

SOUTH AREA COMMITTEE MEETING – 7th November 2011

Pre-Committee Amendment Sheet

PLANNING APPLICATIONS

CIRCULATION: First

ITEM: APPLICATION REF: 11/0900/FUL

Location: Hills Road Sixth Form College Sports Ground, Sedley Taylor Road

Target Date: 05.10.2011

To Note:

A lead petitioner's document on behalf of 62 neighbours has been submitted reiterating objections to the planning application. It is attached to the amendment sheet. It concludes that the recommendation of the planning officer is not based on sufficient information regarding the nature of and levels of future use and does not address the provision of adequate access and parking which are considered crucial in determining the application. Other issues regarding amenity, privacy, drainage and noise and disturbance to neighbours are raised again. A number of photographs demonstrating the existing access issues into the Rugby Club car park are attached.

I have been copied into further clarifying advice from the Highways Officer to the lead petitioner regarding a query as to whether or not the Contractors' car park in upgraded form (head of access A) could be used in conjunction with Access A as a main service road into the field. The Highways Officer has responded that:

'Neither access could provide adequate width for two cars to pass comfortably, and, realistically either could only provide a single access width for motor vehicles, and a pedestrian or cycle travelling in contra flow.

The northern access is slightly wider, and so would be able to provide greater comfort to a pedestrian/cyclist whilst a car passed; however, I would consider both accesses to be unsuitable for significant intensification of use.

The proposed developed could not, in my opinion, be regarded as intensification.

The planning system requires the developer to address significant detriment, but does not allow the Local Planning Authority to require betterment, and so I cannot see how the developer could be required to provide alternative access arrangements nor additional parking provision.'

The recommendation of the Highways Officer remains in support of the application.

This advice is consistent with the professional advice of officers in how Members should determine this application, in that the proposal is for a replacement pavilion including improved changing facilities and that there is no evidence to suggest that an intensification of the use of the playing fields would occur. It is not the role of the Local Planning Authority to rectify existing issues of access and parking and it would be unreasonable, in line with Circular 11/95 on the use of conditions, to seek to apply additional restrictions on the use of the replacement pavilion or sports fields, especially where no controls exist at present and there is no intensification of use. No new issues arise from the latest petitioner's document that have not been covered in the Committee report.

Amendments To Text:

Replacement Paragraph 8.15;

There are concerns that there may be bats roosting within the roof void of the existing pavilion. An external and internal inspection has been undertaken during October and a full report with recommendations has been submitted and assessed by the City Council's Nature and Conservation Projects Officer.

No bat roosts were found, but in order to prevent future bat roosts, it is recommended that any crevices on the external surface of the existing pavilion are blocked up by a trained ecologist to prevent future roosts between the time of the survey and demolition of the building. Additionally, in the unlikely event that a bat or bats are found during the building works, works will stop immediately and a licensed ecologist contacted. The City Council Nature and Conservation Projects Officer agrees with this approach.

Replacement Paragraph 8.22;

Relating to the surface water drainage a ground investigation has been undertaken to support the proposed approach, as no alternative drainage proposal has been discussed. The City Council Sustainable Drainage Officer considers that infiltration is a suitable method of surface water disposal but that in order for it to be successful, the system needs to be shallow so that it is above the ground water table. It has been recommended that a rain garden is used, although there are many alternatives. A condition can be attached requiring details of the proposed system prior to installation.

Pre-Committee Amendments to Recommendation:

No development shall commence until a detailed scheme for the provision and implementation of surface water drainage in accordance with the submitted foul and surface water drainage proposal by Mott MacDonald reference Rev.A 30.09.2011 and Soil report reference C12507 submitted to and approved in writing by the local planning authority. The drainage works shall be constructed in accordance with the approved details prior to the occupation of any part of the residential accommodation hereby approved.

Reason: In order to ensure adequate means of surface water drainage (Cambridge

Local Plan 2006 policy 8/18).

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 11/0873/FUL

Location: 12A Drayton Close

Target Date: 19.09.2011

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation: None

DECISION:

CIRCULATION: First

ITEM: APPLICATION REF: 11/0202/FUL

Location: 31 Beaumont Road

Target Date: 19.04.2011

To Note: No further update.

Amendments To Text: No amendments.

Pre-Committee Amendments to Recommendation: No amendments.

DECISION:

Professor A. Muthesius

Lead petitioner's document (on behalf of 62 neighbours). Conclusions reached on Planning Application 11/0900 FUL, (for distribution and discussion at the meeting, on November 7, 2011, at S Area Committee meeting in Cherry Hinton).

The recommendation of the Planning Officer to approve the development is challenged by the petitioners on the following grounds:

1. ACCESS, PARKING and HIGHWAY IMPACT

- **Failure to acknowledge access and parking as part of the application and to fully address the key and crucial issues involved, although access and parking have formed part of the application and site discussions throughout as follows: 1. The application form has questions on access and parking (6 and 10) addressed by the applicant as part of the application. The use of access B as service road with use of the tennis courts as car park as part of the application is also clear from the Mott McDonald Design and Access statement. 2. Access and parking issues were an important part of the petitioners' response to the August 11, 2011 planning request for comments. 3. Access and parking issues were a major part of the Development Control forum discussions on September 28, 2011. 4. Access and parking are addressed by the planning officer in her own report (issued 31 October, 2011) and inform and form part of several sections of her own report. 5. The Site visit of October 31, 2011 organised by the planning department on the request of the Councillors, examined Access B in detail as part of the site and of the application. The application fails to provide safe access and parking provision.**
- **Failure to ensure applicants provision of Highway Impact statement with parking provision to match as required by planning guidance. It should not be the petitioners, who provide the Highway impact and parking data. Furthermore the planning officer and highway authority have failed to assess highway impact or to comment on parking provision and only said the applicants have claimed no increase in use is involved. It is insufficient to surmise that there will be no increase in use and to ignore highway impact and parking 8.33. The planning officer then contradicts herself in 8.35 and 8.36, to acknowledge parking problems exist and that there is no provision for coaches. Coach drivers including the Saffron Walden rugby match team driver for November 2, 2011, stated to neighbours his coach delivered 50 and that it was too large to enter either access A or B. Exit from access B would involve using the whole highway width plus the width of the two pavements, and at least 5 positioning manoeuvres. He would not even attempt that as his coach would not fit into access B in the first place. Parking had to be on double yellow lines and up on the pavement approaching the Long Road end of Sedley Taylor Road.**
- **John Finney author of Highway reports numbers one and two has told neighbours and asked for this to be reported on November 7, that regarding Access B, 'Increased use would represent danger and hazard on the highway'. Ian Dyer author of Highway report three advises that the real issue is increased use in regard to highway safety (Nov. 2, 2011 personal communication by phone).**

The planning officer's report indicates in several places increase in use is involved (eg. drainage report increased use to ensure drainage system 8.23; improvements to facilities to improve uptake and to counteract fall off in use of the sports field 8.4; increase of public access 8.9; updating through 50% female

changing addition (this could be used by all male teams and represent a 50% increase in uptake) 8.6; increase in size 8.11 had to be restricted from 44m to 36m, but still represents vastly increased capacity; plans for commercial expansion Cambridge cricket= 90 local clubs). The applicant's claim that no increase in use is involved is not substantiated and does not bear scrutiny. Wear on pitches is insufficient. Pitches can be rotated and activities such as archery, do not cause wear of the same order as other sports for example.

2. SCALE OF DEVELOPMENT AND COMMUNITY IMPACT, including LOSS OF A PITCH and OPENING TIMES

- Failure to properly address issues of scale of development and impact on the local community, (huge increase in size involved, (old 25m x 9m, new 44m reduced to 36m x 11m on north gable end.)
- Failure to provide clarity over present and future levels of use of facilities within the 75% increased footprint size of the development, the 50% increased capacity in changing facilities, and the very large meeting room to replace the very small original tearoom, etc. Failure to provide statistics on present and future use from which informed decision can be reached. Failure to include opening times in August 11, 2011 notice. Failure to state applicant's suggested opening times to indicate levels of use intended 8.31.
- Failure to mention loss of a sports pitch due to the proposals
- Failure to solve issue of archaeological dig

3. DRAINAGE

- Failure to fully resolve drainage issues which could add to drainage difficulties already present in the public system 8.24.

4. DESIGN, TREES and SITE

- Failure to properly address issues of non-iconic design, use of unsuitable building materials, loss of visual amenity over the pavilion and unsympathetic development in regard to established historic landscape
- Failure to protect listed trees T33, T18, T14 in particular in line with the protected tree status they enjoy. Failure to protect sufficiently all the listed trees from impact of the great weight of the mobile crane. Failure to address loss of visual amenity over the trees as a whole through the development.
- Failure to consult on the site of the new pavilion. There are sites further up the field without any trees at all, where the pavilion could be sited. The petitioners' Development Control Forum suggestions about alternative sites were not addressed at the meeting, neither were they subsequently addressed either by the applicants or the planning officer, in spite of continuous requests by the petitioners to the planning officer and her promise to provide answers from the applicants.

5. HEALTH and SAFETY

- Failure to address health and safety issues and duties of care (for example, in relation to safety of access to sports development, demolition of pavilion without provision of an 'asbestos' report, access of fire engines, etc.)

6. RIGHTS OF NEIGHBOURS/amenity, privacy, noise, nuisance, etc.

- Failure to sufficiently protect neighbour's rights to privacy, rights against noise and nuisance, rights to free passage of light across their property etc

7. REFERENCE TO COUNCIL POLICY DOCUMENTS-contraventions

- The planning officer's report (31 October, 2011) fails to refer to or to follow guidance in the Council's OPEN SPACE AND RECREATION STRATEGY policy document (draft July 2011, adopted in OCTOBER 2011). Most significantly, the use of Access B contravenes adopted policies regarding standards for safe access 10, 12 p.105-106. Section 32 p.109, is contravened with the loss of visual amenity over the pavilion and listed trees.
- The planning officer's report (Oct. 31, 2011) contravenes Council Policy in the 2006 LOCAL PLAN also. Policies 8/2 and 8/7 states, 'Developments will only be permitted where they do not have an unacceptable transport impact'. Also, 'Sufficient information for likely impact to be assessed and parking provision to match' must be provided. The application fails in both respects. Drainage criteria are not met as in 8/18 which states, 'Planning permission will not be granted where there is an inadequate water supply, sewerage or land drainage system available to meet the demands of the system'. Local Plan 2006 section 7, points 3/2, 3/3 sets standards for expression of sensitivity to historic context and landscape setting and use of appropriate materials, all of which the choice of site, design and building materials do not meet. Local Plan 2006, section 6, point 4/12 p.42, discourages demolition of buildings of local interest if they can be improved and re-used. For the limited educational use the application claims is involved this option rather than the £750,000 vastly expanded 'commercial/ educational use' option is appropriate.
- CONCLUSION

The planning officer's recommendation to grant planning permission is not based on sufficient information regarding nature of and levels of future use, and does not address the provision of adequate access and parking, integral, key, and crucial aspects of the planning application. Over-development in a residential area with adverse highway impact, unresolved access and parking issues, threat to amenity and privacy and also increase in noise and nuisance to neighbours are indicated. The use of the field for sports is supported and the improvement of facilities in line with the modest educational use. Commercial expansion with potential huge highway and local impact, implicit in the application with 75% increase in footprint and 50% increase in changing capacity, is not supported.

① to ① = UNSAFE access / IMPACT ON HIGHWAY / PRO-

ACCESS B

⑩ to ⑪ = Access traffic and highway congestion (Access B) from comments to publication of application (August 11, 2011) ⑫ = FIELD MAP



SUNDAY OCTOBER 23, 2011 1:15pm SPORTS activity. GATE LOCKED. CARS / PEDESTRIANS unable to enter. CARS PILE UP ON HIGHWAY.



Pedestrian on scooter at times, and cyclist exit Access B after the event, OCTOBER 23, 2011. No separate walkway / cycle path from vehicles on Access B.

CAR 1
Parked
(white)
opposite exit →

CAR 2
Parked
(red)
across exit →

CARS 3 and 4
MOVING
DOWN
ACCESS B
WITH BLIND
EXIT. →



FOUR CARS AND HIGHWAY CONGESTION INVOLVED IN USE OF ACCESS B. All four cars were there for the SPORTS ACTIVITY OF OCTOBER 23rd, 2011. CARS were also trying to move up and down SEDLEY TAYLOR ROAD.



CONFLICTS of in/out movements access B and HIGHWAY CONGESTION with CAR parked across EXIT, October 23rd, 2011. Sports event.



CARS PARKED ACROSS EXITS because gate locked
OCTOBER 23, 2011 Sports event



PARKING AT FULL CAPACITY SEDLEY TAYLOR ROAD WITH CARS BLOCKING ENTRANCES WAITING FOR GATE TO OPEN FOR OCTOBER 23RD, 2011 SPORTS EVENT 1.15pm.



CARS BLOCKING HIGHWAY OCTOBER 23, 2011 Sports event PARTICIPANT LET OUT BY DRIVER AS GATE LOCKED AND DRIVERS DID NOT WISH TO ENTER ACCESS B, as entrance 'too narrow' they said and they did not wish to have to back out. PHOTOS taken with knowledge of drivers concerned about the Access arrangements



PEDESTRIAN exit from Access B. Pedestrians not visible to vehicles turning in from highway into Access B. October 23, 2011 sports event.



$\frac{1}{2}$ LENGTH = SHORT COACH trying to use Access B. SPORTS MATCHES
 WEDNESDAY student team delivery October match, 2011.



COACH UNABLE TO EXIT WITHOUT COMPLETE BLOCKAGE of
 HIGHWAY and DANGER TO PEDESTRIANS using the OPPOSITE
 PAVEMENT

COACHES delivering 50 (e.g. SAFFRON WALDEN Rugby match
 November 2nd, 2011 do not attempt to enter Access B as it is
 too narrow). Their exit would involve mounting the opposite
 pavement and 5 movements to realign across the highway
 according to the coach driver, forced to park on double yellow lines
 permission to a void the driver was obtained.



LACK OF STAFF/RUGBY CLUB OFFICIALS to protect and collect BINS. LACK OF CARE TO USERS OF PAVEMENTS and of ACCESS B

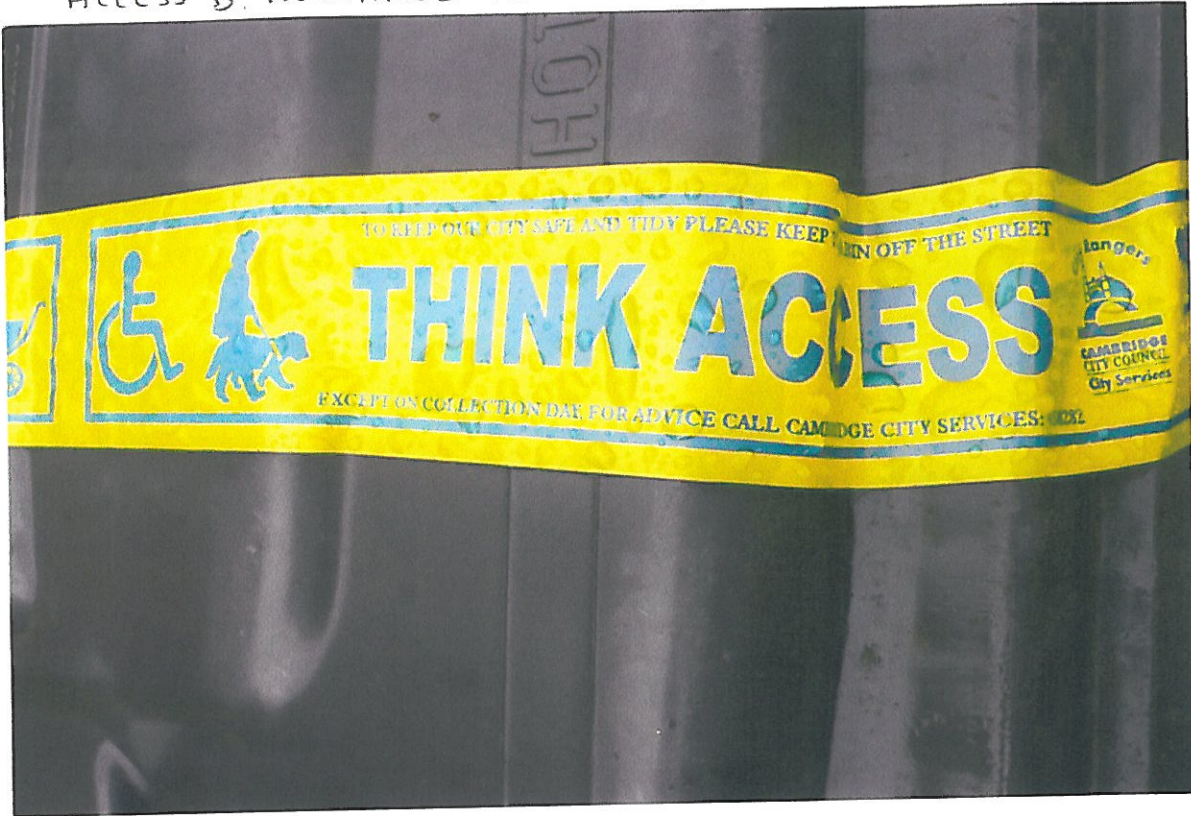


ACCESS B, AND PAVEMENT AREA AT ENTRANCE to ACCESS B
RUGBY CLUB BINS (licensed premises)

- BINS NARROW the 10 foot access even further. Additional danger when access B in use over weekend or during week (including for unit use in the evenings). BINS left for several days before being emptied. BINS further left for days before being returned to CLUB SITE at top of ACCESS B.

SERVICE IMPLICATIONS of USE of ACCESS B

- Access B blocked by RUGBY CLUB BINS (Saturday up to following Wednesday. Council stickers attached), Hazard for entry/exit to Access B. NUISANCE TO USERS of PAVEMENT. DANGER TO USERS of ACCESS B





CONFLICT between Vehicle entering ACCESS B for SPORT and SERVICE vehicle attending bungalow adjoining access B



SERVICE vessel and POST VAN on yellow lines
NO PARKING available down SGOLEY TAYLOR ROAD.
All parking spaces are fully occupied all of the time.
(Additional problems at weekends with lifting of weekday parking restrictions).

Photos
copyright

ILLUSTRATIONS to - ACCESS, TRAFFIC AND HIGHWAY CONGESTION



← LISTED 1934 HOUSE

← FENCE OF LISTED BUILDING

← BASE OF POST ORIGINAL ATTACHED WITH METAL TIES, TO PREVENT VEHICLE ENTRY, PART OF ACCESS PATH FROM ITS INCEPTION AND REMEMBERED IN USE BY LOCAL RESIDENTS.

DIRECTION OF EXIT ONTO SEDLEY TAYLOR ROAD HIGHWAY



'OPTION B' ACCESS photos (Long road end of Sedley

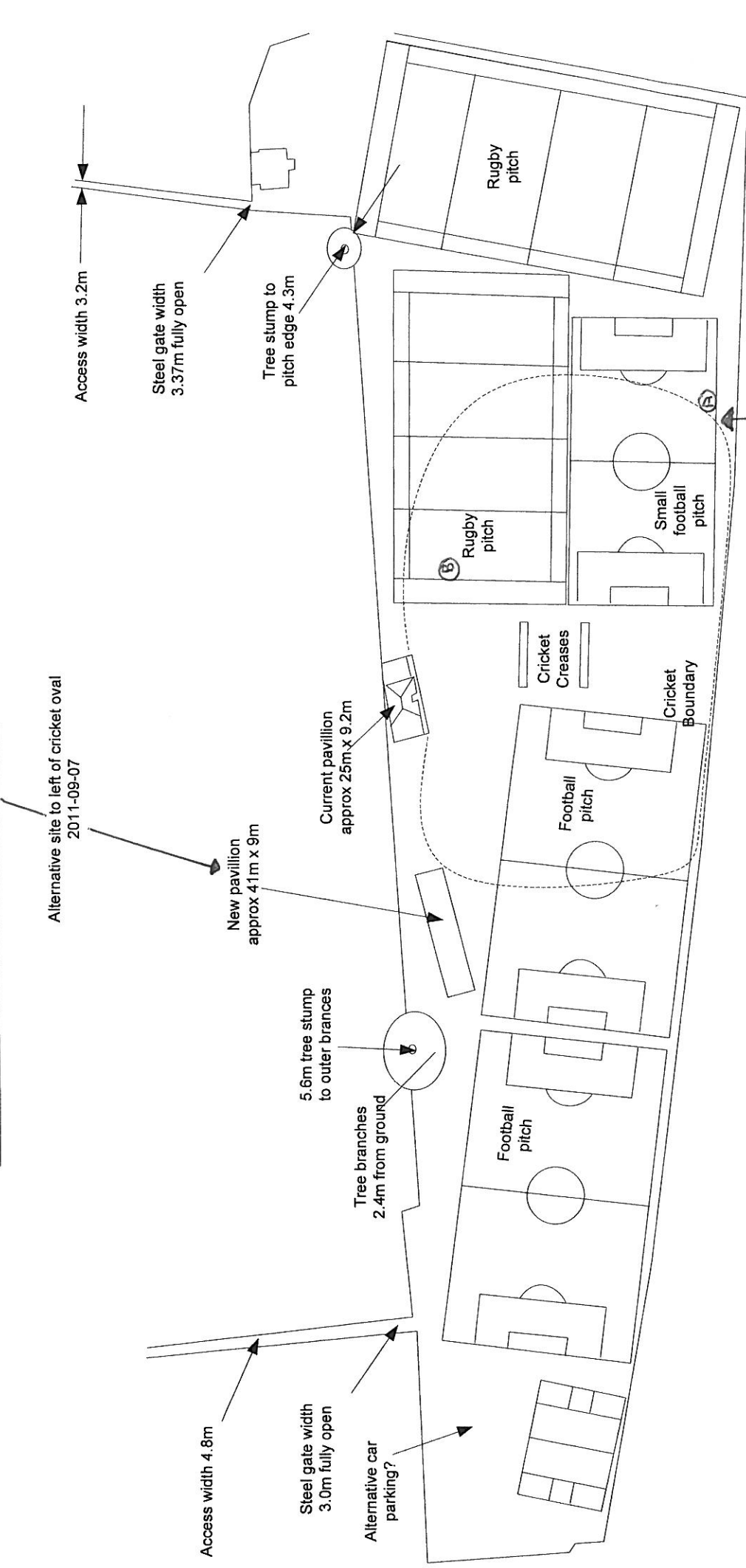


ILLEGAL USE OF PATH BY CONTRACTORS IN 2008 - 2009
DEMONSTRATING VEHICULAR ACCESS CONFLICT AND BLOCKAGE
OF HIGHWAY



DANGER OF TRAFFIC TO PEDESTRIANS WITHOUT PATHWAY.
(Permission obtained to photograph) SATURDAY MORNING
SPORTS FUNCTION

POINT ONE
ALTERNATIVE SITE FOR PAVILION



A THIS PITCH HAS BEEN LOST IN ADVANCE OF THE DECISION TO BE MADE ON NOV. 7th, 2011. The applicants had moved the Rugby pitch **B** down before the site visit on October 31st., 2011.

POINT TWO
LOSS OF SPORTS PITCH