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**Applic. No:** C/02/0999  
**Date Recvd:** 26th September 2002  
**Ward:** Trumpington

**Agenda Item No. :**  
**Officer:** Jennie Parsons

**Site:** Development Site, Former Government Buildings, Brooklands Avenue, Cambridge.

**Proposal:** Approval of siting design and external appearance, and landscaping relating to the redevelopment of 9.45 hectares of land for residential development pursuant to condition 3 of the outline planning permission Ref:C/00/1175/OP at the government offices site Brooklands Avenue.

**Applicant:** Countryside Residential  
C/O DTZ Pieda Consulting  
1 Curzon Street  
London

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site to which this application relates and upon which residential development is proposed is 9.45 ha in size, is situated to the south of Brooklands Avenue on land to the west of Shaftesbury Road and to the east of Hobson's Conduit. Much of the site is covered with single storey office buildings occupied by the Ministry of Agriculture Fisheries and Foods and Inland Revenue and other government office users. In the south west corner of the site there is the Regional Seat of Government Building, a concrete structure built in the early 1960's. To the south east of the site the new government offices building are under construction. The site has mature trees along its eastern and western boundaries and adjacent to the main spine road. The rest of the space around the buildings is grassed lawns. Vehicular access to the site is from Shaftesbury Road and egress from the internal spine road, Aberdeen Road, onto Brooklands Avenue.
- 1.2 The surrounding area is characterised by larger residential properties with substantial gardens, and other buildings which are now in non-residential use. The larger residential properties are imposing detached and semi-detached brick villas of two and a half or three storeys in height. There are also some three and four storey terraced and semi-detached houses further east on Brooklands Avenue and in Fitzwilliam Road. These houses are large by today's standards and many are in non residential use or in multiple occupation. Properties on the north side of Brooklands Avenue, apart from the Brooklands Court flats, and the Cambridge Bowls Club, are substantial brick villas set well back from the road behind extensive planting. On the south side of Brooklands Avenue the buildings are more evident partly because more

have been converted into business use which has led to a reduction in the amount of greenery on the frontage.

- 1.3 Brooklands House, just outside the site to the north-west, is a grade II Listed Building which has recently been extended and is now the regional office of English Heritage.
- 1.4 Part of the site is within the City of Cambridge Conservation Area No 10.

## **2.0 THE PROPOSAL**

- 2.1 Approval is sought for the siting, design and external appearance, and landscaping of the site for residential development pursuant to Condition 03 of the outline planning permission reference C/00/1175/OP. The application also seeks the discharge of the following conditions which were imposed upon the outline planning consent in order to enable development to commence:

Condition 07 – Materials  
Condition 10 – Bicycle parking  
Condition 11 – Hard and soft landscaping  
Condition 12 – Earthworks  
Condition 13 – Landscape Maintenance  
Condition 15 – Landscape Management Plan  
Condition 16 – Boundary Treatments  
Condition 18 – Trees  
Condition 20 – Tree Planting  
Condition 22 – Protection of Trees  
Condition 33 – Landscape Strategy

The application proposes 382 dwellings of which 213 (56%) are houses and 169 (44%) are apartments. Of this 114 (30%) are affordable dwellings of which 79 (69%) are houses and 35 (31%) are apartments.

- 2.2 The application has been accompanied by a Planning Supporting Statement, a Landscape Strategy, an arboricultural Statement, Planting Strategy document, Landscape concepts document, Landscape method Statement and plant procurement document.
- 2.3 There are two other applications which relate to this site also on this agenda which apply for the Conservation Area Consent for demolition of existing buildings Ref C/02/1001/CAC and the listed building application for alterations to the former orchard wall fronting Brooklands Avenue in order to provide two new pedestrian entrances Ref C/02/1000/LB.

### **Layout of Development**

- 2.4 The development will be served by means of the existing egress from the site onto Brooklands Avenue, Aberdeen Road, which will be improved to bring it up to adoptable standards. The road will be widened on its eastern side

resulting in the removal of one tree on the southern side of Brooklands Avenue. This new road will form the central avenue for the development. An additional emergency vehicle entrance is to be provided on Shaftesbury Road at the location of the existing entrance to the Inland Revenue offices. Circulation around the site will be by the primary vehicular access, which forms a loop to which the secondary vehicular accesses connect. All roads permit two way traffic and the road junctions are in the form of raised tables with surface materials and features which are designed to reduce the visual impact of the roads and promote pedestrian priority. The secondary vehicular roads are designed as mews style streets. Overall, the road layout is a permeable one which has been designed on 'Home zone' principles with a blanket 20mph speed limit and 10 mph or less at junctions or in the mews streets.

- 2.5 The layout of the proposed development proposes the retention of the three major tree belts which run, north/south through the centre of the site; adjacent to Hobson's Brook; and the tree belt which fronts Shaftesbury Road. The tree belt which runs east/west through the centre of the site will also be retained. Large areas of informal open space are proposed along the western edge of the site, in the central area around retained trees and along the eastern edge of the site fronting Shaftesbury Road. As well as informal open space, an equipped adventure play area is also included as well as smaller play areas. The layout also incorporates three "green streets", which will be shared landscaped gardens. The houses fronting onto the green streets will have direct access onto these landscaped gardens.
- 2.6 To the east of the main access road, semi-detached houses are proposed facing Brooklands Avenue and Shaftesbury Road. The remainder of the housing in this area is terraced, and all the houses are of 3 ½, 3 and 2 storeys. Immediately to the north of the new government office building, is an oak framed 7 storey apartment block accommodating one and two bed flats and a shop on the ground floor. The development to the west of the main access road is more mixed in its composition. Fronting the central square and diagonally opposite the 7 storey apartment block is a 6 storey apartment building. Fronting Brooklands Avenue, to the west of the main access road are two 4 storey apartment blocks set behind the existing brick wall. On the western side of the main avenue 4 storey terraces are proposed, with lower, 2 storey, houses behind. Fronting onto Hobson's Brook and the informal open space are 5 storey apartment buildings. In the south western corner of the site an 8 ½ storey apartment building is proposed. East of that along the southern edge of the site, are two storey houses. Affordable housing is in the form of clusters in three main groupings.

### **Design of Dwellings**

- 2.7 The design of the dwellings has been carried out by three different architectural practices in order to provide variety of design. The houses are, for the most part, of an unusual design and incorporate amenity/garden space within the envelope of the building by means of courtyards, terraces, deck areas and balconies. The footprint of the houses is therefore relatively large,

with some of the houses having a front door onto the mews street and back door onto the green street. They will be constructed of brick with varying roof forms; flat roofed areas covered with Sedum and pitched roofs with standing seam copper. Window openings are in general fairly large. The 7 storey apartment building is a structural oak framed block and the 8 ½ storey apartment building is a light structure with timber screens on all elevations. Of the four apartment buildings fronting Hobson's Brook, three are stone clad with the elevations fronting the Brook being glazed and set behind structural oak frames supporting large timber and glass balconies. The balconies are arranged to alternate position from floor to floor. The fourth apartment building fronting the Brook and the 6 storey apartment building fronting the central square have been designed by Alison Brooks architects and are to be copper clad with untreated hardwood to create distinctive landmarks.

2.8 Car parking has been provided at a ratio of 1.26 spaces per dwelling which results in a total of 482 spaces. The houses for sale have car parking either in integral garages or covered external spaces. The larger houses have 2 spaces within their curtilage. Parking for the majority of the apartments for sale is provided in lower ground/floor basement garages. Surface car parking is provided for some of the apartment blocks. Parking for some of the affordable dwellings is within the curtilage, but most is in the form of on street spaces, or allocated surface car parking areas. A total of 60 visitor parking spaces are provided on street.

2.9 The application was amended on 23 December 2002 and the amendments were accompanied by a supplementary planning statement. The amendments comprise:

- The apartments fronting Brooklands Avenue reduced in height to 4 storeys
- Play areas in central garden and adventure play area to be fenced
- Two entrances through listed wall onto Brooklands Avenue reduced to 1 metre wide with a simple gate opening
- The 'ha ha' in front of Brooklands House to be topped with a low hedge
- A secure fence and private gate to be provided through the woodland on the ownership boundary of English Heritage
- Alterations to landscaping in front of the semi-detached dwellings on Brooklands Avenue frontage
- Existing railings to be retained, straightened and painted and only where necessary panels replaced on a like for like basis
- Number of gaps in the Shaftesbury Road railings reduced from 4 to 2
- Proposed gaps in the Brooklands Avenue railings have been removed
- Alterations in road layout to take on board comments made by the highway authority
- Alterations to the internal and external arrangements of the dwellings to address issues regarding security, cycle parking, waste storage, disability and lifetime home standards
- Height of chimneys for the courtyard houses fronting Brooklands House lawn reduced in height

- 2.10 Further information and minor amendments were received on 20 February. The information submitted relates to details of cycle parking, a Scale and Visual Impact Assessment of the two higher apartment buildings and minor amendments to the four storey apartment buildings facing Brooklands Avenue.

### 3.0 SITE HISTORY

- 3.1 LL4/4/87 Erection of 40 foot high tower radio mast.  
LL4/1/88 Erection of three portacabins to be placed on site for a temporary period and used as offices – No Objection.  
LL4/8/88 Erection of chemical store and vehicle washing bay for MAFF – No Objection.  
LL4/003/89 Erection of single storey extension (customs and excise) – No Objection.  
LL4/001/90 Erection of two temporary office buildings – No Objections.  
C/1156/91 Extension to offices – No Objection.  
C/0439/94 Extension to offices to provide disabled access – No Objection.  
C/97/0544/LDC Application for certificate of lawfulness of proposed use of Business Class B1 purposes – W/D  
C/00/1175/OP Outline application for residential development and office development – A/C

- 4.0 **PUBLICITY** Advertisement: Yes  
Adjoining Owners: Yes  
Site Notice Displayed: Yes

### 5.0 POLICY

#### 5.1 Central government advice

PPG1 General Policy and Principles (1997) paragraph 40 states that Section 54A of the 1990 Act requires that applications for planning permission shall be determined in accordance with the development plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan would not be allowed unless material considerations justify a planning permission.

- 5.1 **PPG3 Housing (2000)** paragraph 22 promotes the re-use of previously developed land to minimise the amount of greenfield land taken for development. Paragraphs 52 and 53 stress the greening of residential environments and the provision of open space on site. Paragraphs 54 to 56 are concerned with the design quality of new developments, in particular Paragraph 56 emphasises that new housing developments should not be viewed in isolation and local planning authorities should adopt policies which:

- create places and spaces which have the needs of people in mind, developments should have their own distinctive identity but respect the local character

- promote designs and layouts which take account of public health, crime prevention and community safety considerations
- give priority to the needs of pedestrians rather than the parking of vehicles
- avoid inflexible standards and reduce road widths and traffic speeds
- promote energy efficiency of new housing where possible

Paragraph 57 also states that local planning authorities should avoid the inefficient use of land and should critically examine the standards they apply to new development particularly with regard to roads, layouts and car parking to avoid the profligate use of land. In addition, paragraph 58 encourages development which makes more efficient use of land (between 30 and 50 dwellings per hectare) but seeks greater intensity at places with good public transport accessibility.

- 5.2 **PPG3 Housing (2000)** also states at paragraph 62 that car parking provision in any housing development should not exceed 1.5 car parking spaces per dwelling. Paragraph 61 requires that park parking standards should provide for significantly lower levels of off-street parking provision, particularly for developments in locations where services are readily accessible by walking, cycling or public transport.
- 5.3 **By Design: Better Places to Live – A Companion Guidance to PPG3 (2001)** recognises that all those involved in designing new housing face a challenge to achieve densities of between 30 and 50 dwellings per hectare with good urban design. The first step to achieving this is to develop a thorough understanding of the context and immediate surroundings of the site.
- 5.4 **Circular 06/98 Planning and Affordable Housing** states that a community's need for affordable housing is a material planning consideration which may properly be taken into account in formulating development plan policies and deciding planning applications. It also advises, at paragraph 12, that where a registered social landlord is to manage affordable housing on any given site, as is the case here, this should be an effective way of controlling occupancy without the need for additional occupancy controls.
- 5.5 **PPG13 Transport (2001)** at paragraph 4 states that the objectives are to promote more sustainable transport choices and reduce the need to travel, especially by car. Paragraph 6 suggests ways in which local authorities should deliver these objectives, including actively managing the pattern of urban growth to make the fullest use of public transport, accommodating housing principally within existing urban areas, with increased densities for both housing and other uses at locations which are highly accessible by public transport, walking and cycling. At paragraph 20 it is recommended that new development should help to create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport, in short putting people first before traffic. Paragraph 21 states that local planning authorities should seek to maximise the use of the most accessible sites since these opportunities may be scarce. Paragraph 28 states that new development should create places that connect

with each other sustainably providing the right conditions to encourage walking, cycling and the use of public transport. Paragraph 49 highlights that the availability of car parking has a major influence on the choice of means of transport and that some studies suggest that levels of parking can be more significant than levels of public transport provision in determining the means of travel, even for locations very well served by public transport. Paragraphs 78-80 encourage appropriate cycle provision. Paragraphs 83 to 86 deal with the issue of use of planning obligations to secure improvements to public transport, walking and cycling.

- 5.6 **PPG16 Archaeology and Planning (1993)** advises, at paragraph 30, that in cases when planning authorities have decided that planning permission may be granted, but wish to secure the provision of archaeological excavation and the subsequent recording of remains, it is open to them to do so by the use of a negative condition.
- 5.7 **PPG23 Planning and Pollution Control (1994)** at paragraph 3.21, advises that in cases where the environmental effects are not of sufficient significance to affect the principle of whether the development should be permitted, planning authorities may attach conditions to the outline planning permission requiring particular environmental matters to be considered in more detail at a later stage. At paragraph 3.25, planning authorities are encouraged to use conditions to meet planning goals to protect the environment, where these are relevant to the development proposed.
- 5.8 **PPG24 – Planning and Noise (1994)** states at paragraph 12, that planning authorities should consider carefully whether new noise-sensitive development would be incompatible with existing activities. At paragraph 13, a number of mitigation measures are suggested which could be introduced to control the source of, or limit exposure to, noise.
- 5.9 **Draft PPG25 Development and Flood Risk (2000)** recognises that the susceptibility of land to flooding is a material consideration and that local authorities should consider the specific risk of flooding to the development being proposed and the possible effects of the development on flood risks elsewhere in the floodplain (paragraph 39). It also advises that the Environment Agency has the lead role in providing strategic advice on flood issues (paragraph 17). Paragraph 11 states that the precautionary principle should be applied in decision making so as to avoid or manage risk.
- 5.10 **Circular 1/97 : Planning Obligations** accepts that planning obligations may enhance the quality of development and enable proposals to go ahead which might otherwise be refused.
- 5.11 **Home Zone Design Guidelines (2002)** provides practical advice relevant to new developments.

## THE DEVELOPMENT PLAN

### 5.12 Cambridgeshire Structure Plan 1995 (the Structure Plan)

SP1	Keynote sustainable development policy
SP3/1	Major centres and market towns
SP3/5	Settlement growth, development locations and travel needs
SP3/6	Re-using urban land
SP3/7	Green spaces within settlements
SP4/2	Form of development
SP4/3	Affordable housing in local plans
SP5/1	Provision for industry and business
SP7/1	Traffic management and road improvements
SP7/3	Urban route hierarchies
SP7/4	Direct access from new developments
SP7/7	Cyclists
SP7/8	Pedestrians
SP7/9	Special Mobility Needs
SP7/10	Traffic management measures
SP7/11	Traffic management – urban environment
SP8/1	Development related provision
SP8/2	Education
SP8/4	Availability of water related facilities
SP12/7	Wildlife habitats
SP12/10	Built environment – new development
SP12/11	Historic buildings and conservation areas
SP12/14	Archaeological heritage
SP18/9	Cambridge – transport strategy
SP18/16	Cambridge – housing provision strategy

### 5.13 The Cambridge Local Plan (1996) (the Local Plan)

EO12	Contaminated land
NE5	Structurally important open spaces
NE6	Open space of environmental or recreational importance
NE9	Natural processes and nature considerations
NE11	Maintain and enhance watercourses
NE12	Nature conservation interests and City Wildlife sites
NE14	Protect City Wildlife Sites
NE15	Impact of proposals on wildlife corridors
NE17	Trees – development and existing trees
BE3	New Development – mix of uses
BE7	New Development – landscaping schemes
BE13	Access for people with disabilities – provision in non-domestic development
BE15	Design, public safety and crime
BE35	Listed Buildings – character and setting
BE40	Archaeology – ancient monuments and sites of Archaeological importance

BE41	Archaeology – archaeological assessment and Evaluation
HO3	Sites allocated for housing development
HO5	Development in primarily residential areas
HO7	Affordable Housing – negotiation from housing development proposals
HO8	Affordable Housing – restriction of occupation to persons in need
CS1	Community Facilities – loss of
CS3	Community Facilities – provision with new residential development
RL1	Open space – network throughout Cambridge City Council
RL3	Open space – provision within new housing and other development
RL4	Play space for children
RL7	Footpaths, rights of way and cycleways
ET5	Loss of industrial and storage floorspace
TR1	Land use and transport issues
TR2	Impact of development proposals upon transport systems
TR3	Environmental impact of traffic generated by development
TR4	Accessibility of proposals to public transport facilities
TR15	Pedestrians – pedestrian accessibility
TR16	Pedestrians – improvement and extensions to the pedestrian network
TR17	Cycling – cycle accessibility
TR18	Cycling – cycle parking
TR19	Cycling – improvement and extension to the cycle network
TR21	Accessibility by people with disabilities and mobility problems
TR22	Car parking – parking provision
TR26	Highways – hierarchy of roads
TR27	Highways – impact of new development on the road network
TR28	Highways - local access roads within development
TR36	Traffic management related policies – traffic calming
TR37	Traffic management related policies – pedestrian crossings
TR38	Traffic management related policies – cycle accessibility and cycle lanes
TR39	Traffic management related policies – cycling safety and convenience
TR41	Special needs – facilities for people with disabilities
TR50	Traffic management – traffic management measures

#### 5.14 SUPPLEMENTARY PLANNING GUIDANCE

##### **Government Office Brooklands Avenue – Planning Guidance 1997**

This guidance was adopted in November 1997. The main aspirations of the Planning Brief are to promote a sustainable form of development, whilst preserving and enhancing environmental and nature conservation qualities. The brief supports residential development of an urban, rather than sub-urban form, mainly three storey in height and mainly terraced family housing with

gardens. A mix of unit sizes is suggested and the southern part of the site adjacent to Cambridge University Press is considered the most appropriate location for the offices.

### **Southern Corridor Area Transport Plan 1999 (as amended in July 2002)**

The Area Transport Plan for the southern part of the City which seeks to identify new transport infrastructure that is needed to facilitate large scale development in the south of Cambridge, and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards the fulfilment of that transport infrastructure.

### **Cambridge City Council (March 2001) – Housing Development and Design Guide**

This sets out the urban design principles and criteria that new development will be expected to meet.

## **6.0 CONSULTATIONS**

### **Head of Transport Services** (on behalf of the Highway Authority)

- 6.1 The area for adoption should be agreed as soon as possible as this has repercussions for the materials palette of the site– thus we would establish areas that need to comply with Highway Authority design requirements.

The developer has supplied tracking diagrams showing the swept paths of delivery and servicing vehicles within the development, and these show that access arrangements, though tight, are adequate.

The layout has been discussed with the County Council's Safety Audit Team, and they are satisfied with the layout, and the principles upon which it has been designed, subject to certain minor changes.

These include suitable marking of obstructions in the carriageway, provision of changes in level at junctions of the Mews Courts with the main circuit, and surface treatment of junctions and the squares to emphasise changes in priority and environment.

The materials specification will need to be looked at carefully as the Highway Authority will not accept for adoption any work with a high maintenance cost, in particular the luminaries are unsuitable for use in the public highway, as they are expensive, and with a short service life.

Street lighting in the Mews Courts should be attached to the buildings themselves, rather than in the form of lighting columns. Discussions with the Highway Authority's Street Lighting Engineer will be needed to establish the most suitable solution with reasonable maintenance levels.

All materials used in adoptable highways must be available as stock items, and a maintenance audit of the proposed adoptable highway will need to be undertaken.

There must be a bond provided on the surfacing in the mews which must overlap to provide strength. The stack bond shown has neither resistance to spread nor strength though interlocking. The type of surfacing unit used must be of a suitable paviour, rather than a small element type, as small element paving is suitable only for occasional light runover, rather than frequent trafficking by cars and regular overrun and manoeuvring by servicing vehicles.

Tandem parking off narrow accessways will require additional vehicle manoeuvring, resulting in engine noise within the residential areas.

The properties with parking spaces without a highway frontage will access the highway through neighbouring properties. If crossing neighbours' properties this would result in disturbance.

The bollards to the rear of the parking bays on the main access road would be superfluous, as there is a full-face kerb, producing unnecessary on-street clutter.

The layout of the central square may cause driver confusion, and guidance should be given to drivers in the form of a vehicle track laid in flush kerbs.

Where there are parking spaces very close to junctions it has been agreed that a ramp and surface treatment will be provided to slow motor vehicles entering the side road, and channel cyclists to the middle of the side road to maximise their visibility.

### **Head of Environmental Health and Waste Strategy**

6.2 No comments.

### **Defence Estates**

6.3 No safeguarding objections.

### **Commission for Architecture and the Built Environment (CABE)**

6.4 The scheme appears to be similar to that presented to our Committee in May 2002 and we do not therefore think it necessary to take the scheme back to our Committee for comment. The committee's views were:

- Welcome the imaginative approach to the masterplanning of this unusual site, and the clear landscaping concept including the retention and incorporation of the mature trees in the site planning.
- The circulation patterns are convincing; would support further pedestrian and cycle access beyond the site boundary across the Brook.

- The hierarchy of the street layout is clear, although the street layout is not typical of large residential developments.
- Concerned about the ambiguity in the location and definition of backs and fronts of the houses, and whether there is sufficient activity at street level to ensure adequate casual surveillance. A clear definition of public and private space is important. Consider it inevitable that one entrance will dominate and that therefore see no reason why the central gardens should not be gated and treated as the rear of the dwelling being kept solely for the use of the residents.
- Mix of housing types and designs will add to the attractiveness of the development and welcome the additional architectural practices.
- Should consider a landscape management plan at this stage.

They now acknowledge the incorporation of a landscape management plan and the addition of some threshold space to the properties adjacent to the central garden which will promote privacy and the sense of defensible space.

### **Cambridge Constabulary – Architectural Liaison Officer**

- 6.5 The provision of internal garden areas and decking in many of the dwellings will draw the focus of attention away from the boundaries of the homes and thereby limit the opportunities for natural surveillance. It is recommended that layouts should form continuous backs and fronts to avoid exposing rear gardens, fences or walls.

I am concerned about the degree of permeability, both vehicular and pedestrian, though the site. Vehicles have access all the way round the Mews either side of the Homezone and three circuits are available to the west of the central avenue, with what appears to be all round access to the parking area on the southern boundary. In addition to the emergency access from Shaftesbury Road, there are three pedestrian cycle routes and a fourth nearby in Brooklands Avenue. The plans indicate the potential for further cycle route in the south west corner of the site. Whilst it is recognised that a degree of permeability is necessary for community interaction, too many footpaths and through roads make crime easier to commit. Alternative escape routes provide anonymity and safety for potential offenders.

Communal parking should be in parking courts serving a maximum of 6 dwellings, close to the units they serve and within natural surveillance of those units. The parking court to the east of the 7 storey building is too large and there is little opportunity for natural supervision. The parking court in the south west corner is also too large; trees around should be maintained so that the canopy does not fall below 2 metres above the ground and planting adjacent to parking bays should be thorny. In curtilage parking is preferred and the apartment blocks should have access control. The provision of seating next to car park entrances is not recommended.

Hobson's Brook play area should have natural surveillance from adjacent dwellings and ground cover landscaping should be low.

In some parts of the development there appear to be low level flat roofs which could present easy targets for criminals and gaps between dwellings may increase vulnerability of some plots.

Street lighting should be to adoptable standard, and bollard lighting may not be sufficient especially on the path along the western boundary. Column mounted white downlighters should be used. Pedestrian points from Brooklands Avenue and the pathway between plots 278 -86 and the bowling green needs to be lit.

### **Environment Agency**

- 6.6 The Agency have been in consultation with the applicants consultants Atkins who have submitted a Drainage Design Philosophy. While the Agency is happy with the principle of the development, full details of surface water disposal will need to be agreed prior to commencement of the development. It is essential that any subsequent scheme for surface water disposal accurately mimics the existing regime and takes full account of local biodiversity as well as land drainage requirements.

In addition details of foul water drainage and pollution prevention measures are required and should be agreed prior to the commencement of the development. Conditions should be attached in respect of these three issues.

### **Disability Consultative Panel**

- 6.7 The panel were pleased to note that disabled parking provision is to be 10% of all parking on the site. There should be 1 designated disabled parking bay in each of the visitor parking areas. Allocated street parking spaces should also contain disabled parking bays. The on plot spaces are not wide enough for disabled parking.

The panel wished to reiterate their comments on the meeting of June 2002 in relation to undercroft parking which stated that disabled parking should be positioned closer to the lift so that disabled persons did not need to cross the car park. Suggestion for a parking area and re-charging area for mobility scooters. The doors to the lifts should be automatic and the lifts should be mirrored for the benefit of wheelchair users. Emergency phones in lifts to be fitted with an induction loop. It was also suggested that the two sets of access doors to the lifts should be automatic.

Concern that access into the "green street" would be very difficult for a disabled person and supervision of children by disabled persons would be difficult. There appears to be no provision of play equipment for disabled children and it was suggested that the provision at Cherry Hinton Hall be looked at.

Affordable Housing one bed flats – the provision of life time standards was queried. No disabled parking provision shown on the plan and the position of

the cycle parking in front of the building would prevent easy access to the building by disabled people. Query door widths and that doors to open inwards.

### **Cambridge Preservation Society**

- 6.8 Developers are to be commended for the quality of the design. The improvements in the quality of the scheme now being proposed compared with the initial indicative drawings is most marked. However there is one objection and other matters of detail are raised:

#### **Objection**

As the role of the greenbelt seems to be changing from one of permanent constraint to that as a tool for the management of the growth of Cambridge the green corridors and open spaces vital to the character and quality of the town take on greater significance. In this context the Brooklands Avenue site is very important and there is the opportunity to enhance the green corridor alongside Hobson's Brook. This development proposal will not achieve this as the green space left bordering the brook is too pinched. This represents a wasted opportunity.

#### **Matters of Detail**

- The level of open space provision is an absolute minimum for 382 dwellings. With an expected population of 800-1000 and a significant proportion of children ideally there should be a greater provision. Does this meet the open space standards?
- Should be the potential for greater provision of community facilities and buildings which could be readily converted for services and facilities such as shops, dentist, doctors, meeting rooms etc. There will be a need for such facilities and to this extent the development is parasitical on the surrounding community.
- Essential that adequate provision for the site to served by public transport and that the very least there is space for the buses to stop on Brooklands Avenue without holding up other traffic.

**Comments on amendments:** buildings exceeding 7 or 8 storeys would be an intrusion into the southern fringe green corridor and would be regrettable given the public commitment by the City to enhance Hobson's Conduit and upgrade public access. Residents would be affected and there would be night sky intrusion which would impinge on the entire green corridor.

### **Hobson's Conduit Trust**

- 6.9 The Trust is responsible for the upkeep of Hobson's Brook and Conduit. The Trust cannot accept any discharges into the Brook or abstractions from it. Hobson's Conduit has never knowingly accepted any domestic drainage of any form. The lake has in the past been fed from the Brook but this arrangement is not assignable to any new owner.

- **Safety** - the Brook would be a danger to children. Unobtrusive secure fencing should be erected 6 metres from the Brook.
- **Access** - the Trust has the right of access for maintenance for 6 feet on both banks of the Brook.
- **Multi Storey Buildings** – concerned about the multi storey buildings facing the eastern bank of the Brook and particularly the tower block in the south west corner which is considered to be obtrusive and unsympathetic.
- **Wild Life** - disturbance to wildlife by building work. The belt of vegetation along the entire length of the sites boundary with the Brook should be left untouched but fenced for 18 months from completion of construction. Some consideration to altering the bank side could then be given. These works to be financed by the developer.
- **Site Drainage** - the site drainage and pumping during construction should be in accordance with the Environment Agency requirements, and supervised as the agency directs.
- **Cycleway** – there is no information regarding the eastern bank cycleway.
- **Visual Impact Assessment** – this is window dressing, and there is no view looking east from Hobson’s Brook footpath

### **Cambridge University Botanic Garden**

- 6.10 Concerns arise from the proposals in connection with the threat to Hobson’s Conduit and the water quality and also the environment of Brooklands Avenue to which the Botanic garden has considerable frontage.

Hobson’s Conduit is of great historical significance and its purpose in 1610 was to bring a source of clean pure water to the centre of Cambridge, which it continues to do today. Since 1846 it has provided pure water to the Botanic Garden and it is essential that the purity of the water supply is maintained for the plant collection which in turn supports a web of wildlife. Concern about the suggestion that the conduit could be re-profiled and any direct access from the housing development would diminish the value of this delicate part of the ecosystem. The collection of rainwater from roofs and hard areas, and grey water being fed into the conduit would lead to pollution even with a reed bed. This would put the Botanic garden as well as Emmanuel and Christ’s College at risk.

The City landscape of Brooklands Avenue would be put at risk by removing the railings and a “box parterre” is inappropriate.

Further concerned that the traffic flow analysis is inadequate and would draw attention to the proposed development of an Education and Interpretation Centre on the site of the current bowling club by the Botanical Gardens.

### **Brooklands Avenue Area Residents Association—three submissions**

#### **First Submission**

6.11 **Traffic** – the traffic figures and traffic assessment which was submitted with the outline planning application should not have been accepted since we consider that the number of vehicle trips per dwelling to be wrong. Instead of endorsing the estimated 758 vehicle trips in a 12 hour day, officers should have advised Councillors that the traffic would be at least 1,100 movements. Condition 05 of the outline consent would therefore be breached.

**Height and Density** – it is not reasonable to claim that the scheme respects the planning guidance with respect to height of buildings as there are 4 apartment blocks of 5 storeys, two tower blocks of 6 and 7 storeys and houses which are described as 3 ½ storeys when they are in fact a mixture of 3 and 4 storeys. The density is at or above 50 dwellings per hectare, and not 40. A density of 40 dwellings per hectare may well justify the 1.26 car parking spaces, yet the density is at or above 50 dwellings per hectare, and at this density the car parking should be 1 space per dwelling.

**Environmental Impact** – the development represents a threat to the water quality of Hobson's Brook since the water management proposals are inadequate. The reed beds are too small to clean the "grey" water and toxic substances may be washed into the system causing serious damage. In any event reed beds however well designed do not remove all chemicals. The only way to protect the Brook is to prevent water discharge or substantially reduce the number of dwellings and increase the scale of the reed beds. Access by people living in the development could cause damage to the conduit and wildlife. To maintain the integrity of the wildlife corridor there needs to be fence along the eastern bank of Hobson's Brook plus a dense planting of shrubs to prevent access by people but allow movement of wild animals.

**Other Matters** – it is unsatisfactory to have a cycle/footpath passing through the main play area. There is inadequate provision for joining the development into the network of City cycle routes. It is not clear that there is adequate space for storage of cycles; dwellings which may have children need provision for 4 or 5 cycles. It is not clear that there is adequate storage for re-cycling. The main play area implies a reduction in the tranquillity of Empty Common. Is the long term management for the landscape adequate? Footpaths through the trees near Shaftesbury Road will be detrimental to the quality of the trees.

**Support** – the provision of shop and play facilities. The car parking arrangements are better than for the previous proposal. The "green" roofs are welcomed. Pleased that the planning guidance has been respected in the context of maintaining the tree belts and open space along Hobson's Brook.

**Concludes** – that the present proposal should be rejected and that no more than 260-270 dwellings should be permitted on the site.

## **Second Submission**

*The Note on Environmental Impact Assessment Directive for Local Planning Authorities (1999 EIA Regulations)* states that conditions attached to an

outline planning permission must be designed to prevent the development taking a form, or having effects, different from those considered during the Environmental Impact Analysis.

The two apartment blocks in excess of 5 storeys and the discharge of water to Hobson's Brook are features of the reserved matters application which diverge from what was considered at the outline stage and were not evaluated in the Environmental Assessment. They should not therefore be permitted in the absence of a proper Environmental Evaluation.

The case before the House of Lords *R v London Borough of Bromley ex parte Barker* reinforces the case that the traffic generation figures must be re-assessed and that it would be unsafe for the Council to grant permission for 382 dwellings in the absence of such a re-assessment.

### **Third Submission**

There is nothing in the Scale and Visual Impact Assessment which would cause us to withdraw our objection. There are no views shown from outside the site to the west and the north. All the external vantage points shown are those locations where there are few or no residents. There is also no discussion of the degree of intrusion into private spaces. There is no mention of the fact that many of the trees are mature and that there will be the need to fell and replant; consequently the trees may not provide the screening they do at the moment. The document omits the consideration of light pollution, and the effect of wind currents which could have an impact upon trees and pedestrians and cyclists. The two towers make a mockery of the Planning Guidance and there has been no policy decision to move away from the general character of Cambridge as a low rise City to become a high rise one.

### **Southacre/ Latham Road / Chaucer Road Residents Association**

- 6.12 Object to the density and height of the buildings which are out of character with the area. The two tower blocks will be almost as tall as Kings College chapel and will dominate the Botanic Garden and were not included at the outline stage. 382 dwellings is too much for the space and infrastructure available and will cause traffic congestion. A density of 260 dwellings would be more appropriate. We would also argue for the compulsory inclusion of communal facilities such as a primary school, community hall, and pull in bus shelter.

### **Trumpington Environmental Action Group**

- 6.13 There is much to support in the detailed proposals and we welcome the concept behind the use of "eco-friendly" features and the community areas. The allocation of 30% as affordable housing is to be welcomed but it is noted that this is the minimum and we would have preferred to see a greater proportion. We are concerned about the impact of the development upon the adjacent communities, particularly public transport, bus services along

Brooklands Avenue, and public services such as schools and doctors. There is concern about anticipated traffic flows in association with children being taken to school and feel that there must be a more detailed consideration of these issues before the application is approved. In the light of new information about traffic this topic should be revisited before any decision is made.

### **Go-East Government Office for the East of England**

6.14 No comment.

### **Cambridge Urban Forum**

6.15 The architectural treatment is to be commended as a thorough and sensitive design process to create a sense of place through the concept of a green and nurturing environment. It should be a condition of the approval that this practice is retained to complete the detailed drawings to ensure that the quality is retained. On plot parking is welcomed. Will there be parking restrictions on the main road to maintain the impression of a richly planted and car free landscape? The house plans should be adaptable to allow home working. The footpath links through to Shaftesbury Road help to integrate it into the surrounding area.

The total separation of the access to the new offices with the residential area resulting in one access is a mistake. There are no bus stops – the new link from Hills Road to the railway station suggests that there should be. The developer should consider promoting car-sharing club. There is an absence of analysis of the need for community facilities – the shop is a token proposal. A flexible building sensibly located could be a focal point for community activities.

### **Sustrans**

6.16 Object to the proposal on the grounds of inadequate provision for cyclists. The site is strategically important for southern Cambridge and the potential cycle/footpath along Hobson's Conduit is important for this site and developments further south. The plans do not show a clear route through the site. We note that access through Brooklands House is not agreed but regard it as a potentially important future route. We also foresee good potential in a route along the western edge of the allotments and that there needs to be a cycle/footbridge from the south west corner of the site across the conduit to link with the path which currently runs alongside the allotments. We note the covenant but Trinity College may be willing to release the covenant. The paths linking with Shaftesbury Road seem too narrow.

## **7.0 REPRESENTATIONS**

7.1 The following persons have commented on the original plans:

S Bourne Cambridge University Press The Edinburgh Building Shaftesbury Road (two letters)

T Williamson Honary Garden Steward  
C M Leadlay 17 Clarendon Road  
L Leadlay 17 Clarendon Road  
T Upson Brooklands Lodge Trumpington Road  
Professor M Chisholm 5 Clarendon Road (six letters)  
Dr J Owens 11 Clarendon Road  
Dr P Owens 11 Clarendon Road  
L Yeatman 9 Clarendon Road  
Dr R Moore 3 Clarendon Road  
G and M Newton 1 Shaftesbury Road (two letters)  
Dr S Hurlley 3 Clarendon Road  
J Chisholm 5 Clarendon Road  
J Snyder 3 Shaftesbury Road  
M C Langham 5 Bournside Road Cheltenham Gloucestershire  
S Leadlay 17 Clarendon Road  
W and T Lovell 21 Clarendon Road  
D Carnwath 20 Brooklands Avenue  
J Carnwath 20 Brooklands Avenue  
English Heritage Brooklands 24 Brooklands Avenue  
C Nicholson 5 Eden Street  
E Hill Hope Residential and Nursing Care Home Brooklands Avenue  
C V Dymond 62 Gloucester Road Kew Surrey (owner of 7 Fitzwilliam Road)  
G E Littlechild 7 Fitzwilliam Road  
L Cook 6 Pump Lane Stretham Ely  
R Balfe 31 Lyndewode Road  
J Whitehead 35 Barrow Road  
M Tyler 18B Newton Road (two letters)  
Professor and J Willis 20 Newton Road  
G and J Bricogne 43 Newton Road  
R Buxton 40 Clarendon Street  
S and D Whitehead 15 Newton Road  
T M Hunter 18A Newton Road  
E Thackray 38 Newton Road

7.2 Issues raised have been concerning the following matters:

### **Hobson's Conduit and Drainage**

1. The threat to Hobson's Conduit poses a risk to the wildlife and environment of Christ's College since the pool in the Fellows' Garden is fed with water from Hobson's Conduit and any change to the chemical composition of the water could have detrimental effects upon the ecology.
2. Concerned that rainwater from roofs and hard areas will be fed into proposed lake which would then connect with the Conduit which would lead to pollution even if there were reed beds.
3. Purity of this chalk water supply to Botanic Gardens to support internationally significant plant collection is essential.
4. "Re-profiling" of Hobson's Brook would desecrate this monument, it is not capable of being re-profiled.
5. Direct access to the Conduit will cause erosion and disturbance.

6. The proposed reed beds are unlikely to be large enough to adequately clean the volumes of water.
7. Suggest that the developers contact the local Wildlife Group and the Green Belt project as they have knowledge of Conduit wildlife.
8. Hobson's Conduit Trust own 1 metre strip either side of the conduit and this had not been addressed.
9. The water table is sometimes just 1 foot below ground level and the impact of surface water needs to be more fully assessed.

### **Design**

1. The design will be out of keeping with Cambridge's architectural heritage.
2. Large areas of blank featureless external walls.
3. The use of inferior materials will mean that the buildings are drab and ugly after only a few months of weathering.
4. Other developments have successfully blended modernity with humanity and greater effort is required here.
5. The design of the dwellings has not been thorough: all the dwelling units should be planned to ensure that there is sunshine for the winter months.
6. The design is out of keeping and will create an oppressive and over-crowded area.
7. The semi-private squares in front of the Brooklands Avenue villas seem too ill defined and could lead to neighbour disputes.
8. The design is interesting and has been thought through with care- the formal line of semi-detached villas behind the Shaftesbury Road tree belt and the terraces on the main avenue are attractive features.
9. The placing of apartment blocks along the brook landscape area with a point block as a stop end will be an interesting contrast with the tree belt.
10. The holes in the wall on Brooklands Avenue will spoil the wall.

### **Traffic and Parking**

1. The traffic implications of the proposal should be reviewed as the outline planning permission was granted on the basis of erroneous information – only the journey to work figures were used, with school and shopping trips being ignored; all trips should have been included. This is significant information and should be reconsidered at the reserved matters stage.
2. Dangerous to have such a large number of buildings with only one access to the site as access for emergency vehicles will be difficult.
3. Not enough parking available.
4. The issue of traffic is not being taken seriously enough.
5. A green travel plan and off road bus access should be explored for the housing development.
6. The density of housing should be reduced and the number of dwellings significantly reduced.
7. The number of daily trips per household was underestimated by 45% - the number of car trips per dwelling was 2.72 whereas a figure of 4 trips per dwelling was used for other developments within the locality.
8. A co-ordinated traffic strategy for the whole area is needed.
9. There should be a bus stop on the site.
10. It is important that Park and Ride and other buses can provide local transport.

11. Access to facilities outside the site could be improved by a pedestrian bridge across the railway and extended facilities to Long Road should be considered.
12. The impact of traffic has been underestimated in the past - to say "no impact" is not a realistic approach.
13. Many new car parking spaces will be available when the new government offices and City House become open.
14. There is a considerable personal and financial cost of traffic congestion.
15. The development has a high number of car spaces per dwelling.
16. Further consideration needs to be given to access for emergency vehicles.

### **Cycle Paths**

1. The cycle paths are welcomed but should not zig zag through the trees.
2. A footpath/cyclepath across the railway from the old Charrington's site to Homerton Street would provide safe and convenient access to the range of facilities on Hills Road and easy access to Addenbrookes.
3. The two proposed pedestrian and cycle entrances onto Brooklands Avenue through the orchard garden wall will be used by cyclists and would create a serious risk of accidents.
4. It is vital to plan a cyclepath which will link to major city-wide cyclepaths and it is important that the development does not preclude cycle routes in the future.
5. Land should be taken from the frontage of the site in order to widen Brooklands Avenue and improve facilities for cyclists.

### **Density Height and Character of Area**

1. The tower blocks would be out of keeping and context with the character of the area and they should be limited to 3 or 4 storeys to comply with the Planning Brief.
2. The 7-storey block of flats is too close to Brooklands Avenue and will be out of character with the covenant area.
3. Removal of the railings and formation of the hole in the listed wall, plus the proposed "box parterre" will be inappropriate to the character of Brooklands Avenue.
4. Welcome the eco-friendly features.
5. The existence of this wildlife corridor so close to the City contributes to the Cambridge's attractive character.
6. At this stage I would support the application if it were for 100 houses, and then if concerns expressed by residents were properly addressed I would support an application for a further 100 houses.
7. The 8 ½ storey building will dominate and change the character of the Cambridge University Press bowling green and would stand well above the tree line. This should be limited to a maximum of 5 ½ storeys.
8. If the 7 storey apartment block were to be positioned slightly further to the west it would help to make a good stop to the view along the avenue and mask the office block from view more effectively. This would also result in the outlook from inside the flats to the south being better with more sunlight.

9. No buildings of 7 or 8 storeys were considered in the Environmental Statement at the outline stage and therefore another Environmental assessment is needed.
10. Southacre flats are an instance of a successful development because the number and size of dwellings were kept within reasonable limits.
11. The 7 and 8 ½ storey buildings will overlook surrounding houses and invade privacy of local residents.
12. The trees between the rear gardens of the Newton Road properties and the site need attention to ensure that they are preserved for the local environment and wildlife.
13. Higher densities can be achieved through terrace or courtyard design rather than tower blocks, and the former would be more in keeping with the Cambridge tradition.

### **Trees and Landscape and Play Areas**

1. The belt of trees fronting Shaftesbury Road which is 150 years old should not have a path winding through it – cyclists will cycle over the zig zag path thus eroding a wider area. It would be better to have a path on the other side of the hedge.
2. Who is to be responsible for the tree belts?
3. The trees fronting Shaftesbury Road act as an ecology corridor and this could be retained with a hedge to prevent people gaining access.
4. The children's play areas are welcomed but appear limited, small and cramped in relation to the size of the development.
5. The central square is shown in one drawing as tennis courts and if so who will regulate who should play when etc.
6. There is reference to a maintenance company to look after the open space but I can find no text about who is responsible for what and how it is paid for.

### **Planning Brief**

1. The proposal breaches the planning guidance for the site.
2. The development should be held at 3 storeys as stipulated by the planning brief, and sufficient interest could then be achieved with higher buildings of no more than 5 storeys.

### **Community Services**

1. Would have preferred more affordable housing.
2. No assessment of the impact of the proposal upon the existing community services.
3. The shop is a welcome provision and must be retained.
4. The affordable housing should be more dispersed through the site.
5. There is no indication whether the affordable housing is for rent, part for sale or shared equity.
6. The local schools are at or near capacity and do not have room to expand.
7. The development will have an enormous impact upon local schools, roads, shops and services and this has not been thought through.
8. The football area is marked as available for community activities but how will people balance different needs.

### **Other Matters**

1. The layout seems ill defined and could lead to neighbour disputes.
2. The developers have unrealistic fantasies about this site.
3. Lack of adequate consultation.
4. We believe the recent decision, concerning submission of Environmental Statement at reserved matters stage, of the Court of Appeal to be wrong and have successfully applied to the House of Lords for leave to appeal. The European Commission is supportive of the view that in appropriate circumstances an Environmental Assessment should be carried out at reserved matters stage. This may be appropriate here as the design of the proposals have changed and traffic effects have been mis-appreciated.

7.3 English Heritage who occupy Brooklands House have also commented as a 'neighbour' on the application. They have referred to their letter of 9 April 2001 and state that they remain concerned about the proposals:

- Impact upon setting – concerned by the overall visual scale of the buildings and feel that they would dominate and 'hem in' their building. They feel that the sketches are misleading. The courtyard mews houses cut across the Conservation Area boundary and look out of scale against the listed building. These houses would have three storeys and their roof parapets would be higher than 24 Brooklands Avenue. Plots 278-286 should be omitted. The 5-storey apartment block would tower above the walled garden of 24 Brooklands Avenue and dominate it. The 5-storey apartment block to the south would rise above the perimeter tree belt and dominate views from 24 Brooklands Avenue to the south.
- Boundary Railings – we hope to agree a low sunken garden wall topped with a thorn hedge to the south, with the boundary forming a high brick wall at the eastern end and a gate and post and railings fence up to the eastern edge of Hobson's Brook.
- Orchard Garden Wall – the cycle path would require a wide opening in the wall. We are content to see two 1 metre wide openings but wider openings have not been justified. Listed building consent for the two 4.4 metre wide openings should be refused. The proposal to demolish some of the return end of the wall to provide access into the car park is not necessary since there is already a significant opening on the wall not shown on the drawing which could be used for access.

The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

7.4 The following persons have commented on the proposal since the amendments received 23 December 2002:

S Bourne Cambridge University Press The Edinburgh Building Shaftesbury Road  
D Croghan 39 Newton Road

Professor M Chisholm 5 Clarendon Road (three letters)  
S Green 40 Newton Road  
Dr J Green 40 Newton Road (two letters)  
A Cummins 21 Newton Road  
C Bassett 18C Newton Road (two letters)  
J Swan 2 Chaucer Close  
J Whitehead 35 Barrow Road (two letters)  
C Leadlay 17 Clarendon Road  
B and L Deakin 24 Newton Road  
M Newton 1 Shaftesbury Road  
M P Halstead 26 Newton Road  
Brooklands Avenue Area Resident's Association W Lovell 21 Clarendon Road  
J Chisholm 5 Clarendon Road  
P Morris 12 Applecourt, Newton Road  
L Bellis 5 Bentley Road  
C R Davies 6 Diamond Close  
J and M Pickard 4 Diamond Close  
Prof. G Steiner Churchill College  
Prof. G Southworth 10 Diamond Close  
C Johnson 39 Bentley Road  
Dr A Martin 46 Newton Road  
Dr A D Tasker 31 Bentley Road  
R Saunders Magdalene College  
H Clay 32 Newton Road  
D Holister Clare College  
P Glazebrook 15 Bentley Road  
J Willis 20 Newton Road  
J Pocock 55 Regent Street  
B Robinson Serendipity 27 Bentley Road  
A Kirk 17 Bentley Road  
I Gordon SOLACHRA 1 Latham Close  
N Bullock 34 Newton Road  
Dr H Firth The White House 1 Trumpington Road  
Prof. Lord Renfrew of Kaimsthorn 5A Chaucer Road  
A Baabood 1 Chaucer Close  
Dr A Herbert 17 Latham Road  
W and S Sutton 4 Southacre Close  
S Chambre 19 Chaucer Road  
R Sansom 15 Latham Road  
S Rushton 37 Bentley Road  
E M Schlossmann 30 Newton Road  
G Greenhalgh 6 Southacre Drive  
S Barton 16 Latham Road  
N Rushton 37 Bentley Road  
H Greenhalgh 6 Southacre Drive  
A and G Cummins 21 Newton Road  
W Pritchard Claife House 17 Chaucer Road  
W G Everett Lansmede 17A Chaucer Road  
B and L Deakin 24 Newton Road  
M Williamson 8 Chaucer Road

P and E Steadman Southacre Lodge Latham Road  
M P Halstead 26 Newton Road (two letters)  
R Freeman 29 Bentley Road  
V Albutt 16 Chaucer Road  
J G Williamson 8 Chaucer Road (three letters)  
M Fink 19 Applecourt Newton Road  
S Haslearn 24 Applecourt Newton Road  
K Eeles 2 Rayleigh Close  
R Armstrong 10 Latham Road  
Prof. I Hughes 4 Latham Road  
Prof J Willis 20 Newton Road (two letters)  
Andrew Lansley MP on behalf of Mr and Mrs G Newton 1 Shaftesbury Road  
J Swan 2 Chaucer Close(two letters)  
Dr D Hartley 22 Applecourt Newton Road (two letters)  
S Rushton 37 Bentley Road (two letters)  
Prof A Holmes 19 Newton Road  
D Kendall 37 Barrow Road  
E Hodson 13 Applecourt Newton Road  
V Wood 41 Barrow Road  
R Thackray 38 Newton Road  
A Hunter 18A Newton Road  
Dr Verney 23 Applecourt Newton Road  
H Robinson 4 Rayleigh Close  
E Steadman Southacre Lodge Latham Road  
H Bridgen 20 Applecourt Newton Road  
M Heather 43 Barrow Road  
J Orson 6 Rayleigh Close  
S Humphreys 8 Diamond Close  
G Southworth 10 Diamond Close  
D Hargreaves 9 Bentley Road  
I Gareth 12 Latham Road  
M English 5 Trumpington Road  
R Gresham 18 Rutherford Road  
E Hongford 16 Applecourt Newton Road  
W Everett 17A Chaucer Road  
C Sharp 37 Newton Road  
P Morris 10 Rutherford Road  
Prof Bradley 4 Chaucer Close  
J and G Crone 6 Rutherford Road  
Dr A D Tasker 31 Bentley Road  
Prof Norman 21 Bentley Road  
J Chisholm 5 Clarendon Road  
C Ruthford 17 Newton Road  
S Barton 16 Latham Road  
B Windeatt 41 Bentley Road  
M Crossman 28 Newton Road  
H Whittington 20 Rutherford Road  
J Perrson 23 Chaucer Road  
L Mumford 34 Barrow Road  
S Hall 7 Bentley Road

M Fink 19 Applecourt Newton Road  
J Firth The White House 1 Trumpington Road  
E Wheatley 3 Rutherford Road  
J Ettlign 5 Rayleigh Close  
M Maehwyn-Hughes 45 Barrow Road  
Bowdens 7 Trumpington Road  
D Ballard 23 Bentley Road  
Dr Green 40 Bentley Road  
P Glazebrook 15 Bentley Road  
G Field 40 Barrow Road  
U Stubbings 16 North Cottages Trumpington Road  
K Firth Aysthorpe 25 Newton Road  
W Stronge 23 Newton Road  
S Lebus 22 Brooklands Avenue

The following points have been made:

1. The amendments do not address issues raised regarding traffic generation and numbers of dwellings.
2. The 7 and 8 storey buildings will be out of character and they have been included in order to achieve the maximum number of units on the site. There is no precedent for buildings of this height.
3. The number 382 is a maximum, not a mandatory number; if 382 dwellings cannot be satisfactorily achieved then the number must be reduced.
4. It would appear that more than 50% of the proposed development will be more than 3 storeys.
5. Concerned at further increase in the height of dwellings.
6. Recent flooding in the Newton Road area may result in remedial works at the expense of the Council taxpayer.
7. The reduction in the height from 5 storeys to 4 storeys of the apartment block facing Brooklands Avenue is to be welcomed.
8. Retention of existing railings and reduction in the number of gaps along Brooklands Avenue welcomed. However the single entrance through the wall in Brooklands Avenue is private and the case for this has not been sufficiently made.
9. Reduction in height of some chimneys welcomed.
10. Fencing the adventure play area is not welcomed.
11. The 8-½ storey apartment building in the south western corner of the site has increased in height by 0.7 – 0.9 metre and some other dwellings are 0.2 metre higher. This upward revision in heights reinforces the objection that the divergence from the guidance is unacceptably great. These changes have not been identified in the applicant's covering letter and this makes it difficult for members of the public to know what is going on.
12. The list of amended drawings is incomplete.
13. The Supplementary Planning Statement states that traffic cannot be a material consideration – as there is evidence that the traffic figures are wrong this must be reconsidered by the Planning Committee.
14. There is still no provision for linking cycle routes into the City wide network.

15. Using the percentage of built footprint to assess the amount of development over three storeys seriously underestimates the visual impact of the high buildings.
16. The number of dwellings should be reduced to 270.
17. It is appropriate to put residential accommodation in this part of Cambridge.
18. The new DEFRA building is 4 storeys high and constitutes an ugly mass adding nothing to the local area.
19. The amendments are now proposing two buildings of 7 and 8 storeys which would create a huge shadow and are unacceptable; they are more akin to developments in London.
20. When are the architects going to produce seriously good plans which take into account the physical landscape, the surrounding buildings and give the area its own distinctive ambience?
21. The amendments amount to a cynical attempt on the part of the developers to manipulate the planning process by maximising the number of dwellings.
22. Does the development now meet with police approval?
23. The style is insensitive, ugly and neo-brutal.
24. An imaginative use of precious space.
25. Such unsightly developments will erode the city's reputation and attractiveness and the result will be extremely disappointing.
26. Concern that the construction company Kajima, who have been criticised for their links with the military junta in Burma are the contractors to build the development. Consider that the issue of human rights should be relevant when dealing with planning applications.
27. The 5 storey blocks of flats are too close to the stream.
28. If permission is given it will ease the path for other similar projects.
29. The current one way closure of Brooklands Avenue is demonstrating the negative impact this development will have on the area and the upgrading of the pipeline seems to pre-judge the planning decision.
30. The high buildings will disfigure the skyline of the southern part of Cambridge.
31. Has the developer taken account of the low crime rate of the area, and if not what effect will the high density have on the crime rate of the area?

The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

- 7.5 A Development Control Forum was held on 11 December 2002 and the minutes are attached to this agenda.

## **8.0 ASSESSMENT**

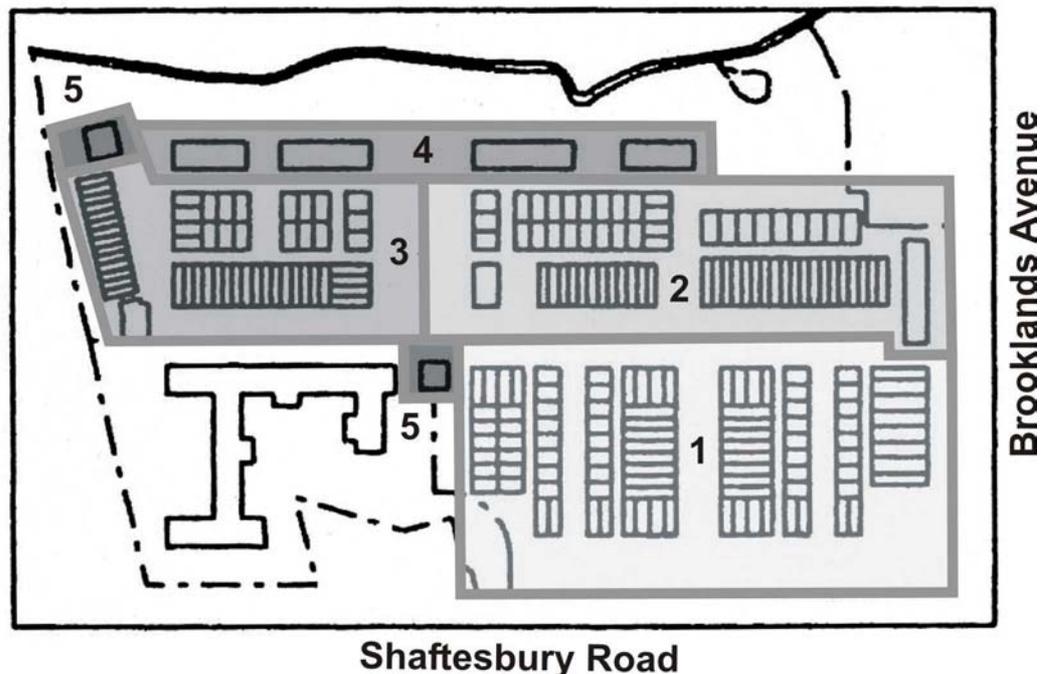
### **Introduction**

- 8.1 On 10 October 2001 outline planning permission was granted for residential development comprising not more than 382 dwellings on this site. Condition 04 excluded the submitted layout from the consent and condition 05 stated

that the number of dwellings shall not exceed 382. Condition 03 required the approval of details of the siting, design, and external appearance of the dwellings and the landscaping of the site, “the reserved matters”, to be obtained from the local authority, and that is what the current submission seeks to do. The principle of both residential development, and a maximum of 382 dwellings, has therefore been established.

- 8.2 The outline application was accompanied by an Environmental Assessment which included a Transport assessment of the proposed development.
- 8.3 In assessing the submitted information the issues for consideration are: siting, design, external appearance, landscaping and the discharge of conditions listed in paragraph 2.1 of this report. For ease of reference I have also divided up the site into 5 main areas of housing development:

- **Area 1** - Eastern quarter of predominantly 3 and 4 storey houses to the east of the main access road into the site.
- **Area 2** - Western quarter of houses and flats to the west of the main access road, but to the north of the central green, but not including the 5 storey flats closest to Hobson’s Brook.
- **Area 3** - Houses and flats to the west of the main access road to the south of the central green
- **Area 4** - Four blocks of 5 storey flats fronting Hobson’s Brook.
- **Area 5** - The highest buildings comprising the 7 and 8 ½ storey blocks of flats in the centre of the site and the south western corner respectively.



The report will therefore be organised in the following format:

- a) Principles of sustainable development.
- b) Analysis of overall site layout
  - Detailed consideration of areas 1-5
- c) Analysis of design and external appearance overall
  - Detailed consideration of area 1-5
- d) Consideration of Housing Design Guide
- d) Landscaping Strategy
  - Tree strategy
  - Landscape strategy
  - Open space and the Council standards
- e) Discharge of conditions
- f) Other Issues
  - Traffic
  - Environmental Statement issues
  - Hobson's Conduit and drainage
  - Bus routes and bus stops

### **Principles of Sustainable Development**

- 8.4 The Housing Design Guide (March 2001) recognises the need to help achieve sustainable developments and high quality mixed housing schemes on new development sites in Cambridge. The proposals should meet also the requirements of Structure Plan policy SP1 and the following principles of sustainable development. Detailed designs should minimise the use of resources. In addition the Structure Plan seeks to promote sustainable development through concentrating the pattern of growth thus leading to a greater efficiency than a dispersed development. This is backed up by the associated transport policies within the Structure Plan.
- 8.5 In relation to the above the site is located within a very accessible area, just over 1 km from the railway station, and approximately 1.5 km from the City centre. There are local shops and facilities just under 1 km away on Hills Road with footpath and cycle links and there will be a small local shop within the development.
- 8.6 The layout of the development has been designed so that overshadowing from the taller buildings is reduced with all principle rooms receiving some sunlight, and therefore solar gain, at some time during the day. Solar shading diagrams have been submitted in order to illustrate this point. The development aims to achieve a low energy design with a very high environmental performance to be assessed against the BRE EcoHomes Environmental Assessment method with a target to achieve at least a "very good" rating. The development principles will be:

- Principle rooms to receive sunlight
- Insulation to exceed current building regulations
- Low energy lighting
- Off site fabrication methods to reduce construction wastage and increase air tightness
- Construction materials to be sourced from accredited sources
- Cycle storage facilities
- Space for door step recycling
- Landscape sedum roofs to increase bio-diversity and moderate storm water run off
- Rainwater and grey water harvesting from apartments to be used for wetland habitat creation
- Permeable landscape hard surfaces to reduce storm water outfall from the site.
- Enhancement of bio-diversity and wildlife protection

There will be further investigation of the use of solar panels, whole house ventilation systems, use of reclaimed materials and rainwater/greywater harvesting either for individual or groups of houses. I am therefore satisfied that the development accords with Policy SP1 of the County Structure Plan 1995.

### **Analysis of Overall Site Layout**

- 8.7 The layout of the site has been governed by the wish to retain the groupings of mature trees on the site, and the limitation of serving the development with a single point of access from Brooklands Avenue. The single point of access was determined at the outline stage. The layout is characterised by the creation of relatively large landscape spaces which contrast with the dwellings which have a dense site coverage and intense built form. The streets served by the main access are designed as “mews” streets, are small in scale and designed to be free of parking. The layout also incorporates three “green streets” which are designed as shared landscaped gardens. The development envelope is, apart from a few minor variations, the same as the illustrated (but not approved) development envelope shown at the outline application stage and I am therefore of the view that there has not been a significant departure from the outline stage. The layout is innovative and responds to the characteristics and constraints of the site.

### **Density**

- 8.8 The issue of density was considered at the outline stage and condition 05 restricted the maximum number of dwellings to 382 to ensure that the site was not overdeveloped. The site area proposed for residential development and open space is 9.45 hectares in size. A total of 382 residential units are proposed, which results in a gross density of 40.4 dwellings/hectare. Annex C of PPG3 states that local authorities should adopt a “net site density” and should include only those areas which will be developed for housing and directly associated uses including:

- access roads within the site
- private garden space
- car parking areas
- incidental open space and landscaping
- children's play areas

The annex goes on to specifically state that the following should be excluded:

- major distributor roads,
- primary schools,
- open spaces serving a wider setting
- significant landscape buffer strips

In this context the applicants argued at the outline stage that it was appropriate to include the tree belts and open space within the site as this is intended to serve the residents of the proposed development and not the wider area. They submitted appeal decisions to support their view. At the Committee it was considered the two principal areas of undeveloped land on the site, the trees and open space along Shaftesbury Road frontage and the land east of Hobson's Brook served a wider area and should not therefore be included within the net area, resulting in a density of 51.3 dwellings per hectare.

- 8.9 Since consideration of the outline application, although the layout was not formally approved when outline planning permission was granted, the development envelope has not radically changed. If the two areas of informal open space fronting Shaftesbury Road and Hobson's Brook are excluded, as they can be considered to be serving a wider area, then the density is in the order of 53 dwellings per hectare. This is only slightly above the density at outline stage, notwithstanding that the number of dwellings has not changed. This site is accessible and I therefore consider that this to be an acceptable density. Notwithstanding the differing interpretations of PPG3 a maximum number of 382 dwellings was considered acceptable subject to siting design and external appearance.

### **Street Layout**

- 8.10 The highway layout has been assessed by the Head of Transport Services who is satisfied that although tight access arrangements are satisfactory. Vehicle tracking drawings have been submitted to show that access by larger vehicles is satisfactory. The County Council's Safety Audit team has also confirmed that, from the safety point of view, they are satisfied with the layout. Further refinement of the layout of the central square is needed in order to avoid driver confusion, and further discussion on the details of materials in the highway is also needed in order that it is appropriate for adoption. The wish to create an environment where cars do not dominate, and vehicle speeds are low, results in a tight layout of narrow streets where visibility is restricted at junctions.

### **Car Parking**

- 8.11 Car parking distribution throughout the site is described in paragraph 2.6 above. The provision of parking wherever possible on-plot will result in a

layout which is not dominated by parked cars and minimises opportunity for car crime. Thirty of the affordable housing units will have on-plot parking and it is proposed that the remaining 84 will have allocated parking spaces which will be either accessed directly off the street, or in parking courts. The Architectural Liaison Officer of the police has expressed concern about car parking courts serving more than 6 dwellings. However, cars parked within these courts will be overlooked by the dwellings they serve and I am therefore satisfied that this aspect is acceptable. The number of visitor parking spaces provided on street is acceptable and as the total number of car parking spaces provided does not exceed that stated at the outline stage this is acceptable.

### **Cycle Accessibility**

- 8.12 Cycle links within the site are by means of the roads throughout the residential scheme and since the road layout has been designed for speeds of 20mph or less it is accepted that this will result in a safe cycling environment. Cycle links outside the site other than via the main access road will only be the link through to Shaftesbury Road. The comments of Sustrans and thirds parties in this connection have been noted. Sustrans in particular wish to see a clear cycle route along the western edge of the site, or connection via a bridge over the Brook to link with a cyclepath going south. Other comments received about this issue wish to see good linkages with city-wide cycle routes. The layout has been designed with low vehicle speeds to create a safe cycling environment and thus cyclists are encouraged to use the main spine road. It would not be desirable to provide a cyclepath along the western edge of the site because of the effect upon trees and the wildlife corridor. A covenant currently prevents a bridge over the Brook, although if a bridge were to be provided in the future, perhaps in the south western corner of the site, it would be possible to link in with the main road network through the site.

### **Crime Prevention**

- 8.13 Crime prevention issues and the minimisation of crime are important factors in the consideration of housing layout. A layout which is too permeable is seen as providing too many escape routes and too much anonymity for potential offenders. The architectural liaison officer has commented on this aspect, in particular the “looped” nature of some of the vehicular routes and the number of cycle/footpaths. However the pattern and character of the streets and degree of overlooking is considered acceptable. The amended plans have now deleted 3 of the foot/cycle paths referred to and there is only the one such link out onto Shaftesbury Road. This is a desirable link and will be overlooked by dwellings fronting Shaftesbury Road; it is therefore acceptable. Overall permeability by vehicles within the site is acceptable from the point of view of crime minimisation since the routes are well overlooked by dwellings and speeds will be so low that I do not think that they will be perceived as “escape” routes. In addition although permeable within the site, there is only one vehicular entrance/exit. More detailed points raised by the Architectural Liaison officer will be discussed later.

### **Affordable Housing Distribution**

- 8.14 The distribution of affordable housing is in three clusters, which is the approach favoured by the Housing Needs officer. Although the largest cluster, (83 units) is in the southern part of the site this will be partly for rent and partly low cost home ownership. It is also surrounded on two sides by private, for sale, housing. The other two clusters have 13 and 20 units and are just to the north of the DEFRA building and to the west of the central avenue respectively. The housing needs officer is satisfied with this distribution in relation to the development as a whole.

### **Analysis of the Layout of Area 1**

- 8.15 This is the area largely covered by the 1854 restrictive covenant. Whilst the covenant cannot be a material planning consideration, it has imposed on the developer a limitation on the height of buildings, and imposed a minimum distance dwellings can be positioned from Shaftesbury Road and Brooklands Avenue. The three main frontages are Brooklands Avenue, Shaftesbury Road and the new main access. The housing fronting these two existing principal roads addresses the streets, but are set some distance back from them. The position of dwellings fronting Brooklands Avenue reflects the siting of existing development to the east; those facing Shaftesbury Road are much more set back than the existing properties to the east. Between the main frontages are the 3 ½ storey houses within this part of Area 1 which have been arranged as east-west streets with 3 of the “streets” being green landscaped streets. The layout of the housing units is unusual with some of the houses having a built length of as much as 28 metres and all amenity space within the building frame, rather than the typical garden to the rear. Entrances to dwellings, whether vehicular or pedestrian, are well defined to ensure that there is sufficient activity on the streets. Because amenity space is in the form of integrated courtyards and decks there are no exposed rear garden areas, so although the provision of “fronts and backs” is not in the traditional arrangement as recommended in the Council’s Housing Design Guide, I am satisfied that the issues of crime prevention and activity levels within the streets have been sufficiently addressed.
- 8.16 Following discussion with the Council’s Parks and Recreation Officer it has been agreed that the central garden, the largest of the three landscaped streets, will be adopted and maintained by the Council. This will be subject to an appropriate commuted sum for maintenance. This “street” has play equipment and other communal facilities within it and is separated by a footpath and a very short front garden from the houses, which front onto it. The proximity of the houses either side and a high degree of surveillance should ensure “ownership” of the space which should deter crime. It is nevertheless an ungated street and as public open space will be available for all to use. It is a high quality, unusual space within a housing layout which will provide easily accessible play space for those families with children. The creation of paths between the communal play area and the houses to provide additional separation has been noted by CABE and is a feature I welcome. The other two street gardens will be private, gated, and managed by a management Company.

- 8.17 The housing proposed throughout this part of the site is innovative and interesting. It is also very tight knit with much of the development hard onto the frontage which will give the appearance of a dense urban form, one where residents will see and be seen. Although distances across streets and sometimes between dwellings is small I consider it to be an imaginative solution worth supporting.

### **Analysis of the Layout of Area 2**

- 8.18 At the northern end of this area is the four storey apartment building comprising two blocks which are sited 4 metres closer to Brooklands Avenue than the villas on the eastern side of the main access road. They are sited behind the retained listed wall. The character of Brooklands Avenue changes to the west of the main access road into the site, with no particular “building line” and I am therefore satisfied with the siting of this building in relation to the road. The height and external appearance of this building in relation to Brooklands House is discussed in paragraphs 8.36 – 8.38 of this report.
- 8.19 Facing the main site access, but set well back behind the retained trees, are 4 storey terraced houses. Their siting in relation to the main avenue and the retained trees is acceptable. At the rear (west) is a mews street of tight dimensions from which they will gain access. The relationship of these dwellings to the street is acceptable because the houses are only at single storey height on the mews street frontage. As this street runs north/south it will receive a lot of sunlight and the differentials in height will ensure that the dwellings receive adequate light. At the rear of the first terrace are 3 storey terraced dwellings which drop down to a single storey height at the rear with a high chimney. These houses back onto the large area of informal open space south of Brooklands House, have pronounced chimneys, and have been designed to close off and frame that space. In response to concerns raised, the height of chimneys have been reduced.
- 8.20 South of these is a further terrace of 4 storey houses behind which is a mews street and a terrace of 2 storey affordable houses. Vehicular access to the houses is from the mews street. The relationship of the different houses within the block, although tight is acceptable.
- 8.21 At the southern end of this area fronting the central green space are a short terrace of 3 storey dwellings and the 6 storey apartment block designed by Alison Brooks architects. The siting of these buildings relates well to the open space and the setting of retained trees.

### **Analysis of the Layout of Area 3**

- 8.22 This area contains 79 of the affordable housing units. The main features are the north/south streets and the relatively large space between the southern terrace, which has been angled to reflect the southern boundary line of the site, and the proposed terraces to the north. The buildings are also broken up

with a children's play area and a space incorporating a retained tree. The layout of dwellings and relationship to the streets and spaces created will result in an acceptable living environment for the occupants of the dwellings.

#### **Analysis of the Layout of Area 4**

- 8.23 This area contains the four 5 storey apartment buildings fronting Hobson's Brook. There are three main aspects of the layout of this part of the site to consider: the relationship with the proposed houses to the east; the relationship with the western boundary of the site, Hobson's Brook and the land to the west; and thirdly the relationship of the northernmost apartment building with the area of open space to the north and Brooklands House on its far side.
- 8.24 The apartment buildings will be approximately 17 metres high fronting the access road to be created immediately to the east. The houses to the east of that road, which are predominantly affordable houses, will be 8 metres high. The distance between the fronts of the two buildings across the access road will be 12 metres. Although this is a relatively short distance, bearing in mind the relative heights, it is across public space where the level of privacy would not be expected to be as high as across private rear gardens. Private space for the affordable dwellings is at the rear of the houses and will not therefore be overlooked by the apartments. The north/south orientation of the road combined with gaps between the apartment blocks will also help to ensure that the street receives adequate sunshine. For these reasons I am of the opinion that the relationship between the 5 storey apartment buildings and the houses to the east will be acceptable.
- 8.25 The 5 storey apartment buildings have been aligned on a north/south axis to address the open space and trees along Hobson's Brook. All the four buildings have significant window openings to take advantage of the views to the west. There will however be a distance of more than 70 metres between the apartment buildings and the nearest houses in Newton Road and the presence of significant mature trees in that space would reduce the impact that the buildings have both in terms of impact and overlooking. I am therefore satisfied about the relationship of the apartment buildings to established dwellings to the west. The space between the apartment buildings and Hobson's Brook will be used as informal open space, and for the children's adventure play area. The positioning of the apartment buildings and their design will allow a high degree of surveillance which I consider to be a positive feature. The submitted plan shows swales at the base of the apartment buildings which are designed as wet/dry wildflower habitats fed by rainwater from the green roofs. These features decrease the amount of publicly accessible space, which results in something of a pinch point where there is a bend in the Brook. Notwithstanding this there are public footpaths which give access to the entire area and I am therefore satisfied that the position of the apartment buildings in relation to Hobson's Brook is acceptable.
- 8.26 The northernmost apartment building is at a distance of 87 metres from Brooklands House with the former bowling green as the largest area of

informal open space situated between the two buildings. At present the view from the principal south facing windows of Brooklands House is of single storey pre-fabricated buildings positioned at an oblique angle to the house. The proposed northern end wall of the apartment building would, arguably over-dominate the space because of its height relative to other buildings around this space. However, the impact will be offset by the relatively narrow width of the building, 16 metres, which will allow long views either side of it and a setting that borrows from the scale of trees along the Brook, by comparison the existing buildings which allow no views through, only over, and intrude closer in towards Hobson's Brook as well as looking out of scale with the existing trees. The north facing windows in the apartment building will also contribute to natural surveillance of the informal open space. Taking all these factors into consideration I am satisfied that the relationship of this apartment building to Brooklands House is acceptable.

### **Analysis of Layout of Area 5**

8.27 I shall look first at the position and layout of the proposed 7 storey apartment building on the main avenue just to the north of the DEFRA building. The western face of this building is 2.5 metres forward of the terraced houses fronting the east side of the main avenue and just under 1 metre forward of the DEFRA building. It has been positioned to provide a vertical emphasis along the main avenue. There is a distance of 11 metres between the southern elevation and the DEFRA building; but since there are no habitable rooms of the apartments facing DEFRA this relationship is acceptable. The inclusion of a shop on the ground floor will be in a central position within the site which is appropriate. In contextual terms the building is located very centrally in the larger Brooklands Avenue site and in close proximity to the almost completed DEFRA office building. Given the relationship with that building, the distance into the site and particularly how it will be seen along the main access avenue, and the siting relative to existing trees, the principle of a taller feature in this position is seen as acceptable. The height and external appearance of this building is discussed further in paragraphs 8.41 – 8.42.

8.28 The tallest apartment building of 8 ½ storey height and is proposed in the south-western corner of the site. The height and elevational treatment is discussed in paragraph 8.39 of the report. The building has been positioned 26 metres from the Brook, which gives adequate space for the building. The distance from the nearest existing residential properties to the west is 115 metres. Again height and external appearance is discussed further in paragraphs 8.41 – 8.42, but in contextual terms the principle of a taller building in this location is seen as acceptable.

### **Analysis of Design and External Appearance of Overall Site**

8.29 The design approach employed is one of a modern built form within the constraints of a mature landscape. The houses mainly take the form of terraces, and aim to echo many of the terraced forms of development within Cambridge, but with the houses designed to respond to 21<sup>st</sup> century living.

For many of the buildings traditional stock bricks are proposed. The result is a modern interpretation of the terrace but with a 'soft edge' achieved by the use of traditional materials and mature landscape. This is not an approach which can be compared with any recently constructed developments within Cambridge, and its success, in architectural terms will, in my view, depend to a large extent upon the quality of materials used.

- 8.30 It is proposed to build the houses of a buff brick which matches the local Cambridge stock brick. Pitched roofs are standing seam copper, and flat roofs will have landscaped sedum. This choice of materials will present a familiar 'feel' within the Cambridge context which will help to assimilate the development into its surroundings. The stone clad with untreated hardwood apartment buildings will have a contrasting appearance which will add variety and the two copper clad apartment buildings will provide distinctive landmarks. This is an exciting and appropriate approach and subject to approval of samples of materials is supported.
- 8.31 The height of the proposed buildings needs to be assessed against the constraints of the site and relevant planning policies. Although building heights were not approved at the outline stage supporting information submitted with the application referred to 3 and 4 storey buildings and some 5-storey buildings. The 1997 Planning Guidance for the site suggests that the scheme should be largely three storeys. The applicants have provided information based upon the built footprint which states that approximately 84% of the built footprint is 3-4 storeys or lower, 14% is 5-6 storeys and only 2% is 7-8 ½ storeys. They have also submitted a "Scale and Visual Impact Assessment", a copy of which is attached to this report. That argues that the taller buildings are designed as architectural set-piece landmark focus points which relate to the scale of the trees on the site, many of which are 25+ metres in height. It also argues that the small footprint of the two taller buildings, which are about the size of a pair of semi-detached houses, are more akin to tall free standing elements like water towers or the tower of a church and they are emphatically not tower blocks. Photo montages have been submitted showing the impact of the two taller buildings close, mid and long distance view points and it is concluded that there will be very little visual impact upon the surrounding area outside the application site. The Assessment contends that the overall height of buildings across the site is considered to be largely three storeys. It has also produced 'height in context' maps which show the height of proposed and surrounding buildings. This identifies buildings of between 4 and 6 storeys surrounding the site including Edinburgh House, the Hope Nursing Home and the flats on the northern side of Brooklands Avenue.
- 8.32 In considering building heights due consideration must be given to the date of the planning guidance, and the constraints of the site. Although the 1997 Planning Guidance is still a material planning consideration, it was published before PPG3, the latter being published in March 2000. Whilst PPG3 gives no specific guidance on heights it emphasises achieving sustainable densities, greening of the site and high quality design. One important aspect of urban design is to achieve legibility within a development, to provide landmarks and

focal points of interest. The purpose of this is so that people can move around and through the development knowing where they are and without getting lost and to avoid a monotonous development where the height of all buildings are the same. The two taller buildings help to achieve this, and their small footprint and interesting architectural treatment will result in vertical features which are of visual interest but without a large bulk and mass. The assessment carried out by the applicants shows that the impact upon areas outside the site will be limited, rather than adverse. The assessment of this proposal in relation to the 1997 Planning Guidance can be interpreted in a number of different ways, in order to try and prove compliance or otherwise. Notwithstanding this I am of the view that the heights of the proposed buildings are acceptable.

- 8.33 The Brooklands Conservation Area was designated in June 2002. That part of the application site which is included within the Conservation Area is part of the Shaftesbury Road tree belt, a narrow strip of the Brooklands Avenue frontage which includes the railings and the listed wall, Brooklands House and former bowling green and Hobson's Conduit up to where it meets Vicar's Brook. It is largely areas 1, 2 and 4 which may have an impact upon the setting of the Conservation Area and this is assessed elsewhere in the report.

#### **Analysis of Design and External Appearance of Area 1**

- 8.34 The impact upon the design and external appearance of this part of the development will be evident principally from Shaftesbury Road, Brooklands Avenue and the main avenue. The Shaftesbury Road elevation will very much be seen through the trees which have been identified as an important tree group within the Conservation Area appraisal. The choice of materials and the proposed 3 ½ storey height and the distance by which the houses are set back from the road will ensure that the development relates well to the older properties on the other side of Shaftesbury Road. On Brooklands Avenue the semi detached villas are comparable in scale to the existing Edwardian and Victorian buildings. Overall, while the new buildings will be readily apparent from the two main road frontages I consider it to be appropriate in terms of height and massing and will represent a considerable improvement over the unattractive buildings which are currently on the site.
- 8.35 Within the development the 4 storey terraced houses fronting the main avenue will reflect the character and built form of the rest of the development. Also the houses within the rest of this area are acceptable in terms of their design and external appearance.

#### **Analysis of Design and External Appearance of Area 2**

- 8.36 The apartment building fronting Brooklands Avenue has now been reduced in height so that both sections are now 4 storeys. Although slightly higher than the semi detached villas, and higher than Brooklands House it will be seen as a free-standing building within the street. This stone and timber building, which is 13 metres in height, with its projecting balconies will be a striking feature on Brooklands Avenue and at the entrance to the development. It will

however be seen behind existing familiar features such as the retained curved wall and the trees in front of 24 Brooklands Avenue and represent a positive feature in the street scene. The 5-storey element has been reduced to 4 storeys in response to comments from various parties including those made by the occupants of Brooklands House, English Heritage. English Heritage has also made comment about overlooking into its 'garden area' which they consider would result in undue intrusion into the immediate environs of 24 Brooklands Avenue. There is a single living room window on each floor of the proposed building looking out over 24 Brooklands Avenue. Views from these windows would be of the walled garden, which is to be used for relaxation by English Heritage staff, and of the glazed reception area. The building will be positioned 6 metres from the wall surrounding the garden area. Taking into consideration the limited number of windows, that they are of a secondary nature, the garden is not a residential garden I am of the view that on balance the relationship is acceptable.

- 8.37 The design of the terraced 4 storey dwellings fronting the central avenue reflect the design of other houses within the development with flat roofs and relatively large areas of glazing. Their continuous four-storey form relates to the scale of the trees and the wide space of the central avenue onto which they front. The appearance of the three storey terraced houses with the high chimneys which back onto the open space in front of 24 Brooklands Avenue will have a less grand, more intimate appearance with variations in height and the high chimneys forming a distinctive, rhythmic feature. This represents an appropriate height and architectural treatment for the edge of the open space.
- 8.38 The 6-storey apartment building designed by Alison Brooks architects represents a complete contrast in architectural terms. Alternating, cantilevered floor slabs create articulated elevations with a 'zig-zag' effect. The projecting elements are used as balconies. The building will be clad in natural brown copper. The setting of this building with mature trees on 3 sides, is appropriate for the contrasting architectural treatment proposed. The 6 storey height of this building is appropriate for this central position within the site, since it relates visually to both the mature trees and to the 7 storey apartment building on the other side of the central square. This will form a distinctive landmark building in a mature natural setting. The short terrace of 3 houses to the north of this building represents a 'return' to the overall design of the majority of the houses within the development.

### **Analysis of Design and External Appearance of Area 3**

- 8.39 The height of the buildings fronting the central avenue is retained at 4 storey by having flats on top of smaller houses. Although the mature trees of the central avenue have stopped by this point, a 4 storey height is acceptable and desirable because of the need to have a scale that recognises the size of the DEFRA office building. The 2 storey affordable houses on the southern boundary have pitched natural copper roofs and provide a variation with their lower height.

### **Analysis of Design and External Appearance of Area 4**

8.40 This area comprises the four apartment buildings on the western edge of the site all of which have car parking under 5 floors of residential accommodation. These and most of the other large buildings have deliberately been positioned adjacent to larger spaces which accommodate scale better. The buildings have been designed to address and overlook the open space and Hobson's Brook to the west. The north south axis allows light to be gained from east and west and reduces potential for overshadowing. The mixture of glazing and balconies set behind and screened by structural oak frames designed to relate to trees on the western edge of the site will ensure that they do not read as flat and characterless blocks, but are instead, well articulated forms which will have depth and light and shade and will present a lively, and busy elevation which will contrast with, and take advantage of the natural backdrop of Hobson's Brook. The relationship of the siting and height of the buildings to Hobson's Brook, houses in Newton Road and 24 Brooklands Avenue has been discussed in paragraphs 8.23 – 8.26. Three of the buildings will be stone clad, and one copper clad, and all will have large areas of glazing and balconies looking out over the Brook. The 5-storey height responds to the context of the stature of the mature trees and the space along the Brook. This is a strong statement on this western edge, where the space and existing trees allow such an approach to be adopted. The use of materials and articulation is seen as an attractive and well thought through solution.

#### **Analysis of Design and External Appearance of Area 5**

8.41 The 7 storey apartment building is of similar height, but slightly higher than, the protruding fin of the DEFRA building. I believe that it is architecturally important to have a building of similar height in this position in the site as a focal point at the end of the long main access and in order to provide a foil for the DEFRA building. The building will be a structural oak framed block which will provide an interesting architectural contrast with the stone treatment of the DEFRA building. Views of this higher building from outside the site will for the most part be either along the central avenue, from Shaftesbury Road or from the public path immediately west of Hobson's Conduit. When seen along the central avenue the building will act as a partially seen visual stop and focus interrupting the view of the DEFRA building. From Shaftesbury Road the building will be seen through the trees and either against the backdrop of, or in the context of the DEFRA building. At some times of year, when leaves are on the trees, it will be little seen; at other it will be more apparent, but, given its fairly central position in the site and the context of other buildings and trees will not have a very prominent impact upon the wider area. From the path it will be seen, but, again, as from Shaftesbury Road, the relationship to trees and buildings will provide screening and context. Due to these factors and the small external footprint of the building, which is of major importance in how it will be read, I am satisfied that the height and external appearance of this building is acceptable.

8.42 The 8 ½ storey building in the south western corner of the site is designed to terminate the terrace of apartment buildings along the western edge of the site and is a light and open structure with balconies, large windows and timber

screens to all elevations. The applicants describe the building as a 'garden tower' with a 'pagoda' like quality. From the south and west the building will be seen against the setting of the mature trees. It will be visible from these and other points, not in its entirety, but in the form of glimpses through the tall trees. It will read as a more independent and lone form than the other tower because it does not have the close juxtaposition with the DEFRA building. This however is deliberate, a statement that there is built form here among the trees. As in the case of the smaller tower this will be a timber clad building, (though of a very different form from the smaller tower) and will be seen from certain positions, but usually as a partial form against, or above, or through trees. The external treatment of the building with its timber screens will provide an exciting visual interplay with the landscape of the mature trees. Again the external footprint of the building is small, and the combination of that with the trees and other largish buildings on site will constitute a form that relates well to its surroundings and does not have a material adverse impact upon the site or the surrounding area. For these reasons I consider the height and external appearance of this building is acceptable.

### **Housing Design Guide**

- 8.43 The key objectives of the Housing Design Guide are to promote imaginative, high quality housing developments which raise the quality of the public realm, where mixed inclusive communities are created in locations close to services, employment and public transport. The proposed development must be considered against the following detailed objectives in the Guide:
- **Site Context and Character** – the proposed layout respects and responds to the unique characteristics of the site and due to its imaginative form and design will create its own sense of identity. High quality materials which reflect the local tradition will provide a development which is appropriate to its location.
  - **Mixed Areas** – this objective promotes mixed uses and an integration of housing types and tenures. The outline permission granted consent for a mixed office and residential development, also including a shop. The office development is almost ready for occupation and the mix of uses will therefore accord with the outline planning permission. The shop has been located within the centre of the development, but close to the offices, and its location will maximise its chances of commercial success. The location of different housing types and tenures have been distributed through the site in a way which is visually co-ordinated.
  - **Access Streets and Parking** – to maximise permeability throughout the site creating people friendly streets to encourage walking and cycling and to integrate the development into the local area having regard to the location of bus stops. The highway layout and standards adopted will create streets where traffic speeds are low thus facilitating walking and cycling. Permeability within the development has been maximised, although due to natural constraints links outside the site are restricted to Brooklands Avenue and Shaftesbury Road. Bus stops exist on Brooklands

Avenue, Hills Road and Trumpington Road. Consideration was given to bus stops at the outline stage and it was considered unnecessary to require provision of a bus stop within the site; however the main loop road within the site can accommodate a bus if operators wished to extend the service into the site in the future. The provision of a bus lay-by on Brooklands Avenue was considered unacceptable due to the need to remove trees and difficulty of buses then re-joining the main flow of traffic.

- **Environmental Responsibility** – to provide high quality, energy efficient, durable buildings with the integration of waste storage and recycling facilities. Layouts to maximise the benefits of natural light, ventilation and shelter. The development is to be assessed against the BRE EcoHomes environmental assessment method with a target to achieve a ‘very good’ rating. The layout has been designed to reduce overshadowing from the taller buildings and to ensure that sunlight can penetrate the courtyards of the smaller dwellings. Solar shading drawings have been submitted to illustrate this. Other sustainable features include high standards of insulation, off site fabrication methods to reduce construction wastage, recycling storage areas, sedum roofs, rainwater and grey water harvesting from the apartments, permeable hard surfaces and wildlife protection/enhancement. They are also going to investigate further solar heating panels, whole house ventilation systems, rainwater/grey water harvesting for each house and the use of reclaimed materials.
- **Density and Residential Amenity** – the key principles are to adopt a design led approach to density and site capacity while respecting the context of the site, ensuring a high level of amenity and high quality public open spaces. This development represents an efficient use of land at an appropriate density. It provides a high level of amenity, and adequate privacy for individual homes. Private and public amenity space is well defined and the development incorporates the idea of ‘green streets’ in variety of different ways.
- **Public Realm** – interesting, secure and permeable streets and spaces to encourage pedestrian activity, and a safe and interesting environment for children to live and play in. The proposal creates a clear definition between public and private realm and provides landmarks, views and vistas to increase legibility and create a sense of place. Opportunities for crime have been minimised wherever possible and the siting of open space has been chosen with regard to both surveillance and accessibility.

### **Landscaping Strategy**

- 8.44 The approach adopted by the applicants has been to retain the belts of mature trees and form significant areas of public open space around them. The strategy is to provide a hierarchy of spaces and uses across the site so that there is a sequence of quite different spaces characters and functions. The planting strategy will also respond to the seasons with the different spaces having distinct characters in the different seasons. Contrasting with

the areas of more formal planting are the creation of the 3 street gardens which will be landscaped in a more formal way. Most private garden space will be on different levels and in the form of courtyards, balconies, decked areas and smaller terraces. This '3D' private landscape will be a contrasting but complementary landscape feature. The discharge of the relevant landscape conditions is discussed in paragraph 8.52 of this report.

### **Tree Strategy**

- 8.45 The tree strategy is one of retaining the tree belts and good quality individual trees within the site. When outline planning permission was granted conditions 18, 20 and 22 required a full survey of existing trees, details of those to be retained and those to be removed, details of alterations in ground levels, details of protective fencing and details of new trees to be planted. The arboricultural report submitted in connection with this application identifies 34 trees, out of a total of 637, for removal. All of these trees, apart from one, have been identified in the tree survey as being of low amenity value and as such should not be allowed to unduly constrain development. Tree 66, although currently a good specimen, has weaknesses which in time will lead to limb failure and as such has doubtful value in the long term. Its loss can therefore be accepted. The removal of the tree on the southern side of Brooklands Avenue, in order to widen the road at the junction, was agreed at the outline stage. There will also be the removal of a significant number of shrubs and undergrowth plants. Tree planting of appropriate species will take place especially along Hobson's Brook and the Shaftesbury Road tree belt. The proposed tree planting is acceptable.
- 8.46 The improvement of Aberdeen Road and the details of the proposed construction have been discussed with the applicant, the trees officer and the highway authority representatives. It has been agreed that the road will be constructed by adding 300mm of tarmac to the existing road. This will ensure that the road is constructed to an adoptable standard without digging into the existing road which could damage the tree roots of existing mature trees. Furthermore the road will be constructed with a mesh on top of the existing carriageway to protect the tree roots from future excavations by public utilities. The trees officer is satisfied with this approach.
- 8.47 Tree protection details show initial protective fencing for the demolition phase of the work around the major tree groups. Once demolition has been completed, the tree protection fencing will be reduced to protect individual trees. This is an acceptable approach subject to the imposition of an additional condition requiring additional information about the specific positioning of fencing in relation to each individual tree.
- 8.48 The reserved matters details also include tree protection measures in order to discharge Conditions 18 and 22 and this is discussed further in paragraphs 8.52 of the report.

### **Open Space and the Council's Standards**

- 8.49 A total of 3.11 hectares, (31,089 m<sup>2</sup>) of public open space is provided within the scheme. Some of that is inside, but most outside the development envelope. Some, particularly the central tree belt is structural landscaping. The applicants advise that the 3.1 hectares comprise the following:
- a) Grassed area in front of Brooklands House, 4,000m<sup>2</sup> in size, which the applicants have indicated is the size of a junior football kickabout area. The soft landscape plans show an open grassed area with the planting of a single mature specimen tree.
  - b) Central square around 3 retained mature trees, 2,520m<sup>2</sup> in size, which the applicants have indicated is the size of 2 tennis courts.
  - c) Informal open space, 22,714m<sup>2</sup> in size. This includes the tree belts fronting Shaftesbury Road, the central tree belt, the area around Hobson's Brook and other smaller areas.
  - d) Children's play space, 1,855m<sup>2</sup> in size, the most significant of which are the adventure play ground near Hobson's brook, 1,200m<sup>2</sup> in size and the play area in the central street garden which is 480m<sup>2</sup> in size. Three other small play areas are noted.
- 8.50 I do not consider that either the grassed area in front of Brooklands House or the central square can be considered as formal open space since the definition would require the provision of formal sports pitches. Although the applicants have indicated that the areas could accommodate junior football kickabout area and tennis courts, the former is not a formal sports pitch and the provision of the tennis courts would not be feasible, and in fact is not proposed, due to the need for the retention of mature trees. These areas are therefore being considered as informal open space. The total provision of informal open space is therefore 29,234m<sup>2</sup>.
- 8.51 The Section 106 agreement completed as part of the outline planning permission requires that open space, or an equivalent commuted sum be provided in accordance with the January 2000 Open Space standards. Based upon these standards the following is required:
- Formal open space - 13,140 – 14,783 m<sup>2</sup>
  - Informal open space – 12,319 – 14,783m<sup>2</sup>
  - Children's Play – 1,642 – 2,463m<sup>2</sup>

None of the space provided can be considered as formal open space and a commuted sum of £236,528 will therefore be required by the Section 106 agreement. The informal open space provided is more than double that required by the standard and is therefore acceptable and no commuted sum in respect of this element will be required. The amount of children's play space provided is within the range required by the standard and is therefore acceptable. I am satisfied that the amount, location and quality of the open space provided is acceptable.

### **Discharge of Conditions**

8.52 The information submitted seeks the discharge of conditions on the outline planning consent. For clarification the relevant conditions are listed below:

- Condition 7 – Submission of samples of materials for the external surfaces of the development prior to the commencement of the development. General information concerning the palette of materials has been provided but at the time of writing the report no samples have been submitted. Condition 07 remains to be discharged.
- Condition 10 – Details of the facilities for the covered secured parking of bicycles to be submitted and approved prior to the commencement of development. The approved facilities to be provided before the use commences. Provision for two cycle parking spaces per dwelling has been provided either within the curtilage of each individual dwelling or in the form of an individual 'locker' for the apartments. Details of the way cycles will be stored within the lockers have been submitted and are acceptable. In addition to the secure residents parking spaces 144 visitor cycle parking spaces, in the form of hoops, have been provided. This condition can be discharged subject to implementation.
- Condition 11 – Details of hard and soft landscaping and an implementation programme to be submitted and approved prior to the commencement of the development. Whilst a considerable amount of information has been submitted precise details of the location and density of plants have not been submitted and this is needed in order to discharge the condition. Condition 11 therefore remains to be discharged.
- Condition 12 - Details of earthworks to be submitted and approved prior to the commencement of the development. Details of levels have been shown in the section drawings submitted with the application and there are only minor changes in level. However some the buildings have basement floors and there are ramps down to these lower areas. The areas of cut and fill need to be shown in relation to the tree protection areas before this condition can be discharged. I have requested this information and will report further at the meeting.
- Condition 13 – Details of landscape maintenance for a minimum period of 5 years to be submitted and approved prior to the commencement of the development. The statement which has been submitted does not include maintenance following the 2 year defects period and this is required in order to discharge the condition. I have requested this information and will report further at the meeting.
- Condition 16 – Details of the boundary treatment to be submitted and approved prior to the commencement of the development and to be completed before the buildings are occupied. The information submitted is satisfactory except that no information has been submitted relating to the southern boundary. Once this has been received the condition can be discharged subject to implementation.
- Condition 18 – Details of existing trees including those to be removed and retained to be submitted and approved before any work, including demolition, starts on site. This information was submitted at the outline stage but has now been revised in the light of the current details and is acceptable. (This has been discussed previously in this report in paragraph 8.41.) This condition can now be discharged.

- Condition 20 – Details of proposed tree planting to be submitted and approved prior to the commencement of development. Whilst a considerable amount of information has been submitted precise details of the location and density of plants have not been submitted and this is needed in order to discharge the condition. Condition 20 therefore remains to be discharged.
- Condition 22 – Details of protective tree fencing to be submitted, approved and implemented prior to any materials or machinery being brought onto the site. Full details of the protective fencing have been submitted and are acceptable subject to the imposition of a condition requiring additional information about the specific positioning of fencing in relation to each individual tree.
- Condition 33 – Details of a landscape strategy to be submitted as part of the first submission of reserved matters and to be implemented in accordance with an agreed timetable. The purpose of this condition is to ensure that the landscaping strategy is considered for the site as a whole and not in a piecemeal fashion. This is acceptable and Condition 33 can be discharged.

## **Other Issues and Third Party Representations**

### **Environmental Assessment**

- 8.53 Third party representations have been raised arguing that the submission of reserved matters should have been accompanied by an Environmental Statement (ES) and made the subject of an Environmental Impact Assessment (EIA). It is submitted that there have been irregularities in the planning process. The three particular issues raised initially are:
- i) that the traffic generation issues and their environmental effects are considered to have been misappreciated at the outline stage;
  - ii) that the design of the proposals has materially changed; the particular concern is the introduction of two tower blocks of equivalent height of 7 1/2 and 8 1/2 storeys, when at the outline stage nothing was shown above 5 storey height; and
  - iii) that the proposal to create swales for temporary storage of rainwater and for the cleaning of 'grey' water before discharging it to Hobson's Brook was not promoted or assessed at the outline stage, when discharges were to be to Vicar's Brook.
- 8.54 Notwithstanding the above, it has also been suggested that the issue of principle is probably common, namely whether it is appropriate to re-visit the question of EIA at the reserved matters stage. Specific reference is made to the case *R v London Borough of Bromley ex parte Barker*. *Ex parte Barker* is a case concerning a proposal to build recreation and leisure facilities at Crystal Palace. The issue for determination by the Court of Appeal was whether, in requiring the question of environmental assessment only to be considered when outline permission was granted, and not at the stage of reserved matters approval, the relevant regulations fully implemented the requirements of the European Directive that had caused them to be put in

place. The ruling of the Court of Appeal was that Art. 8 of the Directive required an Environmental Assessment to be taken into account in the “development consent” procedure, such consent being the “decision .....which entitled the developer to proceed with the project.” It confirmed the judgement of the High Court Judge that the decision should be considered at the outline stage and not the reserved matters stage. Leave has been granted to appeal to the House of Lords.

- 8.55 More recently the City Council Planning Department has been sent, by BAARA, copies of a Press Release by the Crystal Palace Campaign announcing that The European Commission announced on the 24<sup>th</sup> January that it was taking the UK Government to the European Court of Justice, “.... over Bromley Council’s failure to require an Environmental Impact Assessment prior to granting planning permission in 1998 for the massive Crystal Palace Multiplex.” The first ground for this action is specific, the UK authorities’ failure to “properly consider the need” for an EIA for the Crystal Palace project. The second issue is the more general exclusion of reserved matters from the environmental assessment process even when issues are raised that may be relevant as to whether the project may have significant effects on the environment.
- 8.56 Solicitors acting on behalf of the Brooklands Avenue Area Residents Association (BAARA) have advised that “should the Council decide to approve reserved matters without requiring EIA (or a supplement to the existing EIA with appropriate publicity etc.) beforehand, and reconsider the planning permission granted, we will advise our clients to submit a judicial review application to protect their position pending a decision in ex parte Barker.”
- 8.57 In the *ex parte Barker* case it appears that there was no ES or EIA at either the outline application stage or with the submission of reserved matters. That is not the case here where an Environmental Statement was submitted with the outline planning application for Brooklands Avenue. As set out in 8.2 above three specific issues have been raised. I will deal with them in reverse order.
- iii) at the reserved matters stage the applicants suggested a drainage scheme that varied from what had been suggested at the outline stage, because it was seen as having the potential to be ecologically and environmentally advantageous. It did so on the understanding, perhaps misplaced that such an approach would be acceptable. In the light of a decision by the Hobson’s Conduit Trust not to allow any discharge to the Brook, the applicant has reverted to the original proposal. There is therefore no longer a divergence from the outline proposal in this matter.
- ii) At the outline stage there was a great deal of supporting information submitted regarding the sort of scale of housing proposed by the applicant. While there has been considerable change in the design approach adopted at this reserved matters submission stage, particularly in terms of housing types, I consider that the overall form of the proposal has moved very little from what

was put forward at the outline application stage. The outline application suggested a specific number of residential units, which has not been exceeded. The supporting information showed a mixture of accommodation: houses and flats; semi-detached and terraced houses and blocks of flats; market housing and 'affordable' housing (with the proportion of the latter at 30%); and variations in height from 1 1/2 storeys to 5 storeys, were all shown. The development envelope, the area within which the residential units are to be provided, has varied slightly but is also essentially as previously suggested.

The change that appears to be the focus of the argument that a further ES, or supplementary ES, and EIA should be undertaken, is the introduction of the two tower blocks, one of approximately equivalent 7 1/2 storey height and the second of approximately equivalent 8 1/2 storey height. These two blocks both have a small footprint for a tower block and are a deliberate attempt to add height and interest to the scheme. In the context of the whole scheme I do not consider the change to be fundamental to the environmental impact assessment previously made. The reserved matters stage is an appropriate time to consider the height of these two blocks and the impact they are likely to have inside and outside the site. Considerable information has been put forward in connection with this and is addressed elsewhere. The public has had the opportunity to provide input and express environmental concerns with regard to these elements of the project and has done so. The results of the consultation are incorporated in this report. The opportunity is there for Committee to prevent these elements or seek mitigation of the impacts if that is seen as appropriate. In conclusion, I do not consider that the introduction of these two higher apartment buildings warrant the requirement that a further ES, or supplementary ES, and EIA be undertaken and that it is appropriate that their height and external appearance be assessed as part of the reserved matters submission.

The issue of traffic generation was part of the Environmental Statement and the EIA. The County Council assessed the information presented and accepted it. It has confirmed that it considers its original response robust. On that basis I do not consider there to be justification for further ES, or supplementary ES, and EIA be undertaken regarding traffic. However, given the extent of comment made on the issue of traffic generation the matter is referred to below.

### **Traffic Generation and Assessment**

- 8.58 The traffic impact assessment (TIA) of the development of the wider site (the proposal for the offices and the residential development), was considered by the County Council on behalf of the City Council at the outline planning application stage. The assessment accepted, as did the planning decision, that up to 382 residential units could be developed on the land, over and above the office development. The impact of redeveloping the office element was forecast to result in a reduction in office development generated traffic due to the reduction in car parking spaces. That decision having been made at the outline stage it is the opinion of the City Council that this is not a matter

that can be aired again when considering the reserved matters submission, as the number of residential units proposed does not exceed the number previously accepted.

- 8.59 The issue of traffic generation is however the issue that has concerned most correspondents, allied to the density of the development proposed and followed by concern about the impact of the two towers.
- 8.60 As a result of his concerns about the traffic assessment, Professor Chisholm, a local resident, has had meetings with the County Council and has been in correspondence with the County Council and City Council on this subject. The correspondence received since the receipt of this reserved matters submission is extensive. It is not attached to this report but copies of the correspondence are on the principal file C/02/0999/RM and have been brought together in a separate folder which is at the planning reception desk on the second floor of the Guildhall, with a further copy available in the Members' Room.
- 8.61 The central point that Professor Chisholm makes is that he considers the assessment of the traffic impact made at the outline stage to be fundamentally flawed and, therefore, argues that it should be redone. It is furthermore his assertion that the County Council (and as a consequence the City Council which has been taking the advice of the County) has not been consistent in the way in which it has assessed the traffic information on the major residential sites in the City which have come under scrutiny in recent times: sites such as Leica on Rustat Road, Simoco at St Andrew's Park, and Pye Unicam at York Street.
- 8.62 The County Council has responded to the concerns expressed and in the light of specific criticisms has reworked some of the calculations to examine the implications of alternative assumptions. Its conclusions are that even using significantly higher trip rates the impact of the development on the surrounding road network from this development will be small. That notwithstanding, the County Council remains of the view that the original assessment methodology was robust.
- 8.63 Professor Chisholm has responded making the point that the conclusion of the County Council referred to in the previous paragraph, based on trip rates, is incomplete and misleading, and in reality is no conclusion at all. He takes that view because he argues that it is not the trip rates alone but the combination of a number of variables that dictates vehicle traffic generated. With regard to what he calls the "second feature of the 'conclusion'", Professor Chisholm notes that the County Council refers to the small impact on the surrounding road network were 382 dwellings to be built. He then points out that the relevant condition of the outline permission, condition 5 says:  
'The number of dwellings hereby approved shall not exceed 382 ...[so] that the traffic generation of the site is in accordance with the information submitted in the Environmental Statement.' Professor Chisholm goes on to argue that the County has not demonstrated that with 382 dwellings this

condition would be met and has not refuted the evidence he has offered which would suggest a substantial breach of the condition. He concludes that although the County is a statutory consultee the City Council is not bound to accept its advice and, on the basis that the advice received is inaccurate and irrational, the City itself would be acting irrationally if it accepts the applicants' traffic figures.

- 8.64 The County Council has done some reassessment of the impact of the development on the basis of revised information and states that a number of combinations of data will give different conclusions. That it has done so to demonstrate what is inevitable, and that that produces figures which Professor Chisholm describes as a material breach, does not mean that the County considers that that is the appropriate application of the methodology. What the County has done, following the arguments put forward, is to confirm that it considers the original assessment methodology used to have been robust. That being the case and this being a reserved matters submission regarding specific issues, and which does not require re-consideration of the traffic generation issue, my advice is that this is not an issue that should be re-opened.

### **Hobson's Conduit and Drainage**

- 8.65 It is not proposed to drain any surface water into Hobson's Conduit, neither is it proposed to reprofile the banks. The applicants wish to enhance the existing wildlife habitats and the landscape proposals have been carefully considered in consultation with ecologists to provide environmental benefits. Direct access to the Conduit will be limited by the retention of existing vegetation and new thicket planting. Oak fencing around the adventure play area will restrict access from that area. The applicants consider that secure fencing along the length of the Conduit would be detrimental to the objectives of the scheme, however sections of willow woven fencing have been incorporated into the landscape area to discourage public access. It is further thought that the footpath will help define a clear access route.
- 8.66 Drainage to the Conduit will not be affected as no water will be draining into either the Brook or the enlarged pond. Although the pond currently connects to the Conduit there is no requirement for it to do so. This is currently being investigated with the Hobson's Conduit Trust, but if no connection is possible then it may be necessary to omit the proposal for the extended pond. The proposed green sedum roofs will slow surface water run off and the swales at the base of the apartment buildings will be fed by the run off from the sedum roofs. During periods of heavy rainfall provision will be made to discharge any overflow into Vicar's Brook or the surface water drain in Brooklands Avenue. The point has been made by the applicants that the nature of the buildings on site at present, most of which have single storey and non absorbent roof forms, and the very extensive car parking areas, contrasting with the taller built forms and sedum roofs proposed by the scheme under consideration, means that the run off from this scheme will be less than is currently experienced.

## **Community Services**

- 8.67 Comments have been made about the impact of the proposal upon local services and facilities, particularly community facilities and local schools. When outline planning permission was granted it was agreed that a financial contribution would be made by the developer towards community provision and education provision in the locality. This is an obligation upon the developer upon implementation of the development and occupation of the development respectively. The scheme cannot of itself 'carry' a new primary school as some correspondents have suggested should happen.

## **Bus Routes and Stops**

- 8.68 The requirement for improved public transport was discussed at the outline stage and agreement was reached to pay a financial contribution towards the Southern Area Corridor Transport Plan. There is an existing bus stop on Brooklands Avenue. Consideration was given to the provision of a further bus stop on Brooklands Avenue or within the site but the former was considered unacceptable due to the need to remove trees and the latter could be provided within the future if bus operators can be persuaded to do so.

## **Disabled Issues**

- 8.69 The dwellings are to be designed to lifetime home standards wherever possible, and where full lifetime home standards are not achieved they will meet Part M of the Building Regulations. All the houses and the majority of the apartment buildings will be accessible direct from the outside. Wheel chair access to the Hobson's Brook apartment buildings will be via the lower ground floor parking area. There will be a level access to the balconies and balcony handrails will conform to the building regulations. Some minor internal amendments have been made in response to comments from the access officer. The cycle parking has been removed from the front of the affordable flats in response to comments made. Disabled parking spaces within the basement of the flats have been positioned closer to the lifts and is acceptable.
- 8.70 In response to the comments concerning the use of the 'green street' by disabled persons, the applicants have responded that it has been designed to be accessible by the disabled and their carers. This will include level surfaces and careful attention to detail. The specific design of the play equipment, which has not yet been finalised, will include play equipment which can be used by the disabled.

## **9.0 CONCLUSION**

- 9.1 The reserved matters proposals raise a large number of environmental and planning issues which have been addressed through the assessment in this report. All the policy issues and representations have been carefully considered in coming to a conclusion on the proposed development.

- 9.2 This site is the largest site within the City upon which outline planning permission has been granted for residential development up to a maximum of 382 dwellings. Although a brownfield site, there are significant groupings of mature trees, and the natural character created along the western edge of the site by Hobson's Brook gives the site a mature, woodland feel. The site is also very accessible, being only approximately 1 mile from both the station and the centre of the town. The 1997 Planning Guidance for the site also identifies this as the only large site allocated for housing close to the City centre which offers a unique opportunity to design a high quality, high density residential development. PPG3, which post dates the Planning Guidance, encourages local planning authorities to make an efficient use of land, especially in accessible locations.
- 9.3 The details submitted represent an innovative, imaginative layout and design which responds to the unique opportunities offered by the site. Third party concern has particularly focussed upon the traffic and the higher buildings on the site. As discussed above, since the submitted details relate only to the siting, design, external appearance and landscaping of the site the issue of traffic cannot be reconsidered at this stage. The 7 and 8 ½ storey buildings are designed as features or focal points within the scheme and the submitted visual assessment shows that the impact upon the surrounding area will be acceptable. Overall the high quality approach, and attention to detail will result in a bold, imaginative scheme which responds well to both the context and the site.

## **10.0 RECOMMENDATION**

**APPROVE**

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 Prior to the commencement of the construction work full details of the position of tree protective fencing for each individual tree to be retained shall be submitted to and approved by the local planning authority. The agreed measures shall then be fully implemented and retained unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the tree protection is appropriate for the tree to be retained.

- 3 Prior to the commencement of the construction full details of the construction methodology and how it is to be achieved in relation to the tree protection areas shall be submitted to and approved by the local planning authority.

Reason: To ensure that the tree protection is appropriate for the tree to be retained.

- 4 Prior to the construction of the footpath in the tree belt adjacent to Shaftesbury Road full details of the method of construction and the proposed materials shall be submitted to and approved by the local planning authority. The agreed measure shall then be fully implemented.

Reason: To ensure that the construction methods and materials are appropriate.

- 5 Notwithstanding the details shown each dwelling will have a minimum of two cycle parking spaces details of which shall be submitted to and approved by the local planning authority. The approved facilities shall be fully implemented prior to the occupation of the dwellings.

Reason: To ensure that adequate cycle parking facilities are provided.