently forced to shut, and the largest national chain, Riley's was forced into receivership Considering that 76% of our current trade bar sales, surely no-one is in any doubt over the dire state of the licensing trade. Cambridge, particularly the Mill Road area itself, has seen the closure of numerous pubs in recent years including the Locomotive, The Duke of Argyle, The Standard and The Jubilee. Personally, with twenty-five years of experience within the trade, I do not regard such closures as a short-term reaction to the economic climate but more a sea change in spending and leisure habits. The actions we are endeavouring to take will ensure that WT's doesn't become another of these sad statistics.
- G.5 The existing planning restrictions on the unit mean that it cannot be occupied

by anything else without the need for planning permission. For us, getting an A1 user makes more commercial sense and also is a more appropriate use in the District Centre. Leasing our site to Sainsbury's provides for us and our employees the best opportunity to secure our future. Sainsbury's will be a great addition to Mill Road and boost the attractiveness of the street which we believe has undoubtedly diminished as a shopping location.

- G.6 Critically, all the jobs at Mickey Flynn's will be retained at WT's. Sainsbury's have stated that they plan to create approximately 25 new jobs within the local area. Given the economy and what I understand of the current coalition governmental drive to create employment, I would have thought that these new jobs should be welcomed. We are a local business attempting to stabilise and plan for the future. We currently employ 22 people. Surely, the Council should be supporting us as well. This investment should be welcomed by the Council, in terms of supporting an existing local business and allowing a national retailer to boost our local economy.
- G.7 From a personal perspective, I feel a sense of failure and sadness that we are unable to keep Mickey Flynn's open and the decisions which have been made have not been easy to reach. We need this application to be supported in order to secure and protect our business and continue promoting cue sports within the local area. We firmly believe this will be a positive move for not only our business, but also Mill Road.

AmendmentsTo Text:

- H.1 Paragraph 8.37 should be amended to read: 'The City Council's Cycle Parking Standards require one cycle parking space for every 25m² of gross floor area (GFA). The GFA proposed here is 383m², which would require 16 spaces. The application proposes 18 spaces, immediately adjacent to the entrance. It is my view that the southernmost hoop marked on the application drawings would probably need to be deleted or repositioned in order to accommodate the proposed delivery bay. Even if this hoop were lost, however the remaining 16 spaces would comply with the Council's Standards. (Please note that the recent representation from Cambridge Cycling Campaign is correct in identifying an error in the calculation set out in the Committee report, but is incorrect in stating the number of spaces proposed as only 14).

Conditions:

- J.1 In Condition 4, delete reference to a Traffic Regulation Order (TRO) being in place. (Most recent advice from highway authority is that a TRO would be advantageous, but not strictly necessary, as any new delivery bay would be subject to the existing TRO.) The second part of this condition, following 'so dedicated,' now to read: 'and the delivery bay itself laid out and marked, in accordance with a detailed design previously approved in writing by the local planning authority.'
- J.2 Add as Condition 7: Notwithstanding the drawings submitted, no permission is

hereby granted for an ATM on the application site. Reason: To protect highway safety. (Cambridge Local Plan 2006 policy 8/2)

- J.3 Add as Condition 8: Deliveries to the site shall take place only in accordance with the scheme set out in Paragraphs 4.10 to 4.14 of the Transport Statement by Savill Bird and Axon submitted with the application, unless otherwise agreed in writing by the local planning authority. Reason: To protect highway safety (Cambridge Local Plan 2006 policy 8/2)

Pre-Committee Amendments to Recommendation:

Amend recommendation to read as follows:

APPROVE subject to the following conditions, and subject to no representations objecting to the proposal being received, within the statutory notice period, from the owners of the additional land included in the amended site location plan submitted on 17th October 2011, who were served with a notice under Section 11 of the Development Management Procedure Order on that day.

DELEGATED AUTHORITY is hereby given to officers to issue a decision notice in accordance with the Committee resolution on or after 8th November 2011, provided that by that date, no representations objecting to the proposal have been received from any parties with an interest in the land added to the application site on 17th October 2011. In the event that objections from any such parties are received, the application will be brought before East Area Committee again at a future meeting.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 11/0613/FUL

Location: Rear Of 22 And 23 Kelvin Close, Cambridge

Target Date: 22nd July 2011

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **11/0865/CAC**

Location: Anglia Property Preservation, 1 Great Eastern Street,
Cambridge

Target Date: 16th September 2011

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **11/0351/FUL**

Location: Anglia Property Preservation, 1 Great Eastern Street,
Cambridge

Target Date: 23rd May 2011

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **11/0066/FUL**

Location: 1 Hemingford Road, Cambridge

Target Date: 1st April 2011

To Note: No further update.

Amendments To Text: No further update.

Pre-Committee Amendments to Recommendation: No amendments.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **10/1030/FUL**

Location: 1 Hemingford Road, Cambridge

Target Date: 13th December 2010

To Note: No further update.

Amendments To Text: No further update.

Pre-Committee Amendments to Recommendation: No amendments.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **11/0201/FUL**

Location: 1 Hemingford Road, Cambridge

Target Date: 1st July 2011

To Note: No further update.

Amendments To Text: No further update.

Pre-Committee Amendments to Recommendation: No amendments.

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **11/664/FUL**

Location: 187 Cherry Hinton Road, Cambridge

Target Date: 15th August 2011

To Note:

Summary of Representations

1 Representation was omitted from the officer report:

193 Coleridge Road.

I have attached this letter to the amendment sheet. The issues raised are covered in the original report.

Amendments To Text:

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **11/0659/FUL**

Location: 25A Romsey Road, Cambridge

Target Date: 3rd August 2011

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

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October 24, 2011

Our ref: C 11 024

Councillors of the East Area Committee



Cambridge Cycling Campaign

P.O. Box 204, Cambridge CB4 3FN
Phone: 01223 690718 fax: 07092 376664
contact@camcycle.org.uk
www.camcycle.org.uk

Dear Councillor,

Sainsbury's Mill Road 11/0710/FUL

By way of introduction, Cambridge Cycling Campaign is a non-partisan, local voluntary organisation with 1,000+ fee-paying members. We work with local government and others to improve cycling conditions. Amongst other activities, we monitor planning applications to check for proposals will harm prospects for increasing levels of cycling.

We write to urge you to reject the above application at your meeting on Tuesday 25th October, on the grounds of transport arrangements that do not comply with the requirements of the Local Plan. (For the avoidance of doubt, we have no view on the non-transport –related matters that other objectors may be raising.)

The applicant has proposed delivery arrangements that are not in compliance with the Local Plan policy 8/9 as clarified in paragraph 8.21. It is clear from the correspondence between the applicant and the Highway Authority that the applicant has become more and more desperate to reach approval of an obviously unsatisfactory delivery arrangement, and the final proposal involves theft of public space for a delivery bay that in practice would not actually fit.

Timeline of the proposals

The applicant initially proposed delivery from on Mill Road, to which we strongly objected. This would be the same arrangement as rejected by the Planning Inspectorate for the recent Tesco application. The applicant then proposed a half-width bay. This would leave cyclists at risk and would require taking of the pavement. This too was rightly rejected by the Highway Authority. The applicant then put forward an eleventh-hour proposal for a 'full-width' delivery bay at the expense of the public pavement.

We append a summary of these proposals so that Councillors are clear what is proposed.

Also, we have reviewed the documents supplied by the applicant. We find them to be full of vague claims and flawed arguments. We list these in the appendix.

Issue 1: Lorries simply will not fit in the allocated space

The applicant has proposed a loading bay that simply will not fit an 11m lorry.

Incredibly, the Highway Authority seems not to have verified the suitability of this bay.

A member of our Committee, Jim Chisholm, is an expert on lorry tracking drawings. He is in fact the original author of TRACK, in 1980, software which now, in modified form, is much used to create lorry tracking diagrams to this day.

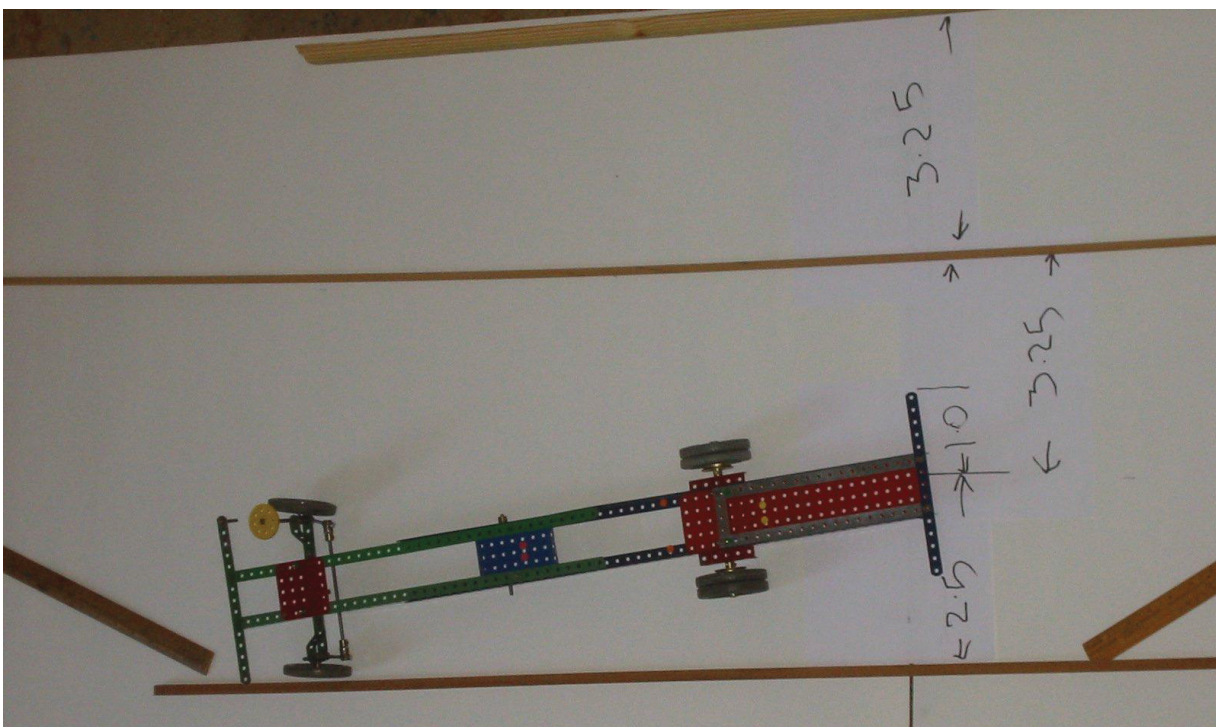
Jim has reviewed the proposals for a delivery bay. His view is as follows:

“When a large vehicle enters a bay like this, it is impossible for the rear wheels to get close to the kerb, unless it either reverses in or the front wheels mount the footway by a significant amount, the first of which is dangerous in a busy area such as this, and the second of which is illegal. A quick test suggests that as the front of the vehicle reaches the point where the bay begins to narrow at the end of the 12m section, the rear will still be sticking out over one metre into the highway. This leaves insufficient space for any car to pass in safety, unless it crosses into the lane for opposing traffic. Such an obstruction is extremely difficult for cyclists to negotiate.

The applicant’s tracking diagrams shown do not seem reasonable unless the vehicle has rear steering, which no such vehicles have. The diagram of the vehicle shown does not look to be that of a typical delivery vehicle, as it shows the axle the same distance from the front and the rear. Normally the front axle is only about 1.5 metres from the front, with the rear axle much further in (say 3.0m). This enables a better weight distribution between the single tyred steering axle and the double tyred rear axles which are permitted to carry greater weight.

How were these diagrams produced?

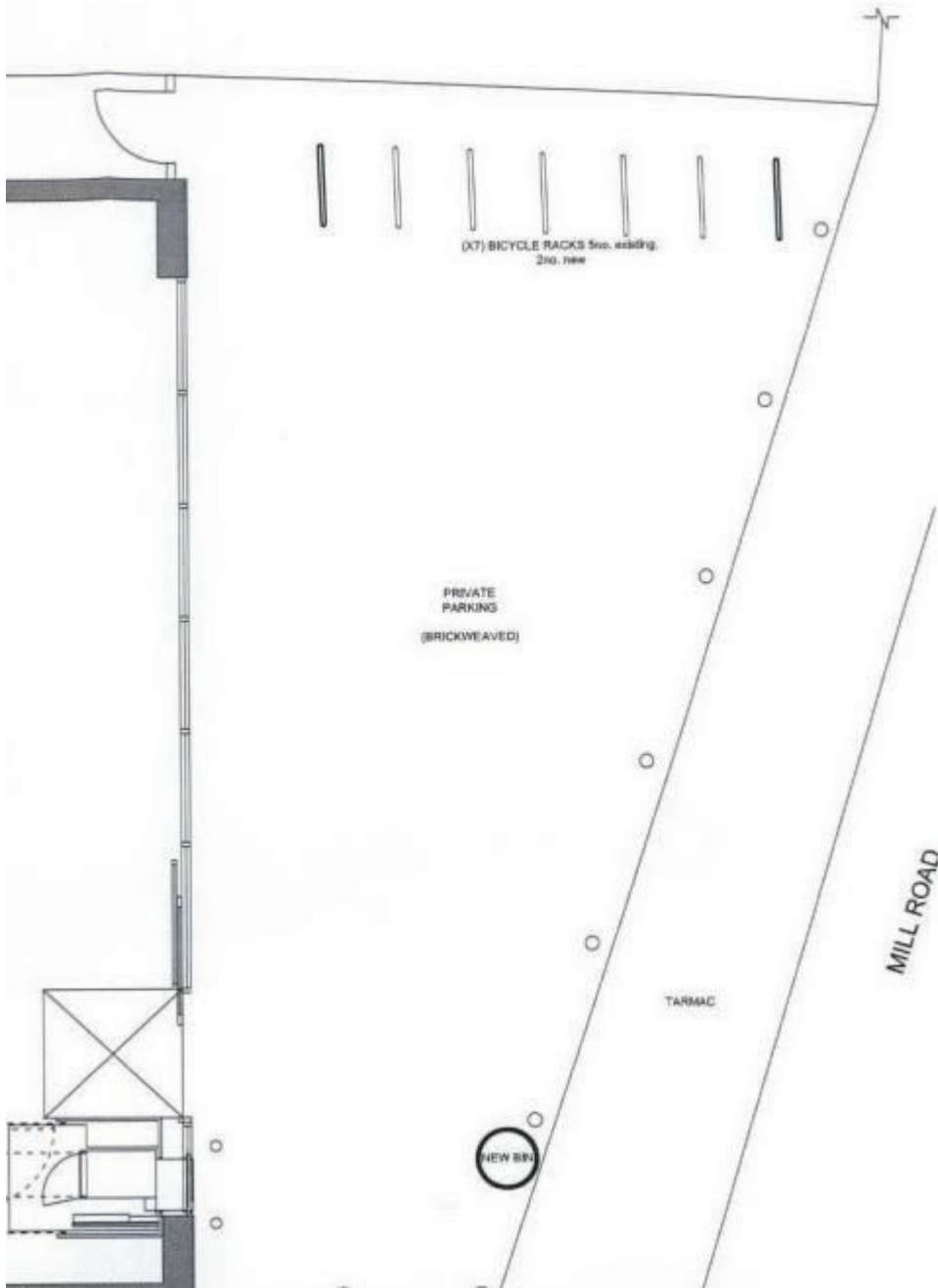
The photo shows that even taking the best line into the bay the rear is still one metre out into the road. The only way I can see to get the rear end tucked in is to have rear wheel steering. I think the photo makes it clear that unless they drive over the footway they can't get the vehicle fully into the bay. The vehicle they draw is not a typical 11m goods vehicle.”



Issue 2: Cycle parking, the tree and bins

The applicant's drawing shows that there will be additional cycle parking, plus a new bin. There is also a tree. Even if the lorry bay were at the unusable length proposed by the applicant, we do not believe there would be space to create the bay between the tree and the right end of the development. Also, it would seem that the cycle parking would not fit.

Also, the Officer report has worked out the cycle parking wrongly. $383m^2/25$ is 15.32, i.e. 16 spaces or 8 stands (not 12 spaces and 6 stands). Both the applicant's diagram and the officer's report have too few spaces.



Issue 3: Theft of the pavement

We feel it deeply inappropriate that, in an obviously desperate attempt to get approval for the application, the applicant has only managed to obtain consent of the Highway Authority by proposing removal and an unprecedented wiggle in the pavement.



The proposal is that people walking along the pavement during the delivery period will face a lorry directly in their way. We can think of no other place in Mill Road or Cambridge where a straight-line pavement has been replaced by a loading bay in the way on a narrow street. We note that the Access Officer has not been asked for views on this obviously pedestrian-unfriendly arrangement. We question whether it would meet the needs of a blind person who would unexpectedly find a lorry in their way.

Outside the delivery period, the majority of the day, they will face a 'hole' in the pavement that they will have to walk around. The Highway Authority has (rightly) made clear that it will not permit a flush pavement delivery arrangement as this would lead to increased pavement parking. Inevitably of course, a delivery bay that is unused for most of the day will result in cars stopping or parking there.

The officer report is highly contradictory. In section 8.29, where the officer discusses the initial proposal (no delivery bay), the officer states:

"The highway authority's view on front-of-site servicing without a delivery bay is that this would inevitably lead to servicing vehicles being parked on the footway, partly obscuring the footway, and partly blocking the carriageway"

The later proposal, which will block the pavement in exactly the same way, is then judged to be acceptable for some reason:

“The applicants have subsequently proposed a full-depth delivery bay on Mill Road, enabling the delivery vehicle to be drawn fully off the carriageway, and thus maintaining the full current width during deliveries. The highway authority’s advice on this is that it is a solution which would resolve their concerns about highway safety [...]”

This is against the Highway Authority’s policy of a hierarchy of provision that puts the needs of pedestrians and cyclists before motor vehicles.

The applicant has even (somewhat carelessly) included a section of the Manual For Streets 2 guidance which makes clear the problem:

MfS2, para 11.1.7: “On-street servicing bays [...] Where they are designed as lay-bys, they can be difficult to keep clear of parked cars and take space away from pedestrians”

In summary, the delivery bay will steal pavement space, to detriment of pedestrian interests, and effectively create car stopping space instead which will endanger cyclists.

We wish to record our dismay that the County Council should be consenting to an obviously pedestrian-unfriendly proposal.

Non-compliance with the Local Plan

Cambridge Local Plan¹ policy 8/9 (Commercial Vehicles and Servicing) clearly states:

“Development proposals will make suitable provision for any required access and parking by service and delivery vehicles.”

This is clarified in paragraph 8.21 with the requirement that:

“Service and delivery vehicles that park on the highway can cause an obstruction to other road users. Therefore any development that will require regular loading or servicing must avoid causing illegal or dangerous parking, by providing appropriate off-street facilities.”

We would contend that provision of a bay which will not actually fit a lorry and theft of pavement space, does not constitute “appropriate off-street facilities” or “suitable provision”. The proposal is therefore not compliant with policy 8/9 and should be refused.

In conclusion

The East Area Committee should reject the application. We cannot see any way in which an intensive delivery regime of the nature required by this kind of development is compatible with the present site

We suggest that the applicant has failed to perform due diligence on the appropriateness of the site. It is not the role of the Councils to reallocate public space, from an already poor pedestrian environment to a lorry delivery bay, in this most heinous manner.

Yours sincerely,
on behalf of Cambridge Cycling Campaign,

Martin Lucas-Smith,
Co-ordinator

¹ <http://www.cambridge.gov.uk/public/docs/Local%20Plan%202006.pdf>

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Sainsbury's Mill Road 11/0710/FUL: Vague claims and flawed arguments in the applicant's documents

20/Jun/2011 11_0710_FUL-TRANSPORT_STATEMENT-614142.pdf

1. Delivery within 15 minutes

The applicant claims that the main delivery will be a 11m rigid vehicle "on site for approximately 15 minutes". No evidence has been provided for this. Tesco's proposals for on-street deliveries proposed deliveries of 41 minutes each. We feel it is unlikely that Sainsbury's delivery could be almost one-third the period of the nation's leading supermarket retailer.

One of our Committee members previously worked as a supermarket delivery driver. In discussion, he stated that

"any suggestion of daily depot deliveries taking any less than 45 minutes is completely unrealistic. The driver would need to be assisted by a number of on site staff and be familiar with the site to achieve even that, and 60+ minutes is probably more likely in practice - meaning that the deliveries would still be taking place right as the morning peak period commences, even if the delivery starts on time.

"It actually takes longer to deliver to front of store, as there isn't a secure loading dock to hold the deliveries on - each cage needs to be taken into the store as it is unloaded, which takes at least twice as long.

"It seems to me that whoever came up with that 15 minute figure cannot have ever even watched a delivery, much less made one! To do it in 15 minutes would need a guaranteed vacant level unloading dock with ramp (so you don't lose time waiting to get in or using a tail-lift) and a dedicated staff to take the goods from the driver as fast as he could get them off the truck. Even then it would be tight."

The Highway Authority later said "Further information is requested to verify the applicant's estimate of time of stay of their own servicing vehicles.". We can see no evidence that this has been provided.

2. Lack of servicing restrictions

The applicant says

"It is suggested that if an existing problem regarding deliveries was known servicing restrictions would have been modified to control and prevent on-street serving from being permitted"

There are no premises at present along this side of Mill Road in this stretch that would require the level of servicing that would be required for a store of this nature. Accordingly, there would be no reason to implement such a restriction.

In practice there are problems caused by existing deliveries, but we assume that the Highway Authority's clear backlog of other work has meant that this issue has not risen to the top of its agenda yet.

3. Applicant believes narrowness of Mill Road has no effect on high collision rate

The applicant claims, with respect to the high collision rate here:

“Retail use has little if any bearing on the number of accidents or occurrence”

“No trend that could be identified with regards an issue relating to actual highway infrastructure”

Any reasonable person would find it perfectly obvious that the narrow and very busy nature of the road creates an environment where more conflict between users is created. It is obvious that, with a high number of cyclists and pedestrians, that if there was more space, there would be fewer collisions.

Mill Road is an accident cluster site. The applicant’s suggestion that the narrow highway and that existing delivery practices have no effect on the high level of collisions cannot explain the unusually high level of collisions.

4. Applicant’s view of lack of congestion relies on illegal pavement parking

The applicant states in section 2.38 that “limited if any congestion is caused” by existing deliveries to traders. We strongly disagree – the existing deliveries do cause safety dangers and delays, as any reasonable person observing Mill Road would be aware of.

In making this assertion, the applicant shows photos in Appendix 2. However, the picture clearly shows vehicles breaking the law by having driven on the pavement. In this way, these vehicles have lowered delays to other road users but created pedestrian danger.

Mill Road Kerbside Survey Screenshots: Thursday 12/05/11



09:54 OGV1 South Delivery



11:04 LGV South Delivery



15:03 LGV South Delivery

12/Oct/2011 11_0710_FUL-RESPONSE_TO_HIGHWAYS_COMMENTS-711591.pdf

5. Applicant claims that servicing is no different to the Pool club

“the servicing proposals are no different to the existing Snooker/Pool Club use”

We would submit that the nature of a Pool Club is very different to that of a supermarket. The delivery intensity of the latter is considerably greater. In fact, the Officer agrees:

“8.29 [...] I share the highway authority’s view that the greater intensity of servicing required by the proposed A1 use represents a significant worsening of the situation”

6. Sainsbury’s delivery is shown breaking the law on St Andrew’s Street

The St Andrew’s Street branch is mentioned, with the applicant stating:

“vehicles stop on-street and do not cause any congestion”

The screenshot given for 26th July clearly shows a van having driven on the pavement, which is illegal.

St Andrews, Cambridge – 26th July Screenshots



12/Oct/2011 11_0710_FUL-VECTOS_-_RESPONSE_TO_HIGHWAYS_COMMENTS-711619.pdf

7. Applicant’s believes St Andrew’s Street store is comparable

The applicant claims that:

“St Andrew’s store ... is considered a very close comparison site”

Mill Road is a busy district road with lots of through car traffic, and cyclists (as the counts show), whereas St Andrew’s Street is not. St Andrew’s Street is subject to bollard-based

control, and so the only vehicles going there would be buses, authorised taxis, cycles and vehicles emerging from the Lion Yard car park. At 7-8am it is very unlikely that many vehicles would be leaving a car park.

8. Little servicing claimed – but there are no other shops

“on the northern kerbside adjacent the proposed Sainsbury’s site very little servicing takes place”

But at present, there are no shops requiring heavy servicing, so this is hardly surprising.

9. Applicant believes driving on the pavement is legal

“existing vehicles therefore stop on Mill Road’s carriageway or on part of the footway which while entirely permitted under existing regulations is not deemed acceptable by Cambridgeshire County Council”

Driving on the pavement is in fact a clear offence in the Highway Code. Whilst the police are poor at enforcing this due to a poor legislative framework, it surely cannot be permissible to allow new developments to rely on illegal behaviour.

Delivery vehicles also damage the pavement, imposing costs on the Highway Authority, as pavements are not reinforced to the same extent as roads.

10. Applicant claims that the pavement is being narrowed 'very modestly'

“in line with Sainsbury’s best intentions and community responsibilities they propose that a half lay-by be constructed adjacent 103 Mill Road”

“To provide such a facility it is proposed to very modestly narrow the adjacent above average width footway close to 103 Mill Road”

The latest proposal, total removal of the pavement is not “Very modestly” narrowing it.

We do not feel “community responsibilities” are compliant with creation of inconvenience and danger for pedestrians and cyclists.

11. Two cars passing a lorry partly on the road does not leave ample width

The applicant presents a diagram showing that their half-width bay:

“allows two large cars (based on a Bentley chassis) to pass each other on Mill Road with ample width.”

This does not accord with reality, as any reasonable person observing Mill Road would know.

12. Applicant admits that on-road loading would be problematic

The applicant claims:

“Without Sainsbury’s proactive stance there would be no catalyst to create such a loading facility and therefore provide a more acceptable manner in which servicing can take place”

We take this as an admission that the applicant’s initial proposal to deliver on-street would be problematic. Given this, why did they propose it in the first place?

12/Oct/2011 11_0710_FUL-RESPONSE_POLICY_ISSUES-711604.pdf

13. Local Plan claimed to be less relevant than a document which is not yet passed parliament

This document quotes the draft National Planning Policy Framework and infers that this makes the Local Plan document out of date.

The Local Plan is in fact was instituted only 5 years ago, and the NPPF is only in draft, is currently in consultation, and has not been passed by parliament.

13/Oct/2011 11_0710_FUL-RE_DELIVERIES-711562.pdf

14. Applicant implies that the Manual For Streets 2 would agree to a diverted pavement

9. “This loading bay has been designed and embedded within the footway and directly accords with guidance from Manual for Streets 2 (CIHT, London, 2010) an excerpt of which is included at Appendix 2 for ease of reference.”

This selective quoting fails to make clear that the Manual For Streets 2 would regard a pavement with a gap in it as unacceptable. In fact, the applicant (perhaps carelessly) includes a quotation from Manual For Streets 2 which makes clear that the applicant’s proposals would create problems:

MfS2, para 11.1.7: “On-street servicing bays [...] Where they are designed as lay-bays, they can be difficult to keep clear of parked cars and take space away from pedestrians”

This is exactly the problem that the applicant will create.

15. ‘Equivalent’ Goodge Street bay has cars parking in the loading bay and shows a lorry that does not fit

“11. In addition to the MfS2 guidance, photographs of a similar bay at Goodge Street, central London, which itself has an extremely high pedestrian footfall, are also included at Appendix 2.”

The illustration given appears to show a non-delivery vehicle parked in a delivery bay, a problem we expressly raise above.

The bay concerned can be viewed on Google Street View. Note how the lorry does not fit, a problem which we also explicitly raise in our objection.

The pictured bay is also of a different nature to what is proposed on Mill Road. Note that there is a straight pavement which contains an additional delivery bay. On Mill Road, the applicant proposes removing the pavement and diverting pedestrians around it onto their land, which is a different arrangement.



Summary of delivery proposals for 11/0710 Sainsbury's Mill Road

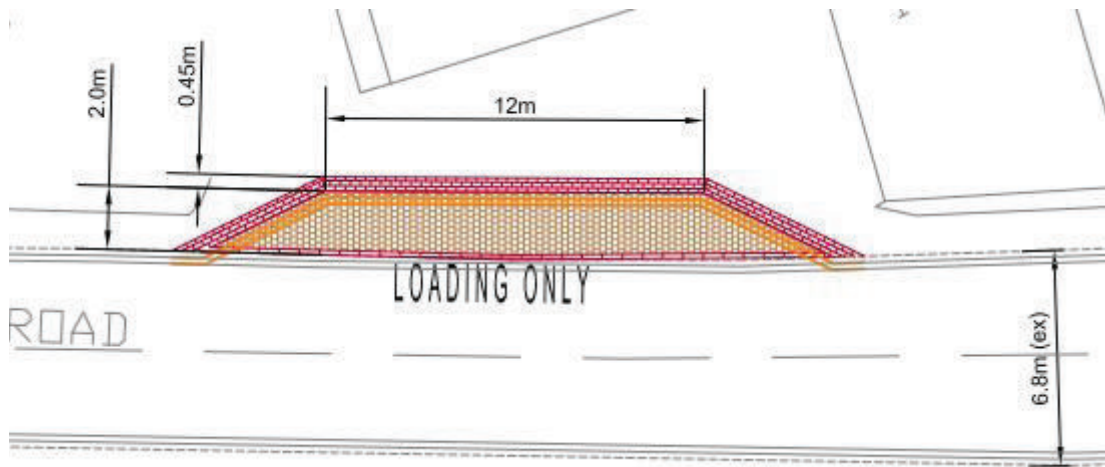
Application is 11/0710/FUL at <http://idox.cambridge.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=LNGGOGDX03Q00>

MAKE SURE YOU USE THE ABOVE LINK FIRST BEFORE FOLLOWING LINKS BELOW

1. Applicant proposes delivery on-street, which is permitted under delivery arrangements.
2. Highway Authority objects to this and recommends refusal.
15/Jul/2011 (actually 6th July)
[11 0710 FUL-HIGHWAYS ADVICE-633777.doc](#)
3. Applicant proposes half-width bay, taking half the pavement, as follows:
Dated 12/Oct/2011 (but presumably earlier):
[11 0710 FUL-VECTOS - RESPONSE TO HIGHWAYS COMMENTS-711619.pdf](#)



4. Highways refuse half-width bay on basis of vehicle projecting into carriageway would result in two cars trying to pass a cyclist.
11/Oct/2011:
[11 0710 FUL-HIGHWAYS-711625.pdf](#)
5. Applicant proposes full-width bay, taking all of pavement and using applicant's land and City Council land to create pavement around it.
13/Oct/2011
[11 0710 FUL-RE DELIVERIES-711562.pdf](#)



6. Highway Authority says: “the issue is not seen as insurmountable, and so is not one that would make your proposal unacceptable”. States not keen on a flush pavement as that encourages parking.

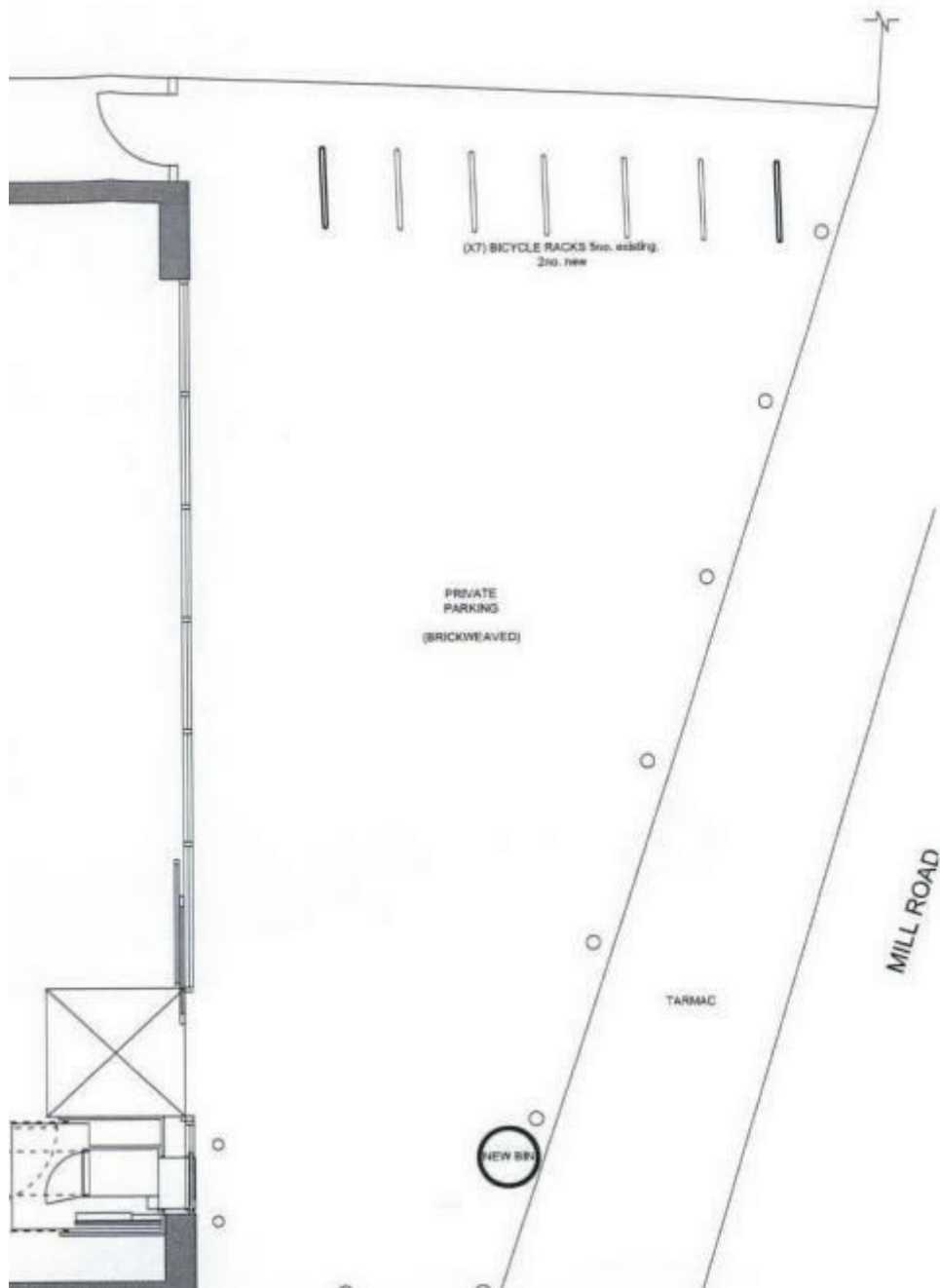
14/Oct/2011

11_0710_FUL-DELIVERY_BAY-713504.eml

7. Note that:

- a. Highways does not question the rerouting of a straight pavement in this way, which is not walking/disability -friendly
- b. Highways does not assess the realism of a 12x2m bay or the issue of the tree to the left of it or the cycle parking being in the way. See photo and diagram below. This will mean vehicles overhanging the road still.





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John Evans
Cambridge City Council Planning Department
The Guildhall Cambridge CB2 3QJ

PLANNING APPLICATION REFERENCE 11/0664/EXP - 187 CHERRY HINTON ROAD

John,

Thanks for your help with the various documents.

I would like to register my objections to the renewal of 08/0125/FUL, 11/00664/EXP. I don't think that the Council should approve this application because it's overdeveloped: it's trying to fit too many people into a small space with very poor access.

1 Appeal Conditions

I assume that all the conditions listed in the Appeal Decision¹ would be incorporated in any future approval. If this is not so then I'll repeat the original design problems, some of which those conditions address.

Most of the conditions are only necessary because of the extremely cramped nature of the design. For example preventing occupants extending the houses acknowledges that the designs don't provide the space families will need².

2 Updated Plans Following Appeal

Without plans describing *what will actually be built*, the developer cannot demonstrate that there is sufficient space on the site to accommodate the development, and I'm commenting on something which is not drawn on a plan. I believe it's the responsibility of the developer to show how all this is going to fit: that has not been done.

We have already demonstrated that the existing plans *do not work*. For example the existing plans for the houses use bicycle racks which are 2/3 the council's required size; the bins are much smaller than real "family" bins; there is insufficient space to turn a buggy or hang out washing; the access arrangements don't work.

3 The Appeal and Planning Policy Statement 3

I feel that the inspector did not adequately take into account the serious planning issues raised by the Planning Committee³ regarding this application. Planning Policy Statement 3⁴ states (clause 73):

"There is no presumption that planning permission should be granted because of a previous approval, particularly if the original permission proposal did not deliver the policy objectives of this PPS.

There are multiple places where the design fails to meet the objectives of PPS3, for example clauses 13 and 16. Clause 17 makes it clear that "family" houses have *additional requirements*, which this proposal clearly doesn't deliver.

Clause 49 states:

"intensification need not mean high rise development or low quality accommodation with inappropriate space"

This application clearly falls short of the ambitions of PPS3 and the Cambridge Local Plan, sacrificing space and amenity value for the residents and neighbours whilst providing inadequate access.

The site should have been appropriately developed years ago: it needs a plan supported by those of us who will have to live with it and also the families who'll have to live in it. This is not that plan.

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