

PLANNING COMMITTEE MEETING – 4TH MARCH 2015

Amendment/De-brief Sheet

MAJOR APPLICATIONS

OFFICER NOTE

In the light of a decision involving Oxfordshire County Council at the High Court the Council is no longer able to seek contributions towards the costs of monitoring planning obligations.

I have set out a summary of the decision below.

The effect of this judgement is that we need to remove the clauses relating to monitoring costs from draft s106 Agreements and should be referring to them in relation to reasons for refusal on grounds related to the Planning Obligations Strategy.

The following items on this agenda are affected by this change:

Agenda Item 5 Paragraphs 8.154 and 8.155 deleted and reference to monitoring costs removed from recommended reason for refusal 5.
Agenda Item 7 Paragraphs 8.50 and 8.51 deleted.
Agenda Item 10 Paragraphs 8.68 and 8.69 deleted

Where necessary amendments have been made to recommendations as set out on this Amendment Sheet.

Summary of High Court Decision

In Oxfordshire County Council v Secretary of State for Communities and Local Government and others [2015] EWHC 186 (Admin) the High Court has considered whether monitoring costs included as a planning obligation in a section 106 agreement were "necessary to make the development acceptable.

The High Court has held that the administrative and monitoring costs incurred by a local planning authority (LPA) in ensuring that planning obligations were observed were not capable of being a planning obligation in their own right.

It is part of the normal, everyday functions of an LPA to administer, monitor and enforce planning obligations in section 106 agreements. The payment of a monitoring and administration fee listed as a planning obligation in a section 106 agreement could not be recovered. The planning obligation failed the test in regulation 122 of the Community Infrastructure Levy Regulations 2010 (SI 2010/948) as it was not "necessary to make the development acceptable in planning terms". (Oxfordshire County Council v Secretary of State for Communities and Local Government and others [2015] EWHC 186 (Admin).)

CIRCULATION: First

ITEM: 5 APPLICATION REF: **14/1496/FUL**

Location: Land At 315 - 349 Mill Road

Target Date: 12.01.2015

To Note:

-The Council's Environmental Health Officer, Sustainability Officer and Sustainable Drainage Engineer have responded to the application. No further comments are given regarding the amendments.

-The Council's Access Officer has responded to the amendments with regard to the increase in disabled car parking spaces. He has stated:

'... The applicants have suggested proposing 5 Blue Badge parking spaces on site, 2 to be marked and space for 3 more. Though these 5 spaces do not meet the requirement of one parking space for every room for disabled student, I believe given everything 5 spaces is acceptable. However, I feel 5 spaces should be marked and only 2 used initially. If space is set aside for Blue Badge parking but never marked during the lifetime of the usage people may forget that space has been set aside for blue badge parking.'

If I was minded to recommend approval, this element of the scheme could be conditioned.

-I have received 16 response cards addressed to me from residents in support of the proposal. All of the cards state 'I support the proposals by McLaren Property to redevelop 315-349 Mill Road, to provide new purpose-built student accommodation (application reference 14/1496/FUL)'. The cards are from the following addresses:

- 9 Cyprus Road
- 46 Fulbourn Road
- 45 Glebe Road
- 25 High Street, Bluntisham
- Hunts Mill, Fulbourn
- 11a Marmora Road
- 12 Marmora Road
- 18 Marmora Road
- 10 Mill Road
- 297 Mill Road
- 300-302 Mill Road
- 301 Mill Road
- 305 Mill Road

- Rideaway Drive, Hemingford Abbots
- 32 Suez Road

High Court decision ref. monitoring costs: Delete paragraphs 8.154 and 8.155.
Reason for refusal 5 on page 113 of the report includes reference to monitoring contributions which needs to be removed as part of the formal recommendation (see below)

Amendments To Text:

Pre-Committee Amendments to Recommendation:

Amended reason for refusal 5 to read:

‘The proposed development does not make appropriate provision for: indoor sports or formal outdoor open space provision to mitigate the need arising from the site; transport mitigation (ECATP); and monitoring contributions in accordance with Cambridge Local Plan 2006 policies 3/8, 8/3 and 10/1, the Planning Obligation Strategy (2010), the Open Space Standards Guidance for Interpretation and Implementation 2010 and the Eastern Corridor Area Transport Plan 2002.’

DECISION:

CIRCULATION: First

ITEM: 6 APPLICATION REF: **14/1697/FUL**

Location: Anglia Ruskin University, East Road

Target Date: 06.02.2015

To Note:

7.0 – Representations:

Additional comments have been received from:

49 Norfolk Terrace
51 Norfolk Terrace
59 Norfolk Terrace
63 Norfolk Terrace
28 Broad Street

The representations can be summarised as follows:

- The proposal is still too big and bulky in relation to Norfolk Terrace;
- Disruption and reduced access to our residential area (Broad Street);

- Noise pollution during construction;
- Reduction in light to our property and reduction in value to our properties;
- Increase in mice and other vermin;
- Plumbing problems and increase in dust and dirt;
- Over-looking;
- Lack of aesthetics/out of character with the Victorian homes.

-The applicants have prepared an additional section to illustrate the relationship between the proposals and those properties on Norfolk Terrace (attached), to demonstrate that the scale and massing of the proposed development is appropriate and will not result in adverse impacts to local residents.

Case Officer response:

The proposal, in terms of the scale and design, remains unchanged and therefore my assessment of context and design remain as explained within paragraphs 8.6 – 8.9 of my report.

Paragraph 8.25 in my report assesses the impact of additional noise and disturbance from construction traffic. I understand that there is concern about reduced access and general disruption. Recommended condition 17 seeks to deal with this and ensure that any disruption is kept to a minimum.

Further to condition 17, I would also recommend a further informative to refer to the Considerate Contractor Scheme:

Informative 23:

New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers-by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).

In terms of the impact on light to residential properties, I have covered this issue in paragraph 8.24 of my report. Impact on property value is not a material planning consideration.

In terms of the potential increase in mice and vermin, this cannot be controlled under planning law.

In terms of plumbing problems and dust and dirt; plumbing is not a material planning consideration. However, dust is a material planning consideration in terms of environmental control. In order to control dust, I have recommended condition 10 which requires a programme of measures to minimise the spread of airborne dust from the site during demolition and construction.

In terms of over-looking, it is accepted that there will be more windows facing residential properties including, and beyond, Broad Street towards Norfolk Terrace. These windows mainly serve office rooms where they would be occupied by small groups of people (2-4 people). They are also the least noisy areas, as the laboratory, lecture theatre and circulation areas are orientated inwards towards the campus and integrated within the building. Some windows along the north elevation are high level and well above head height and some do not serve a particular room and are there to allow light into the building only. As already described, the proposed building has a stepped roof approach which means that the windows, above the 2.5 storey level, are also stepped back. This brings the line of view further away from neighbouring properties, and at a level which I consider is acceptable from a neighbour amenity point of view. I do not consider that the bulk or massing of the building would unduly enclose the neighbours at Norfolk Terrace. I accept that those at Norfolk Terrace are at a lower ground level than the buildings on ARU. However, because of the way in which the proposed building is broken up at each storey level, I consider that the impact is not significant. Furthermore, the scale of the building concurs with the agreed Masterplan, and would be no higher than other academic buildings on the campus.

In terms of character, I have assessed this under paragraphs 8.6 – 8.9 and 8.12 – 8.14 of my report.

In response to the comments made by neighbours about loss of light, the agent has submitted a further shadow diagram showing the impact at the June 21st Equinox at 4pm, 5pm, 5.30pm, 6pm, 6.30pm and 7pm. I attach a copy for information purposes. The shadow study demonstrates that during the peak of the equinox period, the impact on neighbouring properties is minimal and not significant to warrant refusal, in my view.

Paragraph 8.15: Public Art. To clarify, the Public Art Strategy, as submitted, indicated that public art works would not amount to the required 1% of capital construction costs. However, in order to comply with the Public Art Strategy the applicants have agreed in writing a willingness to comply with the 1% requirement.

Amendments To Text:

Paragraph 8.6: The proposal would result in the demolition of the Bryant building which is a **single storey building** and the Mellish Clark building which is a **3 storey building**.

Paragraph 8.6: **113%** increase in floor space, not 13%.

Paragraph 8.22: In terms of outlook, the occupiers of the Broad Street dwellings would see a noticeable change in the Broad Street frontage from a **single storey building** to a 2.5 storey building.

Informative 21 – To satisfy condition **11** (plant noise insulation).

Pre-Committee Amendments to Recommendation:

Condition 4: Prior to the commencement of development (**or within a timescale that shall be submitted to and agreed in writing by the Local Planning Authority**), with the exception of any works of demolition or below ground works, a Public Art Delivery Plan and Public Art Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority.

Condition 10: Prior to the commencement of development, a programme of measures to minimise the spread of airborne dust from the site during the demolition/construction period shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Add informative 23 relating to Considerate Contractors Scheme.

DECISION:

CIRCULATION: First

ITEM: 7 APPLICATION REF: **14/1740/FUL**

Location: Doubletree By Hilton, Granta Place

Target Date: 27.02.2015

To Note:

For the purposes of clarification of paragraph 8.8, the proposed materials are the same as those proposed in the previous 2013 application.

Reference to concrete sandwich panel needs to be removed.

Amendments To Text:

Para8.8 'the main difference from the previous scheme is the proposed use of zinc panel cladding with gault facing brick on the second and third floor. The proposed materials would be used to over clad the existing terracotta tiled bays and recessed balconies. Other than this, the proposed scheme is the same in terms of scale and room numbers as the previous scheme.'

Paragraph 8.8 should read:

'the main difference from the previous scheme is the proposed use of zinc panel cladding with gault facing brick on the second and third floor. The proposed materials would be used to over clad the existing terracotta tiled bays and recessed balconies. The proposed scheme is the same in terms of scale and room numbers as the previous scheme.'

Paragraph 8.9 – delete reference to ‘polished concrete sandwich panels’.

High Court decision ref. monitoring costs: Delete paragraphs 8.50 and 8.51.

Pre-Committee Amendments to Recommendation:

Condition 3 has been repeated twice (Condition 3 and 4). Therefore condition 4 needs to be deleted.

Conditions 15 (Archaeology) and 16 (Contamination) need to be removed as the proposal does not require ground works and therefore are not necessary.

DECISION:

CIRCULATION: First

ITEM: 8 APPLICATION REF: **14/2090/S73**

Location: The Edinburgh Building, Shaftesbury Road

Target Date: 25.03.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: 9 APPLICATION REF: **14/2093/REM**

Location: The Edinburgh Building, Shaftesbury Road

Target Date: 25.03.2015

To Note:

I apologise for the lack of paragraph numbers in part of my report

Paragraph 2.5 – A response to the Design and Conservation Panel (D and C Panel) has been submitted. The views of the architects are as follows:

Panel comment:

Elevational Treatment Shaftesbury Road Elevation, northern block. The Panel expressed some disappointment that the designers were not tempted to modulate the Shaftesbury Road elevation using means other than a set-back between the main element and the 'gable' end to the return on the north side of the entrance courtyard. There is an opportunity to play with the elements of light and shadow here and to add subtle variation using a variegated brick

Architects response:

Overall the building has a great variation in the massing arrangement to relieve any sense of it being monolithic. The scheme incorporates variation in building height, a variety of garden and courtyard spaces of differing scale and treatment, and a slender tower to visually anchor the arrangement.

Along Shaftesbury Road the elevation is broken into sections to further break down the impact of the scheme. In the centre the main entrance courtyard separates the northern elevation and the southern elevation. The northern and southern parts are not aligned, and the southern elevation is set at an angle so it recedes from view in the perspective from the gates on Shaftesbury Road. Notwithstanding this very varied arrangement the design uses a common set of materials and details. It is important that there is a consistency to the detailing to reinforce the sense of the whole as a single group of buildings.

The base piers to the façade onto Shaftesbury Road incorporate a rusticated treatment to the brickwork. It would be possible to develop this detail to create more texture or variegation, by changing the way the bricks are laid or coursed.

Panel comment:

Entrance Courtyard - Link building. The design team were encouraged to consider a syncopated placement of the fins rather than the regular spacing proposed. The Panel supports the inclusion of the link building within the area of public art provision and would like to see the art brought to ground level, so as introduce some additional interest and colour to this space.

Architects response:

We share the enthusiasm for the incorporation of artwork into the elevation of the link building. The detail and extent of this will be developed following the approval of the Public Art Strategy and the appointment of the artist.

Panel comment:

Entrance Courtyard – north and south elevations. Panel were of the view that the entrance courtyard would benefit from a subtle change in elevational treatment in place of the continued repetition of the treatment used for the Shaftesbury Road

elevation. Consideration might be given to repeating the treatment currently used for the 'gable' end to the Shaftesbury Road return on the block forming the north side of the entrance courtyard.

Architects response:

In response to the panel's observations concerning the elevations to the north and south of the entry court, we have looked at a number of alternatives to create further differentiation. The submitted suggestion (drawings TTP-EPA-ZZ-XX-DE-A-0005 and TTP-EPA-ZZ-XX-DD-A-0038) includes pre-cast elements within the first to fourth floor landscape proportioned window openings. Whilst this undoubtedly creates difference, we feel that it is an unnecessary addition to the elevations and express our preference for the original and simpler order.

Panel comment:

Shaftesbury Road Elevation, southern block. The suggestion was made that careful detailing of the expansion joints between the elevations panels could provide some subtle delineation and contribute to a lessening in the degree of repetition resulting from the alignment of the 17 similar bays

Architects response:

The detailing and number of movement joints between masonry elements of the façade is an important part of the design. By utilising lime mortar it is possible to keep joints to a minimum and avoid very large mastic joints at regular intervals interrupting the masonry. The detail of the brickwork to the movement joints will be developed as part of the next stage of detailed design.

With regard to the degree of repetition please refer to the points made with regard to the elevational treatment of the northern block

The plans have not been amended.

Paragraph 2.5 – A response to the issues raised by the Landscape Officer has been submitted. This notes that

Landscape irrigation – the means of irrigation is described, reservoir tanks are proposed which can be topped up manually and provides water to roots by capillary action. The podium will not be irrigated via rain water harvesting as this is too expensive.

Planting proposals conform to Network Rail's recommended species list and provide an ecologically beneficial and visually interesting mix. Changes are proposed to the planting schedule to address the Landscape officers concerns.

Podium Landscapes – the soil depth will be 450 mm with 1000mm for tree planting.

Paragraph 6.4 Urban Design and Conservation Team

The UDC team have confirmed that they agree with response to the D and C Panel comments and do not consider that further amendments are necessary. The need for a condition to ensure that the quality of the design is maintained through implementation is under consideration and I will address this further at the Committee meeting.

Paragraph 6.6 Head of Streets and Open Spaces (Landscape Team)

The Landscape Officer has provided additional comments in response to the further information regarding landscape proposals and drainage. The inclusion of brown roofs is welcomed but further information is needed in relation to irrigation and planting and feedback is awaited on the submissions (see above). Landscape conditions are recommended which I have included in my revised recommendations below.

Paragraph 6.7 Head of Streets and Open Spaces (Walking and Cycling Officer)

The Walking and Cycling Officer has provided comments in response to the revised proposals for cycle parking. She supports the layout of staff cycle parking at the front of the site but remains concerned about the spacing of racks under the podiums and the need for covered cycle parking spaces for staff.

I have recommended condition 8 which addresses the need for covers for staff parking, and recommend an amendment to condition 8 regarding allocation between visitor and staff parking which in my view is not clear.

I have asked the applicant for further comments on the issue of spacing of racks. They have replied but the Cycling and Walking Officer maintains concerns about the spacing cycle racks.

In view of this I would recommend that conditions 7 and 9 are revised.

Paragraph 6.8 Head of Streets and Open Spaces (Sustainable Drainage Officer)

Update to be provided at the meeting.

Paragraph 6.17 Access Officer

The revised plans show an increase in parking provision for disabled people which is acceptable.

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The response to design issues and landscape proposals is set out above. The applicants have decided not to amend the proposed elevations of the entrance courtyard.

Paragraph 8.39

I have addressed the comments of the Walking and Cycling Officer above.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

The recommendation includes two informatives numbered 11 and 12. These should be re-numbered 15 and 16 to account for the additional conditions.

Condition 10 should be re-numbered 'condition 14' to ensure it is the last condition.

Amended condition 7

Prior to commencement of installation of cycle parking facilities, full details including the layout of spaces and full details of the design of cycle stands shall be submitted to and approved in writing by the local planning authority. This may consist of large scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that satisfactory facilities for cyclists are provided.

Amended condition 8

Prior to the commencement of installation of cycle parking facilities, full details of the allocation of cycle parking between staff and visitors and the means by which cycle parking for staff will be covered and secured shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that satisfactory facilities for cyclists are provided. (Cambridge Local Plan 2006 policy 8/6)

Amended condition 9

Prior to first occupation of the development, all cycle parking shown on the plans and as detailed in the submission for discharge of conditions 7 and 8 shall be provided and thereafter retained.

Reason: To ensure that satisfactory facilities for cyclists are provided. (Cambridge Local Plan 2006 policy 8/6)

New condition 10

Hard and soft landscaping: No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details (including sectional details) shall include proposed finished levels or contours;

swales and rain gardens, attenuation tanks, other water storage, roof gardens, boundary treatments; bicycle parking layouts, other vehicle and pedestrian access; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage). Soft Landscape works shall include planting plans; written specifications (including topsoil importation, depths and specification, soil handling, 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)

New condition 11

Hard and Soft landscaping implementation: All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

New condition 12

Landscape management and maintenance plan: A landscape management and maintenance plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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)

Additional condition 13

Prior to the commencement of installation of solar panels, full details of the location and appearance of solar panels shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1970/FUL**

Location: Land at Former Rosemary Branch, 503 Coldhams Lane

Target Date: 11.03.2015

To Note:

Amendments To Text:

8.51: ...The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. **The proposed development would have a maximum combined gross floor space of over 1,000 square meters.**

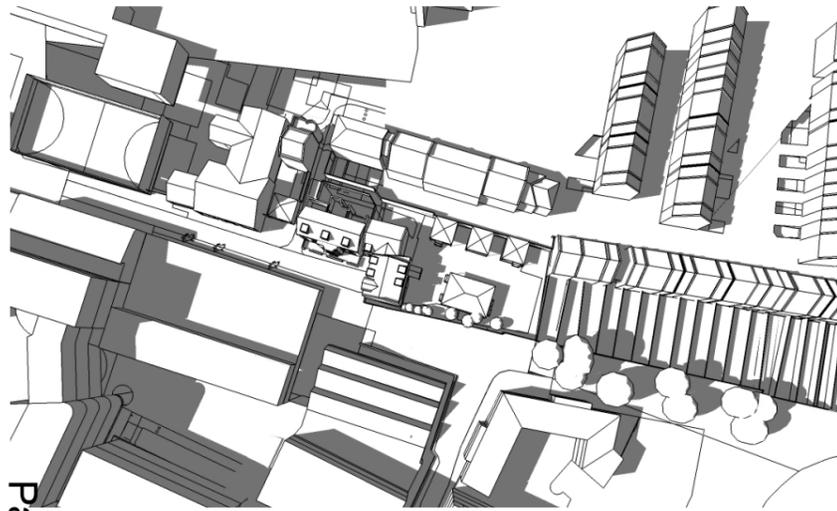
High Court decision ref. monitoring costs: Delete paragraphs 8.68 and 8.69.

Pre-Committee Amendments to Recommendation:

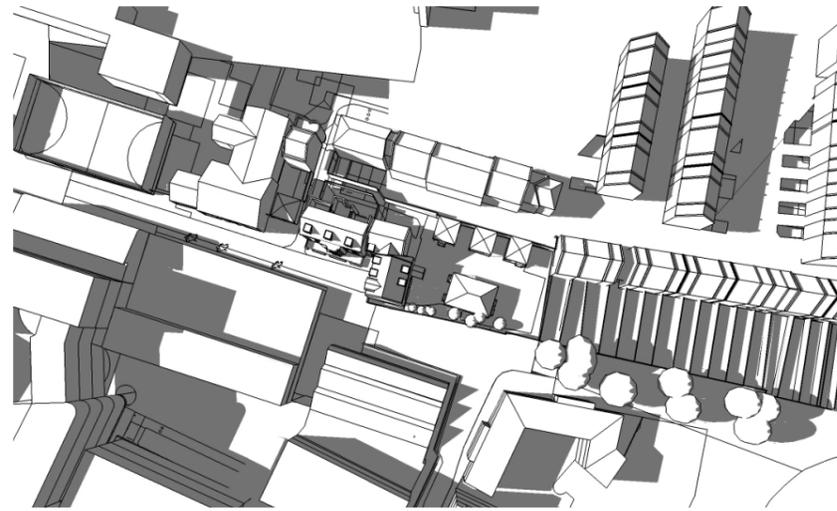
DECISION:

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Shadow / Sunlight
Analysis at Broad Street - June 21st 1600 - 1700 - 1730

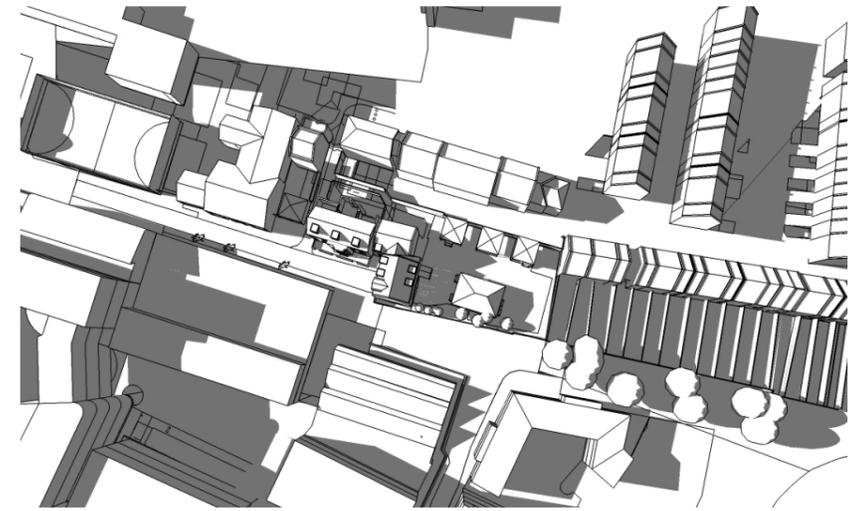


Existing Buildings
Page 15
1600



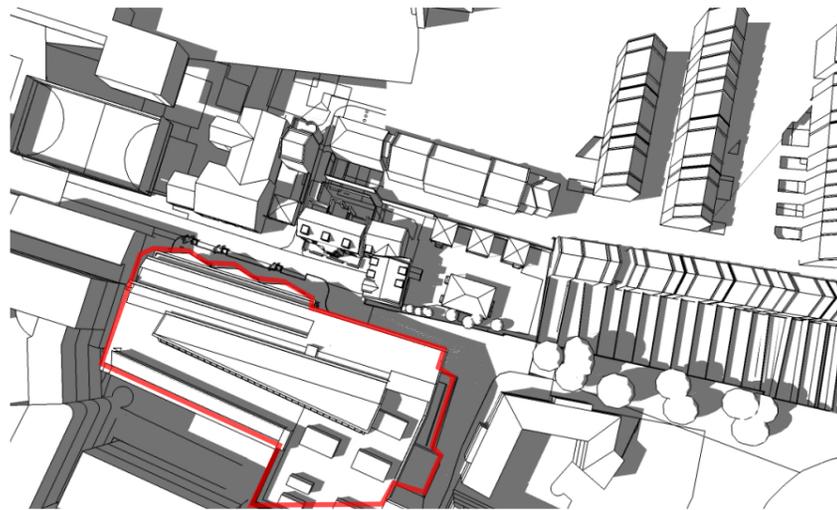
Existing Buildings

1700

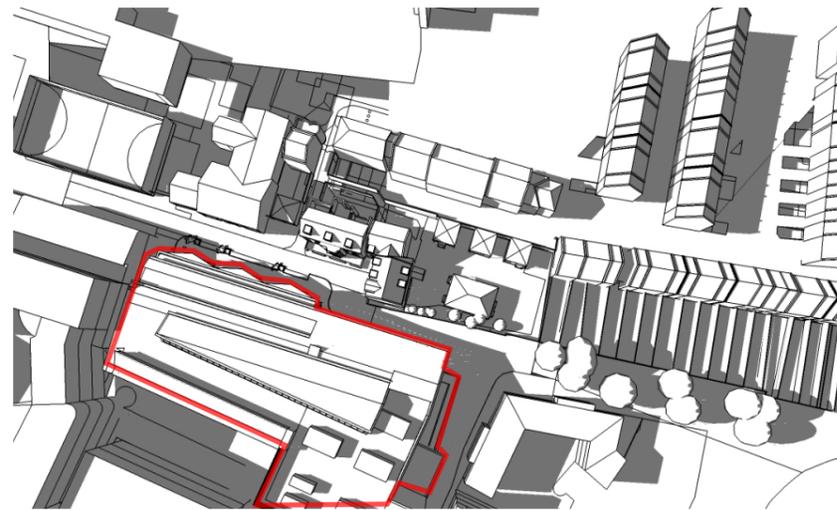


Existing Buildings

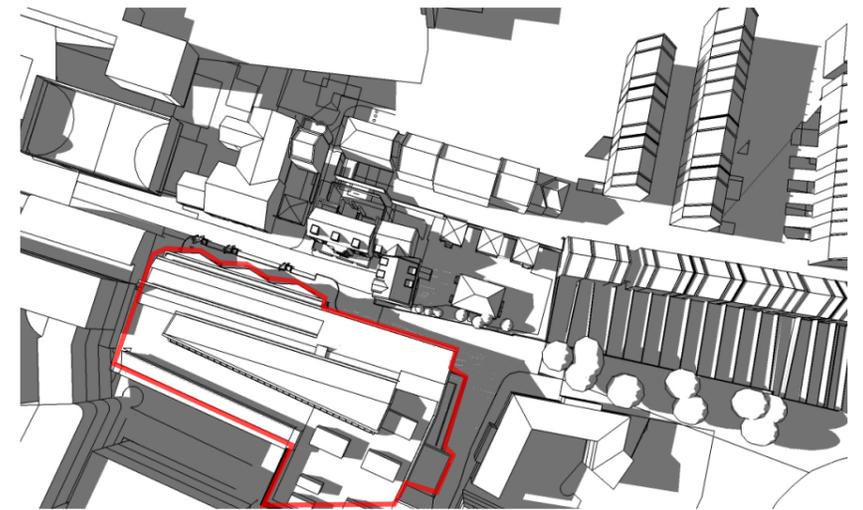
1730



Application 25deg roof pitch proposal

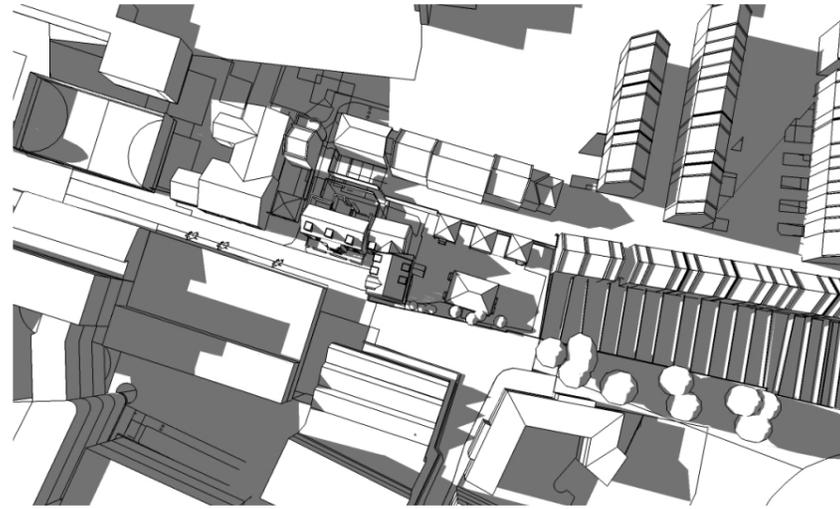


Application 25deg roof pitch proposal



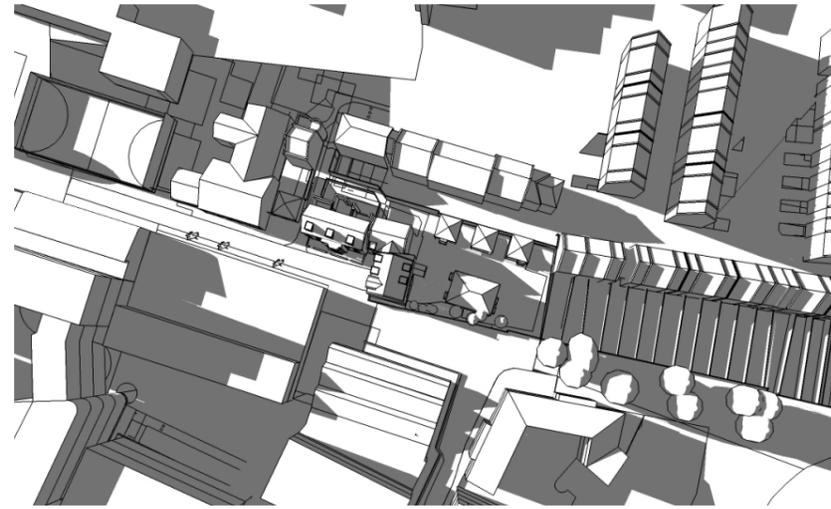
Application 25deg roof pitch proposal

Shadow / Sunlight
Analysis at Broad Street - June 21st 1800- 1830 - 1900



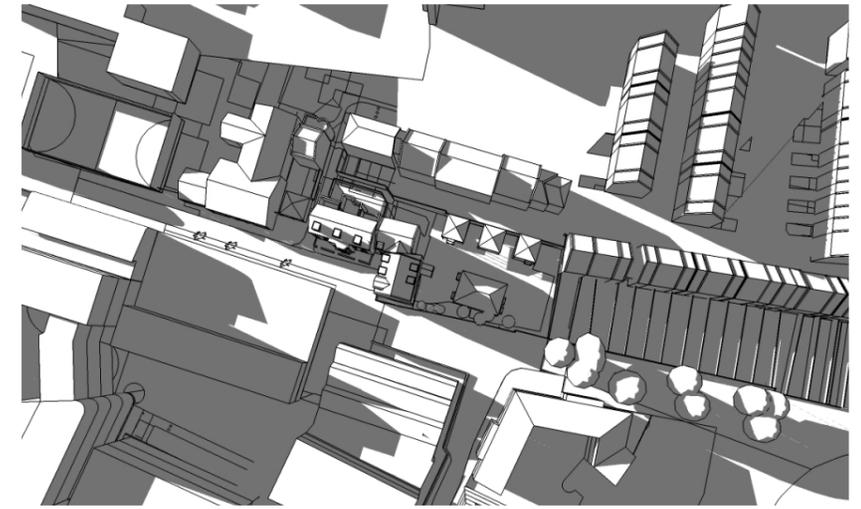
Existing Buildings

1800



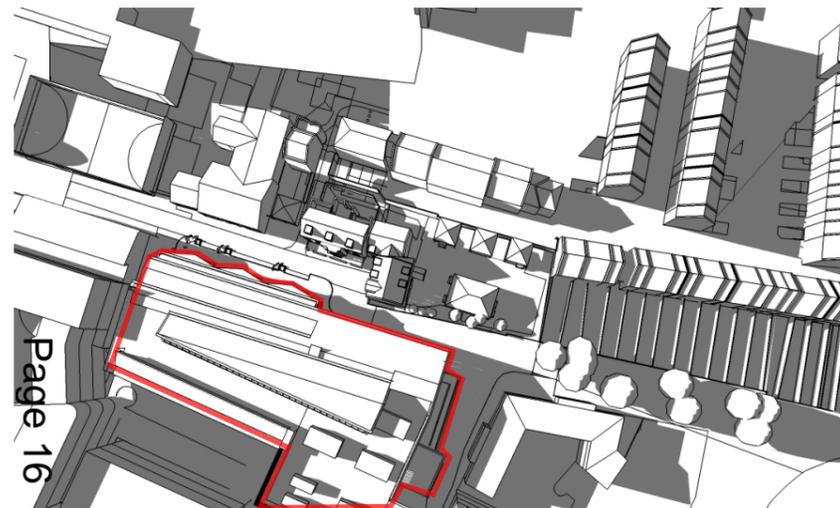
Existing Buildings

1830



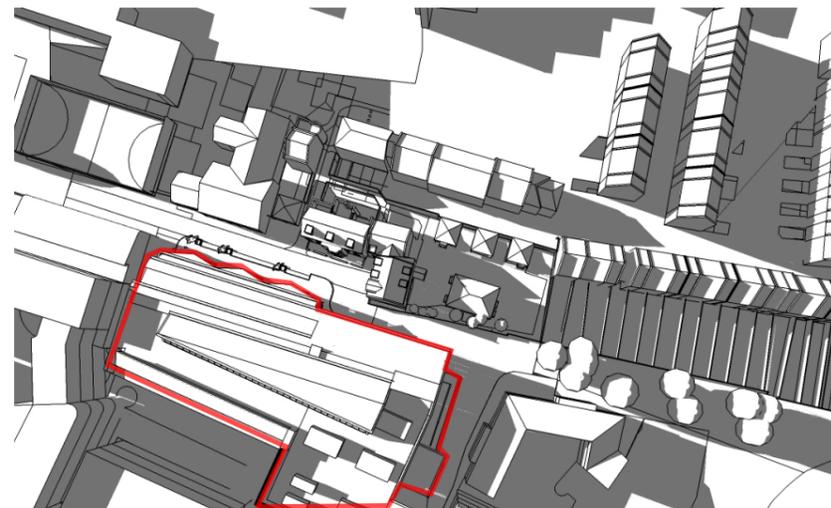
Existing Buildings

1900



Application 25deg roof pitch proposal

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Application 25deg roof pitch proposal

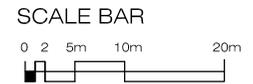


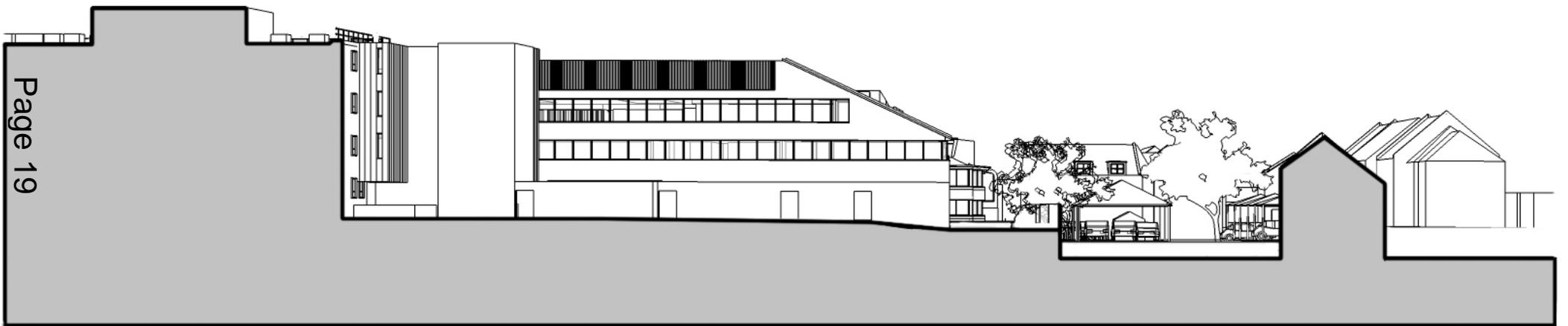
Application 25deg roof pitch proposal

Anglia Ruskin University, Cambridge
East Road Campus Science Centre
Norfolk Terrace Section

February 2015



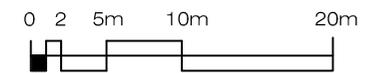




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Section AA

SCALE BAR



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PLANNING COMMITTEE MEETING – 4TH MARCH 2015

Amendment/De-brief Sheet

MINOR APPLICATIONS

OFFICER NOTE

In the light of a decision involving Oxfordshire County Council at the High Court the Council is no longer able to seek contributions towards the costs of monitoring planning obligations.

I have set out a summary of the decision below.

The effect of this judgement is that we need to remove the clauses relating to monitoring costs from draft s106 Agreements and should be referring to them in relation to reasons for refusal on grounds related to the Planning Obligations Strategy.

The following item on this agenda is affected by this change:

Agenda Item 14 Paragraphs 8.29 and 8.30 deleted

Where necessary amendments have been made to recommendations as set out on this Amendment Sheet.

Summary of High Court Decision

In Oxfordshire County Council v Secretary of State for Communities and Local Government and others [2015] EWHC 186 (Admin) the High Court has considered whether monitoring costs included as a planning obligation in a section 106 agreement were "necessary to make the development acceptable.

The High Court has held that the administrative and monitoring costs incurred by a local planning authority (LPA) in ensuring that planning obligations were observed were not capable of being a planning obligation in their own right.

It is part of the normal, everyday functions of an LPA to administer, monitor and enforce planning obligations in section 106 agreements. The payment of a monitoring and administration fee listed as a planning obligation in a section 106 agreement could not be recovered. The planning obligation failed the test in regulation 122 of the Community Infrastructure Levy Regulations 2010 (SI 2010/948) as it was not "necessary to make the development acceptable in planning terms". (Oxfordshire County Council v Secretary of State for Communities and Local Government and others [2015] EWHC 186 (Admin).)

CIRCULATION: First

ITEM: APPLICATION REF: **14/2021/FUL**

Location: 51A Hartington Grove

Target Date: 11.02.2015

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1653/FUL**

Location: Land To Rear Of 551-555 Newmarket Road

Target Date: 16.12.2014

To Note:

- 1.0 Since completion of the committee report, the applicants have submitted additional highway information. The information is attached to this amendment sheet. The highway authority has made no further comment, having already indicated that it did not have concerns about the development proposed.

- 2.0 Since completion of the Committee report, an additional representation from the occupiers of 547 and 549 Newmarket Road, and 30A Ditton Walk. This representation has been sent to Committee members. The issues raised in the representation can be summarised as follows.
 - Proposal would be contrary to policy 3/10 of the Cambridge Local Plan 2006, because of loss of privacy, overshadowing, visual domination, and harm to the character of the area.
 - Submitted site section is inaccurate
 - Submitted shadow plans are inaccurate (wrongly represent building heights, plans rotated by 15%), times shown highly selective)
 - Officer's report is inaccurate and subjective

- 3.0 Assessment of the points raised in this additional representation.

- 3.1 **Policy 3/10.** In my view, it is arguable whether this application can be described as involving the subdivision of an existing plot, as the land does not

form part of a rear garden, and has not done so for some time. However, even if it is considered to fall within the scope of policy 3/10, all the criteria listed in that policy have been addressed in the report.

- 3.2 **Loss of privacy.** Loss of privacy does not depend on the proximity of new development, it depends on the new opportunities afforded for overlooking. In this case, the proposal has been configured to avoid opportunities for overlooking of nearby properties, as detailed in paragraphs 8.12 to 8.15 and in proposed conditions 16 and 17.
- 3.3 **Overshadowing.** I cannot confirm whether the shadow diagrams submitted are, as asserted by the respondent, rotated through 15° from their true bearing. However, shadows cast at midday 21st December on the diagrams appear to lie due north, in line with the site plan, which suggests that the diagrams are correctly aligned. I will seek confirmation from the applicants on this issue and report any additional information to Committee. I agree that the majority of the shadow diagrams submitted are of no relevance, because the impact of the development on morning sunlight to Nos. 30 and 30A Ditton Walk is the only significant issue in this respect. However, the few diagrams which are relevant show that any overshadowing impact of the proposal on No.30A would be limited to short periods before 0900, and would be confined to parts of spring and autumn. In my view, this is not sufficient to provide a reason to refuse permission. There does not appear to be any impact on sunlight to any other property.
- 3.4 **Sense of enclosure.** I agree that the proposed buildings are in places close to the site boundaries. I do not consider that the extent, position, or configuration of the gable walls cited by the respondents would create an unacceptable sense of enclosure. This issue is also considered in paragraphs 8.12-8.16 of the Committee report.
- 3.5 **Character of the area.** I have addressed this issue in Paragraphs 1.2, 8.5, 8.8 and 8.10 of the report. I do not accept the view that the proposed development would be detrimental to the character of the area; it is my view that this is an appropriate response to the existing pattern of backland development. The fact that the buildings at 30 and 30A have been in situ for some time does not alter my view on this.
- 3.6 **Site sections.** I have re-measured the drawings, and the height of the proposed houses is shown consistently as 5.4m, on both the site section and the elevational drawings. I am at a loss to understand the respondent's assertion of inconsistency here. I do not have accurate elevational drawings of No.30A Ditton Walk, so I cannot confirm whether it is only 4.4m high. Were this to be correct, the 300mm discrepancy would not alter my judgement on the proposal.
- 3.7 **Distances to rear.** The phrase from Para 1.1 cited by the respondent refer to the extent to which the site can be seen from the opposite side ('beyond the rear boundary of the site'). It does not refer to the distances from 547 or 549

Newmarket Road, or 30A Ditton Walk.

- 3.8 **Height.** I accept that the phrase 'appear close to two-storey in scale' is a subjective judgement. I remain of the view that although the proposed houses may be as much as 1m higher than 30 and 30A Ditton Walk, they are of a comparable scale.
- 3.9 **Backland development.** I have addressed this issue under 3.5 above.
- 3.10 **Similarity of scale.** I have addressed this under 3.8 above.
- 3.11 **Unobtrusiveness.** I accept that it is a subjective judgement to say that the proposed houses would be 'low and unobtrusive', but it is a judgement to which I adhere.
- 3.12 **Proximity to rear garden of 549 Newmarket Road.** The report states that the main area of the first-floor element of Plot 1 would be 8m away from the boundary with No.549. This is correct. A small part of the building – the western gable, would be much closer. This point of the representation refers again to overlooking. The proposed house on Plot would overlook the rear garden of No.549 only obliquely, because the windows which face directly towards it would be obscure glazed. The distance along the oblique line of site from the unobscured window of the bedroom in the western arm of the house on Plot 1 to the rear elevation of No.549 would be 20m.
- 3.13 **Proximity of Plot 2.** This is a parallel to the explanation I have given in Para 3.12 above.
- 3.14 **Proximity of Plot 3.** The small discrepancies in distances here result from the position along the boundary fence at which the measurement is taken. I have taken these measurements directly opposite the centre of No.30A, which seems the most relevant point, and at that point the dimensions I have given are accurate.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1618/FUL**

Location: 265 Queen Ediths Way

Target Date: 10.12.2014

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1252/FUL**

Location: Citylife House, Sturton Street

Target Date: 30.09.2014

To Note:

The proposed hours of operation are those set out in condition 9.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1450/FUL**

Location: Land To The Rear Of 241 Milton Road

Target Date: 25.11.2014

To Note:

Amendments To Text:

High Court Decision - Paragraphs 8.29 and 8.30 deleted

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1549/FUL**

Location: 15 Swann's Road

Target Date: 29.11.2014

To Note:

Amendments To Text:

The twelfth storage container has been removed from the site. Therefore, eleven storage containers are on site as proposed.

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1510/FUL**

Location: Jesus College, Jesus Lane

Target Date: 12.12.2014

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: **14/1511/LBC**

Location: Jesus College, Jesus Lane

Target Date: 12.12.2014

To Note:

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: EN/0378/14

Location: 45 Elfleda Road, Cambridge,

Target Date: n/a

To Note:

The developer has requested deferral of the application from March Committee until Mid-June due to their absence overseas. E-mail below. Officers have advised that the case has been ongoing since October 2014 and the developer has been advised numerous times that formal action could result if a revised application was not submitted.

2 March 2015

Dear Ms Lamb

I still do not appear to have received a confirmation of receiving my e-mail to you, which I am forwarding under cover of this message.

In view of both the importance of this matter, and of the timescale, please acknowledge safe receipt without delay.

Yours faithfully

S. Baibekova

From:
To: lisa.lamb@cambridge.gov.uk
Cc:
Sent: Sunday, 1 March 2015, 23:24
Subject: 45 Elfleda Road

1 March 2015

Dear Ms Lamb

I write with reference to your letter dated 13 February regarding the meeting on 4 March.

A friend has now interpreted the URL that you give in your letter - because you have chosen to write in a sans-serif typeface (e.g. not this one, or Times New Roman), he has established that it must end in capital 'I' lower-case 'd', not lower-case 'l' followed by lower-case 'd', because this is 'Id', abbreviating 'Identity'.

I might have realized myself what was going on, but going to this URL does not bring up an error-message, but says 'No meetings are available for browsing' :

<http://democracy.cambridge.gov.uk/ieListMeetings.aspx?Committeeld=181>

Consequently, I have gone the entire weekend (it is now past 10.00 p.m.) when I could have been looking at this paperwork, and preparing for the meeting : I have been under the impression that the vague assertion that 'The report should be published one week before the meeting takes place' meant that you had failed to oblige, since you had failed to commit yourself to do so in good time.

The URL contains the word 'democracy', but it is hardly very democratic to write something about my case and not properly facilitate my looking at it (I leave aside those who do not, or will not, use the Internet). I had been willing to make ready for this meeting, despite what I go on to say, but, as it is, I do not know how it can now be reasonable to expect me to do so.

On the day of this meeting, I have to travel to London to catch a pre-booked flight to Canada on 5 March (booked on 22 January) that necessitates leaving Cambridge the previous day. Before then, I am supposed to prepare for, and attend, this meeting at the same time as making all necessary arrangements for being away for nearly two months (my flight back is on 28 April).

As I have said, the flights were already booked, but I had been prepared to do my best. In the circumstances, I feel that I can no longer do so and that it is not in the interests of justice to do other than postpone the meeting at which my case is considered until after I have made my trip, and returned, safely :

Moreover, my friend, an ex-solicitor (who has looked at this with me and helped me prepare this e-mail), advises me that, to attend a hearing of this kind (as I may need to appeal), I need to seek representation at it from someone who practises planning law (or, at least, receive some advice beforehand). However, I clearly do

not have the time now to do so.

Obviously, with appropriate assistance from my friend, I can hope to be in contact with a suitable representative in my absence, and he or she can make a site-visit and carry out an inspection without my needing to be in the UK.

That said, I also may need to meet the person, because not everything can (even if he or she has Skype) necessarily be done using it, e.g. sharing documents that do not take the form of e-mail or the like.

Accordingly, I ask that the relevant meeting to which consideration of my case is adjourned should take place no earlier than six weeks from the intended date of my return to the UK.

I ask that my case be removed from the business for the meeting on 5 March, because I simply cannot be expected to attend, and I will object most strongly, given the above, if this is not respected.

Please acknowledge safe receipt of this e-mail.

Yours faithfully

S. Baibekova

Amendments To Text:

Pre-Committee Amendments to Recommendation:

DECISION:

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A Planning Application by
BEECHWOOD ESTATES

In respect of
**551 – 555 Newmarket Road
CAMBRIDGE**

Technical Note: Transport

February 2015



DOCUMENT SIGNATURE AND REVIEW SHEET**Project Details**

Project Title:	551 – 555 Newmarket Road CAMBRIDGE		
Project No.:	1502-71	Report No.:	1502-71/TN/01
Client:	Beechwood Estates		

	Prepared By:	Checked By:	Approved for issue
Name	S. Simpson	S. Simpson	J. Clarke
Signature			
Date	20/02/2015	20/02/2015	20/02/2015

Document Review

Revision	Date	Description	Checked By

Issued by:

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2 ACCESS TO THE SITE	2
Construction Vehicles	
Emergency Vehicles	
3 SERVICING ARRANGEMENTS	3
4 PEDESTRIAN AND CYCLIST ACCESS	4
Access Road	
Off-Site Infrastructure	

LIST OF APPENDICES

- A General Arrangement – DPA Architects Drawing 352 P-01 A
- B Swept Paths – Construction Vehicles
- C Swept Paths – Fire Tender
- D Swept Path – Refuse Vehicle

1 INTRODUCTION

- 1.1 Transport Planning Associates has been instructed to provide transport planning advice relating to the proposed residential development at 551 – 555 Newmarket Road in Cambridge.
- 1.2 It is proposed to provide a small development of three new dwellings at the site. These units would be served via a new access road via Newmarket Road.
- 1.3 Car parking is to be provided on site for each of the three new dwellings but also 1 space will be allocated for 553 Newmarket Road.
- 1.4 Cycle parking will also be provided at each of the new units in a store adjacent to each dwelling.
- 1.5 The plan at **Appendix A** shows the proposed layout of the development.
- 1.6 Application 14/1653/FUL has been submitted and was taken to planning committee. It is understood that specific issues were raised by committee members in relation to the site's access arrangements. This Technical Note has therefore been provided to address those questions raised, namely:
- Does the access road allow for the safe passage of construction vehicles and emergency vehicles?
 - Will efficient and convenient collection of waste and recycling be enabled with the design?
 - Does the layout allow for the safe passage of cycles and pedestrians?
 - Is there any conflict with the safe operation of the signal-controlled pedestrian crossing on Newmarket Road?
 - Is there any hazard to highway safety from its proximity to the bus stop to the west?

2 ACCESS TO THE SITE

- 2.1 The site access road is a shared surface, 5.0m in width for the first 10m into the site from its junction with Newmarket Road. This width reduces to 4.75m as it passes between the end walls of 553 and 555 Newmarket Road, and then to 4m as it emerges into the main courtyard by the dwellings.

Construction Vehicles

- 2.2 The access road has been tested for its ability to accommodate a range of vehicles through its construction and then once occupied. **Appendix B** provides swept path analysis of a range of construction vehicles appropriate to the likely build processes at this site:

- 7.5t panel van;
- Small skip lorry;
- Concrete mixer vehicle; and a
- JCB Backhoe loader.

- 2.3 The drawings at Appendix A demonstrate that there is sufficient working room between the boundaries of 553 and 555 Newmarket Road to accommodate all the likely vehicle movements associated with the construction of the development.

Emergency Vehicles

- 2.4 Swept path analysis has also been carried out to ensure that a fire tender and an ambulance may safely access all of the dwellings at the site.
- 2.5 The associated drawing is provided at **Appendix C** and it demonstrates that both vehicles may turn in the site, ensuring access and egress in forward gear.
- 2.6 The fire tender is the largest of the emergency vehicles therefore the fact that this can access all dwellings satisfactory means that the development will be fully accessible by all emergency vehicles.

3 SERVICING ARRANGEMENTS

- 3.1 Waste collection arrangements at the site are required to be provided in accordance with the Cambridge City Council waste and recycling provision checklist, and to use the RECAP Partnership Waste Management SPD (February 2012) for additional information. The key factors to be taken into consideration in new developments are that:
- Residents should have to move waste no more than 30m to storage areas;
 - Waste storage should be no more than 25m from the collection point;
 - The distance from the collection point and the collection vehicle should be no more than 25m; and
 - The refuse vehicle should make reversing manoeuvres no greater than 12m in distance.
- 3.2 The locations of the bins on the site are in accordance with the above requirements. The bin store is located as close as possible to the end of the access road, by reversing no more than 12m, the refuse vehicle will be situated approximately 17m from the bin store.
- 3.3 A swept path showing the required manoeuvre by the refuse vehicle is provided at **Appendix D**.
- 3.4 The proposed development layout combined with the servicing methodology set out above, means the development will be provided in accordance with the Cambridge City Council requirements.

4 PEDESTRIAN AND CYCLIST ACCESS

Access Road

- 4.1 The access road at its narrowest point will be 4.0m in width. A concern has been raised by Committee members in relation to the safety of the route for pedestrians and cyclists.
- 4.2 There will be only 6 car parking spaces provided across the whole development which will naturally limit the number of vehicular movements that are likely to be generated by the development.
- 4.3 By contrast, cycling and walking are popular travel choices in Cambridge and it is highly likely that these active travel movements will dominate the access route to Newmarket Road.
- 4.4 Although the access route is narrower than would typically be preferred, there will be sufficient space for a car to safely pass a pedestrian. In addition, the forward visibility from Newmarket Road will be good, and the narrow width will reinforce the need to drive slowly through the area.
- 4.5 Overall, the proposed layout is considered appropriate for pedestrian and cyclist movements, taking in to account the development's size and location.

Off-Site Infrastructure

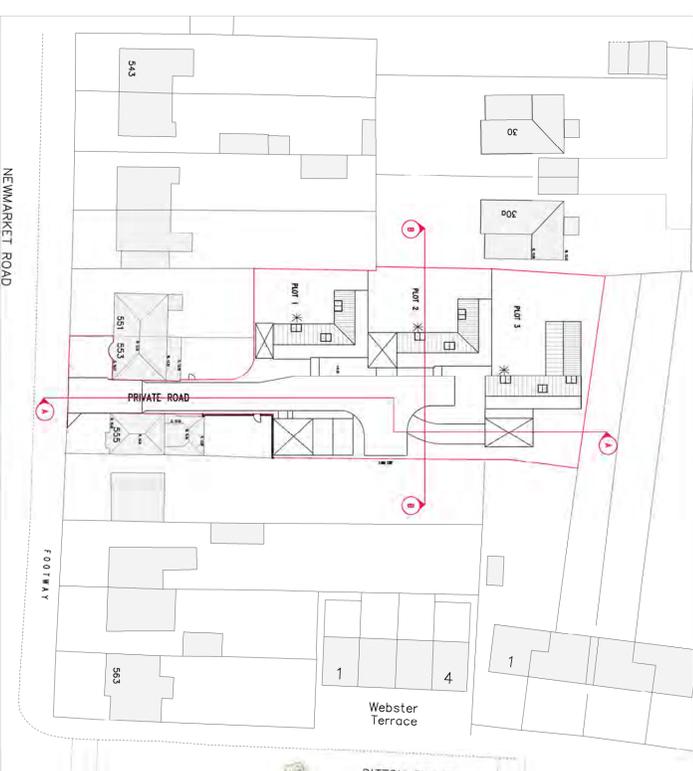
- 4.6 Queries have also been raised relating to the proximity of the Pelican crossing to the east of the application site, and the bus stop immediately to the west.
- 4.7 Although the application site is located between these two elements of infrastructure, it is worth noting that Newmarket Road is subject to extensive frontage access in the vicinity of the site, with private drives being accessed through the bus laybys to the west of the site, and within 2m of either side of the pedestrian crossing.
- 4.8 Examining the road traffic accident data on the Cambridgeshire County Council website for the length of Newmarket Road in the immediate vicinity of the application site indicates that there have been only 4 accidents in the past 5 years.
- 4.9 The three accidents resulting in slight injury accidents occurred in 2009. The first involved two cyclists, the second involved a motorcycle and a car, and the third involved two cars.
- 4.10 The serious accident occurred in 2012 and involved a lone motorcycle traveling in wet and dark conditions.

- 4.11 Having reviewed the accident data for the area it is clear that there is no pattern of causation of the accidents relating to either the pedestrian crossing or the bus stops, No accidents have been recorded involving either pedestrians or bus movements over the past 5 years.
- 4.12 Overall it can be seen that Newmarket Road is a corridor in which frontage access is expected and the norm. The bus stops and pedestrian crossings are already subject to cross-over access either close to, or through the facilities, and there is no evidence that these movements have impacted on road safety.
- 4.13 It is therefore concluded that the provision of an additional private access in the vicinity of the bus stops and pedestrian crossing will not result in any undue conflict with existing users of either facility.

5 CONCLUSIONS

- 5.1 This Technical Note has been provided to directly address the key concerns raised by Planning Committee members in relation to the proposed residential development at 551 – 555 Newmarket Road in Cambridge.
- 5.2 The potential access requirements during the construction phase have been examined, and it has been demonstrated that the vehicles which are likely to be required are able to turn within the site, enabling access and egress in forward gear.
- 5.3 A similar analysis has been carried out for a fire tender and ambulance vehicle, ensuring that the site is suitably accessible by the full range of emergency vehicles.
- 5.4 Cambridge City Council's requirement for waste and refuse servicing have been taken into account for the proposed development, as have the RECAP Partnership's Waste Management SPD document. The requirements of both have been discussed and it has been demonstrated that the proposed development is in accordance with both documents.
- 5.5 Finally, consideration has been made of the appropriateness of the access road for pedestrians and cyclists, and the queries raised over potential conflict between the access road and the nearby bus stop and Pelican crossing have been addressed.
- 5.6 Consideration of the road traffic accident record for the past five years, as well as the high incidence of frontage access onto Newmarket Road in the vicinity indicates that there is no specific cause for concern in relation to the proposed access arrangements.
- 5.7 Overall, it has been concluded that the proposed layout is appropriate to accommodate the likely requirements during construction and during occupation of the dwellings, without causing undue conflict with existing users.

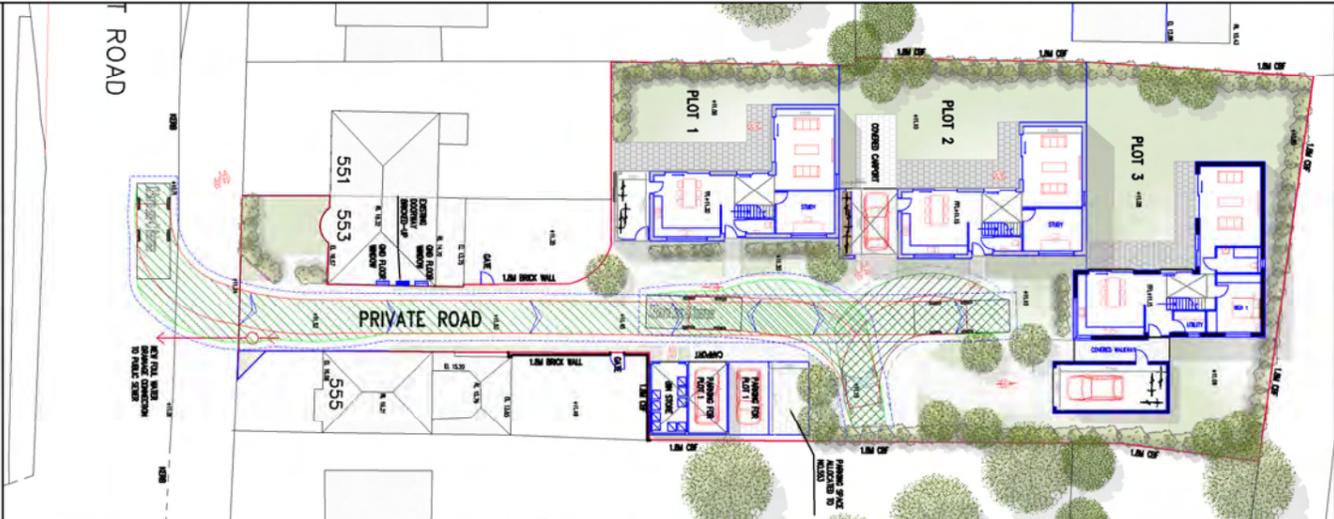
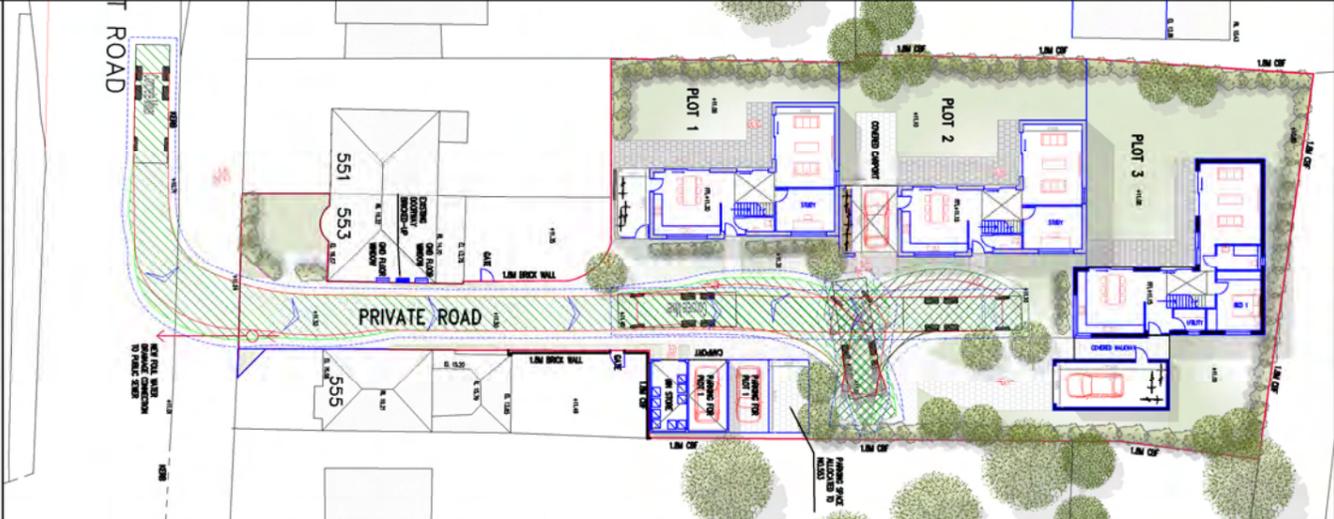
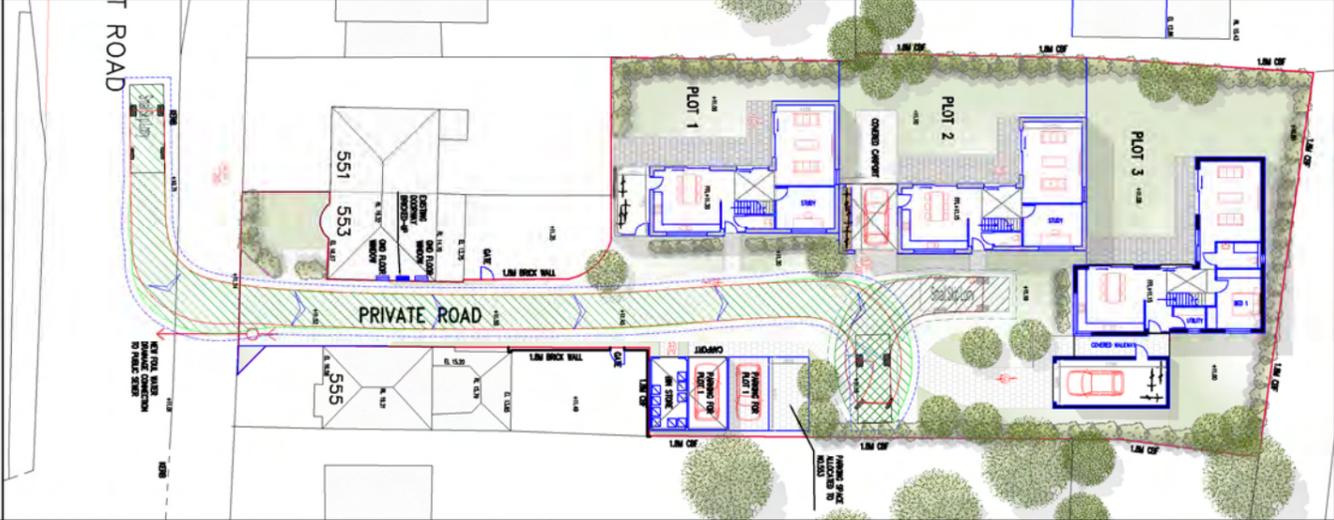
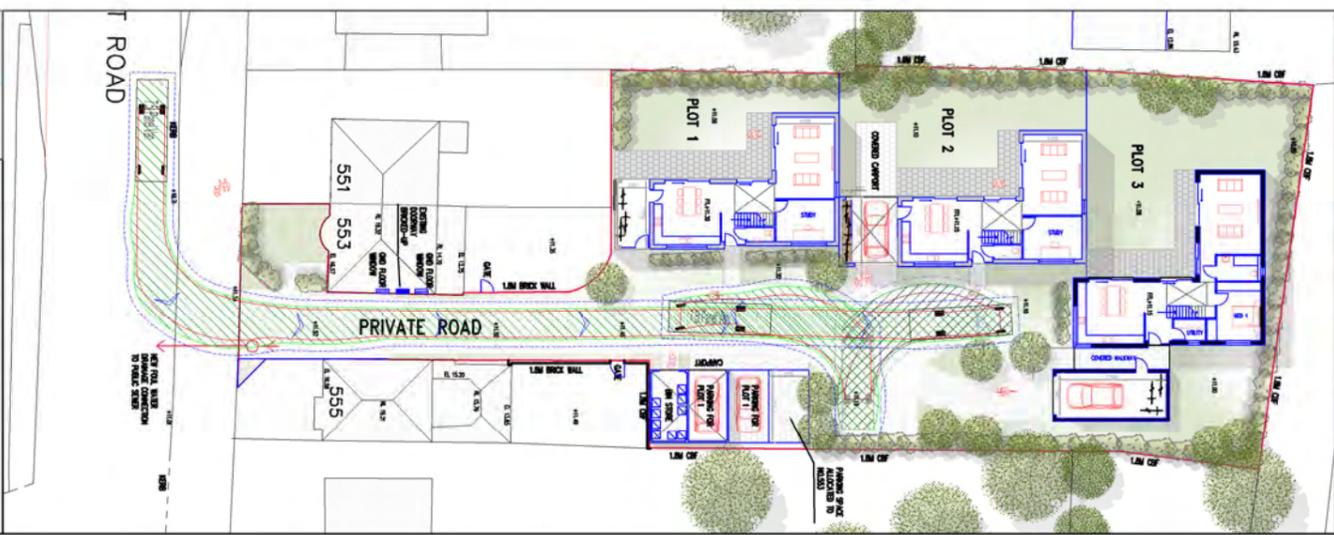
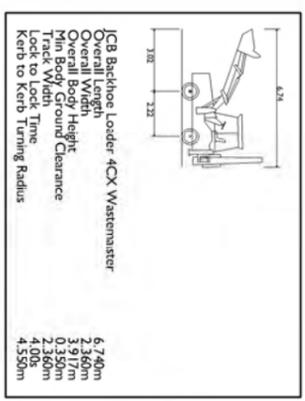
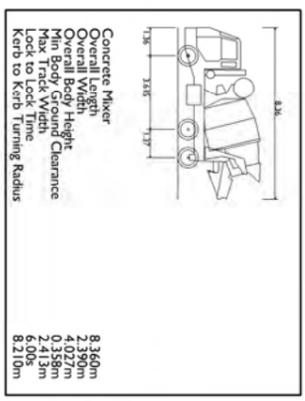
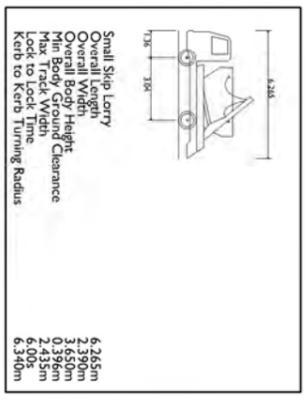
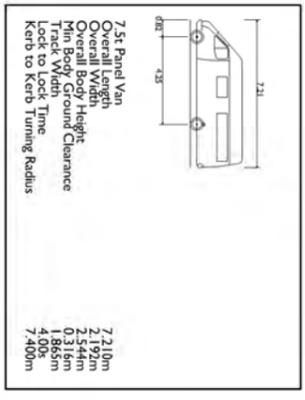
APPENDIX A



Rev B 17:12:14
Plot 2 bike store relocated.
Parking space to No.553 labeled.
Existing opening in N.553 on entrance drive shown.
Plot 2 ground floor window omitted

JOB NO.	DRAWING NUMBER	REV
352	P-01	A

APPENDIX B



INDICATIVE
Swept Path Analysis of a
7.5t Panel Van Vehicle (AutoTrack
Vehicle Reference No. 100096)

Swept Path Analysis of a
Small Skip Lorry Vehicle (AutoTrack Vehicle
Reference No. 100034)

Swept Path Analysis of a
Concrete Mixer Vehicle (AutoTrack Vehicle
Reference No. 100028)

Swept Path Analysis of a
JCB Backhoe Loader 4CX Wastemaster Vehicle
(AutoTrack Vehicle Reference No. N/A)
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 Transport Planning Associates

CLIENT:
 Beechwood Estates and Development

PROJECT:
 551-555 Newmarket Road
 Cambridge

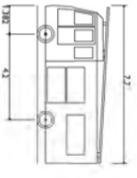
TITLE:
 Swept Path Analysis of
 Site Plan
 Construction Vehicles

STATUS: **FOR INFORMATION**

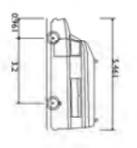
SCALE:	DATE:	DRAWN:	CHECKED:	APPROVED:
1:500	20/02/15	JA	Sasi	Sasi
JOB NO:	DRAWING NO:	REVISION:		
1502-71	SP02	-		

APPENDIX C

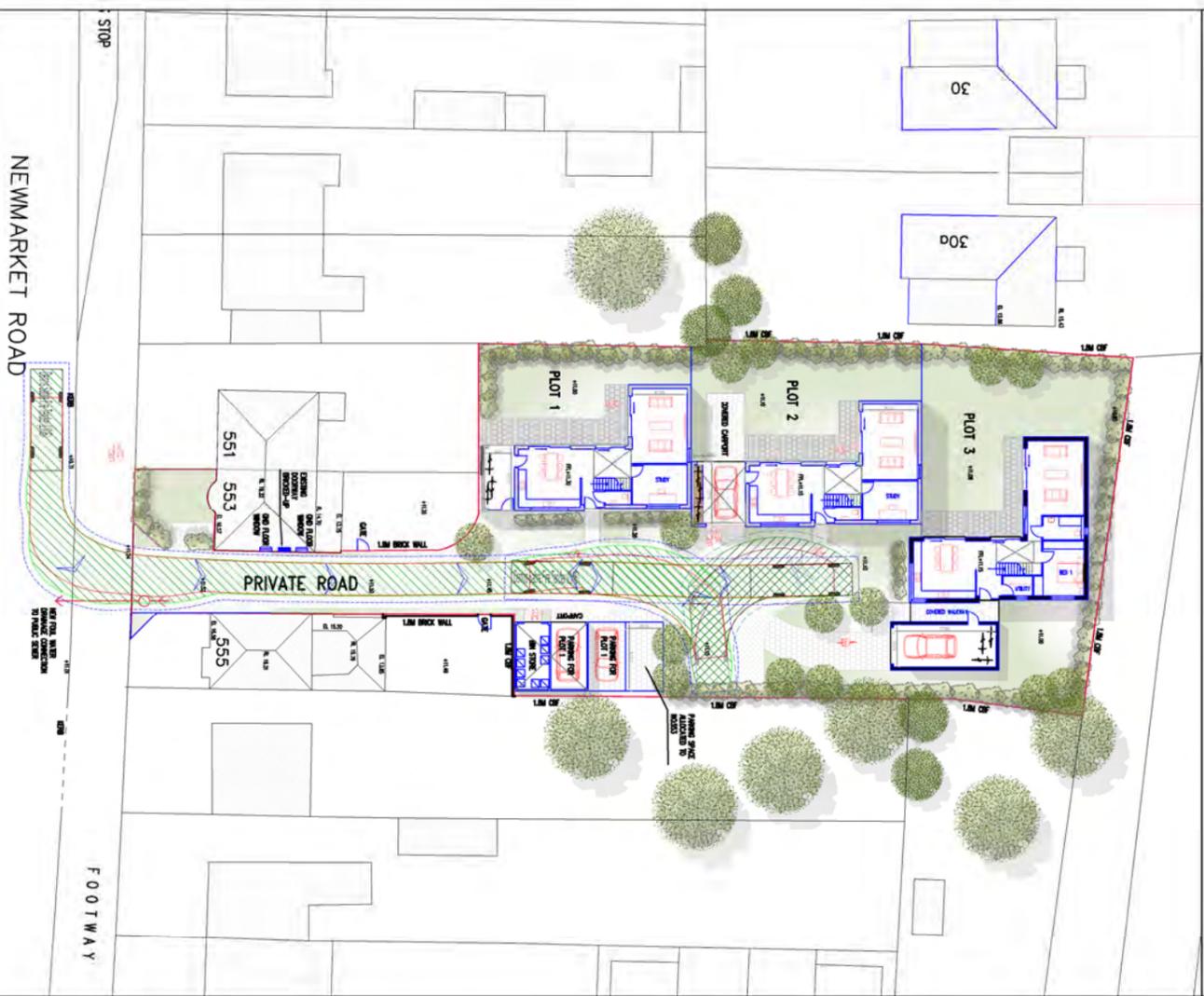
A3
ORIGINAL
PLOT SIZE



Dennis Sabre Fire Tender (LWB)
 Overall Length: 7.200m
 Overall Width: 2.400m
 Overall Body Height: 3.512m
 Min Body Ground Clearance: 0.397m
 Track Width: 2.380m
 Lock to Lock Time: 2.005s
 Kerb to Kerb Turning Radius: 7.400m



Ambulance
 Overall Length: 5.461m
 Overall Width: 2.020m
 Overall Body Height: 2.325m
 Min Body Ground Clearance: 1.860m
 Track Width: 1.860m
 Lock to Lock Time: 4.005s
 Kerb to Kerb Turning Radius: 6.500m



Swept Path Analysis of a Dennis Sabre Fire Tender (LWB) Vehicle (AutoTrack Vehicle Reference No. 100120)



Swept Path Analysis of a Ambulance Vehicle (AutoTrack Vehicle Reference No. 100112)

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NOTES:
 1. Based on DPA Architects Drawing No. P-01 Rev A.

Rev	Date	Drawn By	Checked/Approved By

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 Beechwood Estates and Development

 PROJECT:
 551-555 Newmarket Road
 Cambridge

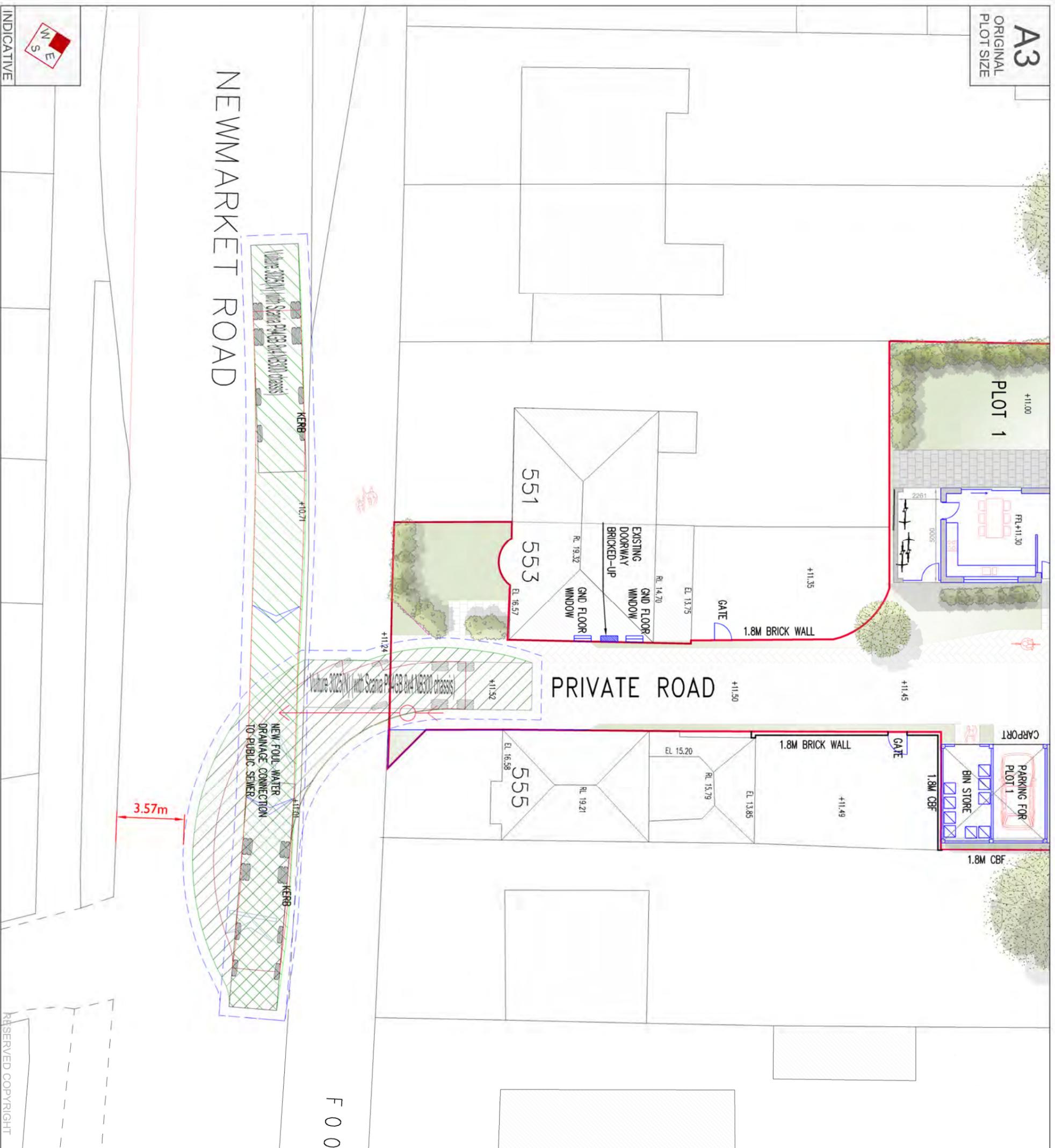
TITLE:
 Swept Path Analysis of
 Site Plan
 Emergency Vehicles

STATUS:
FOR INFORMATION

SCALE:	DATE:	DRAWN:	CHECKED:	APPROVED:
1:500	20/02/15	JA	SaSi	SaSi
JOB NO.:	DRAWING NO.:	REVISION:		
1502-71	SP01	-		

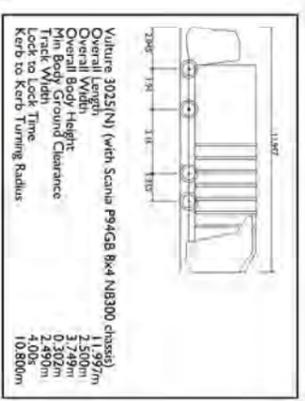
APPENDIX D

A3
ORIGINAL
PLOT SIZE



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NOTES:
 1. Based on DPA Architects Drawing No. P-01 Rev A.
 2. Swept Path Analysis of a Vulture 3025(N) 4 Axle Refuse Vehicle. (Autotrack Reference No. N/A)



- 500mm Clearance envelope.

Rev	Date	Drawn By	Checked By	Drawn/Checked/Approved By

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Beechwood Estates and Development

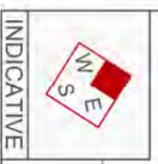
PROJECT:
551-555 Newmarket Road
Cambridge

TITLE:
Swept Path Analysis of a
Maximum Size
Refuse Vehicle

STATUS:

FOR INFORMATION

SCALE:	DATE:	DRAWN:	CHECKED:	APPROVED:
1:200	20/02/15	JA	Sasi	Sasi
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