

11TH JULY 2012

PRE-COMMITTEE AMENDMENT SHEET

PLANNING APPLICATIONS

Circulation:

Item:	Agenda Item 5
Application Reference:	07/0003/OUT & S/0001/07/F
Subject/Title:	07/0003/OUT - Land Between Huntingdon Road And Histon Road Cambridge CB3 0LE & S/0001/07/F - Land west of Histon Road Cambridge
Target Date:	11 July 2012
To Note:	Correction of title to Appendix D (see item 1A below) Report of representation received (See item 2 below)
Amendments To Text:	Minor corrections of wording of conditions 2, 11 and 17 (see item 1B below)

1. **Errata: Appendix D proposed conditions relating to S/0001/07/F**

A) The title of the Appendix is given as "NIAB 2 proposed conditions". No application for NIAB2 has been submitted. The conditions relates to the South Cambridgeshire District Council element of the NIAB1 development. See Appendix A site boundary plan for identification.

B) **Minor corrections of wording of conditions 2, 11 and 17 on S/0001/07/F**

2 The development hereby permitted shall be carried out in accordance with the following approved plans: Figure 3.1 Land Use Rev I, Figure 3.3 Landscape Rev G, Figure 3.4 Access Rev H, Figure 3.6 Urban Design Framework Rev 5, 93681/OS/049/1 Rev K, 93681/OS/049/2 Rev K and 93681/OS/049/3 Rev K.

Reason: To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

11 There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 10:00 hours and 14:00 hours on Monday to Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays, unless otherwise agreed in writing by the Local Planning Authority pursuant to criteria D of the Construction Environmental Management Plan within condition No. 8.

Reason: To protect the amenity of the adjoining properties and to ensure that the surrounding transport network is capable of accommodating the construction traffic in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.

17 Prior to the commencement of development, a Detailed Waste Management Plan (DWMP) shall be submitted to and approved in writing by the

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Local Planning Authority. The DWMP shall demonstrate how the construction accord with the detail of the principles of the Outline Waste Management Plan. The DWMP shall include details of:

- a) The anticipated nature and volumes of waste.
- b) Measures to ensure the maximisation of the reuse of waste.
- c) Measures to ensure that effective segregation of waste at source including waste sorting, storage, recovery and recycling facilities to ensure the maximisation of waste materials both for use within and outside the site.
- d) Any other steps to ensure the minimisation of waste during construction.
- e) The location and timing of provision of facilities pursuant to criteria b/c/d.
- f) Proposed monitoring and timing of submission of monitoring reports.
- g) The proposed monitoring and timing of submission of a Waste Management Closure Report to demonstrate the effective implementation, management and monitoring of construction waste during the construction lifetime of the development.

Unless otherwise agreed in writing, thereafter the implementation, management and monitoring of construction waste shall be undertaken in accordance with the agreed details and no individual building subject to a Detailed Waste Management Plan shall be occupied until the Waste Management Closure Report has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the sustainable management of construction waste and in accordance with Policies CS28 and CS29 of the Cambridge and Peterborough Minerals Plan 2011 and the Recycling in Cambridgeshire and Peterborough (RECAP) Waste Design Plan SPD 2012.

2. Representations received

Following notification of local residents 1 letter has been received. The main content is as follows:

"I have four reasons to be very worried indeed about this proposed building:

- 1) The already high water table at our properties which means that there is no leeway for this to be raised.
- 2) The contrast between Caroline Spelman's advice re building on land at risk of flooding and this planning application.
- 3) The fact that our lower houses are not listed as such on plans, and probably not therefore adequately protected.
- 4) The absence of comment about the removal of the ditch, which currently protects our properties.

My property has never flooded so that it would clearly be the responsibility of the council and developers if it did so after this development. Somebody suggested that the water table might even be lower after all the sustainable urban drainage measures are in place and that drainage might be better checked for the whole area, in which case I shall be delighted and, if you are

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sure of those things, my concerns would vanish. However, unless that it the case I remain very concerned indeed, as do the neighbours with whom I have spoken.”

Officer comment:

The site is not liable to flooding (as defined by the NPPF) and the outline application does not provide the information which will need to be submitted in accordance with conditions to be attached to the permission. The City Council’s Sustainable Drainage Engineer has been working with specialist acting on behalf of the developer to develop an appropriate strategy. There is no change in circumstances concerning drainage and therefore no alteration to the recommendation.

3. **Agent’s letter**

A letter has been received from the Agent raising concern about proposed amendment to condition 29 (see Appendix C page 34). Officers remain of the view that the condition should be worded as printed in the Appendix (i.e. increasing the requirement from code level 3 to level 4).

A copy of the agent’s letter is appended for information.

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Your ref:

MLW

Our ref: 01223 559305

dt: 01223 559436

e: marcia.whitehead@bidwells.co.uk

Date: 9 July 2012

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Dear Sharon

Mixed Use Development comprising up to 1593 dwellings, primary school, community facilities, retail units (Use Classes A1, A2, A3, A4 & A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works – NIAB 1 Land between Huntingdon Road and Histon Road, Cambridge

I write with reference to the Report prepared for the next meeting of the Joint Development Control Committee on 11 July 2012 in relation to the NIAB 1 site and would ask that the following matter be given further consideration.

Paragraph 6.2 of the Report details comments received from your Council's Sustainability Officer in relation to Code Level 4 and as a consequence, it is noted that Condition 29 of the Decision Notice relating to application C/O7/0003/OUT has been revised in its entirety to delete reference to the development securing Code Level 3 and instead the entirety of the development achieving a minimum of Code Level 4.

Such an approach is not supported by your Council's adopted policies nor indeed any other policies of relevance. It is accepted that your Issues and Options Consultation document, in relation to your emerging Local Plan, does highlight this issue as an option for consideration but at this point in time, your Council's evidence base has in no way been open to any form of scrutiny. Such an approach is therefore entirely premature and one which is not considered appropriate. Furthermore, the entire viability of the NIAB 1 scheme and its delivery is based on the provision of dwellings to meet Code Level 3 and this work will need to be revised if Code Level 4 is to be achieved. Furthermore, impending changes to the Building Regulations will require development standards to increase and therefore this is a far more appropriate mechanism for securing such improved standards rather than a blanket Code Level 4 condition.

Paragraph 8.25 of your report comments that it would appear to be Officers' intentions to amend Condition 29 to require Code Level 4 only in conjunction with the policies which emerge from the new Local Plan, once it is adopted. This approach would be entirely acceptable and indeed is the mechanism which is currently built into Condition 28. It is therefore suggested, that Condition 29 be similarly amended to acknowledge the provision of residential buildings at Code Level 3, rising to Code Level 4 when there is a relevant adopted Local Plan policy. This approach is entirely consistent with the approach adopted on the other growth sites and is considered reasonable in all respects.

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BIDWELLS

I would be most grateful if you could draw the content of this letter to the attention of the Committee Members.

A large, dark, irregularly shaped redaction mark covering the signature area.

Marcia Whitehead BA (Hons) DMS MRTPI
Partner

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