

JOINT DEVELOPMENT CONTROL COMMITTEE - CAMBRIDGE FRINGES

Membership

Cambridge City Council: Cllrs Blencowe (Vice-Chair), Baigent, Bird, Price, C. Smart and Holt, Alternates: Herbert, Gawthrope and Moore

Cambridgeshire County Council: Cllrs Ashwood, Kenney, Nethsingha and Orgee, Alternates: Harford, Loynes and Taylor

South Cambridgeshire District Council: Cllrs Bard (Chair), Cuffley, de Lacey, Nightingale, Shelton and Van de Weyer, Alternates: Bygott, Wotherspoon, Lockwood, Davies, Hales and Stonham

Date: Wednesday, 21 October 2015

Time: 10.30 am

Venue: Committee Room 1 & 2 - Guildhall

Contact: Sarah Steed

Direct Dial: 01223 457013

AGENDA

Member Development Programme

9.30 to 10.30 AM - **Committee Room One**

Sustainable Drainage, Simon Bunn

1 Apologies

To receive any apologies for absence.

2 Declarations of Interest

Members are asked to declare at this stage any interests that they may have in an item shown on this agenda. If any member of the Committee is unsure whether or not they should declare an interest on a particular matter, they should seek advice from the Head of Legal Services **before** the meeting.

3 Minutes (Pages 7 - 10)

To confirm the minutes of the meeting held on 18 September 2015 as a

correct record.

All Committee Members may vote on this item

- 4 15/1553/S73 - North West Cambridge Development (Lot 1) *(Pages 11 - 50)***

All Committee Members may vote on this item

- 5 Consultation Review of South Cambridgeshire Planning Committee Scheme of Delegation *(Pages 51 - 62)***

All Committee Members are welcome to attend the pre-application briefing

- 6 Pre-application Member Briefing - Trumpington Meadows Phase 9**

120 Dwellings

All Committee Members are welcome to attend the pre-application briefing

- 7 Pre-applicaton Member Briefing - Darwin Green 1 - BDW1 Residential Phase**

172 Dwellings

Quorum for This Item/Application:

The quorum for the Committee comprises 3 members of Cambridge City Council, 3 members of South Cambridgeshire District Council and 2 members of Cambridgeshire County Council.

Speaking at the Committee by Other Members of the Councils

A member of any of the councils who is not a member of the committee or a member of a parish council (in respect of applications relating to sites in their own parish) may speak at a meeting of the committee at the request or with the permission of that committee or of its Chair made or obtained before the meeting. Such request or permission shall specify the matters in respect of which the member shall be permitted to speak.

Information for the Public

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After 5 p.m. access is via the Peas Hill entrance.

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Members of the public who want to speak about an application on the agenda for this meeting may do so, if they have submitted a written representation within the consultation period relating to the application and notified the Committee Manager that they wish to speak by **12.00 noon on the day before the meeting**.

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The 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.

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JOINT DEVELOPMENT CONTROL COMMITTEE - CAMBRIDGE FRINGES

18 September 2015

10.30 am - 12.25 pm

Present: Councillors Bard (Chair), Blencowe (Vice-Chair), Baigent, Bird, C. Smart, Ashwood, Nethsingha, Orgee, Cuffley, de Lacey, Nightingale and Van de Weyer

Officers Present:

Head of Planning Services: Patsy Dell

New Neighbourhoods Development Manager: Sharon Brown

SCDC Team Leader, New Communities: Paul Mumford

Senior Planning Officer: Katie Parry

Legal Advisor: Penny Jewkes

Committee Manager: Sarah Steed

Additional Members Present for the Pre-application briefing:

Councillor Tim Moore

Councillor Sebastian Kindersley

Councillor Janet Lockwood

Developer Representatives:

Michael Hendry

Edward Skeets

Jed George

David Morley

Brian Thumb

FOR THE INFORMATION OF THE COUNCIL

15/1/JDCC Apologies

Apologies were received from Councillors Price and Holt and Councillor Gawthroe attended as alternate for Councillor Price.

15/2/JDCC Declarations of Interest

No declarations of interest were made.

15/3/JDCC Minutes

The minutes of the meeting held on the 19 August 2015 were approved as a correct record subject to the amendment of the typographical error regarding Councillor Ashwood's name on p2 of the minutes.

15/4/JDCC Consultation Paper - Review of Fringe Sites Joint Development Control Committee Terms of Reference to Incorporate City Deal Infrastructure Schemes

The Committee received a consultation paper for the review of the Joint Development Control Committee Cambridge Fringes Terms of Reference to incorporate City Deal infrastructure schemes.

The Committee noted the revised Appendix 2 Terms of Reference for the Joint Development Control Committee Cambridge Fringes circulated at the meeting, which changed a typographical error at page 30 of the committee agenda pack, paragraph 1, third line where the first reference to 'City Deal infrastructure schemes' was deleted.

In response to Members' questions the New Neighbourhoods Development Manager confirmed that the terms of reference would be kept under review to ensure that they continued to be fit for purpose.

The Committee

Resolved (unanimously) to support the principles of the proposed changes to the JDCC Terms of Reference subject to:

- a) Consultation with City Council and SCDC Planning Committees
- b) Endorsement by Cambridgeshire County Council Constitution and Ethics Committee
- c) Formal approval through the three Councils.

15/5/JDCC S/1871/15/FL - 699 Newmarket Road, Cambridge

The Committee received a full application for the erection of a new car showroom and car valeting building along with associated infrastructure following the demolition of the existing Jaguar and Used Car Centre showrooms and other buildings.

The Committee noted the amendment sheet which detailed an amendment to condition 11.

The SCDC Team Leader for New Communities confirmed that the County Council had withdrawn their objection in relation to the potential increase in vehicle trips onto Newmarket Road following the submission by the Applicant of additional information.

Mr Hendry the applicant's agent addressed the Committee in support of the application.

The Committee made the following comments in response to the report:

- i. Queried what was meant by paragraph 8.15 on p39 of the committee agenda pack.
- ii. Questioned how this development fitted in with the Wing development.
- iii. Questioned whether the impact of construction traffic had been considered.

In response to Members' questions the SCDC Team Leader for New Communities said the following:

- i. The County Council monitoring sum which went alongside the travel plan was only effective if the travel plan itself was monitored.
- ii. The traffic management plan was one way in which the construction traffic would be managed. Condition 4 related to construction traffic.

The Committee:

Resolved (unanimously) to grant the application for planning permission in accordance with the officer recommendation, for the reasons set out in the report and subject to the conditions recommended by the officer and the revised condition 11 tabled on the amendment sheet.

15/6/JDCC Pre-application Member Briefing - Land to the west of Hauxton Road and land to the west of Cambridge Road, Hauxton and Abbey stadium, Newmarket Road

The Committee received a presentation on the land to the west of Hauxton Road and land to the west of Cambridge Road Hauxton and Abbey Station Newmarket Road.

Penny Jewkes, the Legal Advisor, reminded members present of the status of the proposed development on the Trumpington site in terms of its green belt location and that it is not an allocated development within either the adopted or emerging Local Plans and would therefore currently or potentially in future

constitute a Departure application. Members were advised to bear this in mind in their discussions in order not to fetter their discretion in terms of voting on any future planning application.

Members raised comments and questions as listed below. Answers were supplied but as this was a pre-application presentation, none of the answers were to be regarded as binding and so are not included in the minutes.

1. What measures had been considered to mitigate the impact of the development on Hauxton Road.
2. How had wider transport impacts been considered including on localities such as Sawston and taking into account the stadium development approved there?
3. How would the facilities being proposed on the sporting village relate/compete with the new facilities proposed in Sawston?
4. Questioned whether the two applications could be considered together.
5. What was the test for development in the green belt.
6. Questioned what facilities there would be for disabled people.
7. Had the impacts of intensification of use on the Abbey Stadium site been considered in transport terms and had bus improvements been proposed as part of this?
8. Advised that a recent decision made by the City Deal Assembly on the orbital bus route scheme may have had an impact on the development site.
9. Questioned what consultation had been undertaken with The Shelfords and Stapleford wards and Harston Parish Council
10. Questioned what other locations had been considered for the sporting village scheme.
11. It was requested that Haslingfield Parish Council were directly consulted in relation to the scheme.

15/7/JDCC Amendment Sheet

The amendment sheet was noted.

The meeting ended at 12.25 pm

CHAIR

Agenda Item 4

JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)

Report by: Head of Planning Services

Date: 21 October 2015

Application Number	15/1553/S73	Agenda Item	
Date Received	12 August 2015	Officer	Mark Parsons
Target Date	11 November 2015		
Parishes/Wards	Castle		
Site	'Lot 1' located within Land Between Huntingdon Road, Madingley Road, and the M11, North West Cambridge, Cambridge, Cambridgeshire		
Proposal	Section 73 application to vary condition 20 (Delivery Hours) of application 13/1748/REM to extend delivery hours to the following: 0600 to 2300 hours Monday to Saturday; 0800 to 1900 hours Sundays; and 0700 to 1900 hours on Bank Holidays.		
Applicant	University of Cambridge		
Recommendation	Refuse		
Application Type	Section 73	Departure:	No

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APPENDICES

Ref	Title
1	Plan of the 'Lots' within the Phase 1 masterplan
2	Layout plans of adjacent approvals and scheme under consideration
3	Receptor points for noise monitoring
4	Original Decision Notice 13/1748/REM

0.0 INTRODUCTION

- 0.1 In February 2013 Cambridge City Council granted planning approval for 'Lot 1' on the North West Cambridge Development (NWCD) reference 13/1748/REM. This approval was a reserved matters approval relating to a scheme for a foodstore (2000sqm net) along with a smaller retail space, 117 residential units, primary health care centre, police office, and energy centre and other ancillary features such as car and cycle parking, landscape and drainage infrastructure. The approval also included a road through the local centre that connects the northern part of the primary road to the southern part and allows for a direct route through the local centre, albeit controlled during parts of the day.
- 0.2 The consent was approved with 28 conditions (decision notice in full is attached as appendix 4), which included a condition (Condition 20) limiting the delivery hours of the foodstore. The condition stated that:

Delivery hours of the foodstore shall not be outside the hours of

Monday to Saturday 0700 to 2300 hours

Sundays and Bank Holidays- 0900 to 1700 hours

The reason for the condition was to protect the amenity of the adjoining properties both on and off the site ('the site' referring to the red line of Lot 1).

- 0.3 The development has commenced and is currently being constructed on site along with several other reserved matters permissions previously granted.
- 0.4 Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition (or conditions) previously imposed on a planning permission. The local authorities can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition(s) should continue. The original permission will continue to subsist whatever the outcome.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The wider site sits to the northwest of Cambridge, and to the south of Girton Village, between Huntingdon and Maddingley Road. The site is covered by the North West Cambridge Area Action Plan (NWCAAP) 2009, a joint document adopted by both Cambridge City Council and South Cambridgeshire District Council reflecting the fact that the site sits within both administrative boundaries. The NWCAAP is therefore the policy basis for the assessment of any applications on this site.
- 1.2 The site subject to this application sits central to the wider site, and to the southern part of the first phase. The foodstore to which the delivery hours relate sits to the northern part of Lot 1 and faces to the market square to

the north. The east of Lot 1 bounds 'Bus Gate Street', and has residential adjoining the foodstore above the police office and health facility. To the south the foodstore backs onto the service yard and energy centre with residential surrounding the southern courtyard beyond that. To the west the foodstore is 'sleeved' by residential properties facing a tertiary road between this site and Lot 3, and also serves as the main entrance into the servicing area. Lot 3 (residential use) completes the opposite side of the road.

- 1.3 The foodstore is entirely within the Cambridge City Council boundary. It is not located within a Conservation Area, although it will be seen from the Conduit Head Road Conservation Area. No protected trees sit within the application site, although the site does sit adjacent to protected Green Belt land.

2.0 THE PROPOSAL

- 2.1 The proposal is to replace the delivery hours specified in paragraph 0.2 above with the following hours for deliveries:

Delivery hours of the foodstore shall not be outside the hours of

Monday to Saturday- 0600 to 2300 hours

Sundays- 0800 to 1900 hours

Bank Holidays- 0700 to 1900 hours

This represents the following changes that need to be assessed through this application.

- 1) Increase of 1 hour in the morning Monday to Saturday from 0700 to 0600 hours.
 - 2) Increase of 1 hour in the morning Sundays from 0900 to 0800 hours.
 - 3) Increase of 2 hours in the morning on Bank Holidays from 0900 to 0700 hours.
 - 4) Increase of 2 hours in the evening on Sundays and Bank Holidays from 1700 to 1900 hours.
- 2.2 The supporting documentation with the application specifies that in reality due to the time it takes for unloading and given the size of the delivery yard it is likely that only one HGV will visit the delivery bay in any one hour. One can therefore assume that generally one HGV will visit the site prior to 0700 hours Monday to Saturday, one HGV will visit before 0900 hours on a Sunday, and two will visit before 0900 hours on Bank Holidays.
- 2.3 The section 73 application is accompanied by the following documents:
1. Noise Assessment
 2. Covering letter including justification of operating need

3.0 **RELEVANT SITE HISTORY**

3.1

11/1114/OUT & S/1886/11	Outline for 3,000 dwellings; up to 2,000 student bedspaces; employment floorspace, including commercial and academic floorspace; retail floorspace; Senior Living; Community Centre; Indoor Sports Provision; Police; Primary Health Care; Primary School; Nurseries; Hotel; Energy Centre; and associated infrastructure including roads, pedestrian, cycle and vehicle routes, parking, drainage, open spaces and earthworks.	Approved
13/1402/S73 and S/2036/13/VC	Section 73 application to vary condition 69 (Drawing Numbers) of 11/1114/OUT and S/1886/11.	Approved
13/1827/REM	<p>Lot 3</p> <p>Reserved Matters Application (access, appearance, landscaping, layout and scale) pursuant to 11/1402/S73 for 232 residential units, including 87 one bedroom key worker units and 140 two bedroom key worker units and 5 four bedroom shared key worker units, including a semi-basement car park and cycle parking, a flexible community space, residential car parking courts for wider local centre uses and the adjacent access Lane from the primary street to the residential courts, landscaping, utilities and associated ancillary structures.</p>	Approved
13/1748/REM	<p>Lot 1</p> <p>Reserved matters application (access, appearance, landscaping, layout and scale) pursuant to 11/1402/S73 for a foodstore (2000sqm net, Use class A1) and retail space (use class A1- A4), 117 residential units, comprising 41 one bedroom key worker units and 76 two bedroom key worker units, a primary health care centre (Use class D1), a police office (Use class B1), a district heating energy centre, access roads, including bollard controlled street running through the local centre (with cycle and pedestrian routes), cycle parking, car parking, landscaping, public realm, utilities and associated ancillary structures.</p>	Approved

NW17 Cycling Provision
NW18 Walking Provision
NW19 Parking Standards
NW21 A Local Centre
NW24 Climate Change and Sustainable Design and Construction
NW25 Surface Water Drainage
NW26 Foul Drainage and Sewage Disposal
NW28 Construction Process
NW30 Phasing and Need

5.3 Informal Planning Policy Guidance on foodstore provision in North West Cambridge. (March 2011)

Adopted guidance can be found at

https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/docs/IPP_G_March_2011.pdf

Background documents can be found at

<https://www.cambridge.gov.uk/foodstore-provision-in-north-west-cambridge>

6.0 EXTERNAL AND INTERNAL CONSULTATIONS

6.1 External Consultations

Highway Authority

No objection to the application.

6.2 Internal Consultations

Environmental Health

The results of the noise assessment show that proposal is likely to impact on the amenity of residential properties and the application should therefore be refused.

7.0 PARISH COUNCIL, RESIDENTS' ASSOCIATIONS AND NEIGHBOUR REPRESENTATIONS

Girton Parish Council

Girton Parish Council felt that the request for extended delivery hours was felt to be unreasonable, as these are anti-social hours and will inconvenience many residents. The delivery vehicles will come in on the haul road from Madingley Road which is already clogged with heavy commuter traffic in the morning rush hour, and this extension will significantly affect commuters. If the extended hours were felt necessary, these should have been applied for at the start of the planning process.

Nineteen Acre Field Residents' Association (NAFRA)

NAFRA is concerned at this application's shortcomings, identified and documented in some detail by Environmental Health. In the circumstances it seems essential that the Council reject the application in its current form.

Neighbour Representations

The owners/occupiers of the following addresses have made representations:

- 161 Huntingdon Road
- 177 Huntingdon Road
- 32A Storey's Way
- 6 Windsor Road
- 33 Windsor Road
- 59 Windsor Road
- 93 Windsor Road (The Four Windsor Road properties is a joint representation)

The representations can be summarised as the following:

- We do not agree that there is a need and this will impact residents who cannot object as their identity is unknown.
- Early shoppers are relatively few and therefore congestion is minimal even if produce is still being put on shelves- is there evidence that this is a serious problem?
- Glazing provisions will limit noise disturbance to those properties close to the delivery bay but sound travels round corners and will affect open windows and there will be noise from tracks passing on route.
- Disturbed that the original application did not include the delivery hours now specified- has the delay between delivery and display changed in the last two years?
- The proposed delivery times will impact negatively on the properties on Huntingdon Road.
- Delivery times should be confined between 0900 and 1900 hours on all days.
- Residents will be woken up in the morning and evenings by heavy vehicles.
- Pleased that that the number of deliveries will not be increased.

8.0 ASSESSMENT

- 8.1 The original application was a complex submission requiring many elements to be assessed. This section 73 application focuses only on one issue: the proposed amendment to condition 20. This submission therefore makes an assessment on that one issue alone.

Noise impact

- 8.2 The impact of noise from deliveries was assessed as part of the original application. During the pre-application discussions for that submission officers made clear that the aspirations for the foodstore operator in terms of delivery hours would not be acceptable to the local authority. The delivery hours condition was made available to the applicant prior to committee and no justification or further information was submitted to officers prior to determination. No appeal to the condition was made by the applicant.
- 8.3 A number of other conditions were placed on the planning approvals also. These include operational hours of the foodstore, noise insulation details and service yard management plan. All of these conditions will remain in place and need to be satisfied and/or adhered to.

The noise assessment

- 8.4 A noise assessment (dated November 2014) has been submitted with the application. In general the methodology used for the noise assessment is agreed however there are two main shortcomings with the assessment. These are as follows:

- 1) Section 3.2.1 of the report provides noise data from HGV movements and a quote is made to 'measurements in free field conditions'. However, no detail is provided on when, where and how the data was obtained and how it fits the scenario under assessment here at NWCD.
- 2) The report assumes that all deliveries will come from the south entrance into the wider site (Madingley Road). It therefore only assesses this route and not the route from Huntingdon Road.

These issues are discussed in detail below, but as neither of these issues would materially change the recommendation of the application, the application has been determined on the basis of the report submitted.

Noise report reference points

- 8.5 The noise report identifies 11 noise sensitive receptor locations identified in appendix B of the submitted report (drawing number SK02). PR1 to PR5 inclusive are located within the NWCD. R1 to R6 inclusive are situated within the existing residential properties on Madingley Road and Conduit Head Road, Lansdowne Road. Noise data is provided at each location identifying sound levels externally, internally with windows open (reducing sound by 15dB), and internally with windows shut (reducing sound by 30dB).
- 8.6 Data is provided in two ways $L_{Aeq\ 5mins}$ which represents sound average over a 5 minute period which has been used to assess the acceptability of the proposal for daytime noise (the hours between 0700 and 2300) and

L_{AMAX} where the loudest noise is identified which has been used to assess the impact on night time (the hours in between 2300 and 0700) amenity.

- 8.7 L_{AMAX} is used for night time deliveries as this 'max' noise may only be a single event, however its impact cannot be reasonably assessed by reference to changes in LA_{eq} because such an event, possibly disturbing in its own right (enough to wake someone up), would have little effect on the LA_{eq} noise level over an average 5 minute period. Therefore for night time assessment, reference to L_{AMAX} is more likely to indicate the potential for disturbance to local residents¹.
- 8.8 The results in terms of the 5 minute average are compared against guidance set within BS8223:2014 (Guidance on sound insulation and noise reduction for buildings) and for the maximum sound, the World Health Organisation (WHO) Guidelines on Community Noise.

Reference points PR1 to PR5

- 8.9 Lots 1 and 3 have the benefit of planning consent and we therefore can be certain of the internal layout of the dwellings at PR3 (Lot 1) and PR4 and 5 (Lot 3). Lot 1 proposes internal layouts that include bedroom and living room windows facing the Primary Street. For the bedrooms the window facing the Primary Street is the only window serving that room, and in some instances these bedrooms are the sole bedroom in a one bed unit. This layout is replicated over 4 storeys (with a 5 storey element on the corner of Bus Gate Street).
- 8.10 The corner element of Lot 3 has a five storey block which includes bedrooms in its southeastern elevation, although the east elevation does not have bedrooms. The three storey element of Lot 3 facing east towards the delivery yard includes two bedroom units whereby both of these bedrooms face onto the access route and service yard.
- 8.11 PR1 and PR2 are situated on Lot 9 (now known as S3) and is not yet approved, however previous discussions have shown that the size of the plot, and the location- adjacent the Primary Street, have shown that the design of that Lot is already difficult with the current constraints. Any approval of delivery hours would pose as a further constraint for the design of this Lot. It raises questions as to whether this Lot can be built out successfully in noise terms, as well as complementing the design quality in such a prominent location on the site.
- 8.12 It can be seen from the approvals to date that there are bedrooms on the Lots already approved that are exposed to the noise source which needs to be borne in mind when looking the exceedances shown below.

Noise assessment results

¹ A methodology supported by The Planning Inspectorate in appeal ref: APP/D0121/A/07/2041742

- 8.13 The British Standard 8233:2014 sets out that the internal bedroom noise threshold at daytime (0700 to 2300) is 30dB. With the windows fully closed this sound level is adhered to. With the window open the 30dB recommended level is exceeded in all of the receptor locations as set out in the table below:

Ref	Internal LAeq 5mins (dB) (Window open)	Level of exceedance (dB) beyond the British Standard
PR1	31.5	1.5
PR2	35.0	5
PR3	37.8	7.8
PR4	38.7	8.7
PR5	31.5	1.5

Table 1

- 8.14 The WHO guidance sets out criteria for night time noise levels in terms of the LA_{MAX} levels which identify 45db as the threshold. With the window fully closed, once again the criteria are not breached, however with the window open at night the following receptor locations are exceeded.

Ref	Internal LA MAX (dB) (Window open)	Level of exceedance (dB) beyond WHO guidelines
PR1	49.2	4.2
PR2	52.6	7.6
PR3	55.3	10.3
PR4	54.7	9.7
PR5	48.3	3.3

Table 2

- 8.15 The applicant's report demonstrates that internal noise levels (with windows open), are predicted to exceed the BS/WHO criteria at the proposed dwellings within the NWCD (PR1 to PR5). However the report states that mitigation measures, including enhanced glazing and acoustic trickle vents have been specified for these dwellings to ensure noise and ventilation criteria are met.

Amenity Assessment

- 8.16 Officers are aware of the mitigation measures that have been put into place for units on the Lots approved where noise is a factor. Enhanced glazing and acoustic trickle vents enable natural ventilation to occur without noise levels becoming problematic. However, it is the view of officers that where a property has the ability to open windows (and the local authority would only seek to seal windows as a last resort on secondary/non-habitable windows), the occupant has a right to open that window, particularly in a suburban location such as this. This is especially true during the summer months where trickle vents are not as proficient in terms of cooling as opening a window for natural ventilation.

Additional morning hours Monday to Saturday (change 1 in para 2.1)

8.17 The night time hours (those between 2300-0700) when one would expect residents and future occupiers to sleep is better assessed by the L_{Amax} values (table 2), where a noise (however quick that noise is gone- this maybe a noise from a passing heavy goods vehicle.) is enough to cause disturbance and wake someone up. Residents should, at the very least expect adequate time to sleep undisturbed, in order to have a good standard of amenity (NPPF para 17).

8.18 It can be shown through the assessment provided that residents, if the window is (even partially) open, would experience noise beyond the guidance recommended. The level of exceedance would, in officer's view, be enough to cause disturbance and harm amenity contrary to policy.

Additional morning Sunday and Bank/Public Holidays hours (changes 2 and 3 in para 2.1)

8.19 In terms of bank and public holidays, one should apply the same principles as the paragraphs above, however one would expect that the daytime hours to start later at 0900 and end earlier, as it has long been established that the expectation for amenity on these days are different to a typical weekday or Saturday. Planning conditions have long taken a different approach to weekday/Saturday hours than Sunday/Bank holiday hours in acknowledgement of this.

Additional early evening Sunday and Bank/Public Holiday hours (change 4 in para 2.1)

8.20 The report does show that the exceedance occurs in the daytime hours over the $L_{Aeq\ 5mins}$ (see table 1 above). There are two main reasons why officers deemed this acceptable in granting permission previously. Firstly these properties are located within the local centre of the site, where during the daytime hours (0700-2300), one might expect a bit more noise from comings and goings of the activity in and around the mix of uses here. While this noise is present it occurs in times of the day when one would expect a resident to be awake and going about their daily activities.

8.21 Secondly, in the daytime residents are likely to reside in their living accommodation rather than bedrooms. The living accommodation is facing away from the road/delivery yard (Eastern part of Lot 3) or is dual aspect (Lot 1) enabling ventilation from openable windows from the quieter side.

8.22 Therefore, given the above principle it would appear reasonable that extending the early evening hours from 1700 to 1900 would still be within reasonable 'day time' hours and that one couldn't object to the increase to 1900 in noise terms.

Noise conclusion

- 8.23 Therefore given the above, in pure noise terms officers have no objection to delivery hours being extended for the two extra hours in the evening on Sundays and Bank/Public holidays allowing deliveries up to 1900hours.
- 8.24 However officers still consider that extending the delivery hours in the morning to 0600 weekdays, 0800 Sundays and 0700 on Public and Bank Holidays is not acceptable and would have an adverse impact on the amenity of neighbouring properties conflicting with North West Cambridge Area Action Plan Policy NW2 which states that planning permission will not be granted where the proposed development or associated mitigation measures would have an unacceptable adverse impact on residential amenity. The NPPF states that we should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Operational justification

- 8.25 In determining planning applications, decision makers are required to balance material considerations in making a planning decision. Officers acknowledge that there are 'alternatives' available to residents in the form of natural ventilation should they need to shut their window, and have considered this in reaching a view, but the principle remains that windows, if openable, should be capable of being open for ventilation, especially through the night.
- 8.26 In this instance it is considered that there would have to be significant justification to support the extended hours to outweigh any harm identified in the noise section of the report above. The applicant has referenced paragraphs 18-22 within the NPPF about building a strong and competitive economy. However it is considered that the local authority has met all these requirements in allocating and supporting a comprehensive development of this site. While being supportive of development that enhances the economy, that cannot be at the expense of all other considerations such as amenity.
- 8.27 Officers have considered the supporting covering letter which states that the foodstore operator, under the current delivery hours will not have sufficient time to stock products on the shelves between the arrival of the deliveries and the opening of the store meaning that the store will not be able to properly stock fresh food and produce, and provide a satisfactory display by the time the store opens.
- 8.28 There remains is no evidence to suggest that the level of demand from visitors entering the foodstore first thing in the morning would be so substantive as to offset the loss of amenity referred to in the paragraphs above. Moreover, the letter states that the reason for the application being

submitted is to allow greater *flexibility* for deliveries. Officers maintain that the delivery hours set out on the decision notice by no means renders the foodstore 'operationally unviable'. Most stores (not just ones by this operator), in a range of locations are able to manage within greater constraints of delivery hours than are allowed for here.

- 8.29 It is considered that in relation to the delivery hours and the impact upon the ability for the foodstore to operate, on the evidence provided, the delivery hours currently consented in no way make the proposal operational unviable, and merely requires practical arrangements to be put in place to put produce on shelves with some customers in the store. This is not an uncommon arrangement, even in larger food stores. There is therefore considered to be insufficient justification in these circumstances that outweigh the harm identified in the noise section above.

Enforceable planning condition

- 8.30 The noise report makes a significant assumption that all deliveries will come via the south entrance from Madingley Road. While routing agreements are often made at the construction stage (this is easier to control as it is for a small period of time). It is difficult to identify how this condition will be readily enforceable and monitored on an ongoing/open ended basis.
- 8.31 Two of the three options for origin of deliveries set out in the covering letter; Rye Park and Elstree would in all likelihood take the route to M11 J13 and use Madingley Road. However the route from Northampton would use the A14/Huntingdon Road and naturally come in from the Huntingdon Road access. In addition, there are no guarantees in the medium to long-term future that suppliers would not change as supermarket suppliers and contracts will be subject to regular review and changes in circumstances that the local planning authority cannot control.
- 8.32 It is considered that any condition to limit deliveries from this entrance/direction could not be enforceable and would not meet the tests set within the NPPF. Therefore, it follows, that the noise assessment should assess the impact on residential amenity (in terms of L_{Amax} for night time noise) for properties on the approach into the site from Huntingdon Road also.

Other issues

- 8.33 As set out above the application does not go into any detail on assessing the impact on properties on the approach road (now called Eddington Ave) that are under consideration through planning application ref numbers 15/1663/REM (City) and S/2219/15/RM (SCDC). The layout of this

proposal is due to be considered by this Committee in November and therefore must be given weight.

- 8.34 The layout of this scheme once again (similar to Lot 3 and Lot 1) provide for bedrooms facing the primary street with no alternative in terms of windows facing opposite directions. Therefore during the night time hours (before 0700 in the morning) the noise (if assumed to be similar to those identified in the report) would exceed the criteria in WHO guidance and harm the amenity of those future occupiers.
- 8.35 The covering letter specifies that noise levels of a short duration will not be dissimilar than other vehicles on the highway such as other HGVs, buses and refuse vehicles. While the roads are public highway, this is primarily a residential area and wouldn't normally be subjected to HGVs during night time hours. By approving this application one is guaranteeing a daily HGV throughout the site harming residential amenity as the noise assessment shows. Furthermore, refuse vehicles will not collect in residential areas prior to 7am due to residential amenity reasons, and it is unlikely that there will be a need for bus services to run through the site before 7am.

Quiet Deliveries Demonstration Scheme (QDDS)

- 8.36 It is noted that the covering letter mentions the supermarket operator's successful involvement in the Quiet Deliveries Demonstration Scheme (QDDS) at other locations within the UK.
- 8.37 One of the fundamental steps in setting up a successful QDDS is involving the local community. Indeed, the *Quiet Deliveries Scheme: Key Principles and Processes (February 2015)*, provides a guidance document which emphasises the importance of community involvement and states that:
- Local communities are a vital part of the planning process for a QDDS
 - Local communities need to be reassured that early/late deliveries will not impact on their amenity
 - The QDDS procedure aims to ensure that those affected are involved at an early stage
 - The Local Authority should encourage liaison with the community and residents groups
 - It is the responsibility of the advocate to consult the relevant communities
 - Householder notification is required
 - Depending on the results of the community engagement and consultation, a trial or temporary scheme can be granted
 - A Memorandum of Understanding should be agreed and signed by stakeholders.

- 8.38 It is considered that whilst a QDDS, with all its mitigation measures in place, may suit one community, it cannot be assumed that these measures can be successfully implemented at another location, particularly prior to the residential community being established as in this case. Such arrangements are more likely to work with existing well-established communities.

9.0 CONCLUSION

- 9.1 Having assessed the results in the noise report in the case of early morning deliveries (before 0700 hours on Mon-Sat and 0900 hours on Sunday and Bank Holidays) and taking into account the circumstances of the site and its surrounding context and the other factors highlighted in the report in terms of difficulties of controlling routing and supplier locations in the medium-long term future, it is considered that the proposal will have an adverse impact on residential amenity of occupiers of nearby residential properties. The operational justification from the applicant does not provide sufficient justification to outweigh the harm identified.
- 9.2 As set out in the report, it is considered that a more modest relaxation can be justified within the evening hours on Sundays and Bank holidays. However, given that the proposal has come forward as one submission officers have considered whether the application can be partially approved in the context of increasing the evening hours on Sundays and Bank Holidays. However there still remains some inadequacy in terms of the technical report (point 1 in para 8.4). If these points were resolved through a subsequent application then the evening hours element of the application (change 4 in para 2.1) could potentially be supported by officers.

10.0 RECOMMENDATION

REFUSE for the following reason:

1. The noise report submitted as part of the application demonstrates that the noise created by the delivery activities within the night time criteria, with windows open will exceed acceptable levels and therefore result in unacceptable harm to the amenity of nearby residential properties during the night time hours, many of which have their sole bedroom window facing the source of noise impact. The proposal is therefore contrary to North West Cambridge Area Action Plan Policy NW2 as the proposed development will have a negative impact on residential amenity, and the NPPF para 18 which seeks to secure a good standard of amenity for all existing and future occupants of land and buildings.

Background Papers

- Application File 11/1114/OUT
- JDCC Report of August 2012
- Application File 13/1748/REM
- JDCC Report of February 2014

Contact details

To inspect the application or if you have a query on the report please contact:

Author's Name:	Mark Parsons
Phone Number:	01223 457289
Email:	Mark.parsons@cambridge.gov.uk

The following pages include the following appendices

APPENDIX 1 – Plan of the 'Lots' within the Phase 1 masterplan

APPENDIX 2 - Layout plans of adjacent approvals and scheme under consideration

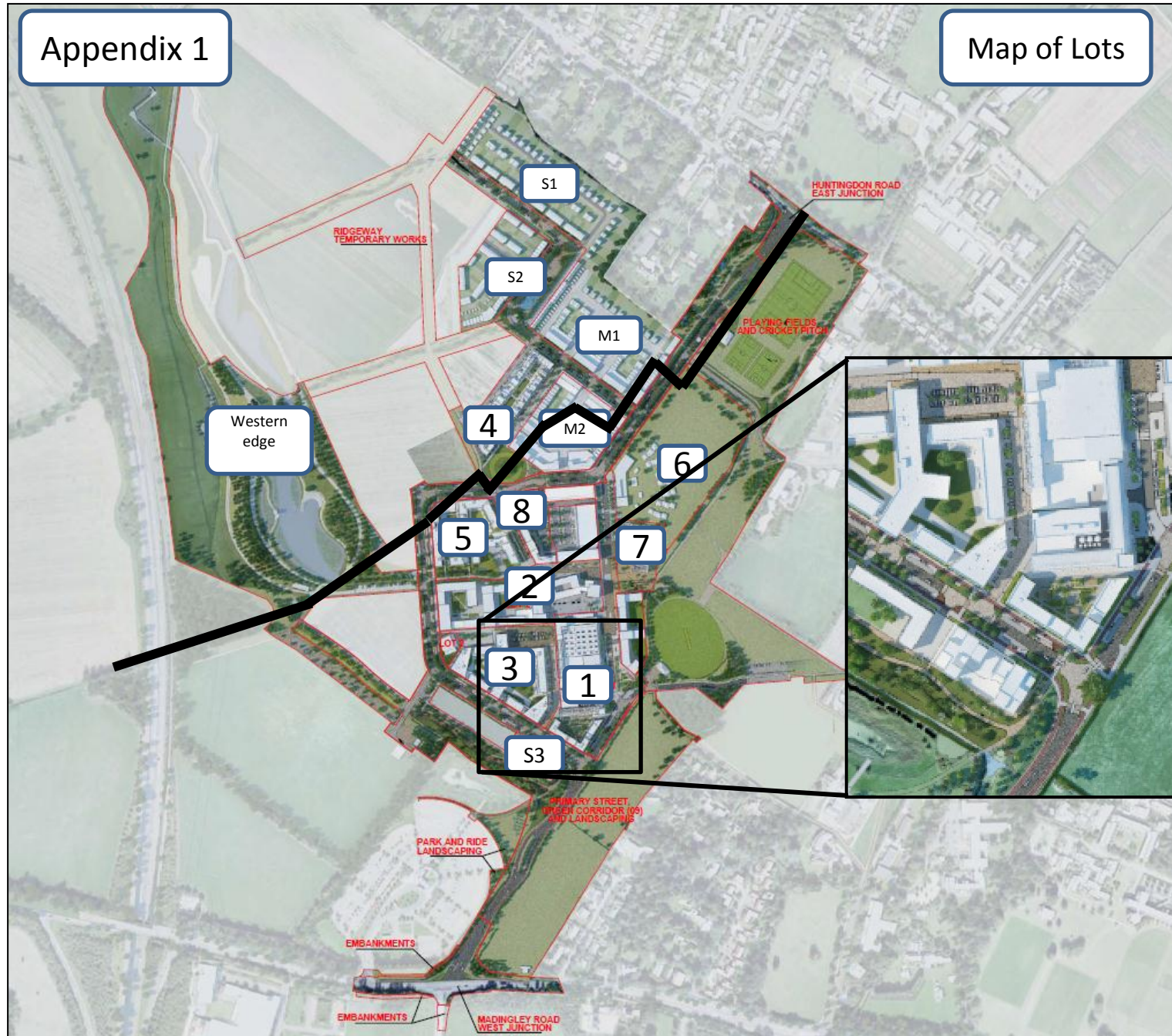
APPENDIX 3 – Receptor points for noise monitoring

APPENDIX 4 - Original Decision Notice 13/1748/REM

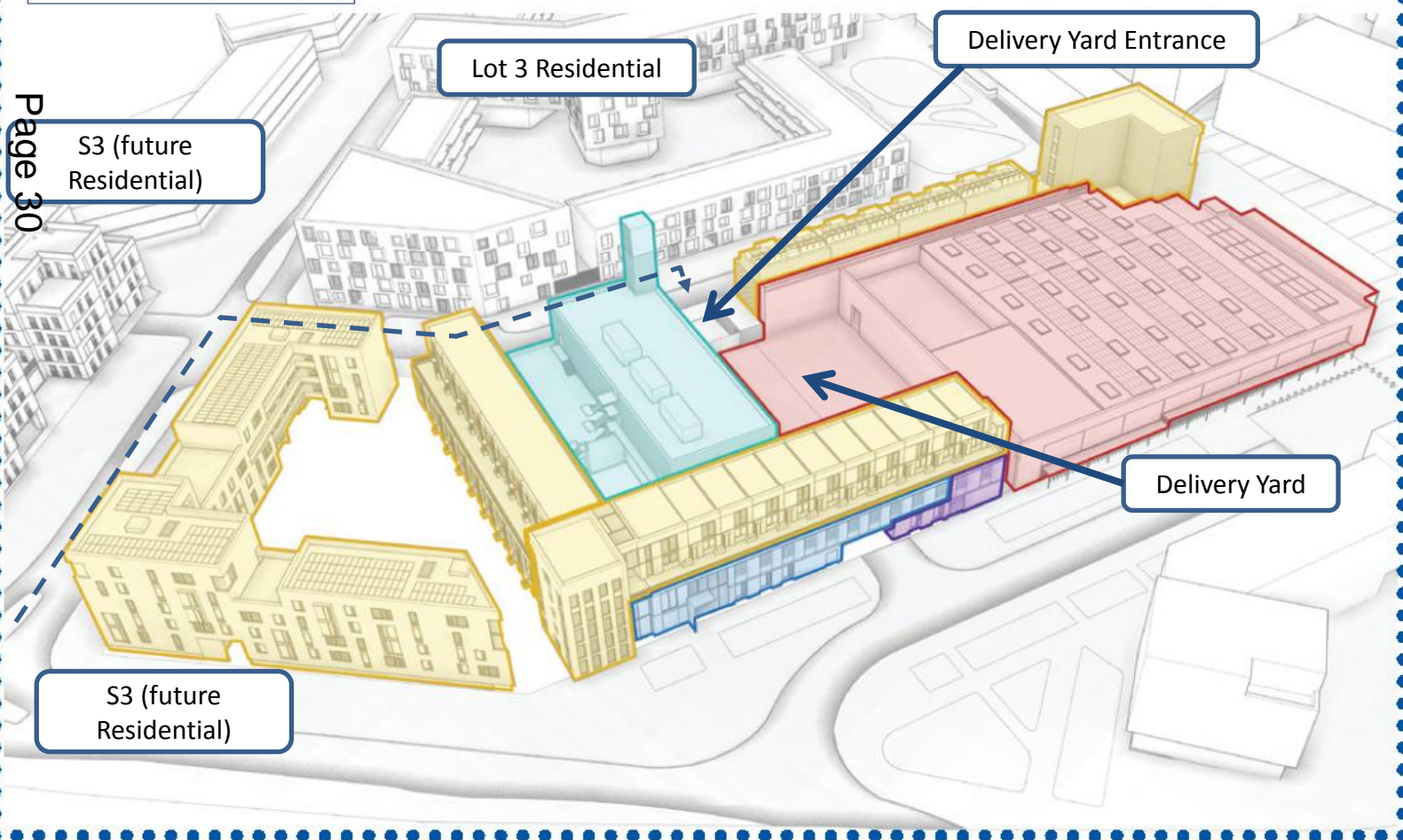
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Appendix 1

Map of Lots



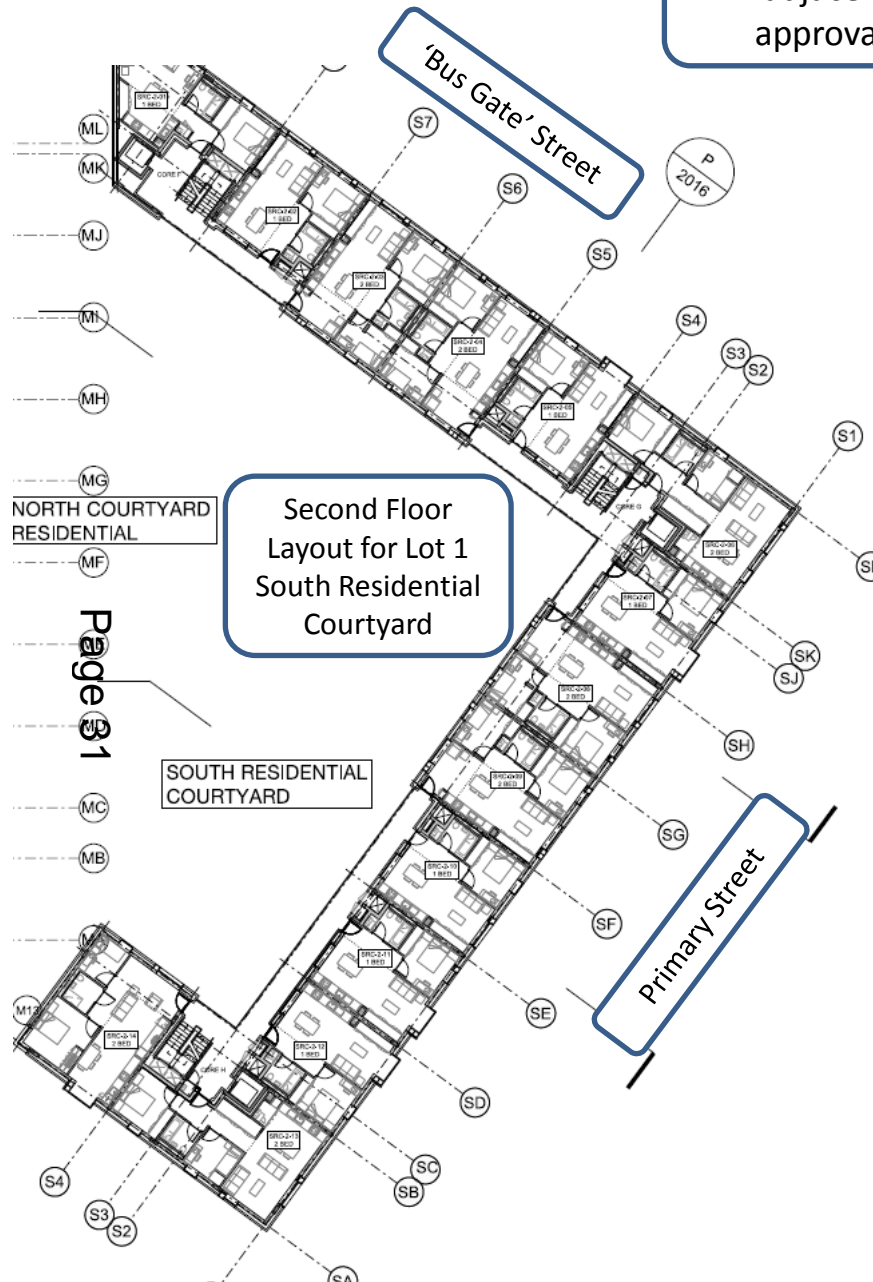
KEY	
Lot 1	
■	Residential Accommodation
■	Foodstore
■	Energy Centre
■	Primary Healthcare Trust
■	Police Touchdown Office



Lot 1

Layout Plans for
adjacent
approvals

Lot 3

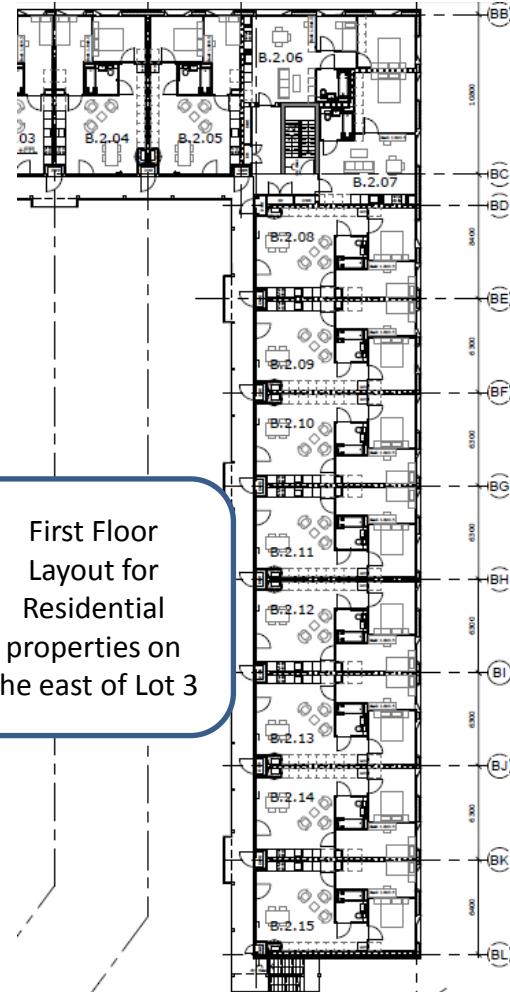


Second Floor
Layout for Lot 1
South Residential
Courtyard

NORTH COURTYARD
RESIDENTIAL

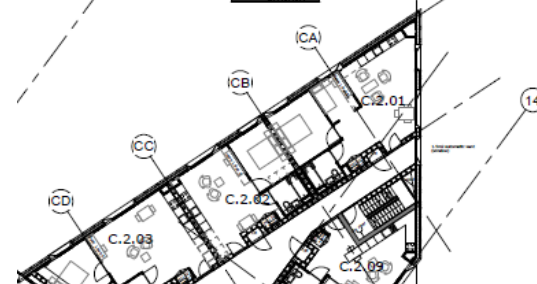
SOUTH RESIDENTIAL
COURTYARD

Primary Street



First Floor
Layout for
Residential
properties on
the east of Lot 3

Tertiary Street
and entrance
to the Lot 1
Delivery Yard



Lots M1 and M2

Layout Plans for
adjacent scheme
under
consideration

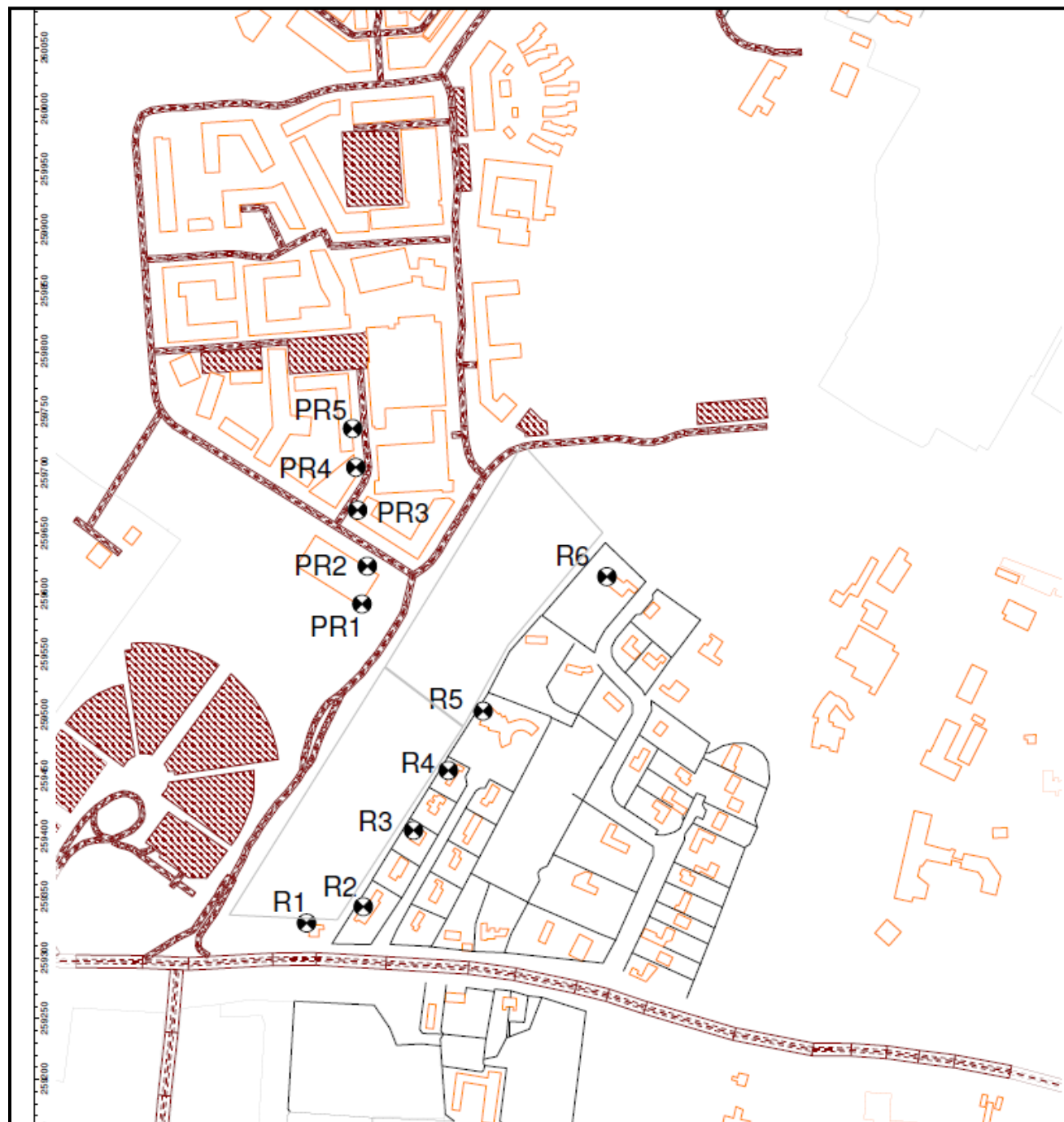
Primary Street

Upper floor
layout for
Residential
properties
facing the
primary street
on M1 and M2

Primary Street

Appendix 3

Noise Sensitive Receptor Locations



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CAMBRIDGE CITY COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL OF RESERVED MATTERS

SUBJECT TO CONDITIONS

Ref: 13/1748/REM



Miss Melissa Enderby
AECOM
MidCity Place
71 High Holborn
London
WC1V 6QS

The Council hereby grant approval of reserved matters for

Reserved matters application (access, appearance, landscaping, layout and scale) pursuant to 13/1402/S73 for a food store (2000sqm net, Use class A1) and retail space (use class A1- A4), 117 residential units, comprising 41 one bedroom key worker units and 76 two bedroom key worker units, a primary health care centre (Use class D1), a police office (Use class B1), a district heating energy centre, access roads, including bollard controlled street running through the local centre (with cycle and pedestrian routes), cycle parking, car parking, landscaping, public realm, utilities and associated ancillary structures.

at

Land Between Huntingdon Road, Madingley Road and M11 North West, Cambridge, Cambridgeshire

in accordance with your application received 2nd December 2013 and the plans, drawings and documents which form part of the application, subject to the conditions set out below:

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), the retail space (175 sqm GFA) shall remain independent of the food store (2000sqm net floor space) OR shall only be used for concessions and will retain principal access(es) from the Market Square.

Reason: To comply with the outline planning permission that this reserved matters application is pursuant to, and to comply with the Informal Planning Policy Guidance on Food Store Provision in North West Cambridge.

2. The food store (2000sqm net) hereby approved shall be used for food store use only and for no other purpose (including any other purpose in Class A1 of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To comply with the Informal Planning Policy Guidance on Food Store Provision in North West Cambridge.

3. The net floor space of the food store hereby approved shall have a minimum of 90% (1800sqm net) convenience floor space and the amount of comparison goods shall not exceed 10% (200sqm net) floor space.

Reason: To comply with the Informal Planning Policy Guidance on Food Store Provision in North West Cambridge and to ensure that day to day goods are available for residents of this development reducing the need to travel.

4. Vehicle access, except for authorised vehicles, shall be restricted through the local centre by the bollards hereby approved between the hours of 0700 and 1900 Monday to Friday inclusive.

REASON: To comply with the outline approval and Policy NW14 of the NWCAAP

5. Prior to the commencement of development, except for any underground enabling works, of the buildings approved and identified below samples of the materials to be used in the construction of the external surfaces of the those buildings, which includes external features such as windows, doors and lintels shall be submitted to and approved in writing by the local planning authority.

(buildings defined within Section 5 of the Design and Access Statement)

- a) Food Store, North West Residential and West Duplex Residential
- b) Energy Centre
- c) North Courtyard and Bus Gate residential and Bus Gate Corner Residential (including Health and Police)
- d) South Courtyard Residential

A sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the appearance of the external surfaces is appropriate. (NWCAAP policy NW2)

6. Prior to the commencement of development, except for any underground enabling works, of the areas of public realm approved and identified below samples of the materials to be used in the construction of the external surfaces of those specified areas (which include, kerbs, footways, cycleways, carriageway, raised tables, bin laybys and on-street car parking bays) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

(areas defined within page 145 of the Design and Access Statement)

- a) Bus Gate Street
- b) Local Centre
- c) Secondary Street east of South Courtyard Residential
- d) Internal landscaping

REASON: To ensure that the appearance of the external surfaces is appropriate. (NWCAAP policy NW2)

7. Prior to the installation of any bus stop shelter within the approved development, detailed drawings shall be submitted to and approved by the local planning authority. The approved shelters shall be constructed and completed prior to the commencement of the bus service operation. Development shall be carried out in accordance with the approved drawings.

Reason: To ensure that the appearance of the shelters are appropriate. (NWCAAP policy NW2)

8. Prior to the commencement of development, except for any underground enabling works, details of any cycle shelter structures shall be submitted to and approved in writing by the local planning authority. The approved shelters shall be constructed and completed prior to first use of the food store. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the appearance of the shelters are appropriate. (NWCAAP policy NW2)

9. The development hereby approved shall be constructed in accordance with the surface water drainage strategy document titled North West Cambridge Lot 1 Reserved Matters Application Surface Water Drainage Strategy dated November 2013 (Ref: NWC1-URS-01-LTW-XX-RPT- CE-0003 PA2).

REASON: To ensure the development does not increase the risk of flood downstream. (NWCAAP Policy NW25)

10. Prior to commencement of development details of the linear drainage, gullies and swales (designed to an adoptable standard), along with the final method of surface water collection shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the development does not increase the risk of flood downstream. (NWCAAP Policy NW25)

11. Prior to commencement of development the detailed design of the blue roofs proposed shall be submitted to and approved by the local planning authority. This information shall be provided together with any variation to the approved drainage strategy which will identify any subsequent variation to the final size and design of the on-site attenuation storage. Development shall be carried out in accordance with the approved details.

REASON: To ensure the development does not increase the risk of flood downstream. (NWCAAP Policy NW25)

12. Prior to commencement of development the method of surface water disposal to prevent surface water entering into the food store entrance from the square shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the development does not increase the risk of flood downstream and controls the flow of water adequately within the Market Square. (NWCAAP Policy NW25)

13. Data shall be collected on an annual basis from the anniversary following first occupation to identify the number of applicants for key worker housing parking spaces. The outcomes of this data shall be submitted with, and inform parking strategies for any key worker housing development within Phase 2 to 7 as identified through the approved phasing strategy.

REASON: To protect the amenity of the nearby residential properties. (NWCAAP Policy NW2).

14. Prior to first use of the development hereby approved, details of the pay and display times (or any specific allocation), including any 'free' period, for each parking spaces hereby approved including signage of said times, along with the opening and closing times of the underground car park shall be submitted to and approved by the local planning authority. The details shall also include the method of management and enforcement of these spaces and the development and management shall be carried out in accordance with the approved details.

REASON: To ensure that there is adequate parking spaces available for the uses proposed and in the interests of vitality and viability of the local centre (NWCAAP Policies NW19 and NW21).

15. The residential properties of the development hereby approved shall be constructed in accordance with the noise insulation scheme detailed in the submitted document titled 'North West Cambridge' Lot 1 Reserved Matters Application Noise Insulation Scheme dated January 2014 (Ref: NWC1-URS-01-LTW-XX-RPT- AC-0005 PA2),

Prior to first occupation a noise insulation scheme post construction/installation variation completion report for the residential units shall be submitted to and approved in writing by the local planning authority (LPA). The report shall include details of the airborne acoustic attenuation specification and/or performance standards of the external building facades structural elements and/or airborne acoustic performance test certificates (as appropriate) and confirmation of satisfactory workmanship, installation and performance.

The noise insulation / attenuation scheme as approved shall thereafter be maintained in strict accordance with the approved details in perpetuity and shall not be altered without the prior written approval of the local planning authority.

REASON: to ensure satisfactory amenity for future occupiers of the building. (NWCAAP Policy NW2)

16. Prior to the commencement of development, except for any underground enabling works full details and specification of the balustrade together with an acoustic barrier to the community terrace amenity areas of the 'South Courtyard Residential' facing Primary Street shall be submitted to and approved in writing by the local planning authority.

Development shall then be carried out in accordance with the approved details and shall thereafter be maintained in perpetuity.

REASON: to ensure satisfactory amenity for future occupiers of the building. (NWCAAP Policy NW2)

17. The energy centre and retail space hereby approved shall be constructed in accordance with the noise insulation scheme detailed in the submitted document titled 'North West Cambridge' Lot 1 Reserved Matters Application Noise Insulation Scheme dated January 2014 (Ref: NWC1-URS-01-LTW-XX-RPT- AC-0005 PA2),

Prior to first use of the energy centre or retail space a 'noise insulation scheme post construction completion report' shall be submitted to and approved in writing by the local planning authority (LPA). The report shall include details of the airborne acoustic attenuation specification and/or performance standards of the external building facades structural elements and/or airborne acoustic performance test certificates (as appropriate) and confirmation of satisfactory workmanship, installation and performance.

The noise insulation / attenuation scheme as approved shall thereafter be maintained in strict accordance with the approved details in perpetuity and shall not be altered without the prior written approval of the local planning authority.

REASON: to ensure satisfactory amenity for future occupiers of the building. (NWCAAP Policy NW2)

18. Prior to first occupation, a scheme for the insulation of the building(s) and/or plant in association with the electricity substation and emergency generator in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority. The noise insulation / attenuation scheme as approved shall thereafter be maintained in strict accordance with the approved details in perpetuity and shall not be altered without the prior written approval of the Local Planning Authority. The scheme shall include the following:

(i) Generator - Emergency Use Only

The generator shall only be used in the event of mains power failure or in accordance with (ii) below. It shall not be used as an alternative supply in the event of disconnection from the mains supply following for example non-payment.

(ii) Generator - Hours of Running for Maintenance

Running of the generator as part of routine maintenance and repair shall only take place for the length of time specified by the manufacturer between the hours of 8am to 6pm Monday to Friday, 9am to 1pm Saturday and no time Sunday or Public Holidays.

REASON: to ensure satisfactory amenity for future occupiers both on and off the site. (NWCAAP Policy NW2)

19. Opening hours for the food store and retail unit hereby approved shall not be outside the hours of:

Monday to Saturday 0730 to 2200 hours, and

Sunday and Bank Holidays 0800 to 1700 hours. (Subject to the Sunday trading laws)

Reason: To protect the amenity of the adjoining properties both on and off the site. (NWCAAP policy NW2)

20. Delivery hours for the food store hereby approved shall not be outside the hours of:

Monday to Saturday 0700 to 2300 hours, and

Sunday and Bank Holidays 0900 to 1700 hours.

Reason: To protect the amenity of the adjoining properties both on and off the site. (NWCAAP policy NW2)

21. Prior to occupation units BGB-3-02, BGB-3-03, BGB-3-04, BGB-3-05, BGB-3-06, BGB-3-07, BGB-3-08, BGB-3-09, BGB-3-10, BGB-3-11 and BGB-3-12 in the 'Busgate Building Residential' shall be provided with sealed windows to the habitable rooms (bedrooms) on the west façade, in closed proximity to the delivery yard.

The approved sealed windows shall thereafter be maintained in strict accordance with the approved details in perpetuity.

REASON: to ensure satisfactory amenity for future occupiers of the building. (NWCAAP Policy NW2)

22. All deliveries to the food store and the retail unit shall be in accordance with the Service Yard Management Plan detailed in the approved URS document titled North West Cambridge North West Cambridge Lot 1 Reserved Matters Application Noise Insulation Scheme dated January 2013 (Ref: NWC1-URS-05-LTW-XXRPT- AC-0005 PA2").

Reason: To protect the amenity of the adjoining properties both on and off the site. (NWCAAP policy NW2)

23. Prior to the commencement of development, except for any underground enabling works full details and specification, including operation of the access gate to the delivery yard shall be submitted to and approved in writing by the local planning authority.

The gate and its operation as approved shall thereafter be developed and maintained in accordance with the approved details in perpetuity.

REASON: to ensure satisfactory amenity for future occupiers of adjoining properties both on and off the site. (NWCAAP Policy NW2)

24. Before the development hereby permitted is occupied, details of equipment for the purpose of extraction and/or filtration of fumes and or odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed in accordance with the approved details and installed before the use hereby permitted is commenced.

REASON: to ensure satisfactory amenity for future occupiers' properties both on and off the site. (NWCAAP Policy NW2)

25. Prior to the commencement of development, except for any underground enabling works, details of the height, type, position and angle of glare of any final site lighting / floodlights including isolux contours shall be submitted to and approved by the local planning authority. The details and measures so approved shall be carried out and maintained in accordance with the approved lighting scheme/plan.

REASON: To protect the amenity of the nearby residential properties. (NWCAAP Policy NW2).

26. Prior to the installation of any above ground waste hoppers, detailed drawings of the hoppers and the associated floor plate shall be submitted to and approved by the local planning authority. The approved hoppers and floor plates shall be installed and operational, prior to the occupation of the units to which they serve. Development shall be carried out in accordance with the approved drawings.

Reason: To ensure that the appearance of the underground waste hoppers and floor plates are appropriate. (NWCAAP policy NW2)

27. The underground waste hoppers hereby approved shall include a method of monitoring fill levels.

Reason: To ensure that there is sufficient capacity within the underground system for future occupiers. (NWCAAP policy NW2)

28. The development shall be carried out in accordance with the following approved drawings and technical documents.

NWC1-WEA-01-LTW-XX-DRG-AR-0001PA1
NWC1-WEA-01-LTW-XX-DRG-AR-0101PA1
NWC1-WEA-01-LTW-XX-DRG-AR-0102PA1

NWC1-WEA-01-LTW-B1-DRG-AR-0099 PA1
NWC1-WEA-01-LTW-GF-DRG-AR-1000 PA1
NWC1-WEA-01-LTW-01-DRG-AR-1001 PA1
NWC1-WEA-01-LTW-02-DRG-AR-1002 PA1
NWC1-WEA-01-LTW-03-DRG-AR-1003 PA1
NWC1-WEA-01-LTW-04-DRG-AR-1004 PA1
NWC1-WEA-01-LTW-05-DRG-AR-1005 PA1
NWC1-WEA-01-LTW-RF-DRG-AR-1006PA1

NWC1-WEA-01-LTW-01-DRG-AR-1601 PA1
NWC1-WEA-01-LTW-01-DRG-AR-1602 PA1
NWC1-WEA-01-LTW-01-DRG-AR-1603 PA1
NWC1-WEA-01-LTW-01-DRG-AR-1604 PA1
NWC1-WEA-01-LTW-01-DRG-AR-1605 PA1
NWC1-WEA-01-LTW-01-DRG-AR-1600 PA1

NWC1-MOL-01-ZZZ-GF-DRG-AR-0005 PA1

NWC1-MOL-01-PHC-XX-DRG-AR-1000 PA1

NWC1-WEA-01-LTW-XX-DSE-AR-2001 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2002 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2003 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2004 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2006 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2007 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2008 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2009 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2010 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2011 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2012 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2013 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2014 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2015 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2016 PA1
NWC1-WEA-01-LTW-XX-DSE-AR-2017 PA1

NWC1-MOL-01-LTW-XX-DSE-AR-2002 PA1
NWC1-MOL-01-LTW-XX-DSE-AR-2009 PA1

NWC1-WEA-01-LTW-XX-DEL-AR-3001 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3002 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3003 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3004 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3005 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3006 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3007 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3008 PA1
NWC1-WEA-01-LTW-XX-DEL-AR-3009 PA1
NWC1-MOL-01-LTW-XX-DEL-AR-3001 PA1
NWC1-MOL-01-LTW-XX-DEL-AR-3002 PA1
NWC1-MOL-01-LTW-XX-DEL-AR-3003 PA1
NWC1-MOL-01-LTW-XX-DEL-AR-3004 PA1
NWC1-MOL-01-LTW-XX-DEL-AR-3005 PA1
NWC1-MOL-01-PHC-XX-DEL-AR-3000 PA1

NWC1-WEA-01-NWR-XX-DDE-AR-4001 PA1
NWC1-WEA-01-WDR-XX-DDE-AR-4001 PA1
NWC1-WEA-01-ENC-XX-DDE-AR-4001 PA1
NWC1-WEA-01-SRC-XX-DDE-AR-4001 PA1
NWC1-WEA-01-SRC-XX-DDE-AR-4002 PA1

NWC1-MOL-01-BGB-XX-DDE-AR-4001 PA1
NWC1-MOL-01-NCR-XX-DDE-AR-4100 PA1
NWC1-MOL-01-NCR-XX-DDE-AR-4102 PA1

NWC1-WEA-01-NWR-ZZ-DDE-AR-6000 PA1
NWC1-WEA-01-NWR-ZZ-DDE-AR-6001 PA1

NWC1-WEA-01-NWR-ZZ-DDE-AR-6002PA1
NWC1-WEA-01-WDR-ZZ-DDE-AR-6000PA1
NWC1-WEA-01-WDR-ZZ-DDE-AR-6001PA1
NWC1-WEA-01-SRC-ZZ-DDE-AR-6000 PA1
NWC1-WEA-01-SRC-ZZ-DDE-AR-6001 PA1
NWC1-WEA-01-SRC-ZZ-DDE-AR-6002 PA1

NWC1-MOL-01-BGB-ZZ-DDE-AR-6010 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6011 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6012 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6013 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6014 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6015 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6016 PA1
NWC1-MOL-01-BGB-ZZ-DDE-AR-6017 PA1

NWC1-WEA-01-FDS-XX-DDE-AR-6101 PA1
NWC1-WEA-01-FDS-XX-DDE-AR-6102 PA1
NWC1-WEA-01-ENC-XX-DDE-AR-6101 PA1
NWC1-WEA-01-ENC-XX-DDE-AR-6102 PA1

12101/P01 PA2
12101/PH03 PA1
12101/PP03 PA2
12101/D01 PA2
12101/D02 PA1
PS PA1

NWC1 -TLA -LB-BGS -XX- DSE -LD -0001 PA1
NWC1- TLA- LB- BGS- XX- DSE- LD- 0002 PA0
NWC1 -TLA-LB-LTW-XX-DRG-LD-0001 PA5
NWC1 -TLA-LB-LTW-XX-DRG-LD-0002 PA5
NWC1 -TLA-LB-LTW-XX-DRG-LD-0003 PA5
NWC1 -TLA-LB -ZZZ-XX-DRG-LD-0301 PA2
NWC1 -TLA-LB -ZZZ-XX-DRG-LD-0302 PA3
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NWC1-AEA-01-CGE-XX-DDE-LD-7403 P01
NWC1-AEA-01-CGE-XX-DRG-LD-7501 P02
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NWC1-URS-01-LTW-XX-DRG-CE-0031 PA1
NWC1-URS-01-LTW-XX-DRG-CE-0032 PA1
NWC1-URS-01-LTW-XX-DRG-CE-0033 PA1
NWC1-URS-01-LTW-XX-DRG-CE-0034 PA1

RECAP Waste Toolkit revised January 2014
Sustainability and Energy Statement November 2013
Air Quality Assessment November 2013
Site Waste Management Plan November 2013
Utilities and Foul Drainage Statement November 2013
Biodiversity Survey and Assessment November 2013
Piling Risk Assessment November 2013

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

INFORMATIVE: Independent Units

For the purposes of condition 1, an Independent unit would be separated by a wall. A door or doors linking the independent retail space to the food store would be acceptable.

INFORMATIVE: Convenience and Comparison Shopping

For the purposes of condition 4 the definitions with the Informal Planning Policy Guidance on food store provision in North West Cambridge. (March 2011) shall apply.

Comparison shopping is defined as the provision of items not obtained on a frequent basis. These include clothing footwear, household and recreational goods.

Convenience shopping is defined as the provision of everyday essential items, including food, drinks, newspapers/magazines, tobacco, confectionary and non-durable household goods.

INFORMATIVE: Underground enabling works

Underground enabling works for the purpose of conditions is defined as works approved under planning permissions 13/0537/REM and S/0857/13/RM (Earthworks) and 13/1401/REM and S/2037/13/RM (Underground Infrastructure within this application boundary).

INFORMATIVE: Housing Health & Safety Rating System (HHSRS)

The Housing Act 2004 introduces the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact Cambridge City Council's Residential Team, Refuse and Environment Service at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape, and the HHSRS. The proposed 'House Model' blocks are also likely to be considered mandatory licensable HMOs. The applicant is advised to contact the Residential Team to discuss this aspect of the development and possible HMO licensing.

Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access

INFORMATIVE: Plant noise insulation

To satisfy Condition 18 above (Plant Noise Insulation), the rating level (in accordance with BS4142:1997) from all plant and equipment, vents etc (collectively) associated with this application should be less than or equal to the background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period),

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: Emergency generator

To satisfy the emergency generator condition the noise level from the emergency generator associated with this application should not raise the existing background level (L90) by more than 5 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

INFORMATIVE: Odour Informative

To satisfy standard condition 24 (Odour/Fume Filtration/Extraction), details should be provided in accordance with Annex B of the, "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at:

<http://webarchive.nationalarchives.gov.uk/20130123162956/http://www.defra.gov.uk/environment/quality/noise/research/kitchenexhaust/documents/kitchenreport.pdf>

INFORMATIVE: Underground Bins

In discharging condition 26 the submission of the final design for the above ground bin hoppers is not for the means of negotiating the design as this will have been secured through the procurement of the bins, but in order to agree consent for the above ground hoppers, whose final design is presently unknown.

INFORMATIVE: Night Time Deliveries

For clarity: references within the Service Yard Management Plan (Condition 22) to night-time deliveries are superseded by the controls set out in Condition 20.

This decision notice relates to the following drawings: Set out in Condition 28

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

It is important that all conditions particularly pre-commencement conditions are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Your attention is specifically drawn to the requirements of the Chronically Sick and Disabled Persons Act 1970, the Disabled Persons Act 1981, to the British Standards Institution Code of Practice for Access for the Disabled to Buildings (BS 5810 1979), to Part M of the Building Regulations 1991, and to BS 5588 Part 8 1988 (Code of Practice for means of escape for disabled persons). The development should comply with these requirements.

For further information please go to www.cambridge.gov.uk/planning.

Dated: 27 February 2014



Head of Planning Services



SEE NOTES ATTACHED

PLANNING PERMISSION

1. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant permission subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal then you must do so within 6 months of the date of this notice or within 12 weeks of the date of the decision notice against a refusal of any householder planning application that was valid on or after 6th April 2009, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from www.planningportal.gov.uk/pes

The Secretary of State can allow for a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, he does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be permitted. In these circumstances, the owner may serve a purchase notice on the council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

3. Notification of Demolition

If listed building consent has been granted and any demolition is to take place, you must in accordance with Section 8(2)(b) of the Planning (Listed Building and Conservation Areas) Act 1990 complete a Final Notice of Demolition Form and send it to English Heritage at least one month before demolition occurs.

4. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse listed building or conservation area consent, or to grant either subject to conditions then you may appeal to the Secretary of State for the Environment in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Appeals must be made within 6 months of the date of the decision (see notes under 1 above).

5. Purchase Notice

If listed building or conservation area consent is refused, or if either is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring the council to purchase his interest in the land in accordance with section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

6. Compensation

In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

CONSENT TO DISPLAY AN ADVERTISEMENT

7. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse consent to display an advertisement, or to grant consent subject to conditions then you may appeal to the Secretary of State for the Environment under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. Appeals must be made within 8 weeks of the date of the decision (see notes under 1 above)

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Joint Development Control Committee- Cambridge Fringe Sites

REPORT OF: Head of Planning Services

TO: Fringes Joint Development Control Committee 21/10/2015

WARDS: All

CONSULTATION ON REVIEW OF SOUTH CAMBRIDGESHIRE PLANNING COMMITTEE SCHEME OF DELEGATION.

1 INTRODUCTION

- 1.1 South Cambridgeshire District Council is reviewing the delegated powers and functions for planning decisions made within its District by its main Planning Committee. It is currently consulting on proposed changes to its scheme of delegation and as such is consulting with both its main Planning Committee, Joint Planning Committees as well as other interested parties.
- 1.2. The final agreed version will be formally approved through its Council, once consultation has been completed. The timetable for this is set out in Section 4 of the report.
- 1.3 If approved, the changes would relate only to decisions made by SCDC main Planning Committee.

2. RECOMMENDATIONS

- 2.1 To support the proposed changes subject to consultation with SCDC Planning Committee, Parish Councils and interested parties.

3. BACKGROUND

- 3.1. All Councils are encouraged to keep their policies and procedures under review. It is sometime since South Cambridgeshire District Council (SCDC) has done this, save for changes in November 2014 which were of a technical change in response to government additions to the planning system and did not materially affect the level of delegation.

- 3.2. At present approximately 90% of SCDC planning decisions are delegated to officers. Even so its Planning Committee still has lengthy agendas, often including matters of a minor nature.
- 3.3 To address this, SCDC is reviewing its current scheme of delegation with the aim of increasing efficiency and allowing its Planning Committee to focus on the most significant or controversial cases.
- 3.4 The full background and changes proposed by SCDC for its Planning Committee are included in the appendix to this report.

4. CONSULTATIONS

- 4.1. Consultation is currently underway on the proposed changes. Workshops are being held for SCDC Members and Parish Councils on 14th October 2015; the changes were discussed with Planning Agents at the Agents Forum on 5th October 2015. The proposals will be considered by SCDC Planning Committee on 4th November 2015. Responses received will be considered at SCDC Planning Portfolio Holder Meeting on 17th November before a recommendation is made to SCDC Full Council on 26th November 2015.

5. CONSIDERATIONS AND OPTIONS

- 5.1. There are two key changes proposed to the scheme of delegation.
- 5.2. The first relates to how the scheme is set out. At present it lists all the matters to be delegated. The consequence of this is that it can soon become outdated by changes in national regulation and policy, for example the introduction of new application types such as notification of prior approvals.
- 5.3 To avoid the need repeatedly bring back reports to update the scheme of delegation, the proposal scheme allows for all decisions to be delegated other than those set out in appendix A of the background report. This is a sensible solution and an approach that this Committee introduced when it last reviewed its own scheme of delegation in 2013.
- 5.4 The second key change relates to the automatic referral of both minor and major applications where an officer is recommending approval and this would conflict with the representations of a Parish Council where that representation would not substantially be satisfied through the use of planning conditions.

- 5.5 This current approach is an anomaly in that parish councils have an automatic referral, whereas local members, who form part of the Council, can only refer through designated officers and The Chairman of The Planning Committee.
- 5.6 One consequence of the referral arrangement is that Planning Committee agendas become lengthy and burdensome on both Member and officer time. As a result SCDC main Planning Committee currently considers a wide range of applications rather than focussing on those which are most complex and/or controversial. For example the October SCDC main Planning Committee considered 13 applications ranging from a significant housing proposal for 144 homes to a number of applications for single dwellings and one for a security fence. This compares for example to 7 applications on Cambridge City Planning Committee. Furthermore there is also a risk, in incorporating parish councils into the planning decision making process, of challenge to the integrity of decision making of the local planning authority.
- 5.7. The proposed scheme therefore seeks to remove this automatic referral. In doing so, it important to ensure an appropriate balance is maintain between implementing national and local planning policy and the need to take proper account of local views.
- 5.8 All District Council members would retain the ability to call in at the end of the consultation period any application to the Planning Committee, subject to the Chairman's agreement upon the planning reason for doing so. The period for doing this proposed to be being extended from 21 days to 28 days to allow the district councillor to talk with and take account of the parish council formal responses. This should enable local district and parish council members to work more closely together in representing local community views and would still allow a referral to committee if a particular scheme was felt to be particularly controversial locally.
- 5.9 The background report included in the appendix sets out other options that have been considered by SCDC.

6. CONCLUSIONS

- 6.1. The proposed changes are being aimed at increasing efficiency, to help provide greater clarity over the role of district councillors and parish councils and provide a simple process that is robust from challenge. It will allow that Planning Committee to focus on the more

significant and/or contentious cases. For these reasons it is recommended that no objections be raised to the changes proposed by SCDC to its scheme of delegation for its main Planning Committee.

7. IMPLICATIONS

a) Financial Implications

There are no direct financial implications arising from the proposals

b) Staffing Implications

There will be benefits arising from the proposals, in terms of reducing the amount of time that officers spend on preparation of Committee reports.

c) Equality and Poverty Implications

It is not considered that an Equality Impact Assessment is required in relation to the proposals in this report as it relates to amendments to existing procedures. The amended Scheme of Delegation still allows for individual planning applications that would normally be delegated to officers for a decision, but that may raise sensitive issues/ have equal opportunities implications, to be referred to Committee by Members or at the discretion of officers.

d) Environmental Implications

There are no environmental implications arising from the proposals.

e) Community Safety

There are no direct community safety implications arising from these proposed changes.

LIST OF APPENDICES

1. Report to SCDC Planning Portfolio Holder Dated 8th September 2015.
2. Consultation Document on Proposed Changes to Scheme of Delegation.

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

None

The author and contact officer for queries on the report is Jane Green on 01954 713164

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Report To: Planning Portfolio Holder
Lead Officer: Director - New Communities & Planning

8 September 2015

Consultation on Draft Amendments to the Delegated Powers and Functions for Planning Decisions

Purpose

1. To consider draft amendments to the current scheme of delegation, which forms part of the Council's Constitution, so that officers have the powers to determine a range of applications and Planning Committee reaches robust decisions on schemes of an appropriate scale and nature.
2. This is not a key decision because it is presenting proposals for consultation, the results of which will inform a review of the existing scheme of delegation, which forms part of the Council's Constitution.

Recommendation

3. It is recommended that the Portfolio Holder considers the report and approves Appendix A as the basis for consultation with parish councils, local members, the Planning Committee and members of the public.

Reasons for Recommendation

4. This is to enable full consultation on proposed improvements to the scheme of delegation and management of the Planning Committee agenda. It is timely to review such delegation arrangements.

Background

5. The vast majority, approximately 90%, of all planning decisions under the current scheme are delegated to officers. Even so, Planning Committee still has lengthy agendas, often including some matters of a minor nature. Raising the level of delegated cases to 95% would increase efficiency and allow Planning Committee to focus on the most significant cases.
6. Any changes, however, should be in the context of achieving the appropriate balance between implementing national and local planning policy and the need to take proper account of local views.
7. Current arrangements set out particular planning matters to be delegated. This means the scheme is readily outdated by changes in national regulation and policy. For example, on 5 November 2014, minor amendments to the scheme were approved to enable new planning application types, such as notifications of prior approval, to be delegated to officers. This was a technical change in response to government additions to the planning system, and did not materially affect the level of delegation.

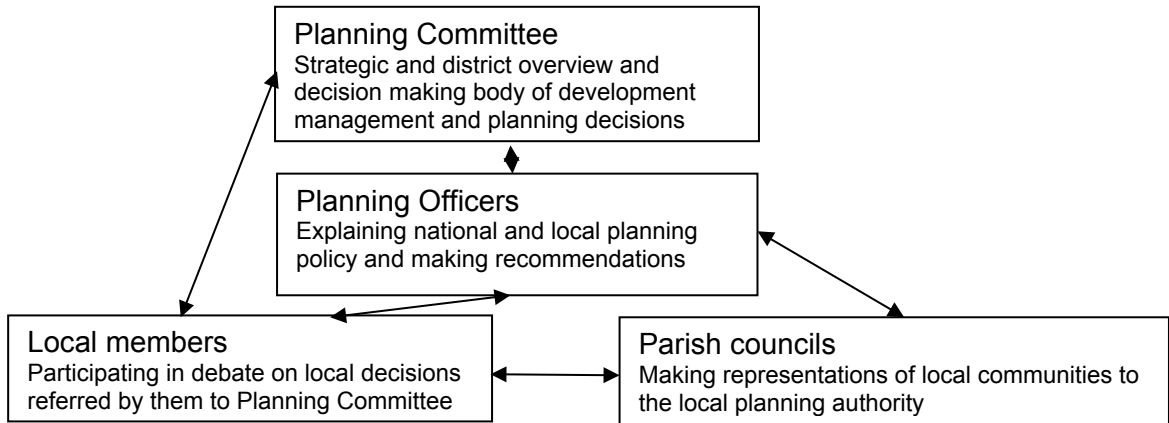
8. To avoid this repeatedly occurring, a scheme is proposed that delegates all planning decisions to officers, with a list of exceptions reserved to Planning Committee.
9. The current procedure for referral of a case to Planning Committee includes:
 - (a) *For Major or Minor Developments a recommendation of approval would conflict with written representations on material planning ground received from a Parish Council within the specified consultation period where such representations would not substantially be satisfied through the imposition of conditions and*
 - (b) *An elected member of the District Council has, within 21 days of the date of registration of an application, requested in writing and the Planning and New Communities Director, Head of New Communities or Development Control Manager has agreed that Committee determine the application...in consultation with the Chairman of Planning Committee...*
10. Operation of these referral mechanisms has in practice not been clear. There is an anomaly in that parish councils have an automatic referral, whereas local members may refer only through designated officers and the Chairman. The roles of local members and parish councils would benefit from review, and this should bring greater clarity.
11. At the 10 August 2015 Portfolio Holder meeting, the need to review planning decision delegations was noted. This report is brought forward to address the following issues:
 - (a) To clarify the role of local members and parish councils
 - (b) Retain a simple process that is robust from challenge and
 - (c) Increase efficiency and working with local communities and partners.

Considerations

12. The consequence of the current referral arrangement is that Planning Committee agendas can be lengthy and burdensome on members' and officers' time. Furthermore, there is a risk, in incorporating parish councils into the planning decision making process, of challenge to the integrity of decision making of the local planning authority.
13. The principle of the revised delegation scheme should be that all planning decisions are delegated by members to officers **except** for a range of applications of scale and nature more appropriate for members to determine. A draft for consultation is set out in Appendix A. It is based on schemes adopted by other rural local planning authorities that are regarded as best practice, but adapted to include matters in the Council's current scheme.
14. All District Council members would retain the ability to call in at the end of the consultation period any application to the Planning Committee, subject to the Chairman's agreement upon the planning reason for doing so. This should enable local district and parish council members to work more closely together in representing local community views.
15. Changes to the Joint Development Committees are under consideration, principally that planning decisions for City Deal transport schemes are delegated to the Cambridge Fringes JDCC from the County Council and also considering the Northstowe JDCC. These matters are not considered in this report.

Options

16. The preferred option is that parish councils, local members and planning officers continue to work together to ensure that local views are properly expressed to the Council, and balanced against national and local planning policies. The recommended proposal is demonstrated in the chart below:



17. Alternative options could be:
- (a) Extend the current referral arrangement of parish councils to one of full delegation for decision upon certain types of application. This option has been explored in the past by a few councils, notably Cornwall and Chelmsford, but has been rejected, in order for the district council to retain its integrity and responsibility as the Local Planning Authority. The desire to make planning decisions at the more local level has resulted in area planning committees in various authorities. These are, however, expensive to run and can be complex in operation or
 - (b) Enable parish councils and local members to both refer cases in an exactly similar way, but through discussion with designated officers and the Chairman of Planning Committee.
18. For information, Huntingdonshire District Council is currently reviewing corporately its scheme of officer delegations and Cambridge City Council has adopted full delegation to its Director of Environment, with a list of exceptions.

Consultation Questions

19. In a future scheme of delegation of planning decisions:
- (a) Should there be a stronger role for local members?
 - (b) Should the Chairman of the Planning Committee have more control over which cases are considered by Committee?
 - (c) Are there more efficient ways that planning decisions can be delegated?

Programme of Consultation

20. Having set out the issues and options and what other authorities follow, it is proposed to consult with parish councils and partner authorities.

Meeting	Date	Decision
Planning Portfolio Holder	8 September	Approve draft for consultations
Joint Committees & parishes	Sept/October	Make comment
Planning Committee	4 November	Make comment
Planning Portfolio Holder	10 November	Recommend to Council
Council	26 November	Approve

Background Papers

Report to 9 July 2015 portfolio holder meeting - 'South Cambridgeshire Local Plan – Response to Inspector's Letter'

Report Author: Tony Pierce – Development Control Manager (interim)
Telephone: (01954) 713165

Consultation on a proposed delegation of planning decisions in South Cambridgeshire

South Cambridgeshire District Council operates an adopted scheme of delegation which sets out the range of decisions that designated officers can make on behalf of the Council. In terms of planning proposals and associated applications, the majority are delegated to designated officers without the need for referral to Planning Committee, where the decision is voted upon by elected Members.

Delegated decisions are carefully considered by the case officer who outlines their recommendations, and reasons behind the recommendations, in a balanced delegated report, which is checked by a designated officer before a decision is agreed and issued.

By operating a scheme of delegation, decisions are made in good time, in line with statutory target dates, and the Planning Committees can concentrate on the most contentious and significant proposals.

What applications are dealt with by an officer under delegated powers?

Most planning related applications are dealt with under delegated powers and it is the intention of the Council, in the interests of efficiency and effectiveness, that at least 95% of applications received are determined under this process.

Authorised officers do not always use their delegated powers; consideration is given to issues raised by local members and parish councils, in order that decisions of wider public interest are taken at the Planning Committee.

Applications will be dealt with under delegated powers unless:

- A Local Member writes, or emails a request for a particular application to be considered by Planning Committee and sound planning reasons have been provided setting out why committee consideration is necessary and the request is accepted by the Chairman of Planning Committee in consultation with designated officers. The request should be made within 28 days of the date of registration of the application, or within 14 days of receipt of any subsequent significant amendment to a current proposal.
- An application is made by an elected Member or an officer of the Council, or a household member of either of such persons, and representations objecting to the application have been received (delegation is still permitted if the application is refused);
- If approved, the matter would represent a significant departure from the approved policies of the Council (officer delegation is still permitted if the

departure from policy would not conflict substantially with the aims and objectives of the policy or the application is to be refused). For these purposes significant departures are defined as a development which requires referral to the Secretary of State;

- Any 'Major' or 'Minor' application relating to the Council's own land or development where representations have been received against the proposal;
- The application is for the demolition of a listed building or a Building of Local Interest or
- The application is one that in the opinion of officers, in consultation with the Chairman and Vice-Chairman, should be determined by Committee because of special planning policy considerations, the complexity of the application, the application is significant and/or strategic importance to an area beyond both specific site and parish.