

20/3/JDCF Declarations of Interest

Name	Item	Interest
County Cllr Richards	20/04/JDCF	Division Councillor but was attending as a local member.
City Cllr Baigent	20/04/JDCF	Member of Cambridge Cycling Campaign.
City Cllr Sargeant	20/04/JDCF	Member of Cambridge Cycling Campaign.
SCDC Cllr de Lacy	20/04/JDCF	Member of Cambridge Cycling Campaign
SCDC Cllr de Lacy	20/04/JDCF	Ward Councillor for Girton.

20/4/JDCF Application and Petition Details

Application No: 19/1056/REM

Site Address: Land Between Huntingdon Road and Histon Road, Cambridge Known As "Darwin Green One"

Description: Reserved Matters application for second housing phase (known as BDW2) including 330 dwellings with associated internal roads, car parking, landscaping, amenity and public open space. The Reserved Matters include access, appearance, landscaping, layout and scale and related partial discharge of conditions 8, 10, 14, 18, 26, 27, 29, 35, 40, 49, 52, 58, 62, 63, and 66 pursuant to outline approval 07/0003/OUT and use of the Pavilion building for Use Classes A1 (shops), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food takeaways).

Applicant: BDW Cambridgeshire and The North West Cambridge Consortium of Landowners

Agent: Harriet Wooler

Address: Bidwells House Trumpington Road Cambridge CB2 9LD

Lead Petitioner: Residents of Woodlark Road

Case Officer: Charlotte Burton

Text of Petition:

The grounds for asking for a Forum on this application are as follows:

Objections

1. Accuracy

The plans submitted illustrate a historic view of the houses and flats on Woodlark Road and did not reflect the recent planning permission for the rear extensions at Grosvenor Court, or alterations and extensions to the houses in Woodlark Road over the last 10 years. The plans were therefore inaccurate. Consequently, it was not possible to ascertain accurately the impact of the new development, particularly on overlooking and daylight / sun light issues on the existing community.

2. Proximity

The proximity of the new development to existing perimeter buildings on Woodlark Road was too close. This was particularly relevant for 131 – 136 in the BDW2 plans.

3. Density

The density of houses in the BDW2 development was far greater than the surrounding areas.

4. The Pavilion.

This was situated in a quiet residential area, the use of this building was best served in a residential capacity. Alteration for use as retail, food and licensed premises was not appropriate. Proximity would expose nearby properties to a security risk, noise, cooking odours and pollution from external lighting. Of note, there were also no plans of how the Pavilion would be adapted for retail use or whether the plan was to demolish the building which had historical and architectural importance. The building had already been allowed to fall into a state of disrepair.

5. Drainage

There was a real risk of flooding in the ditch which runs parallel between Darwin Green and Woodlark Road:

- a) More information needs to be provided about how the long term maintenance of the ditch will be funded. The information provided does not meet the requirements of condition 35 of the outline conditions.
- b) The security implications of the maintenance path, which runs parallel and behind the Woodlark Road, needs more consideration in its design.
- c) There is also concern that the drainage on the Darwin Green site does not have adequate capacity to allow for climate change. The proposed drainage system could be overwhelmed by heavy sustained rainfall and subsequently the overflow could cause flooding to the surrounding areas.

6. Light pollution

Given the proximity of the houses and gardens in the BDW2 development to the houses in Woodlark Road there should be restrictions to the position of lighting in these gardens, to include security lighting in the proposed development. The use of low level and low wattage lighting should be mandatory.

Recommendations

1. The plans for the BDW2 development should be updated with the correct drawings for the houses along Woodlark Road and the planning application resubmitted. The current drawings were misleading and incorrect.
2. The gardens behind the BDW2 houses that run parallel to Woodlark Road should be 20 metres in depth as indicated on the original pre planning drawings shown at Public meetings, with an orientation that inhibits any overlooking, and a size that does not impact daylight / sunlight issues.
3. The density of the buildings should be checked against current best practice for residential developments of this nature.
4. The Pavilion should not be given change of use and should be used for residential use with a community meeting room – in keeping with a Pavilion.
5. The drainage scheme should be reviewed to ensure it meets the required 100year flood risks considering the impact of Climate change. This should be carried out by an independent body. Information should also be provided on the company who will be responsible for the maintenance of the ditch along the Woodlark Road gardens.
6. There should be mandatory restriction on the lighting used in the gardens and on the security lights on the rear walls of the houses running parallel to Woodlark Road – they should be low level and low wattage.

Case by applicant

Asa Chittock, Director (Barratts David Wilson Homes), Tristan Rogers, Architect (Allies and Morrison) and Robert Masson, Drainage Consultant (Patrick Parsons) made the following points:

- 1) Introduced the application; phase 2 of the development known as BDW2, 330 homes comprising of 2, 3, 4 & 5 bedroom detached and semi-detached houses and apartments with 40% of social houses on site.
- 2) Work began approximately 18 months ago on phase 1 with 50 occupants living on site (half were social housing). The central courtyard was being

- developed to provide local facilities, the health centre was currently being built and work would begin on the library facilities.
- 3) Phase 2 of the development was characterised by the pavilion quarter as outlined in the design code approved in 2014; the pavilion building was a key feature with architectural merit and could be used as community facility not only for residents of Darwin Green but the surrounding area.
 - 4) Proposed to prioritise cycle and pedestrian movements through the site.
 - 5) Ordnance survey data (August 2019) had been used which was available at the time for the drawings submitted; acknowledged there would be some development on this data that had not been captured in the surrounding areas.
 - 6) Very familiar with the site, walked the boundaries and was aware of the existing building line on Woodlark Road, (especially No's 131-136) with Grosvenor Court a noticeable exception.
 - 7) Had started to look at solar study taking the existing proposal as submitted and s73 application for Grosvenor Court in terms of massing and setting with studies taken on 21 March, 21 June and 21 December. These had demonstrated that the orientation of the proposal relative to Grosvenor Court showed minor or no implications for overshadowing.
 - 8) Would propose to the reduce the depth of those properties on the plots immediately behind Grosvenor Court (plots 133 & 134) and introduce shallower homes. The distance from the home to boundary would increase from 9.88m to 13m, with 4m from the back of Grosvenor Court to the boundary.
 - 9) BDW2 had 31 dwellings per hectare on the lower density compared to 40 dwellings per hectare in the Design Code, 49 Dwellings per hectare in the medium density compared to 45 in the Code.
 - 10) The development edges were considered key to the proposal and had responded to the larger more spacious homes that were already in existence to the perimeter.
 - 11) Not feasible to convert the pavilion to residential use. Believed that a café / restaurant in the pavilion would be beneficial to the community. Would narrow the use classes (removing A5, hot fast food takeaway) and add additional conditions to alleviate the concerns raised. Noted the conditions recommended by the Environmental Health team to control the impact on neighbours.
 - 12) Described the existing condition of the ditch running adjacent to Woodlark Road as in a poor condition with parts of the banks collapsing. The bank slopes would be improved at various points and the hydraulic speed of the flow the water would increase.
 - 13) Following development there would be a completely new drainage system covering the entire site; all part of a major infrastructure change,

suited in size with flow control, discharge restrictions all in line with local authority guidelines. Therefore, the ditch would not be required as part of the approved strategic drainage strategy.

- 14) The ditch would be retained in the current route and had allowed for a 1.2m maintenance corridor adjacent to the ditch. Would discuss with the Council to take on the long-term maintenance or a management company would be set up funded by the residents of the development. Lower fencing would be installed in the back gardens of those properties on the development site facing the ditch for natural surveillance. A locked gate at each end of the maintenance corridor would help deter anti-social behaviour.
- 15) Each individual plot would have on-plot flood mitigation measures, meeting the 100-year storm event, plus the climate change allowance. Each plot would have a 40% allowance for future climate change.
- 16) Would look at suitable conditions for lighting and the use of low wattage lighting for the central lighting; proposed to have lighting on the maintenance corridor along the ditch.

The question was asked if the solar study was done on the submitted plans or the proposed amended plans shown in the presentation (the amended plans showed the proposal of reducing the depth of some properties behind Grosvenor Court).

Tristan Rogers responded that it was done on the submitted plans (current plans as submitted) but incorporated the massing of Grosvenor Court as proposed under the Section 73 application.

Case by Petitioners against

Petitioners Representative presented the following presentation circulated a handout to Members present:

- 1) Advised that approximately 98% of the street had signed the petition and all agreed the issues raised were substantive. Surrounding streets were also impacted by the development.
- 2) Acknowledged there was a need for additional housing. But modifications were required to the proposed development which would be a benefit to the community.
- 3) Detailed a brief history of the use of the site which had been used for playing fields and farmland.
- 4) Many residents had attended the open days concerning the development and while supporting the need for additional housing they felt their feedback had not been understood or concerns considered.

- 5) Pleased to see the developers have made some acknowledgement to their concerns. However, concerned that the suggestions put forward do not go far enough.
- 6) The Pavilion was of historical and architectural importance which could act as a bridge between the new and the old development bringing communities together.
- 7) Believed the boundary with adjacent properties was not accurately reflected in the planning application; questioned how close the buildings in proximity were, were the trees real or an artist impression. It was difficult to get a true feeling of the development and better drawings were required to realistically represent the boundary and relationships.
- 8) Presented images from google maps showing recent extensions and studios not shown on the drawings which highlighted how close the boundary of the development was to neighbouring houses.
- 9) The new development to the existing houses in Woodlark Road had changed, initially advised the houses would be 20m to the boundary but now down to 10m; Grosvenor Court considerably closer.
- 10) Proximity to the existing perimeter buildings was too close, the distance between the back elevation of the BDW2 houses 131-136 was less than 14m including the ditch and service road, other similar BDW2 houses had over 20m.
- 11) The proposed car park for the pavilion would be used for delivery vehicles for the restaurant, this was too close to the residential area. The building had stood for 90 years and should be respected, and further thought on correct use was required.

In response to a question from Members it was confirmed that building work (planning permission approved) was currently being carried out on Grovesnor Court.

- 12) Questioned at what height the solar studies had been undertaken; the Darwin Green site ground level was much higher than Woodlark Road, therefore the houses would be sitting higher than those on Woodlark Road.
- 13) The density should be reduced, the gardens in Woodlark Road needed to be longer towards the development. More planting and trees were required for screening purposes which would also help local wildlife; but where would substantial screening be placed?
- 14) The use of the pavilion should be kept to residential and community use not A1 (shops), A3 (restaurant & café), A4 (licensed drinking) and A5 (hot take away use) which was totally unsuited to the area due to noise, cooking, waste smells, traffic noise (especially Deliveroo scooters which

- would use the service footpath cycle way from Huntingdon Road to the Pavilion), delivery and waste collection lorries.
- 15) Disappointed to note no conditions concerning noise pollution had been included in the application. Conditions recommended by Environmental Health are insufficient and would want firmer controls. Deliveries were proposed from 7am to 11pm, extraction and filtration units on site would also add to the noise. Odour would also be an issue for residents on both the new development and surrounding areas.
 - 16) Questioned why the developer's viability study suggested the pavilion was not suited for residential & community use, as stated due to the extensive reconfiguration and retrofitting of the building required to change into residential units, which would risk the loss of its architectural character. However, the proposed change of use would require considerable reconfiguration and retrofitting of the building to meet the Environmental Health, fire and Health & Safety conditions.
 - 17) Proposed retail units should be situated at the main commercial centre of the development.
 - 18) Expressed frustration at how the developers kept changing their plans; they were originally told that the Pavilion was going to be for residential use and the gardens on the perimeter longer than 10m with substantial hedging along the boundary.
 - 19) Concerned at the risk of flooding from the ditch adjacent to Woodlark Road. Further analysis of the surface water drainage from Huntingdon Road was required; the playing fields had acted as a soak away before the water arrived at the ditch, but where would it flow to and who would be responsible for the maintenance of the ditch? The ditch had flooded on previous occasions so needed to be addressed.
 - 20) Don't have enough information particularly on maintenance. Need a maintenance plan for the ditch adjacent to Woodlark Road to be secured through a condition.
 - 21) Can move on from concerns about light pollution subject to conditions to be proposed by the applicant.
 - 22) Ended with the following summary:
 - The properties 131 – 136 on the BDW2 development need their location reviewing as they are too close to Grosvenor Court. The amendment proposed to move only three houses was insufficient and did not address the concerns from other residents on Woodlark Road.
 - The proposed use of the pavilion for retail, restaurant, bar and take away use and the opening hours were unsuited to this area and would be strongly opposed at the premises license application stage, if change of use were given.

- Questioned why the Pavilion could not be used for residential and community use, with the retail units placed in the central commercial area, which was the original plan.
- The developer should have a more balanced view between maximizing “shareholder value” and the needs of their customers who will be buying these houses (particularly houses 131 – 136). What type of neighbourhood were they trying to create, one that complements the surrounding area or one that was at odds with it?

Case Officers’ comments:

Charlotte Burton outlined the following:

- 1) Application was received in August 2019 and validated in November 2019. The target date for the application had been exceeded, a revised date for determination had yet to be agreed with the applicant.
- 2) Reiterated this was a reserved matters application pursuant to the outline consent for Darwin Green 1 for up to 1593 homes; the outline consent included the approved parameter plans, planning conditions and the approved design code which formed the planning context in which the application would be assessed.
- 3) To date 15 objections had been received from residents from Huntingdon Road and Woodlark Road. The Committee of the Windsor Road Residents Association had also objected to the proposal and supported the petitioners today.
- 4) No representations had been received in support of the application to date.
- 5) Objections received related to those raised by the petitioners, use of the pavilion, impact on the neighbouring properties, concern about flooding and drainage, as well as the impact on ecology.
- 6) The Environmental Health Team had supported the application subject to recommended conditions.
- 7) The City Council’s drainage engineer and the Lead Local Flood Authority had requested additional information regarding drainage calculations which will then be reviewed.
- 8) Concerns had been expressed by the Highways Authority on the road layout, vehicle traffic and highway safety. This was currently being discussed with the applicant.
- 9) Urban Design had made comments on minor issues such as cycle storage and landscaping issues which were being discussed.
- 10) There were some outstanding comments from consultees on the affordable housing mix which was being followed up by the applicant.

- 11) Officers had not yet reached a decision on the application; the timescale for determination was under review which would depend on the applicant's response to the consultees, third parties and the outcome of the Development Control Forum.

Ward Councillor remarks

Councillor Chadwick made the following points:

- 1) Thanked the petitioners for such a detailed presentation, also been supported by Councillor Payne (Castle Ward Councillor).
- 2) The petition was also endorsed by several residents from the surrounding areas.
- 3) Reiterated the applicant's original intention was to keep the pavilion for residential use which had been changed to commercial use. Understood residents' frustration at the changes.
- 4) There was no guarantee what or who would fill the space in the pavilion and how long they would be able to stay for or how they would evolve their business.
- 5) Questioned if the surface water drainage coming off the existing Huntingdon Road properties had been taken into the account when the modelling had been carried out?
- 6) Sought clarification if all the plots on Grosvenor Court identified by the petitioners were being moved back?

Members' Questions and Comments:

The following responses were made to Members' questions:

Accuracy

- 1) The Chair: Confirmed that the drawings / maps in the petitioners' presentation had not be verified.
- 2) Tristan Rogers: In terms of actual heights of the building shown on the presentation the figures had been taken from the topography survey, there was a fall across the site of 2.5m to 3m towards to the ditch. The proposed buildings closest to the perimeter of the site were two storey houses. Would supply the exact information on datum used.

Proximity

- 1) Asa Chittock: Not intending to remove any existing hedgerow along the ditch adjacent to Woodlark Road. There were no hedgerows on the BDW side of the ditch and would be difficult to plant hedges on this side as an area was required for the maintenance corridor mentioned.

- 2) Asa Chittock: The distance of 1.2m of the ditch maintenance path had been agreed with the City Council's Drainage Officer. To reduce the width could hinder future maintenance.
- 3) Robert Masson: Could be possible to reduce the width of the ditch though had not been instructed to do so. When looking at the flow of the ditch it was the base of the ditch that is taken into consideration as the ditch would need a constant gradient. The ground did not fall at the same gradient as the ditch so the width of the ditch would decrease or increase.
- 4) Robert Masson: The slope of the ditch differed along its length as the topography varied. A one in three slope had been proposed.
- 5) Robert Masson: The ditch was a landscaping feature maintained with landscaping tools or a mini/micro digger. Believed that 1.2m width of the maintenance corridor would be the minimum required for access.
- 6) Asa Chittock: There was various garden sizes throughout the development; not a standard 10m size these ranged from 10m to 4m. Therefore, there was no standard back to back distance of 20m. With regards to the proposed homes backing onto Woodlark Road there was a 7m to 10m distance to the boundary. Many gardens dependent on extensions (acknowledged that some extensions had not been picked up on the data) were between 25m to 35m, providing a back to back distance of 30m to 40m.
- 7) Tristan Rogers: The solar studies were based on levels taken from the topography data. There was a noticeable fall on the site, however, where the studies were taken there was not a significant difference between the proposed properties backing onto Woodlark Road and the neighbouring properties. The application site on the northern edge showed that any solar over shading was limited. The level differences had been picked up in the section of the study and showed no significant impact.

The Chair recommended the Case Officer should work with the applicant as detailed information was required on sunlight and daylight, the implications and the distances needed to be verified. Current information supplied was not clear to Councillors and Petitioners. Clear diagrammatical information was necessary to illustrate those relationships and impacts.

Noted the request for generic information on the distances between windows of houses to avoid overlooking to understand how close the houses were and if there was a matter of overlooking.

Density

- 1) Dwellings adjacent to Woodlark Road would be 31 dwellings per hectare and lower than the 40 dwellings per hectare in the Design Code.

Pavilion

- 1) The Chair: The Children's Centre was originally intended to be part of the primary school in Darwin Green 1, however, national level funding had changed. The County Council Education Team were reviewing the primary school and the timing of completion. The matter of the Children's Centre provision had been raised with the County, and the response would be shared when received from the County officers.
- 2) The Chair: If the pavilion became available for community use this would be in addition to what was secured and paid for in the s106 agreement by the developer under the Darwin Green 1 outline consent.
- 3) Asa Chittock: Want to create a space that was positive for new and existing residents meeting the needs of the community. Agreed the temporary community facility within Darwin Green 1 was not large but served a purpose until a larger community facility was developed in the central area of the site.
- 4) Asa Chittock: The pavilion could be a beneficial link between the sites. Under the original planning permission there was no requirement for the building to be used as a community building. Believed the residents would benefit from a small café / restaurant, could be a secondary use for community meetings.

Drainage

- 1) Robert Masson: The ditch adjacent to Woodlark Road was a surface water drain discharging into an Anglian Water surface water sewer between Woodlark Road properties. This was then taken to an Anglian Water treatment centre; Believed the sewer ran to the south west to Huntingdon Road but would have to check records to confirm.
- 2) Robert Masson: Maintenance issues regarding a 375mm sewer would be under the control of Anglian Water. The headwall inlet would be under the control of the developer.
- 3) Robert Masson: The proposal would remove the entire BDW2 site from the surface water catchment area for the ditch. There would only be surface water from the gardens of Woodlark Road in the ditch. This would reduce the rainwater drainage into the ditch by four fifths.
- 4) Robert Masson: The ditch was currently in a poor condition and it proposed to undertake a robust clean up. If repairs were to be undertaken the ditch could also take the surface water from BDW2 site. Do not think that the ditch would flood in future

The Petitioners Representative expressed concern at changing the flow of water from across the site to along the site due the continued ground movement which had occurred behind Woodlark Road. Would like to have specific figures at what level the houses would be built. It would be diligent to ask where the water that would have gone to the playing fields as a soak away for Huntingdon Road where is it going to go as it had to go somewhere. When the ditch was full water would pass through the outflow (Anglian Water drainage) and run up the ditch until it had backed up to a sufficient height and then flowed back.

Robert Masson: The existing condition of the ditch was inadequate; flooding that had been experienced was irrelevant as post development this would not occur. The infrastructure was in place to serve the entire Darwin Green 1 development so at present was over designed and over engineered as it was not taking the full catchment.

Robert Masson: Although the topography of the site showed that the water flowed towards the ditch, the gradient was flat and the site flat, there was no massive velocity of water that moved across the site.

Robert Masson: Any water on the playing fields from Huntingdon Road was overland flow; don't believe there was any additional water from Huntingdon Road as the topography did not support this. Huntingdon Road was not at the highest elevation of the site.

- 5) Robert Masson: The four fifths referenced in the report refers to the total catchment discharging into the ditch; when the BDW2 site is removed from the catchment as a result of the proposed development there will be a four fifths reduction, with the remainder would be from Woodlark Road properties.
- 6) Robert Masson: Gravel would fill up the ditch, but maintenance would clean this. Was instructed that the ditch was to remain and not to be replaced by a pipe and recommended remediation of the ditch such as removal of rubble, relining of banks. Questioned if a pipe would be able to take discharge from a third party and where the pipe should be located, ideally should be placed in the gardens of Woodlark Road.
- 7) Robert Masson: Confirmed climate change had been taken into consideration, each individual plot would hold storage of surface water within the plot boundary, meeting the 100-year storm event, plus the climate change allowance. Each plot would have a 40% allowance for future climate change, 2.5 cubic metres per plot.

Summing up by the Applicants

- 1) The drawings had been completed using the latest 2019 OS data but did not understand there had been extensions to properties after this which were not shown on the plans. The site had been studied in detail and the proximity to existing dwellings. Did not feel there was any specific areas to note that required further consideration.
- 2) Would look at any issues raised through the Council on individual plots with the petitioners and try to add them to the drawings.
- 3) The garden length on the plots facing Woodlark Road was sufficient. No issues had been raised by the Council's Urban Design Team or the Case Officer. Their concerns raised regarding Grosvenor Court had been addressed.
- 4) The general back to back distance of the proposed properties to Woodlark Road were 30-40m approximately. Increasing the size of the gardens would reduce the provision of much needed housing.
- 5) Agreed to look at the provision to increase potential planting along the ditch without interfering with the width of the maintenance corridor.
- 6) With regards to density was in line with the guidelines of the outline planning permission and had addressed the relationship of the boundaries of the site; all the properties were two storey and the majority detached houses reflected the character of the houses they were facing.
- 7) The pavilion needed to be retained and would become a community asset. A restaurant / café would allow residents to meet there. Would restrict the class use.
- 8) The site wide drainage strategy was approved as part of the outline planning permission. Residents had requested that the ditched remained and there would be a maintenance plan in place to ensure that the ditch stayed.
- 9) Would look at suitable conditions concerning lighting to ensure that there was no impact for existing residents.

Summing up by the petitioners against

- 1) Still had the same concerns.
- 2) Concerned about the accuracy of the data; good decisions could not be made.
- 3) Not received a proper answer to the solar studies; was the land flat or did it include the change in levels? Would like the actual data to be shared on these studies.
- 4) Queried the priorities of the developers which seemed largely commercial. Should understand the impact on the existing residents

therefore what could be done to improve the wellbeing; installation of additional hedges, shrubs were promised at the start of the development and now being told it was impossible. A solution should be found.

- 5) The pavilion would be perfect for residential use with commercial use for a creche and Children's Centre, why would this not be possible, no reasons had been given? Had asked for a copy of the viability report before the meeting but this had not been forthcoming.
- 6) Needed to be sure that the footpaths and cycle paths to the pavilion would not be used by delivery drivers when picking up food orders.
- 7) Required the exact height of buildings when completed to get the correct flows across the site. Despite repeated requests the answers had not been given, would the levels change, or would they be higher?
- 8) Hedging had been promised along the boundary.
- 9) A balance was needed between the developer making a commercial return but not at the expense of residents' satisfaction and enjoyment of the site.

Final Comments of the Chair

The Chair observed the following:

- 1) Thanked both parties for their presentations.
- 2) There was no target committee date for the application. The Case Officer and Applicant must work together to ensure that the final submission of drawings was accurate in relation to the matters raised at such as the solar studies, the levels and drainage matter.
- 3) The application was complex and advised the presentation material when presented to the Planning Committee should be simple and easy to understand.
- 4) Notes of the Development Control Forum would be made available to relevant parties.
- 5) Petitioners would be advised of the committee date.

A copy of both presentations could be viewed at the following link:

<https://democracy.cambridge.gov.uk/ieListDocuments.aspx?CIId=206&MIId=3892&Ver=4>

The meeting ended at 4.50 pm

CHAIR