

Planning Committee18 November 2009
9.30am – 11.50am

Present: Councillors Al-Bander, Baker (Chair), Blair, Blencowe, Dryden, Stuart and Zmura (alternate).

FOR THE INFORMATION OF THE COUNCIL**09/plan/41 Minutes**

The minutes of the meeting held on 21 October 2009 were confirmed as a correct record.

09/plan/42 Apologies for Absence

Councillors Dixon, Hipkin and Reid

09/plan/43 Declarations of Interest

None were declared

09/plan/44 Planning Application

The Planning applications were determined as shown in the appendix to these minutes.

The meeting ended at 11.50am

CHAIR

**Planning Committee
18 November 2009**

Appendix

Full details of the decisions, conditions of permissions and reasons for refusal may be inspected in the Environment and Planning Department, including those, which the committee delegated to the Head of Development Control to draw up. These minutes and the appendix should be read in conjunction with the reports on applications to the committee, where the conditions to the approved applications or reasons for refusal are set out in full and with the Amendment Sheet issued at the meeting. Any amendments to the recommendations are shown in the appendix.

4.1	09/0292/FUL
Site	Land Adjacent to 7 Severn Place
Proposal	Erection of 11 one-bed studio apartments (following demolition of nissen hut)
Applicant	Mr Aldo Marino 19 Rutherford Road, Cambridge CB2 8HH
Recommendation	APPROVE subject to the satisfactory completion of the s106 agreement by 31 January 2010 and subject to conditions
Public Speakers	Nicholas Ray on behalf of applicant Councillor Rosenstiel as Ward Councillor
Decision	APPROVED (by 6 votes to 1) as per officer recommendation
<u>To Note:</u>	

S106 Eastern Corridor Area Transport Plan (ECATP) and Public Realm alterations

The Planning Obligation Strategy is not specific with regard to calculating trip numbers for the purposes of public realm payments. In light of survey work undertaken to inform the Brunswick development, which had a higher average bed per flat ratio than the development that is proposed, the County Highways Authority consider it appropriate to use the figure of 5.1 movements for the purposes of calculating the required contributions.

The revised calculation is set out below:

$$11 \text{ units} \times 5.1 \text{ trips} = 56.1$$

56.1 – 24 (existing trips for the B8 use) means that **contributions to ECATP and the public realm are no longer required.**

Clarification of point 7.1

Councillor Rosenstiel commented that the development should include S106 payments towards the cost of introducing car parking controls in Severn Place. I have discussed this further with the County Highways Authority. Given that the development would have no negative impact upon highway safety (the impact is one of amenity), a Traffic Regulation Order would not be justified through the Legal Agreement. The introduction of parking controls should be progressed through the normal procedure, through the County Highways Authority. However, as rehearsed in paragraph 8.32, the existing demand and competition for spaces is in itself a disincentive to car ownership.

Amendments To Text: No amendments.

Pre-Committee Amendments to Recommendation: None.

4.2	09/0819/FUL
Site	Land Adjacent to 5 Wellington Court
Proposal	Erection of 14 residential flats and associated infrastructure
Applicant	C/O Agent Januarys Chartered Surveyors York House, Dukes Court, 54-62 Newmarket Road
Recommendation	APPROVE subject to the satisfactory completion of the s106 agreement by 26 November 09 and subject to conditions
Public Speakers	Justin Bainton on behalf of agent Councillor Rosenstiel as Ward Councillor
Decision	APPROVED (unanimously) as per the officer's recommendation and the additional condition as circulated on the amendment sheet

To Note:

Density of the development

To clarify, the proposed density of the development equates to approximate 290 dwellings per hectare.

S106 Eastern Corridor Area Transport Plan (ECATP) and Public Realm alterations

Further to point 8.38 of the report, I have considered the issue of public realm payments further. The applicant argues that the figure of 8.5 trip movements per day is not an accurate reflection of the likely trips these relatively small units will generate. In addition, the County Highways Authority has agreed a

reduced trip ratio of 5.1 (all modes) per day in relation to the Brunswick site, which is in close proximity.

The Planning Obligation Strategy is not specific with regard to calculating trip numbers for the purposes of public realm payments. In light of survey work undertaken to inform the Brunswick development, which had a higher average bed per flat ratio than the development that is proposed, the County Highways Authority consider it appropriate to use the figure of 5.1 movements for the purposes of calculating the required contributions.

The applicant has also submitted a detailed cost breakdown of the schedule of works to be undertaken, some of which can potentially offset the required contribution in accordance with the Planning Obligation Strategy. Of these works, only resurfacing of the footpath which is outside of the site, in my view can be taken into account.

In light of the above the revised public realm contribution is as follows:

14 units x 5.1 trips = 71.4 daily trips

71.4 trips x £310 (cost per trip) = £ 22,134

From this figure off site works to the footpath are subtracted:

- £2470

Total public realm contribution: = £ 19,664

The imposition of a suitable planning condition can ensure that the footpath works are undertaken:

New condition

The construction of the building shall not be completed until details for the resurfacing of the L shaped footpath to the immediate north and west of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in the public realm, Cambridge Local Plan 2006 policy 3/7.

ECATP contributions

The revised contribution, based on a trip ratio of 5.1 movements per day is calculated as follows:

14 units x 5.1 trips = 71.4

71.4 x £229 = £16,351

Amendments To Text: No amendments.

Pre-Committee Amendments to Recommendation: No amendments.

5.1	Cambridge Station Redevelopment (CB1) – Section 106 Agreement Update and Request for Variation of Planning Conditions
Site	Cambridge Station Redevelopment
Recommendations	i) That the Section 106 Agreement be completed in accordance with the heads of terms and phasing of on site mitigation measures and commuted sums as set out in paragraphs 4.3, 5.1 and 6.2 of the report. ii) That the draft planning conditions be varied in accordance with the recommendations set out in paragraphs 8.1 and 8.10 below and as attached at Appendix Three of the report.
Public Speakers	Mike Derbyshire on behalf of agent
Decision	APPROVED RECOMMENDATIONS AGREED subject to the following: Condition 20 is not to be varied. Conditions 32, 37, 38 and 39 not to be varied until the comments of the Environmental Health Officer have been received and the amendments agreed by Chair and Spokes.

To Note:

Amendments To Text:

Paragraph 4.3

The Interim Station Square should not be referred to in the Yellow Phase.
The complete Station Square will be provided in the Green Phase.

Paragraph 7.9

The Art Workshop is also to be secured via the s106 Agreement. This facility is funded separately from the Public Art Strategy and is not included in the public art budget of £1.5 million.

Paragraph 8.9

The Archaeological Unit have recommended a revision to the amended condition, this is set out below in Amendments to Recommendation. They have commented as follows:

‘This should allow for the effective implementation of the scheme and for the phased release of the site for development in conjunction with the post excavation works. It's a variation on a condition we use quite a lot, particularly for quarries. We've also got something similar on the Addenbrookes 2020.’

Pre-Committee Amendments to Recommendation:

New Condition 55 - Archaeology

No development shall commence on any phase until the applicant, their agent or successors in title have secured the implementation of the agreed written scheme of investigation (Environmental Statement Appendix D) for that phase.

This written scheme includes the following components, completion of each of which will trigger the staged discharging of the condition:

(i) fieldwork for each phase in accordance with the agreed written scheme of investigation;

(ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);

(iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority).

- 5.2** Betjeman House etc. site, Hills Road, Cambridge (PACE Scheme) – Variation of Section 106 Agreement
- Site** Betjeman House etc. site, Hills Road
- Recommendation** That the Section 106 Agreement be varied to allow
- i)** the commencement of development in advance of the acquisition of the Osborne Arms and Flying Pig public house sites;
 - ii)** commuted sum payments instead of on site provision in relation to the play space and community facilities to be payable in two tranches £9576 for play space and £27,125 for community facilities in relation to development on the blue land and £75,810 for play space and £156,175 for community facilities on the remainder of the development.

Public Speakers

Decision

REFUSED (by 1 vote to 6) on ground 5.14 and 3.8
NOT AGREED on the basis that Members preferred on site provision of play space and community facilities and not off-site commuted sums.

To Note:

The commuted payments for community facilities and play space that are set out in paragraphs 3.8 and 3.11 respectively relate to the scheme as a whole. In the event that the blue land was never developed it would not be reasonable to seek commuted payments to address the demands of residents of that part of the development. It is therefore appropriate to split the commuted payments to relate to the blue land and the remainder of the site and to tie the payment to commencement of each of these parts of the site.

As a result of adopting this approach the commuted payments for the blue land phase would be:

£9576 for play space and £27,125 for community facilities

and for the remainder of the development:

£75,810 for play space and £156,175 for community facilities.

The recommendation has been amended to reflect this.

Amendments To Text:

Pre-Committee Amendments to Recommendation:

That the Section 106 Agreement be varied to allow

- ii) the commencement of development in advance of the acquisition of the Osborne Arms and Flying Pig public house sites;
- ii) commuted sum payments instead of on site provision in relation to the play space and community facilities to be payable in two tranches £9576 for play space and £27,125 for community facilities in relation to development on the blue land and £75,810 for play space and £156,175 for community facilities on the remainder of the development.