

CAMBRIDGE CITY COUNCIL

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REPORT OF: Director of Environment and Planning

TO: Planning Committee

03/06/2015

WARDS: Petersfield

**CB1 STATION AREA REDEVELOPMENT – DISCHARGE OF PLANNING  
CONDITIONS – PINK PHASE (BLOCKS C1/C2, D1 AND F1)**

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**1 INTRODUCTION**

- 1.1 In January 2014 an application for minor material amendments to the approved Parameter Plans for CB1 was approved and reserved matters approval was given for development of part of the CB1 Pink Phase (Blocks C1/C2, D1 and F1) that is part of the CB1 Station Area Redevelopment. The approvals were subject to a number of planning conditions including conditions relating to the details of works to the Carter Bridge and the Northern Access Road junction and conditions relating to the management of waste and the provision of a bin store. The discharge of these conditions is a matter that Members wished to be brought to Committee for determination.

**2. RECOMMENDATIONS**

- 2.1 That the information submitted in relation to compliance with Condition 43 is acceptable subject to approval of the detailed planting scheme by officers and implementation
- 2.2 That the information submitted in relation to compliance with Condition 47 is acceptable subject to implementation
- 2.3 That Condition 18 is discharged.
- 2.4 That the information submitted in relation to compliance with Condition 32 is acceptable subject to implementation.

**3. BACKGROUND**

**Application for Minor Material Amendment (application ref. 13/1041/s73)**

- 3.1 The Decision Notice for this application included the following conditions:

43. Prior to the commencement of development a detailed scheme for changes to the Carter Cycle Bridge shall be submitted to and approved by the local planning authority in writing. The detailed scheme shall include a detailed topographical and vegetation survey and a vegetation to be removed plan and shall include an assessment of the impact of the works on the residential

amenities currently enjoyed by the occupiers of adjacent dwellings. The works to the cycle bridge shall be implemented in accordance with the approved details in advance of the use of the multi storey car park or the occupation of any other part of the development or in accordance with a timetable agreed in writing by the local planning authority.

Reason: In the interests of improving accessibility and highway safety and to safeguard the visual amenity of nearby residents (Cambridge Local Plan 2006 policies 3/4, 8/2 and 9/9).

47. Prior to commencement of development a detailed scheme for alterations of the junction of the proposed Northern Access Road with Tenison Road shall be submitted to and approved by the local planning authority in writing. The works to the junction shall be implemented in accordance with the approved details in advance of the occupation of any development on Blocks C1, C2, D1, F1, F2, G1 and G2 or in accordance with a timetable agreed in writing by the local planning authority.

Reason: In the interests of improving accessibility and highway safety (Cambridge Local Plan 2006 policies 8/2 and 9/9).

3.2 An informative was also attached as follows:

INFORMATIVE: Conditions 43 and 47 are to be determined by the Planning Committee and reference should be made to this requirement in any application to discharge these conditions.

**Submission of Reserved Matters (application ref. 14/1034/REM)**

3.3 The Decision Notice for this application includes the following conditions:

18. Prior to the commencement of occupation, full details of the means by which domestic and trade waste will be collected from the site, including the means by which refuse containers will be moved to the street frontage for collection and returned to the refuse store after the collection of waste and the location of on-street storage on collection days, shall be submitted to and approved by the local planning authority in writing. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2006 policy 4/13)

32. Notwithstanding the details shown on the approved plan, full details of the refuse store and pergola to the rear of Block D1 shall be submitted to and approved by the local planning authority prior to the commencement of development. Thereafter the development shall be carried out in accordance with the approved plans.

Reason: In the interests of residential amenity of occupiers of adjacent residential development (Cambridge Local Plan policies 3/4 and 3/12)

- 3.4 The Committee agreed that Conditions 18 and 32 are to be determined by the Planning Committee and reference should be made to this requirement in any application to discharge these conditions.
- 3.5 The discharge of these conditions has proved to be complicated and the development has commenced in advance of the discharge of conditions 43, 47, 18 and 32. Officers have taken the view that it would not be appropriate to seek to stop the development on going on site because it does not prejudice compliance with the conditions. However conditions 43, 47 and 32 required approval prior to 'commencement' and cannot therefore be formally discharged. I have recommended that the information submitted to discharge these conditions is agreed to be acceptable which gives the developer the comfort that he requires and clarifies the Council's position. This is the normal course of action in such circumstances.
- 3.6 I have set out Consultations, Representations (in relation to Carter Bridge Works only) and my Assessment in relation to each of the Conditions below.

## **CARTER BRIDGE WORKS**

### **4A CONSULTATIONS**

County Council – Highways

- 4.1a Support the comments made by Walking and Cycling Officer.

Urban Design and Conservation Team

- 4.2a Not consulted on this condition

Streets and Open Spaces – Landscape Officer

- 4.3a Revised ramp and additional cycleway – we have no comment on the configuration of the revised cycle/pedestrian ramp except we suggest that the railings are painted black so that they are not so visually obvious.

Access to door in Carter Bridge flank wall – there seems to be an access path proposed from the footway to the door in the bridge flank wall. The access at present is informal and from the direction of the steps. This informal arrangement should continue so as not to draw attention to the door in the flank wall, i.e. there should be no surfaced footpath. Drawing attention to it will make it vulnerable to damage.

Existing tree removal and retention – we will require plans and a method statement on the removal of the existing trees and vegetation, including which trees are to be retained. It should also include the stump grinding of the removed trees.

Tree removal shall not take place within the bird nesting season unless a survey of nesting birds is carried out immediately prior to tree felling to ensure none are present.

It is noted that there are two existing Pine trees that have been proposed as retained on the drawing. We require the removal of all of the existing pine trees. Whilst we do not normally propose the removal of healthy trees, particularly those with such a presence in the street, the pine trees in this location are recommended for removal for the following reasons:

- 1) The trees were originally planted for evergreen screening of the Carter Bridge. However, as is the habit of pine trees, the crown of the tree remains in the upper portion of the trunk only, meaning that the crown will grow above the Carter Bridge and the screening value will disappear over time. This is beginning to be evident.
- 2) In 2010/11 the city council tried to regenerate the area with new planting, but because the pine trees swamp any planting beneath with needles causing a lack of light and water to the plants as well as making the soil very acidic, new planting cannot establish or thrive.
- 3) Because the planting area is adjacent to the bridge structure, and because the pine trees have large crowns and there is a thick mulch of pine needles, very little rain water can get to the ground causing a lack of moisture in the soil. Any available moisture in the soil is taken up by the trees leaving none for any new planting.

In short, any new planting under the existing pine trees will not be successful as can be seen from the existing vegetation. Even retaining two Pine trees will cause the failure of any new planting in their vicinity.

Retained Lime trees - We note there is only one retained Lime tree adjacent to the steps whereas there are three existing Lime trees that should be retained. The smallest Lime could be considered for removal to favour the other two.

We note that the Betula planted in 2010 are to be retained and relocated. Please note that there are only three in a good enough condition to attempt to retain. Please provide a method statement for this work including their excavation, storage and replanting. We are sceptical as to whether the Betula will survive relocation and it might be better simply to replace.

There is also one Garrya elliptica adjacent to the steps that might be worth retaining in its current position.

Landscape Specification – the specification shown on the drawing should include a specification for the removal of the existing topsoil and pine needles to a depth of 450mm and the replacement with new lightly consolidated topsoil to BS3882.

Planting design - The proposed planting is in an area to be maintained by the city council and so the design must be as simple as possible. It should be understood that the level of maintenance will be minimal because the city council does not have the resources to maintain complex planting schemes.

The tree planting should be limited to 2 x Tilia, the repositioned 2 or 3 x Betula (min. 3.5m spacing), and 2 or 3 x Acer campestre 'Elsrijk' (min. 4m spacing). It would be preferable to plant the shrub planting in swathes rather than mixes because of the differing species growth rates and only a limited palette.

The large (some evergreen) shrub palette should be limited to Amelanchier, Cotoneaster salicifolius (not 'Gnom'), Elaeagnus ebbingei, Osmanthus x burkwoodii and perhaps Viburnum opulus.

The medium shrub mix should be limited to Euonymus, Lonicera pileata, Ribes,.

Ground cover to be limited to Cotoneaster 'Coral Beauty', Geranium, Vinca minor.

Please do not include species that have leaves that do not break down readily such as Photinia or Ilex. Omit all bulbs.

Streets and Open Spaces – Walking and Cycling Officer

- 4.4a The existing link from the Carter Bridge into the Station is poor, requiring cyclists to cross Devonshire Road twice, once where visibility is restricted by a sharp bend.

As set out in the report submitted by the applicant, four options to provide a ramp connecting the Carter Bridge to the Station were included in the Transport Assessment (TA) for the outline planning application for the station area. Subsequently approval of the outline application was conditional upon the provision of this connection.

The options put forward within the TA were considered by members of the Cycling and Walking Liaison Group (comprising representatives from Sustrans, the Cambridge Cycling Campaign, CTC, Living Streets and Camsight and City and County Council officers) and additional options were also considered such as a route through Ravensworth Gardens and changes to the traffic management on Devonshire Road. The attached table (See Appendix A), which summarizes initial discussions and then a later site meeting, sets out the pros and cons of each option and possible variations that could be considered.

The current proposal takes account of the above advice and combines elements of option 1 and 3 as suggested.

It is acknowledged that this is a compromise solution. It meets the aim of providing a safer route for cyclists heading from the bridge to the station and thus reduces conflict with traffic on Devonshire Road, and with pedestrians on the narrow footpath. However, it also creates an additional area of potential conflict at the entrance to the new ramp where cyclists turning into and out of the ramp could clash with cyclists and pedestrians continuing straight across.

It is felt that this is the best option for a ramp as it is the least obtrusive structure, it segregates pedestrians and cyclists, and the additional ramp joins the existing ramp as far down as possible where cyclists are generally slowing down as they approach the junction with Devonshire Road.

Whilst some of the route via Ravensworth Gardens has now been adopted as highway, it would still require a link through land owned by a housing association and the removal of at least two station car parking spaces. To avoid a difficult sharp left turn at the bottom of the ramp private land at this corner, next to the electric substation, would also be needed.

Travis Perkins are still on site on Devonshire Road and there is no decision as to when or if they will move. Whilst their HGVs need to use Devonshire Road County Council Highways officers will not support any changes to traffic management in this area. Devonshire Road will continue to be an important cycle and pedestrian corridor and in the longer term it is hoped that significant changes to vehicular access and street layout could substantially improve the environment for these users.

Given the current situation with regard to alternatives to the ramp option, and with some reservations, I therefore support the proposal.

Head of Refuse and Environment

4.5a Not consulted on this condition

## 5A REPRESENTATIONS

5.1a Applications for discharge of planning conditions are not subject to the same level of publicity as planning applications. There has been no site notice and neighbours have not been notified. However Councillor Robertson has been liaising with residents as Ward Councillor and officers have met with Councillor Robertson and local residents.

5.2a A petition has also been submitted to the Council. The 80 signature petition related to two matters, the removal of hornbeam trees to the north of the Carter Bridge ramp and the proposed removal of pine trees in association with the Carter Bridge works. The former were removed in association with the provision of the new Station Car Park and because they were not protected trees the Council had no control over their removal. I have contacted both the train operators and Brookgate with a view to providing replacement planting in this area, however Brookgate do not support this as they are bringing proposals forward for the development of this area shortly and any planting would be short term only. They are committed to looking at wider landscaping as part of the new development. In my view the Council is not in a position to insist on planting in this area and the response from Brookgate is reasonable in the circumstances.

5.3a With regard to the pine trees, residents object to the removal of the pine trees and I have responded to this in my assessment below.

## 6A ASSESSMENT

6.1a Condition 43 of application ref. 13/1041/s73 requires the detail of the Carter Bridge Works to be agreed including the planting to be removed and provided and impact on residential amenity to be considered.

6.2a The detailed design introduces a red surfaced cycle path behind the existing pavement route to provide an off-street route from the Cycle Bridge ramp into the Station car park area. With the exception of a reduced planting bed, which I have considered below, the proposals are very low key in comparison with potential works to the ramp itself which were previously mooted. Any solution

will be a compromise as acknowledged by the Walking and Cycling officer because of the constraints of the site and limited options.

6.3a The works will reduce the size of the planting bed which result in the loss of some pine trees. The pine trees were originally planted to provide a screen between Devonshire Road and the Carter Bridge. However their habit means that this screening function is becoming more and more limited. The view of the Landscape Officer is that all of the pine trees should be removed. I have some sympathy with this view given that the trees reduce the potential for lower level planting which would make a more appropriate contribution to the street and which could provide more effective screening of the lower part of the bridge ramp. However residents do not support the removal of the pines and the applicant has decided to retain two of them in response to this objection. A balance needs to be struck and my recommendation supports the retention of two pines, however if Committee consider that removal of all the pines is a preferable option the applicant would be amenable to amending the scheme.

6.4a The Landscape officer has made detailed comments about retention of plants and the detailed planting scheme and I would request the Committee delegates the authority to agree the full details prior to discharge of Condition 43.

## **NORTHERN ACCESS ROAD JUNCTION WITH TENISON ROAD**

### **4B CONSULTATIONS**

County Council – Highways

4.1b The junction with Tenison road is as approved in the currently negotiated design for the 278 Agreement.

Urban Design and Conservation Team

4.2b Application as submitted – recommend reduced number of bollards, repositioning of ramps and amended treatment to the vehicle cross over at George Pateman Court.

Streets and Open Spaces – Landscape Officer

4.3b Not consulted on this condition

Streets and Open Spaces – Walking and Cycling Officer

4.4b Not consulted on this condition

Head of Refuse and Environment

4.5b Not consulted on this condition

### **5B REPRESENTATIONS**

5.1b No representations have been received.

### **6B ASSESSMENT**

- 6.1b Condition 47 of application ref. 13/1041/s73 requires a detailed scheme for the junction of the proposed Northern Access Road with Tenison Road to be agreed. The reason for the condition relates to accessibility and highway safety and consent under section 278 of the Highways Act is also required.
- 6.2b The detailed plans for the s278 Agreement have been agreed by the County Council which has included consideration by the Safety Team. The applicant is now able to submit the plans for discharge of Condition 47.
- 6.3b The plans indicate a raised table and bollards to protect pedestrians. The plans have been amended to reduce the number of bollards. The ramps have not been repositioned because to do so would allow vehicles to mount the pavement and the surface treatment to the vehicle crossover cannot be upgraded because this would result in increased maintenance costs.

## **ARRANGEMENTS FOR WASTE COLLECTION**

### **4C CONSULTATIONS**

County Council – Highways

- 4.1c Not consulted on this condition

Urban Design and Conservation Team

- 4.2c Not consulted on this condition

Streets and Open Spaces – Landscape Officer

- 4.3c Not consulted on this condition

Streets and Open Spaces – Walking and Cycling Officer

- 4.4c Not consulted on this condition

Head of Refuse and Environment

- 4.5c Application as submitted – further clarification of ‘pull-distances’ and roadside collection arrangements required.

Application as amended to show reduced travel distances and to include a management note regarding the movement of bins from Block D1 on collection day by the caretaker – supported by Waste Strategy Manager

### **5C REPRESENTATIONS**

- 5.1c No representations have been received.

### **6C ASSESSMENT**

- 6.1c Condition 18 of application ref. 13/1034/REM requires a detailed scheme for the management of bins on collection days to be agreed. There bin stores in each of

three blocks. In block C1/C2 the bin stores are on the street frontage but for blocks D1 and F1 they are not. In all cases a means by which bins will be moved to an appropriate place on the roadside for collection is required.

- 6.2c The proposal is for the management company staff to move the bins to the kerbside or collection area on refuse collection days. The Waste Strategy Manager has been consulted and her comments have been proactive. There is only limited space to put the bins on collection day in relation to Block D1. This means that the caretaker will be required to move bins around on collection day to ensure that travel distances are not exceeded. This is accepted by the applicants, has been written into the maintenance and management plan for the development and is agreed by the Waste Strategy Officer.

## **DETAILS OF REFUSE STORE AND PERGOLA**

### **4D CONSULTATIONS**

County Council – Highways

- 4.1d Not consulted on this condition

Urban Design and Conservation Team

- 4.2d Supports the movement of the bin store off the boundary with Ravensworth Gardens but is concerned about the external treatment. A timber finish as proposed when the application for reserved matters was under consideration is preferred.

Streets and Open Spaces – Landscape Officer

- 4.3d Not consulted on this condition

Streets and Open Spaces – Walking and Cycling Officer

- 4.4d Not consulted on this condition

### **5D REPRESENTATIONS**

- 5.1d No representations have been received.

### **6D ASSESSMENT**

- 6.1d Condition 32 of the approval of reserved matters requires details of the refuse store and pergola to be submitted for approval. This was required because the Committee were concerned about the impact of the bin store on the amenities of residents in Ravensworth Gardens. This concern related to both the visual impact and potential odour problems.

- 6.2d The bin store has been redesigned so that is less deep than originally proposed which has enabled it to be brought off the boundary with the rear wall of the Ravensworth Gardens houses. Planting can now be introduced between the bin store and the boundary. The pergola that is attached to the bin store screens the

ramp to the basement car park as previously planned. The height of the bin store at 3.225m is slightly lower than the 3.4m previously proposed.

- 6.3d The bin store is finished in facing brick. The view of the applicant is that this is appropriate both visually and to control odours. I note the comment from the UDC team but I do not think it essential that the building be finished in timber for it to be visually appropriate.

## 8 OPTIONS

### Option 1

- 8.1 To discharge condition 18 and accept the information submitted in relation to conditions 32, 43 and 47 will facilitate the second residential phase of the development including the delivery of affordable housing.

### Option 2

- 8.2 To refuse discharge condition 18 and accept the information submitted in relation to conditions 32, 43 and 47 may result in a delay in occupation of the development.

## 9 CONCLUSIONS

- 9.1 I would recommend that Condition 18 be discharged and that the information submitted in relation to conditions 32, 43 and 47 be agreed.

## 10 IMPLICATIONS

- (a) Financial Implications - None
- (b) Staffing Implications - None
- (c) Equalities and Anti-Poverty Implications - None
- (d) Environmental Implications – None (Climate change impact – Nil)
- (e) Procurement – None
- (f) Consultation and Communication - None
- (g) Community Safety - None

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

Application files: 13/1041/s73 and 13/1034/REM

To inspect these documents contact Sarah Dyer on extension 7153 or inspect via Public Access.

The author and contact officer for queries on the report is Sarah Dyer on extension 7153.

Report file:

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## Appendix A – Options for Carter Bridge Works