

DEVELOPMENT CONTROL FORUM23 July 2024
10.00 - 11.47 am**Present**

Members Present in Person:

Councillor Smart – Planning Committee Member
Councillor Payne – Castle Ward Councillor

Members present (virtually):

Councillor Bennett – Planning Committee Member
Councillor Todd-Jones – Planning Committee Member
Councillor Porrer – Planning Committee Member
Councillor S.Smith – Castle Ward Councillor**Officers:**Delivery Manager: Toby Williams
Committee Manager: Sarah Steed
Meeting Producer: Chris Connor**For Applicant:**Rob Preston, Carter Jonas
Henry Charlton, Hill
Jaques van de Vyver, Programme Manager for Council Development Team**For Petitioners:**

Katyuli Lloyd

FOR THE INFORMATION OF THE COUNCIL**24/1/DCF Apologies**

Apologies had been received from Councillors Baigent, Dryden and Young.

24/2/DCF Declarations of Interest

Member	Item	Interest
Smart	24/3/DCF	Was now Executive Councillor for Open Spaces and City Services.
Bennett	24/3/DCF	Had received emails

		and social media messages from Petitioners. Discretion unfettered.
Todd-Jones	24/3/DCF	The site fell within Arbury Ward and had met with various residents but not in a way which would fetter discretion for the Forum.
Porrer	24/3/DCF	Was a member of the Housing Scrutiny Committee but was attending the Forum in a Planning Committee member capacity.
S.Smith	24/3/DCF	Was Executive Councillor for Finance and Resources and was one of the Councillors who sat on the Cambridge Investment Partnership (CIP) Board. Had liaised with residents over the issues raised. Was not a Planning Committee member so would not be taking part in the decision making for the application. Was a Castle Ward councillor.

24/3/DCF Application and Petition Details (24/01354/FUL - 137 and 143 Histon Road)

Case by Applicant

- 1) The Cambridge Investment Partnership (CIP) was a partnership between the City Council and Hill (as Developer), which was established in 2017. The aim of the partnership was to deliver high quality council homes, market homes and community facilities. CIP had delivered over 600 new council homes.
- 2) CIP had contributed £8million in section 106 contributions, which supported local amenities and services.
- 3) CIP was an investment partnership between the Council and Hill which created a financial return to the Council.
- 4) The development proposed to deliver 70 new homes in the area with 28 affordable homes for the council.
- 5) The site formed the majority of allocation 'R2' in the Local Plan, which was allocated to deliver new housing.
- 6) Local Plan Policy and paragraphs 123 and 128 of the National Planning Policy Framework required the efficient use of brownfield sites.
- 7) Planned to deliver a high quality and efficient development on the site.
- 8) In the context of delivering open space, the Applicant had considered Local Plan Policy 68. The Policy promoted the provision of open space on-site where possible. It acknowledged there were circumstances where it would not be possible to deliver the full informal open space requirement. Believed this site fell within this category due to the sustainable location and referred to the importance of making the most of brownfield sites for affordable and market housing delivery. Consideration also needed to be given to the sites other characteristics including the retention of trees and to respect the relationship with existing neighbouring homes.
- 9) The site aimed to deliver 40% affordable housing.
- 10) The site adjoined Histon Road Recreation Ground (HRRG).
- 11) The Applicant sought to maximise the quality of open space on the site. An attractive green link to the HRRG was proposed. The application proposed the provision of a pocket park in the centre of the development

which would serve as informal open space for sitting out and promoting general wellbeing and community interaction.

- 12) The application did not propose to provide an expansive area of on-site open space suited to more formal recreational purposes. There was already open space at HRRG.
- 13) In agreement with Officers the deficit of provision of open space on-site was proposed to be addressed by enhancements to the HRRG. The delivery and on-going management of open space provision would be secured through the Section 106 Agreement in accordance with Local Plan Policy 68.
- 14) The development would make contributions towards local infrastructure including healthcare and schools through the Section 106 Agreement to mitigate the impacts of the development.
- 15) CIP engagement with residents included:
 - a. Website created 17 November 2023
 - b. In person consultation event on 27 November 2023 which 45 people attended.
 - c. Virtual consultation event on 28 November 2023.
 - d. 1000 flyers posted to residents and 52 responses to the consultation were received. 66% of responses supported / strongly supported the principle of redevelopment and 72% who supported / strongly supported the creation of attractive routes through the development and the provision of accessible cycle storage.
 - e. When the application was submitted there were concerns expressed about connections to the HRRG and the new development. A public meeting was held on 23 May 2024 which over 70 people attended.
- 16) A summary of the key issues raised included:
 - a. Concerns regarding the creation of links through the development.
 - b. Concerns about safety at the play area resulting from the new access points.
 - c. Impact of new development on local infrastructure.
 - d. Anti-social behaviour in the area.
 - e. Support for the sustainability aspects of the scheme.
 - f. Recognised the importance of the provision of affordable housing.

- 17) Before the application was submitted CIP was involved in 16 meeting with Planning Officers. The application was revised before being formally submitted to the council to ensure it was policy compliant.
- 18) The link to the HRRG was seen as important:
 - a. to promote permeability and sustainable travel to the site; and
 - b. social cohesion.
- 19) The original application proposed two new pedestrian access points to HRRG. The revised application proposed one pedestrian access link to the HRRG and removed the central access point.
- 20) The current access to HRRG had poor visibility and access was directly onto a main road.
- 21) The retained new access to HRRG would be a safe new route to HRRG onto a quiet secondary street, which was like the other access points onto HRRG.
- 22) The former central access was now proposed to become a pocket park, providing a visual connection to HRRG and would provide green space in the development to provide relief from the bulk form and serve as an informal sitting out space. It did not seek to provide open space suited to recreation as this was already available at HRRG.
- 23) The new access was proposed to be flanked by shrub planting and a line of trees. No new gates were proposed into the play area within the HRRG, so the way to access the play space remained the same.
- 24) Responses to changes requested in the petition:
 - a. A new link to the HRRG had been seen as an opportunity for this site. Responding to concerns raised only one new access to the HRRG was now proposed.
 - b. As an allocated brownfield site within the Local Plan, the application needed to provide housing at an appropriate density.
 - c. Local Plan Policy 68 didn't require a play area to be provided on site. The duplication of play areas wasn't suitable.
 - d. Planting trees along the boundary wasn't consistent with the 'Secure by Design' Policy.
 - e. The site was an allocated site for housing with the current Local Plan.
- 25) Benefits of the scheme included:
 - a. Section 106 contributions towards local amenities and services.
 - b. 28 new affordable homes.
 - c. Uplift in biodiversity.
 - d. Increased connectivity.
 - e. 70 new energy efficient homes.

Case by Petitioners

- 26) CIP had proposed the creation of access points into, and thus annex, part of the HRRG. This went against original covenants in place on the land from 1886 and the original reason for purchase.
- 27) Cambridge City Council minutes from 1932 stated that 'it was the only available site in the neighbourhood for a children's recreation ground for which there was a growing need in the district.'
- 28) Green spaces were being swallowed up by developers for the benefit of overseas investors and those with property portfolios.
- 29) Children needed open space for physical and mental wellbeing. In creating access points to the HRRG, CIP were slicing off and segregating part of the children's play area. It was not for Hill to say how children should play. Children needed hidden paths, secret dens, blackberry bushes and muddy puddles to spark their imagination.
- 30) Believed the developers were being greedy. Did not feel that the Applicant had provided responses to their Solicitor's letter. The scheme was a greedy attempt to get more development and cut out open space. Green space could be provided on site, but the developer was choosing not to provide it. The local community should not have to suffer; needed the Planning Committee to protect them.
- 31) CIP's proposal to make redundant a well-used area of scrubland and loss of area of the playground for an access point was unacceptable. CIP said the reconfiguration of the railings would provide a more welcoming route. A significant part of the playground would be lost. The play area spanned the full length of the HRRG. The woodland section would become inaccessible and cut off from the main section. Referred to the revised plan and noted that there should be no impact at all.
- 32) There would be a loss of amenity i.e.: the football / basketball pitch which would significantly reduce the enjoyment of the pitch and render it unusable. Residents without garden space of their own relied heavily on this area. The proposals would prevent free movement in the area.
- 33) Landscaping. CIP claimed that the western access route to HRRG had been removed – however on the illustrative landscape master plan, there was a path running south of the development towards the west which if

constructed would bisect the current recreation area. A landscaped path within the recreation area runs to meet railed fencing. Looked like the developer was biding their time to create access points in the future.

- 34) CIP was going against the City Council's Biodiversity Survey from 2021, which stated that there should be no further tree planting in the recreation ground but selected felling and replacement within the woodland areas. Wildflowers should be allowed to grow in the corners and they required sunlight. CIP's bio-enhancement plans included planting trees and bulbs, which would mean the removal of an existing biodiversity feature and included the loss of amenity grassland. The Biodiversity Survey included plans which supported the Petitioner's position and not the Developer's.
- 35) The Council was aware of the statutory requirement for 10% biodiversity net gain. Schedule 7A within the Environment Act 2021 set out the tiered priority for the provision of biodiversity net gain. The first priority was for on-site provision. The application currently proposed less than the required 10% biodiversity net gain.
- 36) Believed CIP was not respecting the community and was just exploiting what was there. Referred to a cover letter from CIP which had not responded to questions asked by the community. Quoted the Applicant as saying, 'The proposed development did not seek to provide readily accessible on-site open space'. Commented that as the HRRG was already readily accessible new access points to it were not required.
- 37) CIP stated that the plans were not final, and they were seeking an 'in principle' approval. Final details would be agreed later.
- 38) Did not feel that the community would be involved in any future discussions. Referred to the scale of opposition to the proposed new access points. Asked the Applicant to remove all access points to HRRG.

Case Officer's comments:

- 39) The planning application was received on 10 April 2024 and validated on 19 April 2024.

- 40) Neighbours and statutory consultees were notified and consulted on the application 22 April 2024.
- 41) Several site notices were displayed on streets surrounding the application site and within the recreation ground on 29 April 2024.
- 42) The original consultation period expired on 23 May 2024.
- 43) To date 102 representations have been received.
- 44) The representations consisted of 98 objections, 1 letter in support and 3 neutral comments.
- 45) A number of technical objections had been received during the course of the application and the applicants submitted a revised package of information to address these issues.
- 46) The current consultation period on the revised application would expire on the 31 July 2024.
- 47) The Applicants had engaged with officers through the pre-application process. The scheme had been presented to the Greater Cambridge Design Review Panel at pre application stage and a pre-application briefing to Planning Committee members had also taken place.
- 48) Noted a number of issues had been raised including open space, biodiversity net gain and infrastructure.

Comments from Councillor Payne (Castle Ward Councillor)

- 49) Noted that this application did not just affect Arbury Ward. The petition had been submitted by a Castle Ward resident.
- 50) Noted that the only resident's association which had been engaged with was Histon Road Area Residents Association.
- 51) Ward Councillors Payne and Nestor had had to ask for a briefing from officers which had not been delivered until September 2023.
- 52) Noted that some residents who would be impacted by the proposals had not been consulted with and therefore public opinion was quite stressed.
- 53) Believed a compromise was possible. People who lived around the site wanted easy access to the HRRG without accessing it from Histon Road, but access points should not devalue the space.

- 54) Supported point 4 in the petition - the inclusion of a row of trees - to protect residents' from overlooking.
- 55) The application did not comply with the requirements of the Local Plan as it did not provide the required level of open space. The decision to depart from Local Plan policy based on the provision of 60-70 dwellings wasn't enough. Was concerned about a precedent being set.

Comments from Councillor S.Smith (Castle Ward Councillor)

- 56) The first exhibition on the application had been held at the end of November 2023.
- 57) Objected to a path through the secure play area. Had used the play area in the past; it was a much-loved play area.
- 58) Had taken concerns regarding the development to the CIP Board.
- 59) Was pleased that the access which had dissected the play area had been removed.
- 60) Believed that a balance needed to be struck between the interests of existing and future residents. Future residents would query why they were not provided with direct access to HRRG and why they had to walk down Histon Road to access the HRRG.
- 61) Noted that anti-social behaviour took place on HRRG and a footpath through the area should discourage this.

Members' questions and comments:

- 62) Queried whether there was a planning policy regarding access points from new development to existing spaces.

The Case Officer advised that the Applicant had undertaken pre-application discussions with them and that access to the HRRG was a key issue. The Urban Design Team, Landscape Architect and the Case Officer had promoted the new access points. In local and national planning policy there were requirements regarding permeability and connectivity between new development proposals and existing spaces. The developer was encouraged to include new access points. The community had commented against the inclusion of new access points. Weight had been given to these comments and therefore the number of new access point had been reduced to one.

- 63) Asked where the new access point was proposed and what existing desire lines there were.

The Applicant advised that they had looked at where desire routes currently were. Noted that there were access points from the east, south and west but there was no access onto the HRRG from the north. Therefore, the application sought to create an access point to the HRRG from the north of the site.

The Applicant advised that in discussion with the City Council's Access Officer that weighted gates were proposed on the new access route in response to concerns regarding e-bikes and scooters. The Applicant noted concerns raised that the weighted gates were not disability accessible complaint and would take this away to review.

The Petitioner commented that anyone buying a property on the site should purchase it as is, it shouldn't come at a cost to the existing community. Suggested that railings be installed along the pavement on Histon Road. Commented that there were drug deals taking place at HRRG daily; residents reported this to the Police and the City Council, and nothing was done about it.

- 64) Commented that amenity concerns for existing residents was easier to see / understand than for future residents but the consideration of amenity for future residents was a critical part of the planning application process. The compromise access (i.e.: one new access point) to the HRRG was better than what had been originally proposed. Noted the Applicant had mentioned that there was scope for discussion regarding comments by residents in relation to a natural woodland.

The Case Officer commented that open space enhancements proposed were indicative at this stage. Off-site provision (i.e.: proposed enhancements to the HRRG) would be secured through a Section 106 Agreement as the land did not fall within the planning application 'red line' site. Local Plan Policy 68 was the relevant policy to consider regarding open space provision. With the HRRG on the doorstep of the

development it would be illogical not to provide access to the HRRG for future residents.

The Applicant commented that they had considered the amenity of future occupiers of the proposed development. Local Plan Policy 68 provided that in certain circumstances informal open space could be provided off-site. The site also provided the ability to connect the site to the HRRG. Local Plan Policies encouraged connections to existing facilities.

The Petitioner referred to the recent Open Spaces Survey which stated that there was no surplus of open space in Arbury and Castle wards. There was no surplus green open space for new residents in these areas. There was space within the development to provide on-site open space, but the Applicant had chosen not to. Believed the Applicant had no respect for the community and was prioritising profit.

The Delivery Manager commented that when the application came to Planning Committee; profit and greed were not material planning considerations.

- 65) Asked whether it was possible to bring forward a smaller development with a play area on site or whether the development could build higher flats to enable a play area to be provided.

The Case Officer commented that these issues would be weighed up in the planning balance and the assessment of the application. The site was immediately adjacent to the HRRG. The site proposed to deliver 40% affordable housing this needed to be weighed up against the provision of open space. All statutory consultees would provide comments on the application.

The Applicant advised that the design started with a blank slate. There were a number of urban design considerations. The site was long and narrow and the impact on neighbouring properties had been considered. The only suitable area for higher density residential development was facing Histon Road. Lower density terrace housing had been proposed towards the rear of the site. Wanted to make the most efficient use of the site with the provision of affordable housing. Proposed to use an element

of off-site provision for open space in accordance with Local Plan Policy 68 to enhance existing facilities.

The Petitioner commented that the proposed development was not providing maximum benefits in terms of infrastructure other than maximising the number of houses. Did not believe the Applicant had answered why the application wasn't delivering its own play area.

- 66) Asked whether the application should have its own play area and whether it was possible to provide a play area on the site. Noted commercial viability may have to be looked at.

The Applicant commented that viability was a consideration. It was unfair to refer to greed. Developing the site as a CIP site meant the Council had a vested interest in bringing the application forward in the best way possible. There were a number of competing objectives, housing was a key component of the development as was whether to deliver a new play area on the site or not. Having the HRRG adjacent to the site was a key consideration. A play area could be provided on site however this would impact on other aspects of the development i.e.: drainage. The development sought to be sensitive to the area and had tried to make the best use of assets whilst delivering sustainable housing.

- 67) Asked what type of affordable housing would be delivered within the 40% affordable housing proposed. Noted reference to the 'Secure by Design' Policy and that there was a balance to be struck between protecting residents privacy versus having 'eyes on the street'. Asked if low hedges could be planted instead of the line of trees requested by the petitioners as this might be a compromise and also deter anti-social behaviour / drug dealing taking place. Noted that HRRG provided good facilities for older children but that younger / disabled children could benefit from more facilities being provided.

The Applicant commented that the affordable housing types had been discussed with the Council's Housing Officers. The pocket park would provide a sitting out area; noted concerns about the surrounding area. The open space was designed to be overlooked but also to protect residents' privacy. The detail regarding proposed enhancements to the HRRG would be included within the Section 106 Agreement. There was

scope to improve the play space facilities for all users. The proposed pocket park within the development was informal open space with a buffer towards the back which would be a good environment for younger children.

The Petitioner commented that they didn't think adequate responses had been given by the Applicant and they had used viability as a justification not to provide facilities for example on-site open space and / or play area. Asked if the viability information would be made available for residents to see as they wanted to see how tight the profit margins were. Queried how providing a play area on-site would affect drainage.

The Programme Manager advised that the provision of a play area on-site would impact the way the proposal had been designed. Drainage was only one example of an impact there would be others.

The Delivery Manager advised that further information regarding the provision of a small play area on-site would be provided outside of the meeting.

Summing up by the Applicant

- 68) Access points to HRRG had been reduced to one.
- 69) This was seen as an opportunity to imbed the site within the community.
- 70) Sought to use the brownfield site, which was in a sustainable location as efficiently as possible. Delivery of affordable housing was a key aspect of the scheme.
- 71) In terms of open space provision, the proposal was compliant with Local Plan Policy 68. Contributions to other infrastructure would be made through the Section 106 Agreement.

Summing up by the Petitioner

- 72) Referred to the e-petition which was against any access points to the HRRG which had 136 signatures.
- 73) Was not against development but was against access points from the development to HRRG, which was one of Cambridgeshire's protected green spaces and was under covenant as a safe space for children.
- 74) The HRRG should not be compromised for an access point; a play area should be provided on-site.

- 75) CIP had made plans, and they did not want to change them.
- 76) The Applicant had assumed that open space and biodiversity net gain could be delivered off-site in the HRRG.
- 77) Asked the Applicant to go back to the drawing board and get rid of the access points on to HRRG.

Final Comments of the Chair

- 78) The notes of the Development Control Forum would be made available to relevant parties, published on the council's website and appended to the Planning Officers report.
- 79) The Planning Case Officer would contact the Applicants/Agent after the meeting to discuss the outcome of the meeting and to follow up any further action that is necessary.
- 80) The Applicant was encouraged to keep in direct contact with the Petitioners and to seek their views on any proposed amendment/s.
- 81) The Council would follow its normal neighbour notification procedures on any amendments to the application.
- 82) The application would be considered at a future Planning Committee.
- 83) Along with other individuals who may have made representations on the application, the Petitioners' representatives would be informed of the date of the meeting at which the application would be considered by Committee and of their public speaking rights.
- 84) The committee report would be publicly available five clear days before the Committee meeting.

The meeting ended at 11.47 am

CHAIR