



ST IVES TOWN COUNCIL

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Huntingdonshire PE27 5AL
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TWINNED WITH STADTALLENDORF

Issued: 21 September 2022

Cllrs B Chapman, C Morgan, C Smith, A Thompson, J Tiddy, N Wells, J Kerr, M Gleadow

You are hereby summoned to attend a Meeting of the **Planning Committee** of St Ives Town Council to be held in the **Town Hall** on **Wednesday 28 September 2022 at 8.00 pm.**

Proper Officer Locum Clerk Diane Bayliss

AGENDA

PL42.00 APOLOGIES FOR ABSENCE

To receive and note apologies for absence.

PL43.00 DECLARATIONS OF INTEREST

PL43.01 Making Declarations of Interest

Clarification of the policy and procedures for Members to declare interests during all Council and Committee meetings (copy herewith).

PL43.02 Retrospective Declarations

An opportunity for Members to give Declarations for past meetings where they either did not declare an interest or it was not recorded.

PL43.03 Declarations of Interest

To receive Declarations of Disclosable and/or Non-disclosable Pecuniary Interests as set out in Chapter 7 of the Localism Act 2011 and the nature of those interests relating to any Agenda item.

PL44.00 PUBLIC PARTICIPATION

A maximum of 15 minutes in total is permitted for members of the public to address the Committee in accordance with the Town Council's approved Public Participation Policy. Each participant will be limited to 3 minutes in which to make their comments.

PL45.00 MINUTES

To confirm as a correct record the Minutes of the Planning Committee held on 10 August 2022 (copy herewith).

PL46.00 PLANNING APPLICATIONS

To consider the attached list of Planning Applications received (copy herewith).

PL47.00 DEVELOPMENT MANAGEMENT COMMITTEE

To receive information from DMC (if any).

EXTRACT FROM CODE OF CONDUCT 2020

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1** (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2** (Other Registerable Interests).

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest.

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but

otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which *affects* –

a. your own financial interest or well-being;

b. a financial interest or well-being of a relative or close associate; or

c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

9. Where a matter (referred to in paragraph 8 above) *affects* the financial interest or well-being:

a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;

b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the 19 January 2021 Page 14 of 17 councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor's knowledge)—

	(a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* ‘director’ includes a member of the committee of management of an industrial and provident society.

* ‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> a) any body of which you are in general control or management and to which you are nominated or appointed by your authority b) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) any body directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
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**Minutes of the Meeting of the Planning Committee of St Ives Town Council
held in the Town Hall on Wednesday 10 August 2022**

Present:

Chairman: Councillor N Wells

Vice Chairman: Councillor C Smith

Councillors: M Gleadow, R Chapman, J Kerr, C Morgan

In attendance:

Locum Town Clerk: Mrs D Bayliss

Democratic Officer: S Rawlinson

PL36.00 APOLOGIES

Apologies were received from Councillor J Tiddy, A Thompson and P Pope (all Personal).

PL37.00 DECLARATIONS OF INTEREST

No declarations were made.

PL38.00 PUBLIC PARTICIPATION

A representative of the Civic Society of St Ives made the following comments:

22/01635/NMA - The Society generally welcomed the original application, (21/01428FUL) but this was not the version approved by planners. Their request to have two proposed windows with a dormer gable over withdrawn before approval has created the situation where two living rooms would be left without windows. This is surely unacceptable in every way.

The Officers Report commented *“Amendments to remove the new dormers, as originally proposed, have been secured at the Officer’s request to ensure the development will not have a harmful impact on the character of the building and the wider setting of the St Ives Conservation Area.”*

The new proposal to place two, out of character, ‘contemporary’ windows is a very poor solution. This building, by the river, quay walls (grade II), bridge and chapel (both Grade I) is a very important part of the street scene. We consider the new proposal will have a harmful effect on the character of the building. It deserves the very best in planning, consequently this proposal should be refused.

The Society would support the reintroduction of the originally proposed new windows.

22/01652/TREE - Rather than lose this grand tree it might be better to find an alternative location for a new building. With the existing one being demolished entirely.

PL39.00 MINUTES

RESOLVED: that the Minutes of the meeting held on 27 July 2022 be confirmed as a correct record and signed by the Chairman.

Chairman's
Initials

PL40.00**PLANNING APPLICATIONS**

Consideration was given to the following applications:

PL40.01**22/01226/FUL**

Proposed extension of existing building at ground floor level for storage and construction of a first-floor extension to create a three-bedroom flat

Jamia Mosque

Needingworth Road

St Ives

RECOMMENDATION:**Refusal**

The new storage area is of concern and appears to be overdevelopment and may also increase the risk of flooding.

Had the store not been included, the application would have been acceptable.

PL40.02**22/01585/TRCA**

To remove 5 x ash trees to create 2 x off road parking spaces for 33 and parking spaces x 2 for 35. No 35 have put in 4 new trees last year in their garden to replace these

33 Needingworth Road

St Ives

RECOMMENDATION:**Refusal**

The information provided is inadequate and a more comprehensive application would be welcomed.

The species of tree is unclear from the documentation.

The view of the Arboricultural Officer would be appreciated on this.

Replacement tree planting is inadequate.

PL40.03**22/01568/FUL**

Proposed new 3 bed dwelling

11 Spinney Way

St Ives

RECOMMENDATION:**Approval**

Appropriate scale of development

In keeping with another extension in Spinney Way.

PL40.04**22/80225/COND**

Conditional Information for 20/01030/FUL: C2 (Eco Mitigation)

The Barn Overcote Lane

Needingworth

OBSERVATION:

No comment as this is not in St Ives Parish.

Chairman's
Initials

PL40.05 **22/01635/NMA**
 Non-material amendment of 21/01428/FUL to add two small additional contemporary windows on the south elevation
25 - The proposed windows are out of keeping with the frontage of the building.
27 Bridge Street
St Ives

RECOMMENDATION: **Refusal**
 The proposed windows are out of keeping with the frontage of the building.

PL40.06 **22/01652/TREE**
 T46 Scots pine- remove to protect long term safety of the dwelling
The How
Houghton Road
St Ives

RECOMMENDATION: **Refusal, to removal**
 A preference would be for the crown to be lifted to provide the required clearance as mentioned as an option in the application.

PL40.07 **22/80236/COND**
 Discharge of conditions 16 (CEMP) and 26 (Contamination) of 20/00285/FUL
F Vindis and Sons Ltd
Low Road
Fenstanton

RECOMMENDATION: No further comment on this application.

PL41.00 **DEVELOPMENT MANAGEMENT COMMITTEE**
 No matters relating to St Ives.

Chairman:

Dated: 28 September 2022

Chairman's
 Initials

APPLICATIONS FOR PERMISSION FOR DEVELOPMENT
28 September 2022

Application No Applicant/Agent	Proposed Development	Link to website	Comments
CCC/21/088/FUL Envar Composting Ltd GP Planning Ltd Icon Innovation Centre Eastern Way Daventry NN11 0QB	Demolition of in-vessel compost buildings/tunnels and ancillary development; construction of a dry anaerobic digestion (AD) facility, pellet fertiliser facility, healthcare waste energy recovery facility, waste transfer station, vehicle re-fuelling station, biomass storage building, surface water storage lagoons, extension to concrete pad and ancillary development including car park Envar Composting Ltd St Ives Road Somersham	https://planning.cambridgeshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=QV5TVBDYLCD00	
22/01851/FUL and 22/01852/LBC St Ives Electric Riverboat Company Partners in Planning and Architecture Suite 2 Clare Hall Parsons Green St Ives PE27 4WY	Permanent Retention of a Pontoon, Gang Plank and Handrail (Pursuant to Temporary Approvals 1201898LBC and 1202005FUL) Mooring at The Quay West of 2 Wellington Street St Ives	https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RH6CBRIKH2200	
22/00631/FUL Mr Nasar Isaq Biddleco 60 Maytrees St Ives PE27 5WZ	Proposed end-of-terrace part-single and part-two storey dwelling, first floor side extension and installation of solar panels 24 All Saints Green St Ives	https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=R8Q92CIKL1100	

<p>21/02663/FUL</p> <p>Meadow Park Goose Architects Ltd Goose Architects Studio 18 23 King Street Cambridge CB1 1AH</p>	<p>Erect 2 dormers on the existing roof and replacing roof covering. Replacing and adjusting windows and cladding. Installation of solar PV panels to the roof</p> <p>4 Meadow Park Meadow Lane St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=R2TWN8IKIE00</p>	
<p>22/01056/FUL and 22/01067LBC</p> <p>Mr and Mrs Andy & Dawn Kirkham & Sarll Sisco Architects Ltd 18 The Broadway St Ives PE27 5BN</p>	<p>Demolition of existing ground floor kitchen and first floor bedroom and construction of part single, part two storey rear extension</p> <p>8 Cromwell Place St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RBRCV1IKMAF00</p>	
<p>22/01149/FUL and 22/01150/LBC</p> <p>J D Wetherspoon plc Nineteen47 Unit B Ryedale House 58-60 Piccadilly York YO1 0NX</p>	<p>Change of use from Class E (offices) to Class E (restaurant)/Sui Generis (public house) to extend 'The Swan and Angel Public House', including a single storey rear extension, creation of external seating area, extended acoustic fence to rear boundary and associated internal/external alterations</p> <p>8-10 Market Hill St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RC6VEXIKMIQ00</p>	<p>Correspondence from resident appended</p>

<p>22/01312/ADV</p> <p>Mr Thomas Francis Offices above 3 Foundry Walk St Ives PE27 5FW</p>	<p>1200mm x 500mm gloss foamex sign fixed at high level to brickwork advertising the business occupying the premises</p> <p>Offices above 3 Foundry Walk St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RDEXD1IKN2Q00</p>	
<p>22/01444/FUL</p> <p>Mr D Smith 12 Sheepfold St Ives PE27 5FY</p>	<p>First floor extension above garage</p> <p>12 Sheepfold St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=REA8F9IK0HJ00</p>	
<p>22/01544/FUL</p> <p>Mr Savage Ben Wright 38 Cambridge Villas Godmanchester PE29 2BS</p>	<p>Single storey side extension</p> <p>4 All Saints Green St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RF0HK9IKG3Z00</p>	
<p>22/01652/TREE</p> <p>Mr Richard Rowlands Ms Elizabeth Greenwood 10 Knight Street Sawbridgeworth CM21 9AT</p>	<p>46 Scots pine- remove to protect long term safety of the dwelling</p> <p>The How Houghton Road St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RFQN9BIKGFS00</p>	

<p>22/01667/FUL</p> <p>Mrs Saima Al Ishaq Richard Biddle 60 Maytrees St Ives PE27 5WZ</p>	<p>Erection of single storey rear extension and first floor extensions to side and rear</p> <p>7 Parkway St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RFXD3AIKHJ00</p>	
<p>22/01670/PIP</p> <p>Mr John Bridgewater 24 Audley Close St Ives PE27 6UJ</p>	<p>Construction of new single bedroom detached retirement bungalow with one off street parking space</p> <p>5 Edinburgh Drive St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RFY1BFIK0HJ00</p>	
<p>22/01746/FUL</p> <p>Mr Hafiaz Binney & Sims Design Bellingham House 2 Huntingdon Street St Neots PE19 1BG</p>	<p>Erection of two storey side, front and rear extension, erection of front porch and single storey rear extension, installation of solar panels and A/C unit</p> <p>25 Fairfields St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RGG9GTIKGQ800</p>	
<p>22/01775/FUL</p> <p>Mr Midgley Studio One 60 High Street Trumpington CB2 9LS</p>	<p>Erection of first floor extension over converted garage, erection of rear conservatory and provision of permeable driveway.</p> <p>10 Trent Close St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RGP4TNIKTU00</p>	

<p>22/01807/FUL</p> <p>Mr Idram Hussain Biddleco 60 Maytrees St Ives PE27 5WZ</p>	<p>Erection of single storey front extension and 1.5 storey rear extension</p> <p>138 Hill Rise St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RGUOSTIKGWP00</p>	
<p>22/01816/s73</p> <p>Mr Tony Tickner Niblett Architecture Ltd 13 The Pines Mardy Abergavenny NP7 6HQ</p>	<p>Variation of condition 2 (Approved Plans) and removal of condition 4 (Lighting) of 21/02298/FUL.</p> <p>26 Burrel Road St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RHOMQGIKGYP00</p>	
<p>22/01892/FUL</p> <p>Saima Alishaq Biddleco 60 Maytrees St Ives PE27 5WZ</p>	<p>Erection of single storey rear extension</p> <p>41 Erica Road St Ives</p>	<p>https://publicaccess.huntingdonshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=RHKM89IKH6W00</p>	

From resident: Chapel Lane, St Ives.

Development Services
Pathfinder House
St Mary's Street
Huntingdon PE29 3TN

21 August 2022

Planning application by Wetherspoon: Ref: 22/01149/FUL (including 22/01150/LBC)

Dear Sir/Madam,

Please find below our comments relating to the above application. As with all our previous experience with the JD public house planning process I would reinforce that there has been no engagement or consultation with the community, neighbours and those directly affected by this application.

We object to the planning application and would ask that the following points are given full consideration by the planning team in making any decision.

By way of background, I would like to summarise that the years following the opening of The Swan and Angel Public House have been disruptive, to say the least. The number of times we have had to engage with J D Wetherspoons management on issues of noise, customer control, breach of planning conditions, refuse and bins problems, false security alarms and other issues relating to the day to day operation are too numerous to mention.

The application noted above fails to comply with the aims of Huntingdonshire Landscape and Townscape Supplementary Planning Document 2022. The proposed application does not enrich the character of the area by creating an extremely large public house at odds with the nature, layout and history of St Ives. The proposed development fails to reflect the varying scales of development in the immediate vicinity of the proposal. (Ref 7.18). It should be noted that the development will nearly double the size of the pub from 851 square meters by adding a further 813 square meters.

The proposed development fails to protect the town's existing historic layout by irreversibly combining a listed building (The Red House) and merging it with an ex-warehouse building.

This would be a tragic historical loss for the town centre which seeks to limit the mix and vibrancy of the town centre and would limit other opportunities for office use in the future by creating an unusual mix of two buildings merged into one large business property.

The storage and collection of bins on the public pavement represents a highways safety issue to road users and pedestrians and the current application, whilst acknowledging the increased use of bins through increased growth and sales (section 2.4 of the Access Statement), fails to make any provision to improve collection and disposal methodology in order to prevent a proliferation of unsightly bins on the high street.

The application noted above fails to reflect the highways safety issues associated with the numerous deliveries that cause extensive disruption and serious safety concerns when delivering and collecting

from the pub. The near doubling of size of the pub and the associated increase in traffic required to service it will cause increased risks, pollution, disruption and strain in area already busy with day to day traffic. Please refer to images 1 and 2 in the appendix showing a typical delivery and safety issues for supplies including beer, drinks and food.

We have regularly had to ask a member of public to assist with us exiting Market Lane, with the loss of vision because of the parked delivery lorry. A number of near misses regarding other vehicles and cycles have been witnessed.

The proposed development causes a loss of privacy to residential properties on Chapel Lane and to those directly adjacent to the development. Even with the pub's rear fence, properties on Chapel Lane will be directly overlooked from areas of the proposed new beer garden.

The poor quality of the plans and with the elevations included in the planning application, fail to consider or include the context of the surrounding area. This makes it difficult to evaluate the extent of the development with the Chapel Lane and surrounding area.

The experience of several years living alongside the existing Swan and Angel pub, we can say that the nature and extent of the noise from the beer garden is significant. Noise from customers in the beer garden, can be severe at times. The emptying of bins, and in particular large numbers of bottles, in the early morning and during the day inside the beer garden is horrendous. The shouting and loud exclamations, whooping noises from the beer garden are incredibly loud and disruptive. A further increase would be an unacceptable loss of amenity to us.

The noise report attached to the planning application and statement should be reviewed and considered with caution. Whilst on first review the report appears professional and thorough, it fails to address the fact that the survey was taken from 31 March to 5 April 2022 which was a period of extreme cold weather and one of the only times in the Winter of 2021/2022 that it snowed in the Cambridge area. Section 5.1 of the report states that *"Ideally, continuous noise measurements would have been carried out within the grounds of each of the nearest residential properties over the entire survey period. However, access was not permitted to the properties."*

I can confirm that no access was ever requested, had access been requested, we would have been happy to facilitate a survey at a suitable time.

The report states in Section 5.2: *"Weather conditions during the survey were generally mild and dry, with low wind speeds, presenting good conditions for noise measurement purposes."* This is simply incorrect.

Images 3 and 4 in the appendix shows the historic weather data for Cambridge. We assume this a basic error by JD Wetherspoon and their noise consultants rather than an attempt to vastly underestimate the impact of noise from the beer garden by taking measurements during a particularly cold spell when snow was recorded as falling in Cambridge and the current weather at the time as officially classed as very cold or freezing.

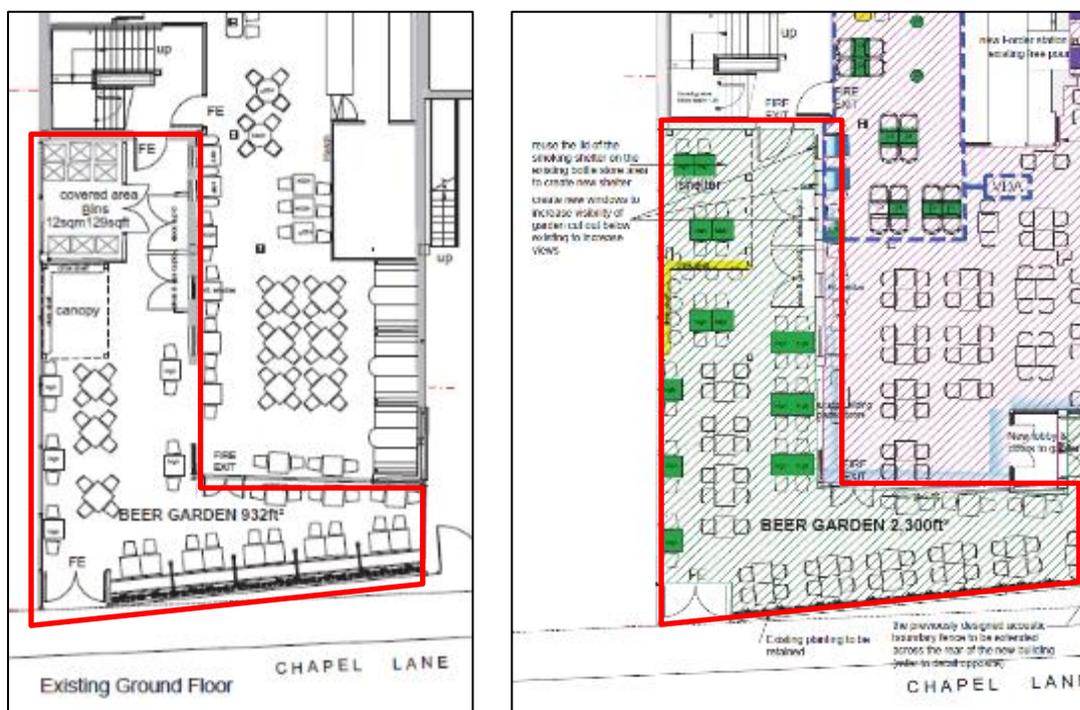
I can advise the planning team that the noise from the beer garden in the summer trading months (and during good weather) is very different to the winter months (especially when snow is falling). The report fails to recognise this obvious fact and draws erroneous conclusions based on the data from a time whether it is unlikely anyone was actually in the beer garden due to the extreme cold experienced in St Ives and in the UK at that time. We have measure the actual noise levels and found the figures in the report to vastly underestimate the noise level on a typical evening when the beer is occupied.

JD Wetherspoons state that impact from noise on neighbours is low. This is simply incorrect. The existing fence, while helping with noise, does not make the impact at ours and neighbouring properties appear 'negligible' due the reflections from the pub building itself and the overhanging roof. The impact on our amenity from noise is only alleviated by the closing time at 9.00pm of the beer garden. I can confirm that JD Wetherspoon staff do enforce this time and, on the few occasions where

this has not been the case, have been very supportive and would immediately close the area and we have not sought to raise formal complaints.

The noise report suggests in section 6.1 *“The garden extension is proposed to operate in conjunction with the existing garden area during the daytime and evening only, as it would close at 21:30 each day.”* The planning statement also states in section 3.7 *“The garden extension will operate in conjunction with the existing garden area during daytime and evening only, as it would close at 21:30 each day.”* We assume that this is a clerical error and not a request or inferred statement to extend the opening hours of the beer garden from the current time of 9.00pm.

The noise survey not only fails to consider a realistic representation of the current noise profile, but no allowance has also been made for the substantial increase in seating provided in the areas adjacent to Chapel Lane. The drawings in the noise survey show seating plans for the proposed area. Without taking into account the extension of the beer garden, the drawings show an increase in covers from 22 to 75 in this area alone, ignoring the proposed extension. This increase will cause a significant and substantial impact on noise amenity and again demonstrates the lack of accuracy in the JD Wetherspoon noise survey to take all factors into consideration.

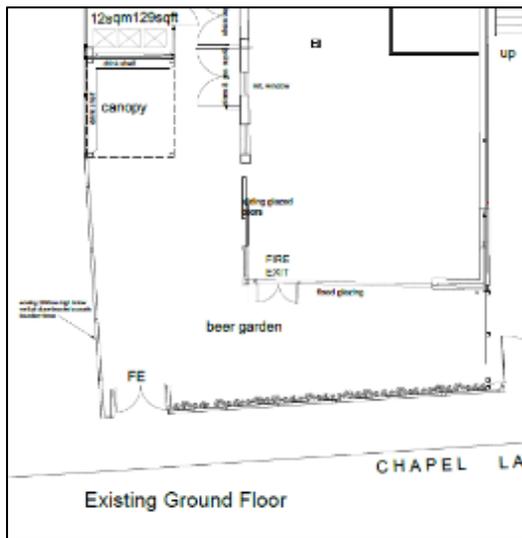


JD Wetherspoon state in section 5.26 of the planning statement: *“In order to demonstrate that the proposed development will not result in adverse amenity impacts, the application is supported by a Noise Impact Assessment. This provides further detail and justification about noise-related impacts on nearby amenity and should be referred to in full”*. Given JD Wetherspoons only noise mitigation to the issue of noise for the proposed development appears to be derived from this report, and given the analysis and measurements were taken at a wholly inappropriate time, do not reflect actual levels when the beer garden is in use and at best can be considered an indication of the levels when the beer garden is not even in use, we ask that this report be not be considered as part of the application and application be rejected.

The existing plans provided with the application are inaccurate and do not show the existing seating bench at the rear of the beer garden along the fence. This provides a buffer and the planted area must be retained within any proposed development. It is a significant part of the noise screening design and resulted after discussions during the original planning application process we had with JD Wetherspoon. Having tables directly facing/next to the fence will increase noise levels significantly and

must not be allowed. More clarity should be sought from JD Wetherspoon and the plans updated to reflect actual existing features.

Extract from latest application showing existing plans drawing: (drawing ref 7140-001 Rev) does not show the bench seating.



Approved consent plan from original planning application (the bench seating is installed)

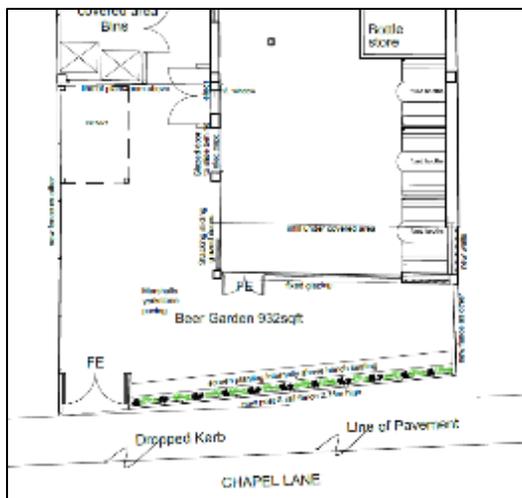


Photo showing bench seating in the beer garden.



Given the significant increase in the size (doubling) of the beer garden and the likely noise it would generate during busy times, the opening hours should be made earlier at 8.00pm. The nature and material for the fence must be improved to better absorb sound. We would also ask that planting for

the beer garden fence extension be stipulated as with previous planning conditions and properly checked by the environment officer following completion of any work, again with a view to improving the sound absorption qualities of the scheme. An earlier closing would allow more time for staff to clear the area following closure.

In this noise report JD Wetherspoon's modelling of patrons within the beer garden and associated noise breakout from within the restaurant during the summer opening do warrant a proper assessment. Factors not considered by JD Wetherspoon include the impact of sound on the environment, assessing factors such as loudness, dominance, pervasiveness and penetration into dwellings, incongruity and human reaction. By comparison, a JD Wetherspoons assessment of peaks of noise based on ambient noise and the steady continuous nature of a fixed plant serving an existing restaurant are, relatively benign. To judge both by the same criterion is not only intuitively incorrect but contrary to science and will likely lead to a gross underestimation of the impact of noise on amenity. JD Wetherspoon have not considered the nature of loud and intrusive noise from a typical beer garden. We refer you to the video included as an attachment recorded on an iPhone11 with no editing, to demonstrate the noise we weekly experience weekly, not only at our property, but inside it in July.

Given the wholly inappropriate noise survey and JD Wetherspoons reliance on it to assess what is a clear loss of amenity for the immediate neighbours of the development, we would ask that Hunts DC request or apply a condition that JD Wetherspoon commission and fund an independent noise survey agreed between the affected parties, taken at a more representative time, to fully understand the impact of noise on neighbours. We have a number of sound recordings to demonstrate the above points and would welcome an opportunity to discuss this application with the environmental officer as a matter of urgency.

Turning to the issue of refuse and recycling. We note that the Access and Design Statement supporting the application states in section 2.3: *"The new bin store as described in 2.4 landscaping below will remove the need to take the bins out via the rear of the pub garden as is the case presently, this we hope will alleviate any issues on noise / times when dealing with bins."*

The emptying and collection of the bins from the rear has been one of the most disruptive effects of the new pub on us since it opened. The gates remain open for long periods of time and often the open gates have been used by customers to enter and exit the pub. The associated loss of privacy during this operation has and continues to have a considerable negative impact on us.

The Access and design statement seems to acknowledge that there has been disruption around this subject and seeks to alleviate it. We would warmly welcome this but have a number of concerns.

During the initial application the rear fire doors were only to be used in the case of an emergency. A further application was then sought by JD Wetherspoon and approved to utilise the rear gate for bin disposal as this aspect of the JD Wetherspoon pub operation appeared to have not been considered and been overlooked completely by the designers and architects. We would ask that clarity be sought from JD Wetherspoon as to the exact nature and size of the bins, routes for transfer to the front, space and size restrictions etc and that it is made clear that all bin operations must be conducted from the front of the premises should the application be taken further together. Given the statement in 2.4, having to go back for a further condition because the bins would not fit through the passageway would not be appropriate. The Access and Design statement should be further developed with supporting documented specifics of how all collections and emptying of bins will be facilitated. It should be noted that the bins are only allowed to be emptied at the front of the property as per the existing planning consent and that bins currently are wheeled to the front by staff. The large bins, which are much bigger than the 'wheelie bins' are used by the pub which will clearly not fit through

the passage as shown on the supporting plans. Such a plan should also include provisions for deliveries and collections during Market Hill Road closures when access to the pub is very limited or impossible.

Given the significant increase in size of the pub and its associated operation, the above points should be carefully considered. In particular, thought should be given to the storage of an excessive number of bins on the pavement outside the pub and Town Hall (Refer to photos in images 5, 6 and 7 of the appendix) given the effective doubling of the pub.

The new proposed sliding folding window on the proposed East side of the development should not be allowed due to excessive noise from the pub at busy times extending out into the hard surfaces of the adjacent building and causing a loss of amenity to the adjacent neighbours. This was the case with the previous application. All other doors and especially windows should be closed at 9.00pm as is currently the case. The proposed new windows on the West elevation 'to increase visibility of garden' should be non-opening and the proposed plans should be updated to reflect this. We note that these windows are not shown on the proposed South West elevation (Drawing 7140/007 Rev C) which should be updated in order to properly assess the application.

The level of lighting inside and outside the pub appears to have increased over the last 12 months and now includes external lighting which, while attractive, is very bright. We would ask that a condition be imposed to ensure all non-essential lighting is switched off when the pub closes to prevent light pollution in the area and to also reduce electricity consumption and improve the environmental impact.

At time of writing, we have had a meeting with JD Wetherspoon and raised a formal complaint with the management team following the emptying of bottles into bins in the beer garden at 11.58pm and 12.20am on the night and morning of 23/24 August 2022 which woke us. JD Wetherspoons manager has apologised and confirmed that all staff are aware that under the current planning permission, glass bottle emptying is not allowed between 9.00pm and 8.00am. This incident underlines the need for clear and unambiguous planning conditions to safeguard our amenity with respect to noise. We have raised many issues directly with J D Wetherspoon over the last few years and have a good relationship with the management team. In this instance we have chosen to formally record the incident so that JD Wetherspoon can formally investigate as per the agreed Noise Manage Plan. Appendix B contains a copy of the JD Wetherspoon Noise Management Plan which fulfils condition 14 of the original planning consent.

Finally, we would ask that the security and fire alarm system be reviewed as part of the planning application and conditions imposed as part of any approvals. The security alarm has a history of numerous false alarms, which has been constant over the last 3 years. The managers do indeed know about this. The alarm falsely goes off in the very early hours of the morning and is also regularly set off by staff at opening. We have raised this with JD Wetherspoons management on numerous occasions and engineers were recently (August 2022) called to investigate false alarms on Sunday 14 August at 04:00 and Tuesday 16 August at 03:30. The rear sounder, which is extremely loud, should be relocated to the front of the building in line with many other businesses' alarm systems.

Given the quality of the planning application and the general lack of or inaccuracy of detail, together with the disproportionate scale of the development and the impact on our amenity, this planning application should be rejected.

Appendix

Image 1: Drinks delivery blocking junction of Market Hill and Market Lane. This route is busy with vehicles, pedestrians and cycles. There are no measures in place to provide traffic management during deliveries where there is a clear risk.



Image 2: Delivery vehicle using the double yellow lined area and blocking views when entering or exiting Market Lane.



Image 3: Temperature data for Cambridge during April 2022. The period that the JD Wetherspoon noise survey was carried out is shown in the red area. The weather during this time is described as generally very cold or freezing. The JD Wetherspoon report states in 5.2: “Weather conditions during the survey were generally mild and dry, with low wind speeds, presenting good conditions for noise measurement purposes.”

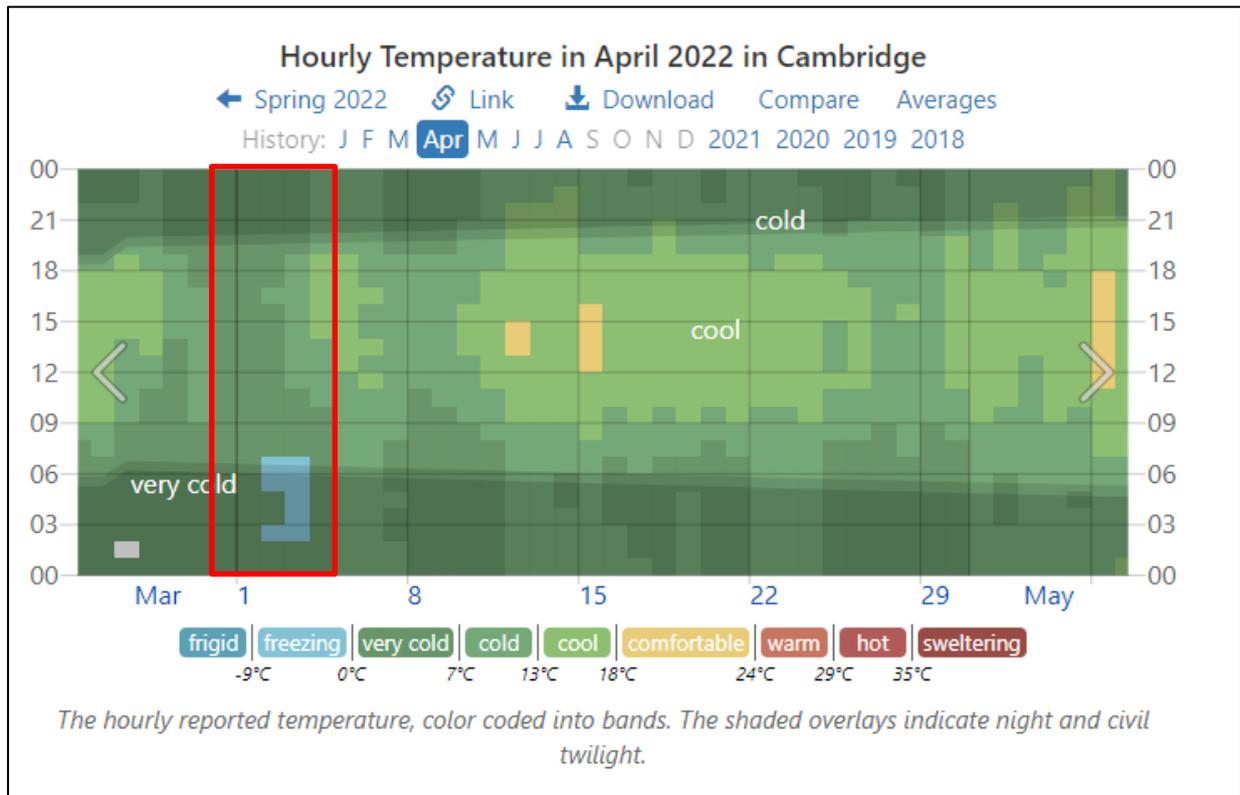


Image 4: Weather data for Cambridge during April 2022. Light and moderate snow is recorded for Cambridge for 31 March and 1 April 2022. Weather not conducive to sitting in beer garden whilst socialising.

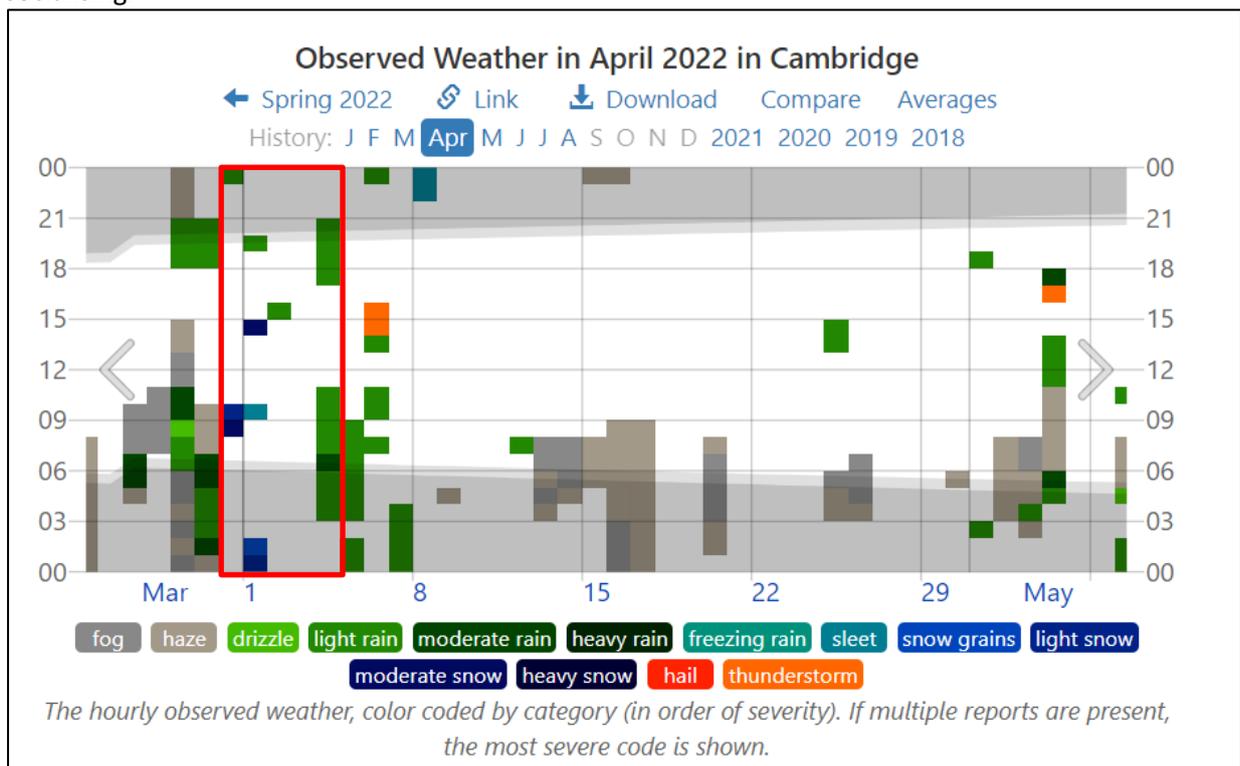


Image 5:

Bins at the rear of Wetherspoons ready to be transported to the front



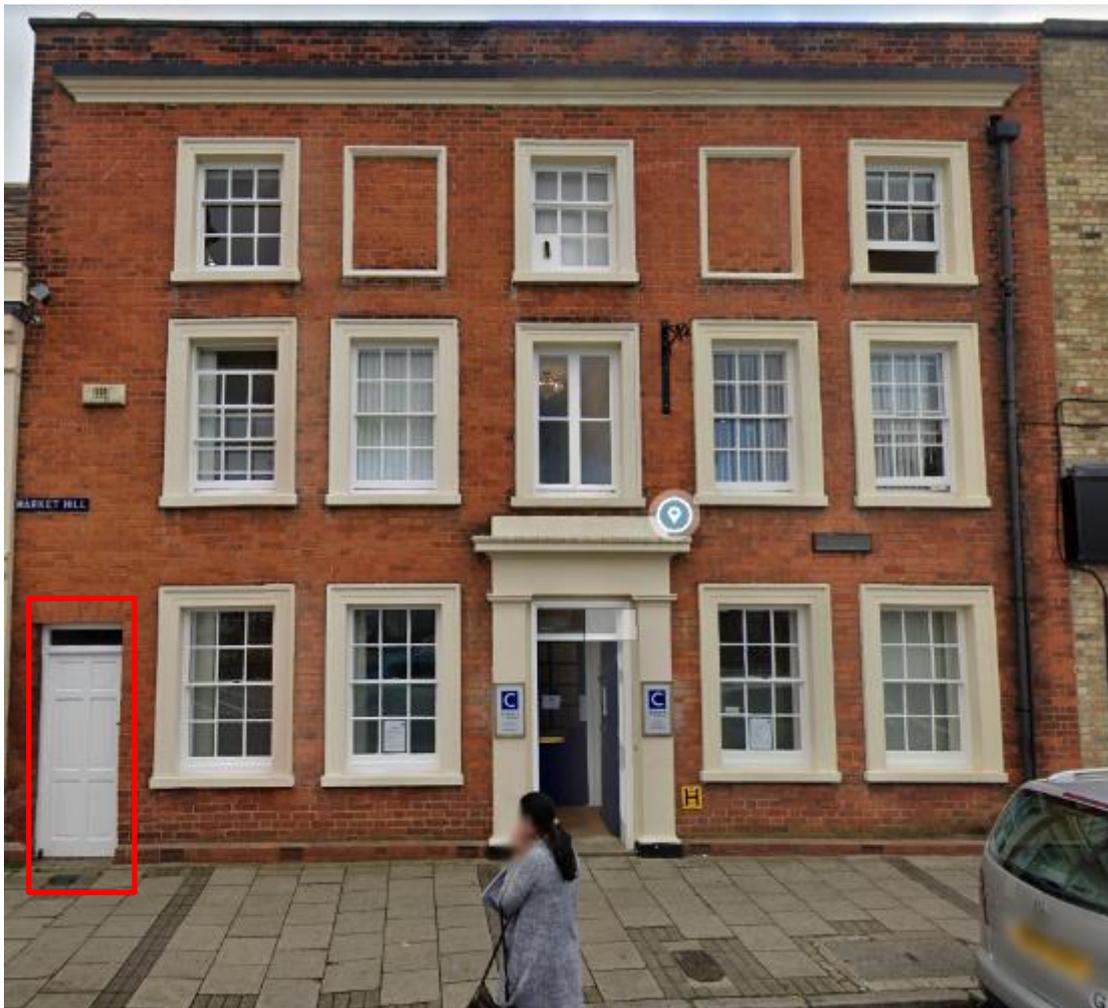
Image 6: Bins moved from rear and placed outside Town Hall ready for collection



Image 7: Beer delivery and bins restricting access to pavement (J D Wetherspoons also cleaning windows)



Image 7: Door proposed for moving bins for collection (Highlighted)



Appendix B

JD Wetherspoon Noise Management Plan:



Noise management
plan JD.pdf

Video clip demonstrating noise – sent as email attachment