

JOINT DEVELOPMENT CONTROL COMMITTEE

22 March 2023
10.00 am - 12.45 pm

Present: Councillors S. Smith (Chair), Carling, Scutt, Thornburrow, Cahn, Hawkins, R.Williams, Levien, Page-Croft, Garvie and J.Williams

Officers Present:

Joint Director of Planning & Economic Development: Stephen Kelly

Legal Adviser: Keith Barber

Committee Manager: Sarah Steed

Meeting Producer: Chris Connor

Other Officers Present virtually:

Principal Sustainability Officer: Emma Davies

Interim Management Support Officer: Fiona Bradley

Transport Assessment Manager: Jez Tuttle (Cambridgeshire County Council)

Principal Transport Officer: Tam Parry (Cambridgeshire County Council)

FOR THE INFORMATION OF THE COUNCIL**23/12/JDCC Apologies**

Apologies were received from City Councillors Flaubert and Porrer and South Cambs Councillors Bradnam, Fane and Stobart. Councillors Levien, Page-Croft, John Williams and Garvie attended as alternates.

23/13/JDCC Declarations of Interest

Item	Councillor	Interest
23/14/JDCC	Levien	Personal: Knew one of the Applicant's personally but had not spoken to them in over a year.

23/14/JDCC Appointment of Vice-Chair (SCDC Representative) for the meeting

Councillor R.Williams proposed and Councillor Thornburrow seconded Councillor Hawkins as Vice-Chair for this JDCC meeting. This was approved unanimously by affirmation.

**23/15/JDCC 22/02771/OUT – Land North of Cambridge North Station
Milton Avenue Cambridge Cambridgeshire**

The Committee received a hybrid application for:

- a) An outline application (all matters reserved apart from access and landscaping) for the construction of: three new residential blocks providing for up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i (offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works.
- b) A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)) with associated car and cycle parking, the construction of a multi storey car and cycle park building, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures.

The Interim Support Manager updated their report by referring to the amendments contained with the Amendment Sheet:

- i. Paragraphs 15.12 – 15.19 (pages 84 and 85) of the Committee report refers to building B1 and the need for further bat surveys. This building falls within the Wild Park area which is within the detailed landscape proposals of the outline application, not within the full application as per the report. As landscape is a matter for approval, not a reserved matter, the additional bat surveys are still required to be submitted; conditions are not appropriate to require such surveys to be provided; and
- ii. An amendment to reason for refusal 7 (page 9 and repeated on pages 156 and 157 of the agenda):
 - a. Policy NH/4 provides that new development must aim to maintain, enhance, restore or add to biodiversity. Where there are grounds to believe a proposal may affect a protected species, priority

species or priority habitat, applicants will be expected to provide an adequate level of survey information and assessment to establish the extent of a potential impact. This survey information and site assessment shall be provided prior to the determination of an application.

- b. The application provides insufficient information to adequately assess the ecological impact of the proposals. In particular, the bat surveys must be completed if as the building/structure B1 is within the area covered by the landscaping detail in the outline application full application site. In addition, the impact of the additional bird species identified has not been assessed. On the basis of the information submitted, the application is contrary to South Cambridgeshire Local Plan policy NH/4, the Biodiversity SPD 2022, the requirements of the Environment Act 2021 and 06/2005 Circular advice.

Alison Wright (Applicant's Agent) addressed the Committee in support of the application.

The Committee Manager read a statement on behalf of Cambridge Past Present and Future which addressed the Committee against the application.

- i. Objected to the application on the grounds of visual and landscape impact and impact on ecology.
- ii. Objected to the visual impact of the laboratory blocks on the eastern edge of the development.
- iii. The development as proposed was of a height, scale and design which would create a giant wall of development 300m long and 20m high. It would loom over the meadows to the river Cam.
- iv. Did not agree that the articulation, terracing and landscaping mitigated the height and bulk of the buildings.
- v. The development would detrimentally change the skyline of the city.
- vi. Objected that the wild park would not be retained.
- vii. Expressed concern about the design of the open space in the residential development. The design created a barrier between the open space and the allotments and Bramblefield Nature Reserve to the west and prevented a nature corridor between these sites.

The Interim Support Manager, Director of Planning and Economic Development, Principal Transport Officer and Transport Assessment Manager said the following in response to Members' questions:

- i. Officers' view was that the evidence base for the Local Plan indicates that the short-term need for employment floor space in Cambridge could be met by a wider pipeline of consented schemes [for employment use] for e.g. Peterhouse Technology Park, Cambridge Biomedical Campus, Wellcome Genome Campus and Sawston.
- ii. The Applicant's view was that the employment use need justified approval of this scheme. Officers acknowledged that the application would contribute to the employment floorspace need however their view was that the impact of the quantum of floorspace being proposed by the development had an adverse effect and tipped the planning balance against approving the application.
- iii. Water resource is an important issue but at this stage it was not a specific element which would render this scheme unacceptable. The Environment Agency had raised concerns about the consequences of the effect of the development on water supply. Cambridge Water had recently published a 'Water Resource Management Plan' and the Environment Agency had said it would need time to review this document. Officers would need to work through the cumulative effect of consented applications and applications which were under consideration through the planning application process.
- iv. Network Rail are a development partner of the Applicant and had not raised any objections or concerns in relation to flooding of adjacent railway tracks as part of the planning consultation process.
- v. An assessment of light in terms of shadow impact created by the development had been undertaken. The impact on the proposed office use was deemed acceptable. The impact on residential use could not be assessed as that element of the application was at outline stage and full details had not been submitted. There were concerns around the single aspect element of the residential use in terms of cooling and residential amenity, but further detail would be provided at reserved matter stage. A light assessment would consider night and daytime impacts.
- vi. Advised that the residential element of the development was largely car free so there would be limited car movement generated by the scheme along the part of the busway within the site which is in private ownership. The development would not compromise the busway as limited traffic would use the busway.
- vii. There would be 60 car parking spaces for building S4, which would be accessed by two lift systems into a modest basement car park off the busway. 22 parking spaces were to be provided at ground level for residential use, some would be adjacent to the busway and some would be on Bramblefields Way.

- viii. There needs to be a comprehensive approach to the provision of infrastructure in the area. Although the North East Cambridge Area Action Plan has limited weight part of its purpose is to quantify overall infrastructure needs, where this could be delivered and the costs and respective financial contributions calculated and required. Although this application was large it may not trigger a need to provide a whole element of infrastructure. The appropriate way to secure the required element of infrastructure would be through a contribution secured under a Section 106 Agreement.
- ix. Conversations had taken place between the Applicant and the Waste Team to try and resolve concerns.
- x. The Lead Local Flood Authority were responsible for reviewing the impact of development on flood risk. They would use their own modelling to come to a view; further work was expected on this issue.
- xi. The Applicant was able to appeal to the Planning Inspectorate against the Council's non-determination as the application had not been determined within 16 weeks. The appeal would be conducted based on the scheme at the time the appeal was submitted.
- xii. Car lifts were proposed in building S4 and energy use for them was considered as part of the BREAAAM assessment. This building was proposed to be built to BREEAM excellent accreditation.
- xiii. The visual impact of the development was a point on which the Applicant and the Local Planning Authority disagreed. Members agreed with the concerns raised in the officer's report about space between buildings being an important consideration. The Applicant had proposed mitigation measures for example the articulation of buildings both vertically and on their elevations including the use of set backs and terraces but it was officer's view that mitigation measures proposed in this scheme were insufficient.
- xiv. In terms of the treatment of water, Anglian Water had published their Foul Water Management Strategy and were working on a Development Consent Order to relocate the Waste Water Treatment Works within a set of design parameters to accommodate the future growth of the area. It is not considered this issue should be put forward at appeal taking into consideration that Anglian Water had a legal obligation to receive foul water flow. Part B of the Officer recommendation may allow for the inadequacy of infrastructure to be pursued as part of the Council's case in defending the appeal.
- xv. Consideration was given to the issue of prematurity due to the potential relocation of the water treatment facility as it was a significant component in allowing substantial quantum of future growth in a highly sustainable

location to come forward however consideration also needed to be given to the proximate connections to the rail network and the rest of the city and its amenities and the fact that the site was a brownfield site. Officers were not recommending that this formed an issue to pursue at the appeal.

- xvi. When the Quality Panel considered the application in 2021 it was a different scheme to the scheme Members were reviewing which is why some areas of concern did not appear to have been addressed. Did not believe the application was in a form the Quality Panel should review again, as it did not have Officer support before the Applicants submitted their appeal.
- xvii. The movement of buses on the busway was not expected to be compromised by other traffic. The road is large and there is sufficient capacity. Expected the Applicant to facilitate bus services on their land as this contributed to the sustainability of the development. The busway would facilitate 2-way traffic for buses, one way for cars. The County Council was looking to replace car traps with alternative enforcement methods such as number plate recognition cameras because when cars are stuck in the car traps, they could cause damage and delays on the road network. The Applicant had put forward the replacement of the car trap within the draft Section 106 Agreement.
- xviii. The development required an Environmental Impact Assessment (EIA).
- xix. In terms of targets for construction standards this was a sustainable development as the buildings were going to be built to BREAAAM excellent standard and would be working towards BREEAM outstanding for the commercial units. The energy details / strategy for the residential development had not been submitted but targets were broadly in line with the emerging Area Action Plan for metrics for net zero carbon development. More work would be required to look at the energy strategy for the residential units.

Following a short break in the meeting, the Director of Planning and Sustainable Development, in response to Members' concerns, advised that the s106 Agreement for the Cambridge North Station area made provision to secure the busway. It was also suggested to amend recommendation B at paragraph 26.2 as follows: (additional text underlined) 'In the event that new information to address any reasons for refusal is forthcoming that Members authorise the Joint Director of Planning and Economic Development, in consultation with the Chair and Vice Chair, to review the Councils reasons for refusal and ensure safeguarding of the busway in the future and make representations on the Councils behalf accordingly'.

The Committee:

Resolved (unanimously) to refuse the application for planning permission in accordance with the Officer recommendation set out in paragraph 26, for the reasons set out in the officer report subject to:

- i. the amendments contained within the Amendment Sheet; and
- ii. the amendment to recommendation B in paragraph 26.2 that 'In the event that new information to address any reasons for refusal is forthcoming that Members authorise the Joint Director of Planning and Economic Development, in consultation with the Chair and Vice Chair, to review the Councils reasons for refusal and ensure safeguarding of the busway in the future and make representations on the Councils behalf accordingly.'

The meeting ended at 12.45 pm

CHAIR