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Joint Development Control Committee

Wednesday, 21 December 2022

JOINT DEVELOPMENT CONTROL COMMITTEE

21 December 2022

10.00 am - 1.15 pm

Present: Councillors S. Smith (Chair), Bradnam (Vice-Chair), Porrer, Thornburrow, Fane, Stobart and R. Williams

FOR THE INFORMATION OF THE COUNCIL

22/45/JDCC Apologies

Apologies were received from:

Cambridge City Councillors Carling, Scutt and Flaubert.
Councillors Gawthrope Wood and Levien attended as Alternates.

South Cambridgeshire District Councillors Cahn and Hawkins.
Councillors J. Williams and Garvie attended as Alternates.

22/46/JDCC Declarations of Interest

Item	Councillor	Interest
All	R. Williams	Personal: Fellow of Christ's College.

22/47/JDCC Minutes

22/48/JDCC Planning Committee Site Visit Protocol

The Committee received a report in regard to Planning Committee Protocol for Officer-led Visits (Protocol). Members are being asked to note the Protocol and confirm its implementation.

The Strategic Sites Delivery Manager presented the report with reference to the Amendment Sheet. This noted that the Protocol had been discussed at the City and District planning committees earlier in the month. In view of the outcomes of those meetings, an updated officer recommendation is proposed as follows.

That the Joint Development Control Committee:

(I) Notes this report and the accompanying planning committee protocol for officer-led site visits.

(II) Confirms implementation of the protocol for officer-led site visits for the Joint Development Control Committee.

Subject to the following amendments to the Protocol:

1. *Requests for site visits to include ward members.*
2. *The attendance of site visits to include local ward members.*
3. *Modest changes to the Protocol, relating to points of clarification and textural changes to avoid repetition.*

With officer delegation to carry out the above changes to the Protocol.

In response to Members' questions the Strategic Sites Delivery Manager advised the following:

- i. It was the intention to have one document covering all three planning committees that make up the Shared Planning Service serves there will be scope to review how the Protocol operates and update it in due course.
- ii. Should it be agreed that Ward Members can attend site visit, then they must be briefed in advance of the site visit is the responsibility of the Lead Officer or Delivery Manager.
- iii. The need for more wider training in the use of the Protocol will be considered as part of the annual planning training for Members.
- iv. Third parties/objectors cannot attend site visits as they are private Member sessions. There may be circumstances when an applicant needs to attend the visit, for example to allow access to certain areas.
- v. A question was raised by a Member asking what the legal issues were if it is argued that a Ward Councillor has influenced the decision of the Committee.
- vi. Legal Officer stated that they would need to note that objection and deal with it at the time. It is important that Ward Members are properly briefed on their role before the visit.

The Committee:

Unanimously resolved to:

1. Note the report and the accompanying Protocol for officer led site visits.
2. Confirm the implementation of the Protocol for officer-led site visits for the JDCC.

Subject to the following amendments to the Protocol:

- (i) Requests for site visits to include local ward members.
- (ii) The attendance of site visits to include ward members, who must abide by the terms of the Protocol, and be briefed on the Protocol procedures and conduct in advance of that visit, by the lead Delivery Manager or planning case officer.

- (iii) Modest changes to the Protocol relating to points of clarification and textural changes to avoid repetition.

With officer delegation to carry out these proposed changes to the Protocol and noting that the amendments as proposed should be reported back to the City/District planning committees.

22/49/JDCC Joint Development Control Committee Meeting Dates for 2023/2024

The Committee received a report by the Strategic Sites Delivery Manager in regard to Joint Development Control Committee Meeting Dates for 2023/2024.

- i. The 20 December date of JDCC date could be moved earlier into December however we cannot guarantee it would be on a Wednesday.
- ii. In regard to the date 21 February falling on Half-Term, would look into this date to see if it can be moved,
- iii. Officers will look into these two dates and will come back to Members with a response.

As a result of Members discussion, two dates were not agreed.

- 20 December 2023
- 21 February 2024

Officers will investigate possibility of re-scheduling these dates and will report back to Chair and Vice-Chair who will advise at a future meeting.

The following dates were agreed:

- 21 June 2023
- 19 July 2023
- 16 August 2023
- 20 September 2023
- 18 October 2023
- 15 November 2023
- 24 January 2024
- 20 March 2024
- 17 April 2024

22/50/JDCC 21/05433/REM - Parcel BDW4, Darwin Green 1, Land between Huntingdon Road and Histon Road, Cambridge

The Committee received a Reserved Matters application for the fourth housing phase (known as BDW4) including 342 dwellings, with associated internal roads, car parking, landscaping, amenity and public open space. The Reserved Matters include access, appearance, landscaping, layout and scale and related partial discharge of conditions 8, 10, 14, 17, 18, 25, 26, 28, 35, 40, 49, 58, 62, 63, 66 and 69 pursuant to outline approval 07/0003/OUT.

The Committee received a report from the Principal Planning Officer. Mr Chris Fry (Applicant's Agent) addressed the Committee in support of the application.

The Principal Planning Officer received questions prior to the meeting, those questions and their corresponding answers are below:

1. Car Club spaces - are there any of these as part of this application (I seem to remember them being mentioned at one of the previous briefings) and if so, how many and will they have EV charge points.

Car club spaces are controlled by condition 48 on the outline consent which requires 3 spaces within the Local Centre and 2 spaces at the eastern end (BDW5/6). No spaces proposed within the current parcel, however there are off-street visitor parking bays which could be converted if there is demand.

2. Garden Size - in particular 2,3 and 4 bed houses - what are the minimum (and near to minimum) garden sizes by house type and size and which way do they face.

Don't have information on the minimum garden sizes for each house type, however this has been assessed in the committee report. The applicant undertook an audit of the scheme to ensure acceptable separation distances which generated acceptable garden sizes. Shadow studies have been provided and sunlight and daylight studies have been provided for particular gardens which are highly enclosed. Assessment is provided in paragraph 15.3 onwards.

3. Of the flats, how many are single aspect and do all have other measures in place to mitigate this?

As per paragraph 19.8, all flats are dual aspect. The FOGs are dual aspect, many with windows on the side elevation, or others with restricted opening windows on the rear elevation.

4. Letter boxes - I note the condition about being a certain height but are these all externally accessible (ie on outside walls with no need to enter flat lobbies as per our current local plan).

Applicant confirmed during the course of the application that letter boxes are external, mounted on posts, fully Secure by Design compliant.

5. Adoption of streets (para 18.19) - what % of the site is not planned for adoption and why? If the Mews are being constructed to adoptable standards (para 18.22) why are these not being adopted?

Roughly 50-50 based on road length. The Highways Authority sets out standards for adoptable roads. Includes design requirements such as the width of the carriageway and footways, and functional requirements, such as it must perform a highways function, not just turning for refuse vehicles for example. I do not have a detailed audit of the roads not to be adopted, but in general, the design features may not meet design requirements, particularly for shared surfaces. Balance between meeting the requirements of the Highways Authority for adoption and achieving a mews street with character for place-making, such as narrower widths or more plant-outs. The report is referring to the construction standard which should be to adoptable standard to allow refuse vehicles to pass across it, although this has been minimised as much as possible.

6. Are there any controls of the non-adopted streets relating to reasonable service charges, particularly for the affordable homes.

The Section 106 requires that service charge levels for affordable housing is agreed in advance with the City Council and will be kept as affordable as possible having regard to the need for equity with all parties paying for the common services.

7. Phasing plan and S106 triggers (para 12.12). Will you brief members on this and which triggers have not been met and plans to address this.

This will be followed up separately with briefings on the updated phasing plan in January.

8. The enhanced LAP (para 16.5) - the report mentioned that the red line has been amended to accommodate more of one of the LAPs -does this mean that another parcel now has fewer hectares of LAP so are we double counting?

As per paragraph 16.2, I excluded the areas of open space already approved under the infrastructure reserved matters consent and Local Centre including the additional area of public open space in the calculation, so this has not been double-counted.

9. Gas boilers - it would be useful to know how much discussion was had with the developers about the use of gas - though I note the future fitting to allow a change to ASHP in future.

The approach to secure a phased approach and future-proofing has been agreed as a strategy for Darwin Green on this and other phases.

In response to Members' questions the Principal Planning Officer said the following:

- i. It is stated in the outline in condition 10 that an approved play strategy as a starting point. The requirement for this parcel is to provide two local areas of play.
- ii. There are proposals for teenage facilities. One of these proposals was for a Skate Park.
- iii. The impact of the supermarket was discussed extensively with the Environmental Health team. At the moment there are currently no live applications.
- iv. Climbing plants will mostly be within private gardens. They have chosen the correct species of plant to help ensure its ongoing health.
- v. In regard to a query about measurable water meters, advised would need to think about how this could be included in the consent if this is something members wanted to add.
- vi. In relation to a query in regard to the replacement of any new lost trees, advised this is covered in an existing condition in the outlaying consent, condition 21.
- vii. Phasing plan can be looked at again in the new year.
- viii. The number of homes built to what standard is listed in condition 12.
- ix. Regarding lift access this is covered in report. All apartments have life access. This was added after review by the disability panel.
- x. In regard to access for mobility scooters. There is cycle parking available, with flexibility built in to park alternative cycles, this could also include mobility scooters. EV charging points will be provided. However, to be certain will investigate and come back to Members with a specific answer.

To Note:

1. The Highway Authority has confirmed that the outstanding road alignment issue is resolved by the amended plans submitted prior to committee. Subject to this and approval as appropriate of the submitted highway drawings, the Highway Authority's concerns have been overcome. It should be noted that the visitor parking spaces shown on roads intended for adoption would be subject a parking regime which would fall to the Highway Authority, therefore the number of visitor spaces shown may differ from the submitted plans.
2. The Shared Waste Team has commented specifically on plot 136, which has a distance between the dwelling and the collection point over 60 metres. In summary, while their preference would be for this to be designed-out, they understand the goal to reduce the prominence of vehicles in the development. The bin collection point must be communicated prior to sale and during marketing of the property so that prospective occupants are aware of the distances (see Amendment to Recommendation additional condition 26). Any resident who requires an assisted bin collection due to a disability or mobility issue is welcome to request this.

Amendments To Text:

3. Paragraph 12.12 regarding Compliance with Section 106 Planning Obligations. The last sentence 'However, these breaches are not material to the consideration of the current application proposals' should be replaced with, 'Breach of planning control is a material consideration and the weight given to a breach is one for the decision maker. In the circumstances of the current application, officers recommend to Members that the breaches in question are not such as to warrant significant weight.'

Pre-Committee Amendments to Recommendation:

4. Plan reference number inserted into condition 6 and clarification about the scope of the parking enforcement scheme to read as follows:

6. Parking enforcement on hammer heads

A scheme for parking enforcement on the areas shown on the approved Proposed Parking Restrictions plan (drawing number 1010.0004.010) shall be submitted to and approved in writing by the local planning authority prior to implementation of the scheme. The scheme shall include how all parking within parking enforcement areas is to be managed and controlled including details of any signage, markings or other measures to demarcate the parking enforcement area. The approved parking enforcement scheme shall be in place prior to commencement of use of those areas for the purposes of waste collection (including for the traverse and turning of refuse collection vehicles) and shall remain in place thereafter.

Reason: To prevent parking within hammer heads which would obstruct turning of refuse collection vehicles (Cambridge Local Plan 2018 policies 56, 59, 80, 81).

5. Clarification to condition 9 to include air source heat pumps to read:

9. Plant Noise Insulation

No operational plant, machinery or equipment (including for the avoidance of doubt air source heat pumps) shall be installed until a noise assessment and any noise insulation and/or mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation and/or mitigation, as approved, shall be fully installed or implemented prior to first use of the plant, machinery or equipment, and retained as such thereafter.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

6. Clarification of approved plan reference and plot numbers in condition 10:

10. Alternative Ventilation Scheme

No above ground development relating to plots 001 – 016 as shown on the approved site plan (drawing number DR-0101 REV T), shall commence until details of an alternative ventilation scheme for the habitable rooms on the north-west and south-west façades overlooking the NIAB facility and Local Centre (including the site referred to in the approved

Design Code as the 'supermarket option') in order to protect future occupiers from external noise has been submitted to and approved in writing by the local planning authority. The ventilation scheme shall achieve at minimum of 2 air changes per hour and shall include full details of the operating noise level of the alternative ventilation system. The scheme, as approved, shall be fully installed and operational prior to first occupation of ~~the dwellings~~ plots 001-016 and retained as such thereafter.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

7. Amendment to condition 12 part iii to read:

12. Carbon Reduction Strategy

The carbon reduction strategy shall be carried out in accordance with the approved Sustainability Statement V2 (Environmental Economics 22/09/2022) and submission of details to discharge condition 29 on the outline consent 07/0003/OUT (insofar as it relates to this reserved matters) shall be as follows, or in accordance with alternative details that have been submitted to and approved in writing by the local planning authority:

- i. No more than 59 dwellings hereby approved shall be constructed to the Part L Building Regulations 2013 standard and assessed against Code for Sustainable Buildings Level 4. Certificates shall be submitted in accordance with condition 29 on the outline consent 07/0003/OUT; and
- ii. No more than 216 dwellings hereby permitted shall be constructed to the forthcoming Part L Building Regulations 2021 standard. Post-construction assessments demonstrating compliance with the relevant standard shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwelling to which the assessment relates; and
- iii. No less than ~~69~~ 67 dwellings hereby permitted shall be constructed to the Future Homes Standard. Post-construction assessments demonstrating compliance with the relevant standard shall be submitted to and approved in writing by the local planning authority prior to occupation of the dwelling to which the assessment relates.

Reason: In the interests of reducing carbon dioxide emissions and futureproofing the development for net zero carbon and ensuring that new buildings are constructed in a sustainable manner (Cambridge Local Plan 2018 policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

8. Additional condition to address comment from Shared Waste Team:

26. Plot 136 – Bin collection point

The bin collection point for plot 136 as shown on the approved site plan (drawing number DR-0101 REV T) must be communicated to prospective purchasers prior to sale and during marketing of the property so that all prospective occupants are aware of the refuse and recycling collection arrangements and the route from the dwelling to the bin collection point.

Reason: In the interest of achieving a safe and efficient refuse and recycling collection service to meet the functional needs of the development (Cambridge Local Plan 2018 policy 57).

The Committee:

1. **Unanimously resolved** to approve reserved matters application 21/05433/REM in accordance with the officer recommendation as amended by the 'Pre-Committee Amendments to Recommendation' above and subject to further amendments, with delegated authority to officers to draft the wording of appropriate amendments to conditions and informatives:
 - a) Amendment to condition 8 on the reserved matters consent to include requirement for replacement trees within the 5 year period, and for such trees to be managed and maintained for a further 5 year period.
 - b) Additional condition requiring submission of an alternative landscaping scheme for plot 136 to facilitate improved waste collection, in place of condition 26.
 - c) A mechanism to secure measurable water efficiency which is consistent with the approach taken for other major residential applications.
 - d) Amendment to condition 12 requiring a carbon reduction strategy to be submitted for approval including securing enhanced environmental performance for social rent homes.
 - e) Informatives in relation to i) information about car club spaces and off-street parking being included in the welcome pack to new residents, ii) information on heat loss in dwellings to be provided to new residents by the developer, iii) house numbering and wayfinding to consider legibility for door knocking, iv) encouraging opportunities for green roofs to be maximised, v) alternative details of visitor cycle parking needs to be submitted with approval of outstanding details to discharge condition 49, including reconsideration of wall brackets.
2. **APPROVE AND REFUSE** the partial discharge of conditions in the outline consent 07/0003/OUT in so far as they relate to the reserved matters consent in accordance with the officer recommendation set out in the committee agenda.

The meeting ended at 1.15 pm

CHAIR