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Joint Development Control Committee JDC/1 Wednesday, 27 October 2021

JOINT DEVELOPMENT CONTROL COMMITTEE

27 October 2021
10.00 am - 4.50 pm

Present: Councillors Bradnam (Chair), D. Baigent, Bygott, Chamberlain, Daunton, Hawkins, Hunt, Page-Croft, Scutt and Thornburrow

Councillor Scutt left after the vote on Technology Park, Fulbourn Road.

Councillor Baigent joined the meeting only for agenda items 5, 6 and 7 (ie from St Johns Innovation Park item).

Officers Present:

Assistant Director Delivery, Cambridge City and South Cambridgeshire District Councils: Sharon Brown

Interim Team Leader, Development Management: Fiona Bradley

Principal Planning Officer: Mike Huntington

Principal Planning Officer: Guy Wilson

Senior Planning Officer: Chenge Taruvinga

Legal Adviser: Keith Barber

Committee Manager: James Goddard

Other Officers Present:

Transport Assessment Manager: Jez Tuttle (Cambridgeshire County Council)

FOR THE INFORMATION OF THE COUNCIL

21/47/JDCC Apologies

Apologies were received from Councillors Porrer, Smart and S.Smith, (Councillor Scutt attended as an alternate).

21/48/JDCC Declarations of Interest

Item	Councillor	Interest
21/50/JDCC	Bygott	Personal: Member of Cambridge Past Present and Future.
21/50/JDCC	Daunton	Personal and Prejudicial - Spoke as a Ward

		Councillor. Withdrew from discussion and did not vote.
21/51/JDCC	Baigent	Personal – Member of Cambridge Cycling Campaign.
21/51/JDCC	Bradnam	Personal – Parish, District and County Councillor for Milton.
21/51/JDCC	Chamberlain	Personal – Director of company and trustee of land located near the application.
21/51/JDCC	Daunton	Personal – Application was located adjacent to her ward but she had not discussed it or fettered her discretion.
21/52/JDCC	Daunton	Personal – Present at Parish Council discussion of application but had not fettered her discretion.
21/53/JDCC	Chamberlain	Personal – Application close to Lime Kiln Hill and he is the Chair of Lime Kiln Caravan Club.

21/49/JDCC Minutes

The minutes of the meetings held on Wednesday 18 August 2021 were approved as a correct record and signed by the Chair.

21/50/JDCC 21/00772/OUT - Fulbourn (Technology Park, Fulbourn Road Cambridge)

The Committee received an application for full planning permission.

The application sought approval for a hybrid planning application for a total of 56,473sqm of commercial floorspace for Use Classes E(g) i (offices), ii (research and development), ii (light industrial) and B8 (storage and

distribution - limited to data centres) uses. Comprising a) an Outline Application with all matters reserved (except for access) for the development of up to 44,671 sqm of floorspace, with associated access, structural landscaping, car and cycle parking and associated infrastructure works; b) a Full Application for the first Phase comprising the main access, one commercial building, a multi-decked car and cycle park and associated landscaping and infrastructure works; and c) a Full Application for the details of initial enabling works comprising site wide earth works and drainage.

The Interim Team Leader updated her report by referring to:

- i. There were a number of conditions in the e-report published on-line that were omitted from the printed report. Conditions 61, 64, 65, 67 and 68 were read to Committee to ensure Councillors were aware of the details.
- ii. 2 late representations, 1 in support and 1 in objection to the application.
- iii. Updated condition wording on the amendment sheet.

The Committee received a representation in objection to the application from a representative of Fulbourn Forum for Community Action:

- i. Spoke on his behalf and a resident of Coltsfoot Close.
- ii. The existing technology park was formed from 2 storey buildings dug into the landscape.
- iii. The new application was located on rising ground - 13.5m high with flues, so approximately 6-7 storeys in height.
- iv. Expressed concern about the impact of the application on the green belt.
- v. Referred to Design Enabling Panel comments, which suggested proposed buildings were too high.
- vi. There were inadequate landscape buffers. Suggested putting in trees to replace some of the proposed parking spaces.
- vii. Referred to Wildlife Trust comments regarding biodiversity.
- viii. Design out of scale with the area.
- ix. Residents stated the developer had not engaged with them. They were also concerned there would be no engagement during construction and occupation (if the application were approved) regarding issues such as noise, dust and prevention/enforcement to stop parking on residential roads.

Mr Tzortzoglou (Applicant) addressed the Committee in support of the application.

Councillor Daunton (Ward District Councillor) addressed the Committee about the application:

- i. The development would be located:
 - a. On a main road/rail route into the city.
 - b. Near Fulbourn where there would be 2 housing developments nearby.
- ii. The development was a large site and the area could not cope with this level of development.
- iii. Road junctions were at capacity already. The application would bring infrastructure to a halt. People would have to commute in but there was no funding mentioned for financial contributions to public transport. Bus services may be unable to service the site. Road traffic would increase as people would travel in by car not bike.
- iv. Expressed concern about car parking provision on site and potential impact on the local area.
- v. Light pollution would affect rural landscape and (residential) neighbours.
- vi. The development did not appear to take account of Fulbourn Design Guide policies.
- vii. Could not support the development in its current form.

Councillor Williams (Ward District Councillor) addressed the Committee about the application:

- i. Expressed concern about transport impact of site and s106 planning obligations would not mitigate this.
- ii. The application would not satisfy South Cambridgeshire District Council Local Plan policies TI/2, TI/8 and SC/2.
- iii. The site relied on bus services being available to transport people to it, but these could not be guaranteed. There was no mitigation in place to offset expected delays to bus services from road congestion.
- iv. The local road network could not absorb the extra traffic from this development. There would also be additional noise and air pollution.
- v. Expressed concern that commuters would park in neighbouring residential streets. Parking controls were needed so enforcement action could be taken.

Councillor D. Smith (Ward Parish Councillor) addressed the Committee about the application:

- i. Expressed concern about traffic and parking.
- ii. Queried who would undertake the parking surveys, suggested this should be an independent entity.

- iii. Appropriate crossings were required for bikes to crossroads, particularly near junctions such as Yarrow Road.

The Committee raised the following concerns in response to the report:

- i. Flooding.
- ii. Sewerage.
- iii. Traffic and transport (existing congestion and impact on this, public transport provision, cycle and car parking provision).
- iv. Parking and enforcement action to mitigate impact of commuters on neighbouring residential areas.
- v. Building overheating.
- vi. Scale and height of development.
- vii. Light pollution.
- viii. Substantial soil excavation would be required on-site, moved soil would have loose structure and may affect how it could be used ie potentially unsafe for platforms to rest on.
- ix. Lack of consultation with residents.

The Interim Team Leader said the following in response to Members' questions:

- i. The application had been referred to the Design Enabling Panel for comment who raised concerns. The design was changed as a consequence but the revised details did not return to the Design Enabling Panel due to time constraints before submission of the application.
- ii. Consultation had been undertaken on the application in lockdown via website and letter drop. Residents had been consulted on a document produced by the design team. Officers had also published details on the City Council website.
- iii. The Landscape Officer had reviewed trees proposed for the site and was satisfied the appropriate species had been recommended.

Mr Tzortzoglou added that residents had an opportunity to interact via several consultation sessions via Zoom.

- iv. A transport assessment had been submitted that looked at the cumulative impact of developments in the area. This had been reviewed by the County Council.
- v. Multi storey access/egress had not been modelled so its impact on queueing traffic was unknown.

The Transport Assessment Manager said the Car Parking Management Plan set out appropriate barriers would be used to minimise queueing.

- vi. There was a condition to ensure sufficient bike parking capacity and facilities were provided such as Sheffield stands.
- vii. Industry standards would be used to describe electric vehicle charging points/facilities in future (officer) reports.
- viii. Officers were checking the sewer capacity with Anglian Water. There should be since 2015, so officers would check if Anglian Water comments in the Officer's report were up to date. Anglian Water were legally obliged to accept sewerage.
- ix. Changes in the Drainage Strategy had resolved concerns about flooding downstream.
- x. The Lead Local Flood Authority was satisfied with the Surface Water Drainage Strategy since changes were made to the previous iteration.
- xi. There was an issue of chalk on the site, this would cause problems when exposed. Soil stabilisation would occur to ensure platforms would be stable. Details were set out in the Soil Management Plan.
- xii. Building overheating concerns should be addressed through sustainable construction techniques such as passive cooling.

The Transport Assessment Manager said the following in response to Members' questions:

- i. There was congestion in the area already. The Applicant was only obliged to fix problems caused by the development, not in the area as a whole.
- ii. The County Council were looking at mitigation measures they could recommend. Fulbourn Greenway was expected to be used by local commuters.
- iii. There were no quick fixes for issues with junctions.
- iv. People were expected to travel to the site by car, but it was hoped a modal shift would occur in future to bikes/public transport. It was hoped the impact of cars would be mitigated by other people walking or cycling.
- v. The transport cap would be reviewed after phase 1 to see if it was fit for purpose or if the developer had to make amendments for phase 2 such as providing a 'works bus' to encourage people to commute in.

Mr Tzortzoglou said measures in place at other sites could be implemented in Fulbourn such as a shuttlebus and car share club. The Fulbourn site had only been acquired 5 weeks ago so details had not

been included in the Officer's report, measures would be set out in future.

- vi. Car parking was provided on-site but the aim was to discourage car travel. Some funding contributions had been obtained to monitor the impact of the site on residential areas. The developer was required to provide a contact to enable residents to lodge complaints. Funding would then be used (e.g. Traffic Regulation Orders) to seek how to address issues through resident consultation.
- vii. Plans were in place to review how buses would service the site as it was recognised the Citi 3 (bus route) could not provide sufficient capacity.
- viii. Outline planning permission set out how the site could be used if the second car park was not built ie area could be used in another way.

Councillor Thornburrow proposed an amendment to the Officer's recommendation to include informatives covering:

- i. there should be no occupation on site until there was adequate sewerage capacity;
- ii. that Officers would write to Anglian Water setting out drainage concerns should be addressed prior to work starting above ground.

These amendments were **carried by 8 votes to 0**.

Councillor Scutt proposed an amendment to the Officer's recommendation to include an informative drawing the Applicant's attention that it was their responsibility to address concerns about damage to buildings as a consequence of trees being close to the buildings – soil drying out leading to subsidence etc.

This amendment was **carried by 8 votes to 0**.

Councillor Bradnam proposed an amendment to the Officer's recommendation to include an informative requesting the Applicant set up a community liaison forum during construction and early occupation (if application approved) so issues could be raised by residents.

This amendment was **carried by 8 votes to 0**.

The Committee:

Resolved (by 6 votes to 0 with 2 abstentions) to reject the Officer recommendation to approve the application.

Resolved (by 8 votes to 0) to refuse the application contrary to the Officer recommendation for the following reasons:

- i. The proposed development will result in unacceptable traffic impacts which will exacerbate existing congestion in the local and wider areas. The proposals include inadequate mitigation measures in the submitted Travel Plan to reduce travel to the site by car resulting in a development that is overly reliant on travel by car. The proposal does not represent sustainable development as defined by the National Planning Policy Framework 2021 and conflicts with policies S/2, S/3 and TI/2 of the South Cambridgeshire Local Plan 2018 which require development to be designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location.
- ii. The proposed development, due to its scale and massing, would result in unacceptable impacts on the surrounding Green Belt and landscape. The proposal does not represent sustainable development as defined by the National Planning Policy Framework 2021 and conflicts with policies E/3 and NH/8 of the South Cambridgeshire Local Plan 2018 which seek to mitigate the impact of development adjoining the Green Belt through landscaping, excavation and high quality design measures and policies HQ/1 and NH/2 of the Local Plan which seek to preserve or enhance the landscape character of the area and requires the scale of development to be compatible with its location in relation to the surrounding area.

21/51/JDCC 20/03523/ FUL and 20/03524/FUL - St Johns Innovation Park

The Committee received an application for full planning permission.

The application sought approval for erection of a 5 storey building and a 6 storey building for commercial / business purposes, erection of a transport hub, gymnasium, surface parking, landscaping and associated infrastructure including demolition of the existing building (St John's House) and associated structures.

The Principal Planner updated his report by referring to updated condition wording on the amendment sheet.

Mr Hanlon (Agent) addressed the Committee in support of the application.

The Committee raised the following concerns in response to the report:

- i. Impact of the application on traffic and parking in the area.
- ii. Overnight parking by heavy goods vehicles in Cowley Road due to a lack of facilities elsewhere. What alternative facilities would be provided if the County Council prohibited overnight parking here?
- iii. Impact of narrowing of Cowley Road. The Assistant Director said this was not a material consideration for this application. Councillor Bradnam asked Councillor Hawkins to consider the impact in her capacity as South Cambs Lead Cabinet Member for Planning Policy and Delivery.
- iv. Drainage.

The Transport Assessment Manager said the following in response to Members' questions:

- i. Road narrowing was occurring as part of the Waterbeach Greenway project to promote walking and cycling over car usage to give them part of the carriageway.
- ii. Expected restrictions to be put on the roads to prohibit overnight parking. Deliveries to the site should be made by small delivery vehicles not heavy goods vehicles.
- iii. Funding from the development could contribute to monitoring of parking and consultation with residents on issues requiring mitigation.
- iv. Restrictions were needed to move heavy goods vehicles from Cowley Road to promote it as a walking/cycling route. An alternative heavy goods vehicle parking site would be reviewed in future.
- v. The Travel Plan included a Parking Management Plan which would monitor parking in nearby areas. This could be adapted to become a Staff Parking Monitoring Plan.

The Assistant Director said enforcement could occur through an ongoing review process as part of the Travel Management Plan.

- vi. People were expected to travel to the site by car, but it was hoped a modal shift would occur in future to bikes/public transport.

The Principal Planner said the following in response to Members' questions:

- i. The travel hub had car parking and a gym. There was separate cycle parking elsewhere.
- ii. Car parking spaces were capped at 1,100 as per the Master Plan.
- iii. The development was mainly office use with a small amount of retail.

- iv. Ground water would be evacuated through controlled discharge to the sewer.
- v. It was hoped to screen tall buildings on-site with trees.

Councillor Bradnam proposed an amendment to the Officer's recommendation to include a condition to monitor displacement of parking before/during construction and after occupation.

This amendment was **carried by 9 votes to 0**.

Councillor Thornburrow proposed an amendment to the Officer's recommendation that flat roofs should be green unless needed for other purposes.

This amendment was **carried by 9 votes to 0**.

The Committee:

Resolved (by 9 votes to 0) to grant the application for planning permission in accordance with the Officer recommendation in respect of applications 20/03523/FUL and 20/03524/FUL each for the reasons set out in the Officer's report and the amendment sheet, subject to:

- i. the conditions and informatives referred to in paragraphs 248 and 249 of the Officer report (including delegated authority/discretion therein mentioned to Officers);
- ii. agreeing the precise wording with the Chair relating to an amendment to the text of condition 13 securing a travel plan covering an employee parking management plan including specified triggers;
- iii. condition 19 (Green Roofs to include an informative); and
- iv. the prior completion of the s106 Agreement in accordance with para 247 of the Officer report together with an additional obligation securing a financial contribution to monitor parking in the adjoining residential area.

21/52/JDCC 21/02450/REM - Land North of Newmarket Road, Cambridge (Marleigh Phase 2)

The application sought approval for reserved matters application detailing, appearance, landscaping, layout and scale for the construction of 421 new homes with associated infrastructure, internal roads, open space as part of Phase 2 pursuant to condition 5 (reserved matter) of outline planning permission S/2681/13/OL dated 30 November 2016.

Mr Cobley (Agent) addressed the Committee in support of the application.

The Committee raised the following concerns in response to the report:

- i. Sustainable Drainage Systems (SuDS) took over some green space area, if the SuDS did not drain, some of this would be lost as amenity space.
- ii. Gradients in SuDS may cause a safety hazard for wheelchair users on access paths, and if people/children got into the SuDS they might not get out.
- iii. There were a series of alleyways through the site to gardens that may be a focus for criminal activity.

The Senior Planning Officer said the following in response to Members' questions:

- i. The Titch area was to be built to 'normal' levels, the SuDS basin had a 1 in 3 gradient.
- ii. SuDS were originally located in The Titch as this was the only available open space. They were now located as per the submitted design as there was nowhere else to put them as part of Phase 2. Losing 1/3 of open space due to flooding was a worst-case scenario, but there was more than one area of open space.
- iii. 1 in 100 year flooding events were occurring more frequently so Officers asked the Applicant to model climate change impact on flooding in the area. Drainage Officers at both the County Council and City Council reviewed the results and had no objections to the SuDS scheme.
- iv. SuDS were controlled through a hydro brake system to gradually leak water stopping ponds forming. The Lead Local Flood Authority had no objections to this.
- v. Aquatic planting was controlled through the planting condition. The Applicant would undertake a health and safety audit to ensure plants were safe if anyone went into the SuDS.
- vi. Landscape planting and screening details for open spaces would be sought in future.
- vii. Bike parking provision met minimum standards, anymore would require a change in policy.
- viii. M4(2) accommodation standards were met. The City Council wanted M4(3) standard whereas South Cambs wanted M4(2). The application site was within South Cambs administrative area and thereby fell under its local plan requirements.

- ix. Alleys gave access to rear gardens. Would check if these could be made more secure in future eg gated access.
- x. There were secure gardens on top of garages as amenity space for apartment occupants.
- xi. There were no specific timelines on when grid capacity would be available for electric vehicle charging points. It was assumed this would be possible in a couple of years.
- xii. The Design Code required apartments in the locations stated to a set density that created a mix of affordable rent and shared ownership around the buildings. This was tenure blind and so the best fit to policy under the circumstances.
- xiii. Officers had expressed concern about the number of single aspect apartments so they asked for modelling to quantify the risk of overheating/cooling. Apartments that had been retained in the design had been shown to provide acceptable amenity space. The window type mitigated heat intake into buildings, so the issues had been addressed.
- xiv. Individual car parking spaces could not be allocated to apartments to control uses without changes to conditions in the Car Parking Management Plan.

Councillor Thornburrow proposed amendments to the Officer's recommendation to include:

- i. an informative encouraging the Applicant to consider M4(3) standard accommodation where possible;
- ii. include an informative about south facing single aspect units to address overheating concerns;
- iii. an additional condition to remove permitted development rights for garage.

These amendments were **carried by 8 votes to 0**.

In response to a point raised by Councillor Chamberlain, the Assistant Director proposed amending wording to Condition 10 Cycle and Alley Way Security to address potential crime focus concerns.

This amendment was **carried by 8 votes to 0**.

Councillor Bradnam proposed an amendment to the Officer's recommendation to amend the Car Park Management Plan.

This amendment was **carried by 8 votes to 0**.

The Committee:

A) **Resolved (by 8 votes to 0)** to grant approval of the reserved matters application in accordance with the Officer recommendation, for the reasons set out in the Officer's report subject to agreeing the precise wording with the Chair of amendments to:

- i. condition 10 (Cycle and Alley Way Security);
- ii. two additional conditions:
 - a. 24 Car Parking Management Plan;
 - b. 25 (removal of) Permitted Development Rights);
- iii. informatives:
 - a. 5. M4(3) Standard dwellings;
 - b. 6. south facing single aspect units.

B) to approve the partial discharge of the following outline planning conditions (planning application reference S/2682/13/OL) as they relate to the Phase 2 application proposals:

- Condition 12 (Hard and soft landscaping);
- Condition 13 (Tree retention/removal);
- Condition 14 (Local areas of play);
- Condition 16 (Allotment details);
- Condition 17 (Ecological mitigation);
- Condition 19 (Pedestrian and cycle routes);
- Condition 20 (Car parking);
- Condition 21 (Noise and insulation);
- Condition 23 (Details of refuse storage);
- Condition 24 (Distribution of market and affordable housing);
- Condition 25 (Mix of private dwellings);
- Condition 27 (Code for Sustainable Homes);
- Condition 28 (Compliance with site wide sustainability strategy);
- Condition 30 (Cycle Parking);
- Condition 40 (Bird hazard management);
- Condition 51 (Compliance with Code for Sustainable Homes level 4 for all dwellings)

in accordance with paragraph 255 of the Officer report.

**21/53/JDCC 20/05040/FUL - Land to the West of Peterhouse
Technology Park, Fulbourn Road, Cambridge**

The Committee received an application for full planning permission.

The application sought approval for the erection of a new building comprising E(g) floorspace with car and cycle parking, landscaping and associated infrastructure.

The Principal Planner updated his report by referring to updated wording on the amendment sheet.

Pre-Committee amendments to recommendation:

To amend the recommendation at paragraph 201 of the Officer report to read:

GRANT PLANNING PERMISSION subject to:

1. The prior completion of a Section 106 Agreement under the Town and Country Planning Act 1990 which includes the Heads of Terms (HoTs) as set out in section 192 in this report, and any other HoTs or detail including phasing and triggers, that are still under negotiation. The final wording of any significant amendments to the HoTs listed in the report to be agreed in consultation with the Chair and Vice Chair prior to the issuing of the planning permission;
2. The planning conditions specified in this report and detailed in Appendix 1 with authority delegated to officers to include any minor drafting changes thereto; and
3. The relevant informatives as specified in this report to be included at the discretion of officers.

Mr Child (Agent) addressed the Committee in support of the application.

The Committee raised the following concerns in response to the Officer report:

- i. Sufficient space and facilities for bike storage.
- ii. People would have to travel past the site then double back to access it by bus or cycle. Requested an additional access point in the north west corner of site.
- iii. Amenity of neighbours.
- iv. Impact on neighbours:
 - a. Overlooking.
 - b. Overshadowing.
 - c. Loss of light.

- d. Loss of view.
- e. Traffic flow and parking.
- v. Site drainage and SuDS. Concern SuDS would not drain away water so open space would be lost.
- vi. South side of site should be a green buffer zone but was now a SWALE. Loss of greenbelt to facilitate another buffer zone.
- vii. Application was just below BREEAM Excellent rating but should achieve this rating as per City Council and South Cambs District Council standards.

The Principal Planner said the following in response to Members' questions:

- i. There were no further details available regarding light and shadow analysis.
- ii. No significant impact was expected from the balcony overlooking neighbours.

In response to Members' questions the Assistant Director said the application would need to be referred to the Secretary of State for a decision regarding the loss of green belt issue if it were approved by Committee today.

Councillor Bradnam proposed to the Officer's recommendation to include an informative requesting gas assisted two tier bike stands.

Councillor Thornburrow proposed an amendment to the Officer's recommendation to include an informative there should be no occupation on site until there was adequate sewerage capacity.

The amendments were not voted on as the item was deferred.

The Committee:

Resolved (by 8 votes to 0) to defer the application to seek further information to address queries raised at today's meeting such as light levels and possibility of limiting terrace access by employees to prevent overlooking of residential properties.

The meeting ended at 4.50 pm

CHAIR

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