

PLANNING COMMITTEE

Date: 3rd
December 2003

Applic. No: C/03/1011
Date Recvd: 18th September 2003
Ward: Market

Agenda Item No. :
Officer: Fionnuala Lennon

Site: Land Between Downing Street, Corn Exchange Street, Petty Cury &, St Andrews Street, Cambridge

Proposal: Demolition of buildings and structures, the retention and adaption of listed buildings, and the construction of buildings and a covered street for uses falling within classes A1, A2 and A3 (retailing), D2 (indoor leisure), B1 (offices), Sui Generis use (Magistrates Court), a car park, service areas, pedestrian routes, access and

Applicant: Grand Arcade
General Partner Ltd.
c/o Drivers Jonas
6 Grosvenor Street
London

1.0 INTRODUCTION

Full planning permission for the Grand Arcade development (ref. C/99/0513/FP) was granted on 29 June 2001 along with a complex S106 Agreement. Listed Building and Conservation Area Consent were also granted at the same time. Since then details of the scheme have evolved and a number of changes proposed. For example, permission has been granted in principle subject to completion of a planning obligation to incorporate the Cambridge Magistrates Court within the scheme (ref. C/03/0654/FP). Changes have been proposed to the layout and circulation pattern for the new Lion Yard car park with a resultant impact on the height of the car park building, to the access arrangements to the cycle park and to the elevations of the new building.

- 1.1 In view of the number of changes proposed, instead of dealing with them individually, it was considered appropriate to submit a new application and environmental impact assessment for the scheme so that the proposed changes could be considered concurrently and if approved, an up to date planning permission granted for the scheme. However, it should be noted that the original scheme approved under C/99/0513/FP is still capable of implementation.

2.0 SITE DESCRIPTION/AREA CONTEXT

- 2.1 The Grand Arcade application site comprises 2.8 hectares within the Central Conservation Area of Cambridge city centre. The site is bounded by St Andrews Street, Downing Street, Corn Exchange Street and the Lion Yard Shopping Centre and is bisected by St Tibbs Row. The application site excludes the Crowne Plaza hotel, the Post Office and the telephone exchange buildings.
- 2.2 Buildings within the site vary in age from around 18th century (parts of 22 St Andrews Street) through to the early 1990s with the Crowne Plaza hotel. Four of the buildings are Grade II listed, namely 22 – 25 St Andrews Street.
- 2.3 In townscape terms this part of the city centre is dominated by a mixture of large scale buildings such as the Crowne Plaza hotel, 10 Downing Street and the adjacent college buildings, through to smaller buildings fronting onto St Andrews Street which relate to Cambridge's market town history.
- 2.4 Current uses on the site include retail, office, telephone exchange, restaurant, car parking, a small amount of student residential accommodation and servicing space for businesses.

3.0 THE PROPOSAL

- 3.1 This is a full planning application. Fresh applications for listed building consent or Conservation Area consent have not been made as the LB and CAC permissions granted in 2001 are still valid and unaffected by the changes to the Grand Arcade scheme set out in the current full application.
- 3.2 The committee reports relating to application ref. C/99/0513/FP described the proposal in great detail. The majority of those details will not change as a result of the current application. This report therefore provides an overview of the scheme and focuses on the key changes between that scheme and the current proposal and any changes to the planning guidance framework relevant to an application for this form of development that have occurred since the previous application was considered. In the description of the proposal below, changes between the 'consented scheme', i.e. the scheme approved in June 2001 under planning permission C/99/0513/FP, and the 'proposed scheme', i.e. the current application, are highlighted.
- 3.3 This full planning application proposes '*demolition of buildings and structures, the retention and adaptation of listed buildings, and the construction of buildings and a covered street for uses falling within Classes A1, A2 and A3 (retailing), D2 (indoor leisure, B1 (offices) sui generis use (Magistrates Court), a car park, service areas, pedestrian routes, access and egress to the public highway, works to the library, demolition of the Magistrates Court, landscaping and related works.*'

3.4 An updated Environmental Statement has been submitted with the current application as the proposal constitutes a Schedule 2 project under the Environmental Impact Assessment Regulations 1999. The Environmental Statement address the following areas:

- Planning policy considerations
- Economic assessment
- Design and conservation
- Archaeology
- Transport assessment
- Construction and phasing
- Ecological assessment
- Noise and vibration
- Atmospheric impacts
- Ground conditions and contamination assessment
- Building services and energy
- Interactions of impacts
- Sustainability

Floorspace and uses

3.5 The scheme comprises a mix of uses, predominantly retail but also including restaurant, office and leisure uses and a magistrates court. The proposal will provide approximately 42,000 sq m of retail floorspace (GLA) including a new Robert Sayle department store and a range of unit shops capable of accommodating a wide variety of retailers which will link St Andrew’s Street through to Lion Yard Shopping Centre. The redevelopment will result in a total increase of approximately 20,000 sq m (gross internal) retail floorspace in the city centre. The scheme will also include the rebuilding of the Lion Yard car park and the refurbishment and reorganisation of the central library.

3.6 Table 1 below sets out a breakdown of existing, consented (through permission ref. C/99/0513/FP) and the floorspace proposed in the current application. The key changes between the consented scheme and the proposed scheme arise from the incorporation of the magistrates court within the scheme which has resulted in a reduction in retail and leisure floorspace and an overall increase in the total amount of floorspace created by inserting mezzanine floors within the leisure area to create additional space for the magistrates court. Although no specific figure is given for office space in the proposed scheme, office space ancillary to the management of the shopping centre, department store and magistrates court will be provided.

Table 1 Floorspace & use comparison

Use	Existing floorspace	Consented floorspace	Proposed floorspace
Retail (A1, A2, A3)	11,178	38,229	37,529
(Robert Sayle)	(9,417)	(23,590)	(23,336)
Leisure (D2)	-	1,640	246
Offices	3,438	-	-

Residential	196	-	-
Magistrates Court	5,179	-	3,937
Telephone Exchange	1,110	-	-
Management	-	145	145
TOTAL	21,213 sq m	40,014 sq m	41,857 sq m

Form and design of proposal

- 3.7 The proposed scheme comprises four principal elements: a new department store for Robert Sayle, 50 units of various sizes incorporating retail, leisure, restaurant uses set in two linked and covered shopping arcades; a new magistrates court; and a new car park to replace the existing Lion Yard car park.
- 3.8 The proposed department store will be a five-storey building (including basement) and will have a retail floor space of approximately 26,000 sq.m. The store will have entrance points from Downing Street, St Andrew's Street and the internal shopping streets. The listed buildings (no.s 22-25 St Andrew's Street) will be incorporated within the curtilage of the department store with a courtyard behind them that is open to view from the rear of the main department store block. The rear of 22 St Andrew's Street will be incorporated within the store itself. The ground floor of 25 St Andrew's Street will provide access into the new store. There will also be access from Downing Street and from both levels of the internal arcades.
- 3.9 The 50 units will be arranged on two floors along two internal covered arcades (St. Andrew's Arcade and Grand Arcade). Café/restaurant provision will be made on the third floor overlooking the arcades. Access to the arcades will be possible from Lion Yard Shopping Centre, St Andrew's Street, Corn Exchange Street, Fisher Square and the Lion Yard car park. The arcades will meet at an atrium adjoining the new department store. The magistrates court will be accommodated on the first, second and third floors of the building. A separate public access to it will be provided from St. Andrew's Street.
- 3.10 The Fourth element is the car park. The current Lion Yard car park will be demolished and a replacement car park will be constructed within the same site boundary but aligned closer to Corn Exchange Street. Vehicular access to and egress from the car park will be via Corn Exchange Street. The new car park will have pedestrian access from Corn Exchange Street, Guildhall Place and the internal arcades. The new car park will be available to evening and non-shopper users. 20 car parking and 26 cycle parking spaces will be provided for use in connection with the new magistrates' court. A shopmobility facility and new internal cycle parking facility for approximately 500 cycles, along with new public toilet facilities will be incorporated into the car park structure. The cycle park will be accessed off Fisher Square.
- 3.11 The physical form of the proposed scheme will comprise the following elements:

- (i) Three new building blocks
 - the new Robert Sayle department store:
 - a new building behind the retained listed buildings on St Andrews St, the Post Office and British Telecom building.
 - a new building comprising shops and a multi storey car park fronting Corn Exchange St and Fisher Square
- (ii) Four new elevations to the principal streets in the area – St Andrews St, Downing St, Corn Exchange Street and St Tibbs Row.
- (iii) The creation of two new 'shopping streets' within the application site – Grand Arcade and St Andrews Arcade.

3.12 Key aspects of the design approach taken to this development include the following:

- the main Robert Sayle store will comprise two stone and glass 'boxes', a larger and smaller one in close juxtaposition with each other and separated by a glazed slot, to reflect the differing scale of the buildings in St Andrews Street and Downing Street.
- The internal elevations facing onto the internal arcades will be treated as external building frontages to their full height.
- The car park elevation onto Corn Exchange Street will be expressed as a building of solidity. The spiral ramps will be contained within drums at each end of the car park building. The elevations between will comprise brickwork with bay openings filled with 'Reglit' panels or opaque glass planks. The upper sections of the car park elevation will be set back to respond to the scale of buildings opposite.

3.13 Key changes to the form and design of the scheme since approval was granted for the previous application (C/99/0513/FP) are:

- Revisions to the circulation layout of the car park from a 'split level' circulation pattern to a VCM (vertical circulation model) layout which have resulted in changes to the external massing and overall height of the car park building. The highest level of the revised car park building is now 1.0m above the original split level car park and the massing has been amended so that the upper levels of the elevation facing Corn Exchange Street have been pushed back.
- Revisions to the visual appearance of the Corn Exchange Street elevations of the car park from a mix of smaller scale glazed units and panelling originally proposed to high vertical glazed areas set within brickwork now proposed.
- Access to the cycle park will now be via Fisher Square only.

Parking & access

3.14 Table 2 below sets out a comparison between the existing situation and the proposed scheme.

Table 2 Parking provision comparison

	Total existing	Total in proposed scheme
(Magistrates spaces)	-	20
Disabled spaces	13	25
Other car parking spaces	1006 (970 in car parks)	944 in car parks & 38 for PO/BT
Total car spaces	1019	1027

- 3.15 With regard to cycle parking provision. A new cycle park will be provided within the scheme. The will accommodate in the region of 500 cycles (depending on layout), 26 cycle parking spaces will be provided in the magistrates parking area. Additionally this redevelopment scheme will facilitate the redesign of surrounding external areas including St Andrews Street and Fisher Square. Opportunities for improving or providing new cycle parking facilities in these external areas will be sought where possible.
- 3.16 The scheme will incorporate a new raised walkway along the east side of Corn Exchange Street linking Downing Street and Guildhall Place which will link in with the existing raised walkway adjacent to the Crowne Plaza Hotel. The walkway will replace the existing street level pavement along this side of Corn Exchange Street. The existing pavement along the western side of Corn Exchange Street will be widened to 1.2m. A contraflow cycle lane is shown along the east side of Corn Exchange Street.
- 3.17 A bus lay-by and stopping area for buses serving the Park and Ride sites will be provided along Downing Street. The design of the department store adjacent will incorporate an overhang to form a covered waiting area for passengers.
- 3.18 Servicing for the new development will take place from the basement which will be accessed from Downing Street.
- 3.19 The area of land commonly known as the Exhibition Site in Corn Exchange Street will be landscaped as part of the entrance to Lion Yard and Grand Arcade to facilitate off-road parking for touring vehicles in association with the Corn Exchange.
- 3.20 With regard to off-site transport improvements, the extant planning permission for Grand Arcade (C/99/0513/FP) is accompanied by a S106 Agreement which makes provision for a number of off-site transport-related improvements. These are summarised in appendix 4 of this report. It is envisaged that these improvements will be included in any new S.106 Agreement relating to the current application.

4.0 ENVIRONMENTAL STATEMENT

- 4.1 An updated Environmental Statement (ES) has been submitted with this application. The content of the ES is outlined in paragraph 2.4 above. Officers provided a scoping opinion on the ES prior to its submission. The main conclusions of the ES are as follows:

Planning policy considerations

The Grand Arcade proposals are consistent with the principle set out in national, regional and local planning guidance.

Economic assessment

The construction phase is likely to cause some localised disruption although there will be no significant effect on trading in the area. It is anticipated that the scale and form of the retailing proposed can be absorbed into the trading pattern of the city centre without long term adverse effects on the prosperity of the existing retail areas.

Design and conservation

The proposals have evolved to be sympathetic to the key characteristics of the area and to minimise the effect on a number of key views into the site. Simplicity in architectural form, a conscious reduction in bulk, height and overall scale, as well as the setting back of the light, framed top storey reduces the impact of the scheme. The strong vertical modelling and a broken roofline have been improved as the scheme has evolved in order to maintain the townscape characteristics of St Andrew's Street and this part of the conservation area. The replacement of the existing buildings on site by high quality buildings, albeit as part of a comprehensive redevelopment, can, in principle, offer a positive enhancement to the setting of the listed buildings on site and the character of the conservation area.

Archaeology

A desk-top assessment has been undertaken. Due to previous development on the site, much archaeology has been removed. The proposed development will remove any surviving archaeology. Further investigations will be undertaken and an appropriate programme of mitigation agreed either in the form of preservation in situ where deposits are left undisturbed or preservation by record, i.e. an archaeological dig and recording of deposits prior to the main construction activities.

Transport assessment

It has been concluded that the proposed development can be accommodated into the city centre without significant detrimental transport effects. Transport capacity is available to accommodate demand generated by Grand Arcade although this will be on public transport, by cycle and on foot rather than car. The development will provide a number of improvements to the transport infrastructure of the city including increased park and ride provision (now in place), rationalisation of city bus services, improvements to the pedestrian environment and enhanced provision for cyclists.

Construction and phasing

Construction works will have a significant impact on the city centre however the proposed phasing on construction has been designed to try and minimise the impacts. The impact of construction traffic will be controlled by the use of planned deliveries and off-site holding areas. There will be no construction parking on site. Key stages in the construction phasing of the project which is estimated to be 38 months long are:

- Temporary magistrates court constructed at Trumpington; service building for Robert Sayles constructed at Trumpington; temporary store facility for Robert Sayles constructed at Burleigh St; existing Robert Sayle store decommissioned.
- Demolition of Norwich Union building. Lion Yard car park decommissioned. Buildings between 18-25 St Andrews St vacated to allow support & refurbishment works to take place. Archaeological investigation starts.
- St Tibbs Row lowered and piling works undertaken for new Robert Sayle store. Construction of new Crown Plaza service bay. Underpinning of retained buildings along St Andrews Street.
- Basement car park constructed. Basement for Grand Arcade constructed. Formation of basement slab. Annex car park remains open.
- Construction of remainder of basement slab, retaining walls and substructure. Construction of superstructure on northern side. Re-opening of St Tibbs Row. Substructure & superstructure underway for new department store.
- New Lion Yard car park completed & operational. Grand Arcade superstructure completed. Shell of department store completed. Magistrates court completed.
- Annex car park refurbished. Fit out of arcades and department store underway. Park & ride bus bay completed. Fit out of magistrates court.

Ecological assessment

No protected species or habitats will be lost. Where works are to take place in areas which contain nests of breeding birds, works will be programmed if possible, to avoid disturbance and destruction of occupied nests. It is concluded that the ecological impact of the scheme will be minimal.

Noise and vibration

An environmental noise and vibration assessment has been carried out. Traffic noise levels and impacts during demolition and construction were predicted and impact will not be significant. Measures will be employed to mitigate against the potential impacts of vibration. Noise design criteria for fixed operating plant will be set to avoid a significant noise impact.

Air quality

Impacts on air quality could arise from a number of sources: construction processes, operation of the centre (i.e. heating and cooling systems), customers accessing the site. The potential for the construction process to create dust and affect air quality can be mitigated using managerial techniques and adequate equipment. Impacts from the operational phase are not considered to be significant – heating is likely to be provided by gas and any air conditioning system would not employ CFCs or other ozone depleting chemicals. There is no predicted growth forecast for traffic on any of the roads included in the assessment and it is concluded that the impact of the development on the city is not significant.

Ground conditions and contamination assessment

The potential for contamination, and for migration of pollutants within groundwater during construction has been assessed. The results indicate that there does not appear to be significant widespread soil contamination or groundwater contamination across the site and that the risks associated with the site appear to be low. Further investigative work will be carried out on site when the buildings have been demolished.

Building services and energy

The objectives are to achieve an economical and energy efficient installation that is fully compliant with the relevant standards and statutory requirements with a view to obtaining the most sustainable and energy efficient solution within cost planning limitations. The detailed design and specification of building services will take account of energy conservation and environmental considerations.

Sustainability

Objectives of the development are to achieve social equality, encourage participation, safeguard the natural and built environment, secure environmental quality, encourage resource conservation. The applicant is proposing to agree an environmental management plan with the City council that would guide the decision taking process by the applicants, the investor and local authority alike both during construction and thereafter.

5.0 SITE HISTORY

- 5.1 See Appendix 1 attached to this report for the full site planning history.
- 5.2 Recent planning applications relating to the site are:

C/99/0513/FP – Demolition of buildings and structures including the Lion Yard car park & magistrates court, retention & adaptation of listed buildings, construction of new buildings & a covered street for uses falling within Classes A1, A2, A3, D2 (indoor leisure) & B1 offices, a car

park, service area, pedestrian routes & access on land between Downing St, Corn Exchange St, Petty Cury & St Andrews St, Cambridge. Approved 29 June 2001.

C/99/0514/LB – Part demolition, part retention, & repair & alteration to No.s 22-25 St Andrews St as part of the redevelopment of the Robert Sayle department store & Grand Arcade & use for retailing (Classes A1, A2 & A3) and ancillary offices. Approved 29 June 2001.

C/99/0515/CAC – Demolition of unlisted buildings in the conservation area including buildings between St Andrews St & St Tibbs Row, Downing St, car park on Corn Exchange St, magistrates court & part of the British Telecom building and Lion Yard Shopping Centre. Approved 29 June 2001.

C/03/0654/FP – Amendment to approved Grand Arcade scheme to incorporate a magistrates court of 3937 sq.m. (gross floor area), 20 associated car parking spaces & servicing space. Approved in principle but awaiting completion of S.106 Agreement.

5.3 'Off-site' planning applications related to the Grand Arcade development are:

C/00/0629/OP & C/01/1133/RM – New service building and customer collection facility for Robert Sayle store, Trumpington. Approved with S106 Agreement 11 May 2001 & 12 December 2001.

C/02/0232/FP – Temporary alternative use of development scheme approved under permission ref. C/99/0957/FP together with temporary building alterations for occupancy by John Lewis Partnership at 62-74 Burleigh Street, Cambridge. Approved with S.106 Agreement 14 November 2002.

C/02/0231/VC – Variation of condition limiting servicing, deliveries and collections at 62-74 Burleigh Street, Cambridge. Approved 24 July 2002.

C/03/0676/OP – Erection of temporary magistrates court with access and car parking, land adjacent Trumpington Park & Ride site. Approved in principle but awaiting completion of S.106 Agreement.

C/03/1174/FP – Provision of a delivery holding area comprising an extension of the existing area of hardstanding for parking of delivery vehicles, erection of temporary portacabin accommodation & access arrangements on land adjacent to Hauxton Road, Trumpington. Application under consideration – no decision made yet.

6.0	PUBLICITY	Advertisement:	Yes
		Adjoining Owners:	Yes
		Site Notice Displayed:	Yes

7.0 POLICY

7.1 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.

PPG1 'General Policies & Principles' (1997)

Advises that the government is committed to concentrating development for uses which generate a large number of trips in places well-served by public transport, especially town centres, rather than in out of centre locations. The re-use of previously developed land is an important aspect of creating sustainable patterns of development. Great emphasis is placed on the quality of design of new developments.

PPG6 'Town Centres and retail development' (1996)

Emphasises the importance of a plan-led approach to promoting development in town centres. Places emphasis on the sequential test to selecting sites for development for retail purposes. Encourages mixed uses in town centres and improvement of accessibility and traffic management.

PPG12 'Development Plans and regional guidance' (1990)

The development plan provides the main component of the plan led system. The integration of land use and transport policies with sustainable development principles in plans is strongly encouraged.

PPG13 'Transport' (2001)

Objectives are to promote more sustainable transport choices for people and freight; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; reduce the need to travel, especially by car.

PPG15 'Planning and the historic environment' (1994)

General presumption against the demolition or alteration of listed buildings unless certain key criteria can be satisfied, including demonstrating that all reasonable efforts have been made to retain the building or incorporate it into redevelopment schemes. Economic prosperity can secure the continued vitality of conservation areas and the continued use and maintenance of historic buildings. Development should preserve or enhance the character of conservation areas.

PPG16 'Archaeology' (1990)

Requires proper evaluation of archaeology in new developments.

PPG23 'Planning and pollution control' (1994)

Potential impacts of pollution arising from new developments need to be assessed.

PPG24 'Planning and Noise' (1994)

Local planning authorities must ensure that development does not cause an unacceptable level of disturbance.

PPG25 'Development and Flood Risk' (2001)

Flood risk should be considered at all stages of the planning and development process. Applicants should therefore assess the flood risk posed by their development.

7.2 Regional planning guidance

RPG6 2000 provides regional planning guidance for East Anglia. The main theme of retail policies is to concentrate retail developments in city centres where possible and to encourage means of transport other than the private car through promotion of public transport.

7.3 Local policy context

Cambridgeshire Structure Plan 1995

This plan has to a great extent been superseded by the adoption of the Cambridgeshire and Peterborough Structure Plan on 22 October 2003.

The following policies are relevant to this application:

SP6/1 – new developments need to avoid adverse impact on the viability and vitality of existing centres.

SP6/2 – support for the commercial life of established centres by improving environment and accessibility.

SP6/6 – Large scale out-of-town shopping centres will not be permitted beyond the outer boundary of Cambridge.

SP7/5 – measures will be taken to improve accessibility and reduce energy consumption and atmospheric pollution.

SP18/8 – Identification of capacity of one or possibly two new large-scale shopping centres in the Cambridge area.

SP18/9 – Emphasis on public transport, walking and cycling in Cambridge.

SP18/18 – safeguard and enhance the character of Cambridge by limiting redevelopment in the city centre by its environmental capacity.

Cambridgeshire & Peterborough Structure Plan 2003

This plan was adopted 22 October 2003. Although the period for legal challenge will not expire until 9th December, it nevertheless carries significant weight. Relevant policies are set out below along with an indication of whether officers consider the proposed scheme meets or facilitates policy objectives.

Policy	Policy matter	Scheme meets / facilitate
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		S
P1/3	Promotes a high standard of design and sustainability for all new development.	✓
P3/1	Promotes the vitality and viability of city and town centres through the implementation of City and Town Centre Strategies which for example will seek to support the role of centres as the primary location for shopping, employment, leisure, culture and entertainment; encourage mixed uses; provide a wide range of services and facilities; protect and conserve heritage; improve accessibility and safety; encourage a high quality environment and enhance the sense of place.	✓
P3/2	Proposals for leisure and sporting facilities, shopping and other uses which attract large numbers of people should be focused in existing city and town centres.	✓
P4/1	New or improved tourism, recreation and leisure developments should meet a number of criteria including accessibility by a choice of sustainable transport modes.	✓
P7/6	Local authorities will protect and enhance the quality and distinctiveness of the historic built environment.	✓
P7/8	The impact of new developments on air, land and water pollution needs to be taken into consideration and developers will be expected to take appropriate avoidance and mitigation measures.	✓
P8/2	New development will be expected to make provision for integrated and improved transport infrastructure to transport networks to increase the ability to move by cycle, public transport and on foot. Travel Plans will be expected to accompany new non-residential developments.	✓
P8/8	New developments must provide safe and convenient pedestrian and cycle environments including adequate cycle parking.	✓
P9/10	No further need or requirement for major sub-regional shopping provision in the Structure Plan period other than approximately 30,000 sq m. of shopping development in central Cambridge which has been granted permission. In the event this doesn't go ahead, alternative provision should be easily accessible.	✓

Cambridge Local Plan 1996

Relevant policies along with an indication of whether officers consider the proposed scheme meets or facilitates policy objectives. are listed in Appendix 2.

First Deposit Draft Cambridge Local Plan 2003

This is at an early stage and is therefore not considered a material consideration in relation to this application.

7.4 **Relevant supplementary planning guidance**

St Andrews Street Area Planning Brief 1998
Planning Obligation Strategy 2002
Southern Corridor Area Transport Plan 2002
Public Art Strategy 2002
Car and Cycle Parking Standards 2003
Sustainability Guidelines 2003

8.0 **CONSULTATIONS**

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

Background

8.1 The County Council approved the Transport Assessment that accompanied the previous application (C/99/0513/FP) in 1999 and was satisfied that the mitigation measures were appropriate. A consolidation application has now been submitted and is supported by a Transport Assessment.

Transport Assessment

8.2 The TA is essentially a re-submission of the original document. A number of areas were identified where clarification was sought from the consultants who submitted the TA. These primarily related to clarification of the continuing validity of figures used in the TA given the time between the submission of each application. The applicant's consultants (Symonds) responses to the issues and the County Council's conclusions are set out below:

Issue Assumption that Grand Arcade would not attract additional trips from the Cambridge sub-region. This issue was raised and discussed with the consultant and based upon evidence provided, namely:

- Details of similar retail developments being undertaken in Ipswich and Norwich that will compete for custom on the edge of the Cambridge sub-region; and
- Sensitivity testing of the impacts of a potential 10% increase in additional trips to Grand Arcade.

It is therefore considered that there is no issue for this particular application.

Issue Out dated datasets used to calculate overall trip generation. Response from applicant was that the population of the area covered by the Cambridgeshire Structure plan has grown at a slower rate than used for calculating trip generation in the 1999 TA (2.7% compared to 4%). These figures suggest that the

population growth assumptions in the TA err on the high side, and therefore the figures contained in the TA are acceptable.

- Issue Assessment of the impacts upon Park and Ride based upon 1998 patronage data. Response from applicant is that the predicted P & R requirement is given in the TA (para. 8.30) as 1,000 spaces. A further 500 spaces will be provided at Trumpington and the S106 agreement includes funding for this. Analysis of P&R data in the '*Traffic Monitoring Report 2002*' shows that based on these assumptions, there are calculated to be between 1,700 and 2,700 spare spaces in the P & R car parks in 2001. This is significantly more than the calculated demand of 1,000 spaces arising from the Grand Arcade. Therefore, I am satisfied that the Cambridge P&R network can cope with the additional passengers, even taking in to consideration further growth in patronage, coupled with the mitigation measures proposed.
- Issue Impact of additional trips assessed on City Centre prior to the implementation of the Core Scheme. Response from applicant is that the core scheme has reduced through traffic in the city centre, any extra traffic capacity resulting from this will not be taken up by trips to and from the Grand Arcade. These are constrained by the car parking provision at Lion Yard, which is to be kept at the existing level. The implementation of the Core Scheme does not therefore change the traffic impact as the Park and Ride will act as an interceptor of the additional car journeys generated.
- Issue Conflict between the additional cyclists and large vehicles accessing a higher intensity use site. The consultant has expanded the data provided for the numbers of service vehicles that will access the development. This has shown that overall the numbers of HGVs will decrease, in part due to the remote servicing area for the John Lewis store. The Grand Arcade is predicted to lead to an extra 1,500 cycle trips per week on average assuming 300 days per year. Whilst there will be a higher number of cyclists overall, the chances of conflict with HGVs will decrease.
- Issue The impact upon the bus services from additional passengers is unclear. The consultant conducted a survey of bus capacity and passenger load for all bus services that entered and left the city centre. The data showed that there is sufficient capacity aboard the services to cope with increased patronage. This is however, dependant upon the improvements to the P&R network that the developer is providing.

Extant S106 Agreement

- 8.3 The previously agreed S106 Agreement is acceptable as a basis for new agreement for this application. All contributions should be index linked from the time of the first S106. The text should also be updated to

reflect the current situation, for example, the Trumpington Park and Ride and the City Centre Core Scheme. Furthermore, the S106 should contain reference to the developer providing a *Site Transport Strategy*. This aim of this strategy will not be to reduce car use, as car parking at Lion Yard is to remain constant and staff parking is not being accommodated on site, but more the promotion of sustainable forms of transport. The primary objective of the strategy will be the encouragement of staff to use sustainable forms of transport. The applicant should work with the relevant partners e.g. individual occupiers, to formulate a range of incentives and benefits that will enable the staff to take up the variety of sustainable forms of transport that will access Grand Arcade. Examples of such measures can include:

- (i) Season ticket and bike loans;
- (ii) Reductions in the charges for cycle parking within the development;
- (iii) Provision of changing, showering and storage facilities.

The secondary objective of the strategy is the promotion of sustainable forms of transport for customers of Grand Arcade. This could be achieved through:

- (i) Advertisement campaigns of the benefits and options available other than the car;
- (ii) Offers and promotions to use sustainable transport.

Conclusions on Transport Assessment

8.4 Following the receipt and evaluation of the applicant's responses, the County Council is satisfied that the Grand Arcade development is acceptable in terms of the transportation impact, given the level of mitigation proposed in the Transport Assessment.

Corn Exchange Street contra-flow cycle facility

8.5 Whilst the County Council, as highway authority, understands how desirable a contra-flow cycling facility would be in Corn Exchange Street, the view is that it would not be possible to provide such a facility in a safe manner. Various layout options to allow cyclists to use the route against the existing one-way flow have been explored with the developers traffic consultants and City Council engineers. However, it has not proved possible to find a satisfactory safe design.

8.6 In exploring the options, two constraints have been applied. The first is the need to maintain two traffic lanes from the Downing Street junction to beyond the car park entrance to avoid through traffic adding to any queue for the car park, thereby congesting the Downing Street route. The second is the need to maintain the left and right turns from the car park exit to ensure adequate exit capacity from the area.

8.7 In exploring the various layout options, two main areas of concern have arisen. The first is the safety of cyclists passing the car park exit. Given the width of the available highway, any cycle facility will be very narrow and there are concerns over priority at the conflict point where

cyclists could encounter emerging car park traffic, the lack of storage capacity for cyclists if they are required to give way and the visibility for drivers emerging from the car park. The second main area of concern is the Wheeler Street area. This would need to be made two-way for cyclists to maintain continuity. Given its narrow width, there are concerns that cyclists approaching the Corn Exchange Street junction would be at risk when large vehicles turn left from Corn Exchange Street. There are also concerns over conflict with opposing traffic as cyclists enter Corn Exchange Street.

8.8 The provision of a formal contra-flow lane would be dependent on physical segregation of the cycle lane and traffic lane at the entry point, usually by way of a traffic island but there is insufficient space within the highway to accommodate this. The alternative would be to restrict access to Corn Exchange Street from Wheeler Street to cycles only and change the No Entry signs to prohibition of motor vehicle signs. However, the concerns over the safety of cyclists at the entry point would remain and a mandatory cycle lane would still be required at some point along Corn Exchange Street to take cyclists past the two-lane section at the Downing Street end.

8.9 As indicated, a contra-flow cycle facility is desirable but the County Council is not in a position to support this given the safety concerns detailed above. The provision of any contra-flow cycle facility requires the advertisement of a Traffic Regulation Order, with the possibility of objections being raised, which would then need to be determined by councillors.

Cycling and Walking Development Officer

- 8.10 The pedestrian route from the Fisher Square entrance into the Grand Arcade appears very narrow and awkward. There does not appear to be a footway leading to the exit/entrance of the cycle park on Corn Exchange St. Agree with the Cycling Campaign that the access into the cycle park is unsuitable in its proposed format.
- 8.11 On cycle parking issues, if no cycle contra-flow lane is provided along Corn Exchange Street, the location of the cycle park will be unattractive to potential users. According to the cycle parking standards this application should provide at least 800 additional cycle parking spaces. Current use of Park St Cycle Park is a good indication that cyclists are reluctant to park at any distance to their destination, especially if access to the cycle park is not convenient. The proposed cycle park, which will provide 511 spaces may therefore not be used by the majority of cyclists who are visiting the new development. If well managed, it could provide attractive services such as lockers and space for bikes with trailers, tricycles etc. It would be preferable that the cycle park facility were free to use with a small charge made to use lockers etc. Staff should be provided with lockers free of charge

- 8.12 Even if this facility meets all the above requirements, I am concerned that its location and the current high demand for cycle parking in the St. Andrews St/ Sidney St area will not meet any additional demand.

City Drainage Engineer

- 8.13 On land drainage issues, the Environmental Assessment has been considered. It is important that if any imported materials have potential to cause pollution if they reach the River Cam, that regular monitoring of adjacent drains and sewers should form part of the risk assessment and reporting process.

Head of Environmental Health and Waste Strategy

Air quality issues

- 8.14 The original assessment relied on modelled traffic flows from 1996 and manual counts made in 1998 – the situation has now changed markedly with the actual implementation of the second and third stages of the core traffic scheme. The DMRB (Design manual for roads and bridges) methodology has since undergone a major revision. No account seems to have been taken of this development in the environmental statement.
- 8.15 The figures produced for predicted 2003 baseline levels of NO₂ and the predicted 2010 figures appear to be extrapolated from data nearly 6 years old and without any detailed discussion of the models used or the way in which they were set up. No reference has been made to the comprehensive updating and screening assessment carried out by the City Council and ratified by DEFRA in April 2003 or assessment made of comprehensive monitoring data available for the City Centre up to the present time. This data includes well-analysed, ratified data for three out of the five receptor-points referred to in this environmental statement and the surrounding area.
- 8.16 Given that the Grand Arcade is likely to fall into an AQMA or at best is in an area close to the Air Quality Objectives, it provides an excellent opportunity to reduce the number of vehicle movements to and from the new development and improve air quality in the city through reducing parking provision and improving public transport.

Contaminated Land

- 8.17 Agree largely with the assessment of ground conditions for the site and the conclusions that for human exposure in the finished development the risks will be extremely low. However, given that there is the potential for significant ground contamination from historic sources and activities and the site overlies minor aquifer in hydraulic continuity with the River Cam, written consultation with the Environment Agency prior to disturbing the soil will be expected. It is important to ensure that no new pathways to surface water are created during the construction phase. Welcome the consideration given to construction staff in terms of exposure to contaminants.

- 8.18 It is important to ensure that any potentially contaminated soils are tested prior to removal from site and disposed of appropriately. The environmental statement should contain a protocol for this. The planning authority will need to be provided with copies of the relevant waste transfer paperwork.

The Twentieth Century Society

- 8.19 Does not wish to comment on the proposal as there are no listed C20 structures to be demolished or redeveloped.

Cambridgeshire Constabulary (Community Safety Department)

- 8.20
1. The public circulation areas should be dedicated walkways pursuant to a S36 Agreement to allow police access.
 2. It is vital that CCTV systems are incorporated into the scheme & that that images are made available to the city control room. Particular areas of the scheme that should have CCTV coverage are identified.
 3. Lighting of the development & car park levels should be to BS 5489 or better.
 4. It is recommended that the new car park should achieve 'Secure Car Park' certification. The provision of separate provision for cycle parking is welcomed but should be subject to CCTV coverage.
 5. Any re-landscaping proposals for Fisher Square should take account of the need for good CCTV surveillance & any street furniture provided should be sufficiently robust to be vandal resistant.
 6. With regard to the basement area, access to the van dock for the magistrates court should not be restricted by uses associated with other functions of the basement. The location of the refuse holding area adjacent to the van dock may compromise security as could the siting of a customer collection point in the basement. A manned security post should be provided at the barrier entrance..
 7. The security gate to the magistrates parking area needs to be very robust. It is recommended that this area plus the adjacent disabled area plus the staff entrance to the magistrates court are covered by CCTV.
 8. Recommend that the public phones are relocated to the main arcade to increase the amount of natural supervision by shoppers, etc.
 9. Consideration should be given at this stage to incorporating anti-extremist measures.

Landscape Architect

- 8.21 The small group of silver birch trees in Fisher Square are a valuable resource in the city. They potentially provide a home for roosting long-tailed tits in the autumn months.

Anglian Water

- 8.22 Details of the foul & surface water drainage for the site should be approved before any work on the site commences.

Design & Conservation Section

- 8.23 The existing Listed Building consent & Conservation Area consent with all their conditions, remain extant. As long as these conditions are capable of being satisfactorily addressed through the new scheme, there are no objections to the proposal. In principle the proposed changes to the Corn Exchange St elevation are an improvement but will need to see more detailed drawings.

English Heritage

- 8.24 Application is essentially very similar to the previous scheme approved which we concluded “would not have an adverse impact on the identity or character of the conservation area or the internationally renowned City of Cambridge”. Our view remains essentially the same.

- 8.25 We commented on the previous Magistrate’s Court application along the following lines ‘English Heritage has no objection to the proposed re-location of the Magistrate’s Court within the scheme. Indeed, we agree that it is quite possible that this proposal will enliven the day-time street scene more than the Leisure Complex originally proposed, creating a new purpose for the existing building. The proposal appears to have no material impact upon the character or appearance of the conservation area’. English Heritage’s view remains the same.

- 8.26 Now that the details have been worked up further it is apparent that every effort is being made to improve the street scene in Corn Exchange Street and to make it as safe and accessible as possible. High level walkways are not the best way to serve pedestrian flows in a historic city but we understand the problems in this street. The new walkway will be integrated into the built form of the development and will be enlivened by large areas of glazing (as well as public art or similar displays, we hope). Therefore conclude that the new development seeks to enhance the rather forbidding character of Corn Exchange Street and have no objections.

- 8.27 The principle of retaining the built form of the listed buildings on St Andrew’s Street is fundamental to the successful integration of the old and the new. Following the approach taken at the rear of the Royal Academy (where the Sackler wing was inserted) seems to be the best way forward and we welcome this, rather than a simple façade retention scheme. Nevertheless, uncertainties remain as to the method in which this will be achieved and of the implications for the removal of walls and flues or material alterations to original rear walls and roof slopes. Therefore reserve comments on these detailed matters pending the submission of details, while having no objection to the approach as set out in the Planning Application.

- 8.28 The long views of the development do not appear to materially affect the overall cityscape, with the lift housing being the main eye-catching element. Nor does it appear to have a significant detrimental impact on major iconic Cambridge views such as those of King's College.
- 8.29 It is disappointing that the design of this development could not be expressed externally as well as internally. The lines of the arcade and the central crossing are strong visual elements inside the building, giving it character and identity but, unfortunately, it has not been possible to express these features in a way that is visible from the public realm, resulting in a somewhat anonymous and inward-looking shopping complex. For this reason the interface between the public and private spaces, particularly on the Downing Street / St. Andrew's Street corner must be as effective as possible. This rather dull corner will, we hope, be enlivened by the glazing of the new shop fronts, with the retail frontages brought out from under the canopies we see at present, as well as by the projecting glass box on the corner. We look forward to seeing proposals for enhancement to the floorscape in the streets around the development, which should also help to tie in the public realm to the new proposal.

CABE

- 8.30 Note revisions proposed to the scheme but have no further comments.

Ancient Monuments Society

- 8.31 Accept in broad terms that the proposal is not objectionable in the strictly limited sense of its impact on the main frontage. Regret that the proposed development of the new magistrates court will not provide an opportunity for an appropriate architectural statement, let alone a street frontage.

Society for the Protection of Ancient Buildings

- 8.32 Protecting the setting of Emmanuel College is a vital consideration for any new development in this area and we are glad that the current application takes this into serious account.

Cambridgeshire Fire & Rescue Service

- 8.33 A number of existing fire hydrants in the area may be adversely affected by the proposed development. Would wish to see adequate provision made for new fire hydrants at the developer's expense either through a S106 Agreement or by planning condition.

Transco

- 8.34 Plant in area that may be affected by proposed works. Applicant would need to provide further details under terms of NRSWA 1991 before commencing work. Note that other gas pipelines owned by other Gas Transporters may be present in area.

Council for British Archaeology

- 8.35 Comments awaited.

Defence Estates

- 8.36 Ministry of Defence has no objections to the proposal provided that the overall height of the development including any superstructures (i.e. roof gardens, plants rooms, flag poles, chimneys, TV aerials) are no higher than 50 metres Above Ordnance Datum.

Environment Co-ordinator

- 8.37 Has queried what approach will be taken to renewables, energy efficiency, and recycling in the scheme.

Conservation & Design Panel (28 October)

- 8.38 No significant comments made.

Disability Panel

- 8.39 The application will be presented to the Disability Panel on 26 November. Any issues arising from this will be reported on the amendment sheet.

9.0 REPRESENTATIONS

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

Cameron McKenna on behalf of Sports Soccer Ltd

- 9.1 Note that their client has objected to the CPO made in respect of the Grand Arcade development. Principle concerns with the planning application is how it may affect servicing for the Sports Soccer outlet. Condition 17 of the previous Grand Arcade planning permission imposed servicing restrictions that could be interpreted as applying to the Lion Yard units. 24 hour unrestricted servicing to the unit is required.

Cameron McKenna on behalf of Sean Quinn Group Ltd & Shamrock Public Houses Ltd

9.2 Note that their client who is the leasehold owner of the Crowne Plaza Hotel, has objected to the CPO made in respect of the Grand Arcade development. Objections to this planning application reflect those made in respect of the CPO. These can be briefly summarised as

- no compelling need has been established for the acquisition of the Lion Yard Annexe car park.
- obstruction to part of the forecourt of the hotel will occur.
- access to the loading bay on Tibbs Row will be obstructed. No arrangements for the hotel's use of the new basement service area proposed have been agreed.
- Impact of construction works for the proposal on the hotel's operations & business, e.g. noise, vibration, construction traffic.
- Pedestrian access to the front & St Tibbs Row staff entrance must be retained at all times.
- Proposed scheme may adversely affect ventilation systems in use by hotel, e.g. from laundry area.
- Proposed scheme will impact on roof mounted ventilation & other systems operated by the hotel.
- Potential for disruption to serving access for hotel, statutory services running under Tibbs Row & emergency water supplies.
- Potential for adverse impact on fire & emergency escapes from hotel.
- Potential for impact on valet parking scheme operated by hotel during construction works.
- Would like to ensure that client will be consulted on any proposals for permanent & temporary works & servicing arrangements required under condition 28 of the current planning permission for Grand Arcade (C/00/0513/FP).

Consider that the objections raised are so severe that they cannot be addressed by planning condition or S106 Agreement. Therefore believe that planning permission should not be granted as it would be premature to do so until client has been given sufficient rights & undertakings by the applicant to ensure their proposal can be implemented without harm to client's property & business.

Donaldsons on behalf of Woolwich PLC

9.3 No objection raised to the application but would like reassurance that security & access to the Woolwich branch (57-58 St Andrews St) will not be compromised in any way & that any noise or dust is kept to a minimum.

Lisa Woodburn, 140 Cherry Hinton Road

9.4 Objects to proposal on grounds that cycle parking is extremely limited. If current City Cycle Parking standards were applied, this would give rise to a requirement for over 2000 spaces. Need to also take into account cycle parking spaces that may be lost as a result of this scheme, e.g. over 100 spaces in Fisher Place & Tibbs Row. The standards also require that cycle parking should be located on site & near the main

entrance to buildings. Current cycle parking facilities in the city centre are overused in some locations & underused in others. It is important to keep the pavements more clear of cycles. Is it possible to provide more cycle parking in the under-used Heidleberg Gardens is access is improved? Also concerned about access to the proposed cycle parking facility which may be difficult to access via the stepped ramp. Welcomes the contraflow cycle lane in Corn Exchange St.

Also considers it important that the current heavily-used waste recycling facility should be retained or replaced.

Atkins on behalf of the Post Office Ltd

9.5 Formally objects to this application, although it supports the principle of redevelopment in the city centre. Reasons for objection are summarised below. It is pointed out that the Post Office in St Andrews St is a busy facility which offers a valuable service to city residents. There are only 3 sub-post offices within a 3 mile radius, non of which offer the full range of services. The post office is well located within the city centre & fully accessible by the public.

- It will cause disruption & inconvenience to users of the post office both during & after the construction period.
- It will result in the Post Office losing its existing rear operational access, part of its retail area, & car parking spaces being moved further from the premises.
- The Post Office will lose access to & use of the security pen. The need for the security pen arises as a result of the magistrates court being incorporated into the building. On-street servicing for cash-handling will not be acceptable.
- It will impact on security generally.
- It will disrupt operations at the Post Office due to noise, dust & other pollution, particularly in relation to the post office corridor.
- It will cause harm to the health & safety of Post Office employees & customers as a result of the building being made unsafe during the obstruction phase, and from the loss of welfare accommodation, emergency exit, & the overall reduction in security & loss of existing car parking spaces.
- The combination of these issues will materially impact on the operation of the Post Office & could ultimately lead to its closure, contrary to Local Plan policy CS1.

The Post Office would like to see it's premises included with the 'red line' application area so that a more fully comprehensive approach to the redevelopment of the area can be taken (premises currently outside red line area in application) & the Post Office remain fully operational.

Cambridge Cycling Campaign

9.6 Welcomes the Grand Arcade scheme in principle & the provision of a contraflow cycle lane in Corn Exchange St. but objects to the application on the following grounds:

- The entrance to the cycle park is in the wrong place & will cause conflict with pedestrians especially during peak shopping hours. Entrance should be relocated to Corn Exchange Street.
- Proposed stepped ramp to cycle park will be difficult for cyclists to use. A ramp with an easy gradient is required.
- Number of cycle parking spaces provided are insufficient & below the number required by the City Council's Cycle Parking Standards.
- Application provides insufficient detail about the layout & operation of the cycle park. Need to take into account that over 135 existing spaces will be lost as a result of this development. Would be concerned if the existing cycle parking spaces along the St Andrews St frontage were to be lost.
- Queries the assumption in the Environmental Statement that the development will generate 95,000 new cycle journeys per year (approx. 300 per day) – believe this could be an underestimation.
- Cycle park is primarily intended to cater for long stay cycle parking. Also need to consider the long & short-term cycle parking needs of all working or visiting the area.
- Not convinced that the cycle park will be able to accommodate 537 cycles – details should be submitted showing how they will be accommodated.
- Details should be provided on opening hours for the cycle park & whether it will be covered by CCTV.

Cameron McKenna on behalf of Sports World International Ltd

9.7 Client does not object in principle to the proposal. However details of the proposal are not acceptable & therefore raises objections on the following grounds:

- any restriction on the servicing times permitted to the client's premises will adversely affect his business.
- Should the existing servicing area no longer be available to the client, there would be significant security & operational implications for the policing of deliveries. Permission should not be granted until a temporary & permanent servicing strategy has been provided to client for approval.
- Proposal will adversely disrupt access for service vehicles – this needs to be resolved before permission is granted.
- Proposal will cause disruption to statutory services, thereby affecting how the building functions. Permission should not be granted until this has been resolved.

Consider that the objections raised are so severe that they cannot be addressed by planning condition or S106 Agreement. Therefore believe that planning permission should not be granted as it would be premature to do so until client has been given sufficient rights & undertakings by the applicant to ensure their proposal can be implemented without harm to client's property & business.

Addleshaw Goddard on behalf of the BT Group Plc & British Telecommunications Plc

- 9.8 BT has objected to the CPO relating to Grand Arcade development. Objections are also raised to this application for the following reasons:
- Insufficient details are provided to demonstrate how continuing operational integrity & performance of the telecommunications network including the telephone exchange would be maintained during & following construction, nor how telecoms equipment & cables are to be protected from damage or interference from vibration during construction.
 - Insufficient detail has been provided on how pedestrian & vehicular access to the exchange will be provided during & after construction, and on remote fuelling arrangements & the replacement of the existing emergency access.
 - Inadequate information is provided on the phasing of the proposed development & how it will impact on the telephone exchange.
- 9.9 A summary of the representations made along with your officers responses to the issues raised is included in Appendix 3.

10.0 ASSESSMENT

- 10.1 As advised in the introduction and paragraph 2.2 above, this application seeks to pull together a number of changes proposed to the Grand Arcade scheme which was granted full planning permission in June 2001 (application ref. C/99/0513/FP). While this report focuses on the proposed changes to the scheme, the application does have to be considered in the context of Section 54A of the 1990 Act, and in light of any changes to relevant planning policies and guidance that have occurred since 2001.
- 10.2 The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 requires local planning authorities to take into account the information contained with an Environmental Statement (ES) submitted with a planning application, as well as any comments made by consultees and the public about environmental issues. Planning authorities need to carefully consider the mitigation measures which may be put forward as a means of overcoming environmental impacts, and the means by which these should be best secured.
- 10.3 Under the Town and Country Planning (Shopping Direction) (England and Wales) Direction 1993 the local planning authority is required to notify the Secretary of State before granting permission for any retail development exceeding 20,000 sq.m (gross).
- 10.4 Implementation of this development will require the use of compulsory purchase powers. The Executive Member for Environment resolved on

21 January 2003 to make a compulsory purchase order to facilitate implementation of the Grand Arcade Scheme. The Compulsory Purchase Order was made on 28th July 2003 and published on 30th July 2003. 28 objections were received. A public inquiry in connection with the CPO is currently being arranged and is likely to take place in late spring/early summer next year.

10.5 Works to St Tibbs Row proposed with this application will need to be the subject of a highway stopping up order (RCO) to ensure their implementation. An application will be made for the appropriate order following issuing of permission for this application (if approved). The RCO will be subject to public consultation and may be dealt with through a public inquiry in parallel with the inquiry for the CPO.

10.6 The assessment of this planning application will address the following issues:

- (i) compliance with planning policy framework
- (ii) retail issues
- (iii) transport and access
- (iv) air quality, noise, dust and odour
- (v) design and layout
- (vi) conservation and listed buildings
- (vii) archaeology
- (viii) ecology
- (ix) ground conditions, contamination, services
- (x) sustainability assessment
- (xi) phasing, construction and enabling works

Compliance with planning policy framework

10.7 The previous application for the Grand Arcade scheme (C/99/0513/FP) was considered by Planning Sub-Committee in April 2000 and in June 2001. The reports to those committees set out the relevant planning policy background and included an assessment of the application against relevant policies. The proposal was found to have a high level of compliance against relevant policies and supplementary planning guidance such as the St Andrews Street Planning Brief 1998. It is not considered that the changes proposed to the development by this current application lessen the level of compliance to planning guidance relevant at that time.

10.8 Key changes to the planning policy framework since then which are relevant to this application include the following:

- adoption of the Cambridgeshire and Peterborough Structure Plan 2003
- adoption of a Planning Obligation Strategy and related Area Transport Plans and Public Arts Strategy as SPG by the City Council in 2002
- adoption of Sustainable Development Guidelines as SPG by the City Council in 2003

In addition to these the City Council also produced in 2003 a first

deposit Cambridge Local Plan to replace the current Cambridge Local Plan 1995. However as this deposit plan is at such an early stage in the adoption process, it is not considered a material consideration in relation to determining planning applications.

- 10.9 The issues raised by these new policy and guidance documents in relation to the current application are discussed in detail in the following sections. It is considered that the proposed development has a high level of compliance with them.

Retail and town centre issues

- 10.10 PG6 and RPG6 identify city and town centres as the preferred locations for developments that attract a lot of people including shopping, leisure, entertainment and other key uses. The assessment of the previous Grand Arcade scheme concluded that it met the requirements of national policy and had taken account of the conclusions accepted by the Cambridge Shopping Inquiry (Arbury Park proposal) in 1998. It also considered the short term effect upon vitality and viability of City centre retailing while the Grand Arcade scheme is under construction and it was agreed that the maintenance of trading by the Robert Sayle department store during this period was most important to the health of the city centre.
- 10.11 New Structure Plan policies P3/1 and P3/2 reinforce national and regional policy guidance. Structure Plan policy P9/10 relates to retain provision in Cambridge and states that there is no further need or requirement for major sub-regional shopping provision in the Structure Plan period other than approximately 30,000 sq m. of shopping development within the central area of Cambridge city which has been granted permission (through the previous Grand Arcade permission and phase 3 of the Grafton Centre). It is therefore considered that the proposed development continues to comply with the relevant retail policy framework.
- 10.12 PPG1 and Structure Plan policies P3/2 and P3/2 promote the development of a mix of uses in city centres. With a mix of retail uses, magistrates court and leisure space, it is considered that the current application fulfils this requirement. However, the amount of leisure space within the scheme has decreased significantly from 1640 sq. m. in the original scheme approved to 246 sq. m. in the current application as a result of incorporating the magistrates' court. The leisure space proposed in the original scheme could potentially have been used for a nightclub or cinema. Suitable locations for leisure facilities are often difficult to find within a city centre location, and the loss of this opportunity is a disadvantage resulting from the proposal. Local Plan policies RL22 and RL24 encourage the provision of arts and entertainment facilities across the city and as part of the redevelopment of city centre sites. The loss of the opportunity to provide a significant area for leisure facilities within the Grand Arcade development is unfortunate. On balance, given the advantages of locating the

Magistrates Court facility within the city centre particularly in respect of improving accessibility to a public facility of this nature, coupled with the desire to group all court facilities within the city centre, it is considered that the 'substitution' of a Magistrates Court facility for the originally approved leisure facility is acceptable. This issue was considered in detail through when a full planning application for incorporation of the magistrates court within the scheme (C/03/0654/FP) was considered by Planning Committee in August 2003 and granted planning permission subject to completion of a S106 Agreement covering preparation of a travel plan. The 246 sq. m. leisure floor space allocated in the current application will potentially be used as a health and fitness centre.

- 10.13 While the Robert Sayle store will now relocate to Burleigh Street for the duration of construction works rather than partially trade from the current site as originally planned, it is not considered that this will have a significant effect on trading patterns throughout the centre as a whole, although it is likely to cause some localised disruption. A major benefit from this move is that the construction period is reduced from approximately 5 years to 38 months.
- 10.14 It is therefore concluded that the current application complies with relevant national and local retail and town centre policy guidance.

Transport and access

Transport Assessment

- 10.15 The County Council has provided a detailed assessment of the Transport Assessment submitted by the applicants as part of their ES. This is set out in sections 6.1 – 6.3 above. Their assessment has taken into account changes in the proposal since approval of the previous scheme (i.e. the substitution of the majority of the D2 leisure space for a magistrates court facility with associated 20 parking spaces and servicing), and general background changes that have occurred since then (e.g. implementation of the core scheme). The conclusions drawn are that the current proposal is acceptable in terms of transportation impact given the level of mitigation proposed and recommended additions to the terms set out in the extant S.106 Agreement relating to Grand Arcade to include the development of a Site Transport Strategy to promote sustainable forms of transport among users and employees of the development. The development of such a Strategy would meet the guidance set out in PPG13 'Transport' and policy P8/2 of the newly adopted Structure Plan.
- 10.16 The revised Southern Corridor Area Transport Plan was adopted by the City Council as supplementary planning guidance in July 2002. This set out a mechanism by which the transport impact of new development could be assessed and mitigated. Where appropriate contributions are required towards transport infrastructure within the southern corridor to address the impact of new developments. The measures and contributions proposed in mitigation for the transport

impacts of the Grand Arcade development are a satisfactory alternative to making a contribution to the SCATP. Contributions will be made through a S.106 Agreement and directed towards the cost of providing the Trumpington Park and Ride site, the core area scheme, variable message signing and other transport related benefits which will benefit not just the development, but the transport network in the city.

Parking

- 10.17 The number of public car parking spaces available in the Lion Yard and Annexe car parks will remain approximately the same as a result of this development. As a result of incorporating the new magistrates court as part of the Grand Arcade scheme, 20 additional spaces will be made available for use by the magistrates. 10 disabled spaces will be made available in the Shopmobility area within the car park and a further 25 spaces for use by blue badge holders (15 will be for disabled use and 10 allocated as parent and child spaces) will be provided in the car park.
- 10.18 Current parking standards require that 6% of car parking is provided for people with disabilities. With the proposed number of spaces in the new car parks, this would equate to a total of 56 disabled parking spaces. The 25 spaces proposed fall short of this. However at the time the previous Grand Arcade application was considered, the parking standard in place at the time also required that 6% of spaces were to disabled standard. In view of this the number of disabled spaces to be provided is considered acceptable.

Servicing

- 10.19 The Grand Arcade scheme proposes that Tibbs Row will be 'stopped up' and a new service basement created to serve the new development and provide access to the existing Lion Yard service yard accessed off Tibbs Row as well as provide access and car parking for the Post Office and British Telecom offices.
- 10.20 As a result of incorporating the magistrates' court within the Grand Arcade scheme, changes were made within the basement including the allocation of one of the loading bays in the basement for the secure van dock, and the provision of prisoner holding cells within the basement. The issues relating to this were explored in detail with application C/03/0654/FP and accepted by Planning Committee in August 2003. The van dock, cells and ancillary accommodation at basement and lower ground level will result in the loss of a loading bay and some of the remote storage space for the retail units. However the amount of space lost is not significant. With regard to the loss of a loading bay, this will reduce the number of bays available for the retail units within the scheme (excluding the anchor store which has 3 additional bays specifically allocated to it) to 9. The provision of 9 service bays equates to a provision of approximately 5.2 bays per 100,000 sq.ft of retail floorspace. For design purposes the British Council of Shopping Centres study (1995) gives a guideline of 5.5 to

6.5 bays per 100,000sq.ft. While this is higher than can be provided at Grand Arcade, the study concluded that smaller service areas tend to be managed more efficiently than those with space to spare. A strong management regime will be implemented at Grand Arcade and staff parking will not be permitted in the service area. It is therefore considered that the use of one of the loading bays for secure van docking to serve the magistrates courts will not adversely affect the operation of the service area.

Cycling and pedestrian issues

- 10.21 Concerns have been raised by the City's cycling officer and the Cycle Campaign about the design of and access to the proposed cycle park, the amount of cycle parking space provided and the issue of the contraflow cycle lane on Corn Exchange Street.
- 10.22 Access to the proposed cycle park has been amended since the original scheme in that the only access to the cycle park will be via Fisher Square and therefore users will be unable to cycle directly to the entrance of the facility. Access to the cycle park is constrained by whether a contraflow lane can be safely provided along Corn Exchange Street which is discussed below. With regard to the design of access from Fisher Square, condition 16 requires that full details of this be agreed. It is considered that this is a satisfactory way of addressing the concerns raised about the detail of this access.
- 10.23 With regard to the number of cycle parking spaces to be provided on the site, it was accepted with the previous application that the cycle park which would incorporate parking for up to 500 cycles was satisfactory although it did not meet cycle parking standards that were in use then. Your officers were satisfied that the amount of parking provided would meet the demand and is all that could practically be provided given the demands from other users of the street space.
- 10.24 The City Council's cycle parking standards then in relation to the uses proposed required some 800 spaces to be provided. New standards were adopted in May 2003 but these have not changed the position on the number of spaces required. This application proposes that some 511 spaces will be provided in the cycle park and 26 within the magistrates parking area (the extant S106 Agreement provides for up to 600 spaces or lesser number that may be agreed to be provided in the cycle park). In addition there may be limited opportunities to improve or provide cycle parking facilities through the environmental improvements proposed to surrounding external spaces such as Fisher Square and St Andrews Street.
- 10.25 The Council's Cycling Officer is concerned that the demand for short stay cycle parking spaces in the vicinity of the site along with the location and design of access to the cycle park may result in insufficient cycle parking spaces being provided through this development. The size of the cycle park is considered appropriate for

this scale of development and its internal design and layout will determine the exact number of cycles that can be accommodated. It is likely that the cycle park will be used heavily by long-term users including employees of Grand Arcade thus freeing up on-street cycle parking facilities for short-term users. It is considered that such use could be facilitated through the development of the Site Transport Strategy described in paragraph 6.3 above. Opportunities for increasing on-street cycle parking in the vicinity of the centre are limited given the competition for street space but it is envisaged that work on the detailed design of the external spaces around the Grand Arcade will enable the development of cycle parking facilities where appropriate. It is therefore considered that the provision of the cycle park accommodating approximately 500 spaces along with the 26 spaces to be provided in the magistrates parking area is an acceptable level of cycle parking for this development. Agreement on the layout, management and use of the cycle park is a requirement of the extant Grand Arcade S106 Agreement, and it is proposed that it is a requirement of any new S106 Agreement required in connection with this current application.

Contraflow cycle lane along Corn Exchange Street

- 10.26 As part of the previous application, a new contraflow cycle lane running north-south along Corn Exchange Street was envisaged. At the time, the practicality or safety of providing a contraflow lane here was not tested. Over the past year discussions have taken place with the applicant's transport advisors on options for providing a cycle lane along Corn Exchange Street.
- 10.27 A contraflow cycle lane is shown on the plans submitted with the current application and is welcomed by the Cycling Officer and Cambridge Cycling Campaign. However, the County Council has strongly advised that in its view it is not possible to provide a contraflow cycle lane along Corn Exchange Street in a safe manner (see full comments in paragraphs 6.5 - 6.9 above). The two main areas of concern are:
- (i) the safety of cyclists passing the car park exit. Given the width of the available highway, any cycle facility will be very narrow and there are concerns over priority at the conflict point where cyclists could encounter emerging car park traffic, the lack of storage capacity for cyclists if they are required to give way and the visibility for drivers emerging from the car park.
 - (ii) The Wheeler Street area. This would need to be made two-way for cyclists to maintain continuity. Given its narrow width, there are concerns that cyclists approaching the Corn Exchange Street junction would be at risk when large vehicles turn left from Corn Exchange Street.
- There are also concerns over conflict with opposing traffic as cyclists enter Corn Exchange Street.
- 10.28 There is a strong desire among all parties to see a contraflow cycle lane provided as part of this development. The applicant's transport

advisors with officers from both City and County Councils have explored various design solutions for the cycle lane. However given the strength of concern expressed by the County Council with regard to the safety issues around the provision of a cycle lane, it is difficult to see how one could safely be provided. The provision of such a facility would require the advertisement of a Traffic Regulation Order, with the possibility of objections being raised, which would then need to be determined by the local authorities. To this extent, even if a planning condition or planning obligation were to be attached to any permission granted for this development requiring the provision of a contraflow lane, the provision of a cycle lane would be subject to the Traffic Regulation Order process with no certainty over the outcome.

- 10.29 In view of this it is recommended that a condition is attached to any permission granted for this development stating that notwithstanding the cycle contraflow lane on Corn Exchange Street shown on the submitted plans that no development takes place until a scheme for improvement of cycle access to the Grand Arcade development is agreed with the local planning authority. It is envisaged that relevant parties would be consulted on the scheme.
- 10.30 With regard to pedestrian access to the site, as with the previous Grand Arcade scheme, the current application proposes a new raised walkway along the eastern side of Corn Exchange Street linking Downing Street and Guildhall Place (thus allowing pedestrians to avoid crossing in front of the car park access/egress points) and the pavement on the west side of Corn Exchange Street will be widened to 1.2 metres. The pedestrian routes provided through the new development will be over 8m wide and unobstructed creating good provision along the new pedestrian desire lines between St Andrews Street and Lion Yard/Petty Cury.

Provision for the mobility impaired

- 10.31 Although no Disability Access Statement has been submitted with this application, the ES addresses how the design of the development accommodates the mobility impaired such as the physically disabled, blind and partially sighted, elderly and frail and parents with children. Specific ways in which the proposed scheme will address the needs of the mobility impaired include the following.
- (i) Travel - ensuring that travel modes are accessible by the mobility impaired, e.g. use of low floor accessible buses connecting the Park & Ride sites to the development;
 - (ii) External circulation - ensuring that changes to the city streetscape around the development take into account the needs of the mobility impaired, e.g. providing additional tactile paving, crossings and routes where appropriate, removing unnecessary obstacles from the streetscape, reducing pedestrian/vehicle conflict, providing entrances flush with the pavement to Grand Arcade.

- (iii) Internal circulation - providing lifts suitable to accommodate wheelchairs from all levels of the car park to the retail levels. Keeping furniture and other obstacles to a minimum and where provided, away from the principle pedestrian routes.
- (iv) Parking – providing a shopmobility facility with space for 10 cars, office and scooter space. An additional 25 wide spaces will be available for use by blue badge holders.

Air quality, noise, dust and odour

10.32 The Environmental Health Officer has raised a number of issues about the information submitted on these aspects in the Environmental Statement which is being explored with the applicant. Overall, although this development will increase the amount of retail floor space within the city centre, it will not increase car parking over existing provision and will actively promote and contribute to the provision of travel into the city centre by means other than the private car. The impact of the proposal during construction and operation phases on these aspects of the environment will be further addressed through conditions 2 and 24.

Layout and design

10.33 The layout and design of the Grand Arcade scheme has not changed significantly since the previous scheme was approved. Not only is the proposed scheme located in the heart of the historic city centre environment but it also includes the retention and reuse of listed buildings fronting onto St Andrews Street. The previous scheme was assessed in detail in terms of its impact on the cityscape and against the St Andrews Street Area Planning Brief. It was judged to be acceptable both in terms of its impact on the historic fabric and layout of the city centre but also in terms of its relationship with the Crowne Plaza Hotel which adjoins the site (details required under conditions 19 and 20 address the issue of overlooking and relationship with the hotel).

10.34 The main changes proposed to the layout and design of the original scheme are:

- Revisions to the circulation layout of the car park from a 'split level' circulation pattern to a VCM (vertical circulation model) layout which have resulted in changes to the external massing and overall height of the car park building. The highest level of the revised car park building is now 1.0m above the original split level car park and the massing has been amended so that the upper levels of the elevation facing Corn Exchange Street have been pushed back.
- Amendments and minor changes to elements of the external appearance of the proposed building, in particular to the Corn Exchange Street elevations of the car park from a mix of smaller scale glazed units and panelling originally proposed to high vertical glazed areas set within brickwork now proposed.

- Incorporation of the magistrates court facility within the space originally allocated for leisure uses.

- 10.35 New Structure Plan policies P1/3 and P7/6 promote a high standard of design for all new development and require local authorities to protect and enhance the quality and distinctiveness of the built environment. The reconfiguration of the internal layout of the car park has the effect of raising the car park level by approximately 1 metre. The revised configuration and massing of the scheme has been reassessed in terms of its impact on short and long distance views of the proposed scheme from vantage points within the vicinity and further afield including from Emmanuel Street, along Downing Street, from Christ's Pieces, Parkers Piece and Castle Mound.
- 10.36 It is considered that the increase in the height of the car park element will not adversely affect short or long distance views into and within the area nor the setting of the listed buildings or conservation area. The proposed changes to the detailing of the Corn Exchange Street elevation and stepping back of the car park are considered to improve the visual appearance of this part of the development in its surrounding context by providing a façade that reflects the features of the adjacent Corn Exchange building and is more visually articulated than the previous elevation treatment, and in 'stepping back' at upper storey level reduces the dominance of the car park along the street scene. The design approach to the Corn Exchange Street elevation offers the opportunity for a more enlivened frontage along this section than the previous scheme with back illuminated glazed panels and the possibility of animated lighting.
- 10.37 The incorporation of the magistrates' court within the scheme will not have a significant effect on the external appearance of the building. Areas of associated plant will be located within the envelope of the building.
- 10.38 English Heritage is satisfied that the proposed changes will improve the street scene in Corn Exchange Street and do not affect the long distance views of the development. English Heritage comment about the lack of external expression of the internal arcade features of the scheme with potential for resulting in an anonymous and inward looking development. The overall design approach taken to the arcades has not changed since the original scheme was approved. While the glazed roofing to the arcades and central atrium will not be particularly obvious from immediate external vantage points, the prominent entrances to the arcades in the street scene, and the treatment of the external facades of the building and streetscape do not in my view signal the development of an inward looking shopping complex. The clear design approach taken to this scheme has deliberately been to create a new covered shopping street in the centre of Cambridge rather than an inward looking shopping centre and your officers are confident that this will be the case.

10.39 Overall, it is considered that the proposed changes to the layout and external appearance of the scheme do not adversely affect its architectural integrity, integration into the historic fabric of the city centre or relationship with neighbouring premises.

Conservation and listed building issues

10.40 Evidence submitted to the Cambridge Shopping Inquiry (Arbury Park) 1997 considered the impact of large-scale new retail development on the city centre's historic townscape and buildings. The historic building and conservation issues were considered by a specialist Assessor. The conclusions of his assessment were important elements of the environmental capacity assessment framework against which the previous Grand Arcade application (C/99/0513/FP) was considered.

10.41 It is not considered that the impact on the historic fabric of the city centre assessed then will alter as a result of the current application. The overall scale and form of the current proposal are the same as that considered previously and the listed buildings along the St Andrews Street frontage will be retained, refurbished and re-used as part of the proposal. Listed building consent and conservation area consent were granted in connection with the previous Grand Arcade application (C/99/0513/FP) with conditions attached and these remain capable of implementation. In view of the similarity between the current application and previous application, it has not been considered necessary to request that fresh applications for listed building and conservation area consent be submitted.

10.42 English Heritage and the other heritage bodies have not objected to the current application. The Ancient Monuments Society has expressed regret that the magistrates' court is not more of an architectural statement in keeping with its civic function. It is considered that while the bulk of the court facility is indeed incorporated within the built form of the scheme, that the treatment of the public entrance offers opportunities to mark the presence of the civic function. English Heritage is satisfied with the approach set out in the planning application, subject to agreeing the details of works to the listed buildings (a number of conditions are attached to Listed Building Consent C/99/0514/LB relating to the details).

Archaeology

10.43 Trial pitting works have been undertaken and the results considered by the Count Archaeology Unit. An outline mitigation statement has been submitted for the next stage of investigation and recording which is to take place in the pre-construction period. Archaeological concerns will be safeguarded through the use of appropriate planning conditions and clauses in the S.106 Agreement. The pre-construction investigation period will include at least one public open day at the site as well as ongoing exhibitions and publication of archaeological findings.

Ecology

- 10.44 The investigation into ecological issues in connection with this proposal is considered to be satisfactory. No protected species or habitats will be lost. Where works are to take place in areas which contain nests of breeding birds, works will be programmed if possible, to avoid disturbance and destruction of occupied nests. It is concluded that the ecological impact of the scheme will be minimal.

Ground conditions, contamination, services

- 10.45 The investigation and mitigation measures set out in the ES in relation to ground conditions, contamination and service issues is considered satisfactory. Planning conditions 25 and 26 are recommended to address the mitigation issues raised.

Sustainability assessment

- 10.46 New Structure Plan policy P1/3 promotes a high standard of design and sustainability for all new development. The City Council adopted sustainability guidelines in July 2003. The ES considers how the scheme fares in relation to the objectives set out in the Sustainable Guidelines. The ES provides a significant start to understanding and dealing with the sustainability issues raised by this development. Site specific sustainability objectives will be met as far as is possible through planning conditions, for example, the detailed design and facilities of the interior of the scheme and through the requirement to develop an Environmental Management System for the building to ensure that it is as energy efficient and environmentally sustainable as possible. This will inform decisions about the construction and on-going management of the Grand Arcade scheme (see condition 24).
- 10.47 The development will be located in a most sustainable location in terms of accessibility, and the package of transport related measures proposed through this development will strongly encourage the use of travel means other than the private car. There will be no increase in car parking in the city centre as a result of this proposal, nor will any parking be provided for employees. However it is considered appropriate that in order to support staff and visitors in using sustainable transport means, that a Site Transport Strategy is developed in connection with the scheme (recommended as part of S.106 Agreement package).

Phasing, construction and enabling works

- 10.48 The construction phasing arrangements envisaged when the original scheme (C/99/0513/FP) was considered would take five years for implementation of the development. Changes since this particularly in relation to the Robert Sayle store moving to Burleigh Street during the construction period have enabled the construction period to be reduced to 38 months. This should be a significant benefit to the city centre in terms of disruption resulting from construction works. The ES sets out the general approach to phasing of the demolition of buildings on site and construction of the new buildings. These indicate how work will be

managed to minimise impact on the local surroundings, in particular adjacent businesses. Conditions 2 and 3 are recommended in order that the phasing and construction details are further developed and agreed prior to commencement of development.

- 10.49 The developer is proposing to provide funding towards a city centre post to help provide publicity and information during the construction period.

Third party representations

- 10.50 Third party representations to this application are summarised in section 7 and Appendix 3 of this report. The key issues raised are access problems and general disturbance from noise and dust that are likely to arise during construction of the development; potential impact on servicing arrangements and service access to adjacent buildings; comments on cycle access and parking provision. Your officer's comments on the specific issues raised by third party representations are set out in appendix 3 of this report.
- 10.51 A number of parties have stated that they believe that planning permission should not be granted for this application as it would be premature to do so until they have been given sufficient rights & undertakings by the applicant to ensure their proposal can be implemented without harm to property & businesses. It is not considered that there are any planning reasons why this application should not be determined at this stage. Issues relating to third party property and access rights will need to be resolved before development can be implemented. Council officers are working with the Grand Arcade developers to achieve agreement on these outstanding issues where possible. Any objections that remain unresolved will be explored during the CPO inquiry due to take place in spring/summer 2004.

S.106 Agreement

- 10.52 The previous permission for the Grand Arcade development (C/99/0513/FP) was accompanied by a lengthy and complex S106 Agreement, the main aspects of which are summarised in Appendix 4. The terms set out in the S.106 Agreement remain valid. They have been reviewed to take account of any changes in relevant planning policy and guidance or impacts from the proposed changes to the scheme. The City Council adopted a Planning Obligation Strategy and sister documents - the Area Transport Plans and Public Art Strategy - as supplementary planning guidance in July 2002. Of particular relevance to this development are the provisions relating to the Area Transport Plans (discussed in paragraph 8.16 above) and public art.

Conclusions

10.53 Planning permission was granted in 2001 for a major new development in the city centre known as Grand Arcade. Since then the scheme has evolved and a number of changes proposed. The changes were not so insignificant that they could be dealt with as minor amendments to the approved plans. This full application has therefore been submitted to seek approval for the proposed changes. As the application relates to the whole scheme, it has been important to also consider the scheme against any planning policy and guidance changes that have been made in the interim.

10.54 It is your officers opinion that the changes proposed to the scheme are acceptable and either have negligible effect upon the overall impact of the development within the city centre or, in the case of the changes to the Corn Exchange Street elevations, enhance the original scheme.

10.55 With regard to changes in planning policy and guidance since approval of the original scheme, your officers are satisfied that the proposed development remains consistent with relevant planning policy and guidance.

11.0 RECOMMENDATION

11.1 It is recommended that full planning permission is granted for this application subject to:

- (i) Referral to GO East under the shopping directive in PPG6;
- (ii) Planning conditions and informatives set out below;
- (iii) Satisfactory completion of a S.106 Agreement. The Agreement will update the terms of the extant S106 Agreement related to the original scheme (C/99/0513/FP) in respect of the time triggers relating to various clauses and to references to developments which have now taken place, e.g. Trumpington Park & Ride site, core scheme works. The following Heads of Terms will be renegotiated or added and further changes reported to Members.
 - Addition of schedule relating to the development of a site transport strategy for the development;
 - Amendment of third schedule to give increased flexibility in the use of the office for the City Centre Manager;
 - Amendment of tenth schedule to refer to meeting terms of City Council's Public Art SPG;
 - Amendment of fifteenth schedule to allow contribution or alternatively provision of space for youth venue in development.

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 Notwithstanding the applicant's submitted details, prior to the commencement of the development hereby approved (including any pre-construction, demolition or enabling works), or in accordance with an alternative timetable to be agreed, a comprehensive construction programme identifying each and every phase of the development and confirming construction activities to be undertaken in each phase and a timetable for their execution shall be submitted to and approved by the local planning authority in writing. Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the construction of the development is managed to minimise adverse impacts upon users and occupiers of the City.

- 3 Notwithstanding the applicant's submitted details, prior to the commencement of the development hereby approved (including any pre-construction, demolition or enabling works), or in accordance with an alternative timetable to be agreed, full details for each phase of development (in accordance with the details submitted pursuant to condition 02) including the following shall be submitted to and approved by the local planning authority in writing:
 - a. hours of construction operations including times for deliveries and removal of waste;
 - b. site set up and general arrangements for storing of plant including cranes, materials, machinery and equipment, offices and other facilities, parking, loading, unloading and vehicle turning areas, vehicles
 - c. noise method statements and noise levels for each construction activity and phase, including demolition, method statements for piling and excavation operations;
 - d. arrangements for regular noise monitoring throughout the construction phase;
 - e. Dust, dirt and vibration management method statements and arrangements;
 - f. Site lighting;
 - g. Access and protection arrangements around the site for pedestrians, cyclists and other road users;
 - h. Arrangements for ongoing servicing of Robert Sayle, the Crowne Plaza hotel, Lion Yard, BT and Post office;
 - i. The location and operational management arrangements for the off site holding area;
 - j. The location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures;
 - k. Details of works to the Crowne Plaza hotel;

- l. External safety and information signing, interpretation boards and notices;
- m. Screening, hoardings and artwork;
- n. Protection, propping and shoring of the retained listed and unlisted buildings;
- o. Arrangements for shared use of the exhibition site with performers appearing at the Corn Exchange;
- p. Liaison, consultation and publicity arrangements.
- q. Investigation of archaeology.

For the avoidance of doubt, any temporary construction plant to be used during the development shall be fitted with suitable silencers or muffling devices, all out of hours equipment such as pumps, lighting rigs and other plant shall be electrically driven, and standard site working hours shall be 0800 - 1900 Monday to Friday and 0800 - 1300 Saturday with no working outside of these times including on Sundays, Bank and Public holidays. The construction activities shall be designed and undertaken in accordance with the code of practice set out in BS5228:(part iv) 1986 and (parts I, ii and iii) 1997 and with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the construction of the development is managed to minimise adverse impacts upon users and occupiers of the City.

- 4 Notwithstanding the applicant's submitted details, the following elements of the development require prior approval before commencement of construction on site, or in accordance with a timetable to be agreed (including any pre-construction, demolition or enabling works):

- a. The form and height and design of the lift shafts and lift motor rooms facing St Andrew's Street,
- b. Roof plant and equipment (design, location, screening and specification including operational noise levels) on the department store and the arcades
- c. Roof plant (design, location, screening and specification including operational noise levels) on Lion Yard car park

The development shall then be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable.

- 5 Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out, or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties.

- 6 No demolition including associated pre-contract or enabling works related to the reconstruction of the Lion Yard car park shall be undertaken until operational bus services connecting the site to Park and Ride sites are running to the County Council's specification.

Reason: To ensure that the construction of the development is managed to minimise adverse impacts upon users and occupiers of the City and to ensure that there is alternative car parking available whilst Lion Yard is being rebuilt.

- 7 The Arcades and the unit shops within them (but not including the JLP Department store) shall not be opened to trade until the following activities have been completed in accordance with details approved in advance by the local planning authority (or in accordance with an alternative timetable agreed in writing with the local planning authority):

- a. The breakthrough into the Lion Yard shopping centre
- b. The repositioned library entrance, and other works to the library
- c. Improvements to the north-south footpath link to Downing Street adjacent to the Crowne Plaza hotel
- d. Replacement shopmobility facility and public toilets
- e. Implementation of all external hard and soft landscape works and parking for the Corn Exchange.

The development shall then be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable

- 8 The development here approved shall be for a maximum of 26,792m² net retail floorspace (net retail floorspace being defined as that normally accessible by the public, excluding storage).

Reason: To clarify the terms of the planning permission and to meet the Structure Plan requirements.

- 9 Notwithstanding the applicant's submitted plans, the precise location of all A2 and A3 uses within the completed development is to be agreed in writing with the local planning authority before first occupation of any unit (other than the JLP Department store) is commenced. Not more than 10% of the total floorspace of the two floors of retail units and kiosks fronting the arcades shall be used for A2 or A3 purposes unless agreed otherwise in writing with the local planning authority.

Reason: To ensure that there is an appropriate mix of retail and associated uses to sustain the vitality and vibrancy of the city centre.

- 10 Prior to the commencement of the development hereby approved (including any pre-contract, demolition or enabling works or in accordance with an alternative timetable which may be agreed in advance), full details of all new, altered and retained shop fronts and signs, and a tenants shop front and signage protocol shall be submitted to and approved by the local planning authority in writing. Thereafter the development shall then be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable.

- 11 Prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance, full details of all external works and materials and finishes to be used in the development (and within the boundary of the application site) shall be submitted to and approved by the local planning authority in writing including:

- a. External stonework, brickwork, metalwork, paneling, roofing materials, materials and finishes for decorative features, joinery and metalwork finishes used with glazing, other joinery and metalwork finishes
- b. Surfacing materials for roads, cycle ways and footways
- c. Tree planting, soft landscaping, lighting, CCTV
- d. Walls, balustrades and railings
- e. Street furniture, bus shelters, cycle parking facilities and signage.

Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable.

- 12 Prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance, full details of the following matters relating to the replacement Lion Yard car park shall be submitted to and approved by the local planning authority in writing including:

- a. Internal and external surface treatments and finishes,
- b. Lighting and CCTV
- c. Doors and lifts
- d. Signs and other display cases
- e. Ventilation systems and fume extraction including operational noise levels
- f. Payment systems

- g. Barriers and any balustrades and railings
- h. Shopmobility, toilets, baby changing and associated facilities
- i. Layout and distribution of disabled parking spaces.

Thereafter the arcades (but not including the JLP Department store) shall not be open for trade until the replacement Lion yard car park is completed and has been undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable

- 13 Prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance, full details of the leisure unit use shall be submitted to and approved by the local planning authority including:

- a. measures to minimise the escape of noise from activities undertaken within the unit and any plant, to protect nearby residential and other occupiers from disturbance
- b. management arrangements for customer access, queuing and departure
- c. means of escape routes
- d. Hours of operation and opening

Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: to ensure that the details of the development are satisfactory and that its use and operation are compatible with near by residential and other sensitive non-residential uses.

- 14 Once construction is completed there shall be unrestricted 24 hour public access to the replacement Lion Yard car park (including the lifts and stairways from Fisher walk giving access thereto) and to the walkway along Corn Exchange Street. The arcades shall be open to the public not less than between the hours of 07.00 and 23.30 daily.

Reason: To maintain and clarify appropriate public access.

- 15 Notwithstanding the applicant's submitted details, prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance, full details of the architecture and design of the interior of the arcades shall be submitted to and approved by the local planning authority including:

- a. Flooring, lifts, stairs and escalators

- b. Walling, interior decoration and finishes, glazing
- c. Roofing, plant and ventilation
- d. Balustrades and railings
- e. Roof sections and supports
- f. CCTV, lighting, seating
- g. Signage, planting and landscape features
- h. Doors, entrance canopy in St Andrew's Street
- i. Treatment of the double height entrance in number 19 St Andrew's Street
- j. Measures to enable access by special needs groups
- k. Toilets and other related facilities
- l. Treatment to windows looking towards St Tibbs Row

Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable.

- 16 Notwithstanding the applicant's submitted details, prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance, full details of the cycle parking facility shall be submitted to and approved by the local planning authority including:
- a. Cycle racks and spacing
 - b. Lockers and other facilities
 - c. Hours of opening
 - d. Management and charging regime
 - e. CCTV and security, including gates
 - f. The establishment, terms of reference and membership of a user group
 - g. Cycle and pedestrian access arrangements to the cycle park including details of the location, design, gradient and materials

Thereafter the arcades shall not be open for trade until the cycle parking facility has been completed and undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable and meet cycle parking requirements generated by this development.

- 17 All new floor space within the Grand Arcade scheme hereby approved (including premises forming part of the approved scheme which front onto St Andrew's Street and are to be reused) shall be serviced from the basement service yard via St Tibbs Row unless agreed other wise in writing with the local planning authority. All servicing delivery and collection will be undertaken between 0700 and 2300 Monday to

Saturday (excluding Sundays, Bank and other public holidays) unless agreed otherwise in writing with the local planning authority.

Reason: To protect the amenities of residential uses in the vicinity of the site.

- 18 Prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance, full details of the physical works in St Andrew's Street shall be submitted to and approved by the local planning authority including:

- a. Alterations to the foot and carriageway surface, layout and alignment to enable more direct pedestrian access to St Andrew's arcade,
- b. Any necessary relocation, resiting or provision of bus stops, cycle stands, street furniture, disabled parking bays, taxi ranks, trees, lighting,

Thereafter the arcades shall not be open for trade until the works in St Andrew's Street to facilitate access to the development are completed and have been undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable.

- 19 No development shall commence until such time as details at a scale of 1:20 (or as may otherwise be agreed) (including plans, elevations and sections) of the following elements of the Robert Sayle department store) have been submitted to and approved in writing by the local planning authority:

- a. Stone column and steel armature detail
- b. Stonework jointing, incised carved lettering, metalwork
- c. Projecting bay window to Downing Street
- d. Rooflanterns, eaves, verges, brise soleil
- e. Doors, shopfronts, facias, lighting, signage
- f. Fenestration, glazing and associated joinery/metalwork sections
- g. Park and ride waiting facility
- h. Glazed roof at rear of 23 - 25 St.. Andrew's Street
- i. Roof plant, roofgardens
- j. Glazing to the St Tibbs Row elevations and measures to minimise overlooking of hotel bedrooms

Thereafter the development shall be undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable.

- 20 The roof gardens on the St. Tibbs Row side of the Robert Sayle department store shall not be accessible other than for maintenance and landscaping.

Reason: to avoid overlooking and undue disturbance to occupiers of the hotel.

- 21 Before starting any brick or stone work, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour and type of jointing and shall be agreed in writing with the local planning authority. The quality of finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of visual amenity and to ensure that the quality and colour of the detailing of the brickwork/stonework and jointing is acceptable and maintained throughout the development.

- 22 Before the development/use hereby permitted is commenced, details of equipment for the purpose of extraction and/or filtration of fumes and odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties.

- 23 Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties.

- 24 Prior to the commencement of the development hereby approved (including any preconstruction, enabling or demolition works) the applicant shall submit an environmental management plan for the construction phase and thereafter identifying best practice measures to manage noise and vibration, user comfort, working environment, air pollution, waste water, energy efficiency, materials, waste management, flora, fauna, transport and traffic. Thereafter the development shall be undertaken and constructed in accordance with the principles agreed in the EMS unless otherwise agreed in writing by the local planning authority.

Reason: to ensure that this development achieves appropriate standards of best practice as a sustainable form of development.

- 25 Prior to the commencement of construction including preconstruction, demolition or enabling works, details of a scheme for the provision and implementation of pollution control, which shall include foul and surface water drainage, shall be submitted to and agreed in writing with the local planning authority. The works shall thereafter be undertaken in accordance with the agreed scheme.

Reason: To ensure a satisfactory method of surface and foul water drainage and to prevent the increased risk of pollution to the water environment.

- 26 Prior to the commencement of construction including any pre-construction, demolition or enabling works, full details of a scheme for both the investigation of possible ground contamination and any subsequent necessary remediation measures within the site shall be submitted to and agreed in writing with the local planning authority. The investigation and agreed remediation measures shall be undertaken and completed in accordance with a timetable to be agreed in advance with the local planning authority.

Reason: To avoid pollution of the water and ground environment as recommended by the environment agency.

- 27 No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences.

- 28 Prior to the commencement of construction including any pre-construction, demolition or enabling works, full details of permanent and temporary physical works to the Crowne Plaza hotel, and temporary arrangements for servicing, access to car parking, emergency and staff access around the site shall be submitted to and approved by the local planning authority in writing. Thereafter the works shall only be undertaken in accordance with the agreed details.

Reason: To ensure that these works are acceptable.

- 29 Notwithstanding the applicant's submitted plans, prior to the commencement of construction, full details of the layout of the proposed highway including carriageway widths, pavements, any cycle facilities that may be agreed with the Local Planning Authority, junction geometry and street furniture in Corn Exchange Street and Downing Street (east of the junction with Corn Exchange Street) shall be submitted to and agreed in writing with the local planning authority and

thereafter implemented in accordance with the approved details unless agreed otherwise in writing with the Local Planning Authority.

Reason: To ensure that the highway layout provides for access by arrange of modes.

- 30 Prior to commencement of construction, details of security measures required to secure the magistrates parking area and the van dock/holding cells area at lower ground level, will be submitted to and approved in writing by the Local Planning Authority. Development will be carried out in accordance with the approved details.

Reason: In the interest of ensuring adequate security measures are in place.

- 31 Prior to commencement of construction, full details of the proposed public entrance to the Magistrates Court from St Andrews Street and any associated signage will be submitted to and approved in writing by the Local Planning Authority. Development will be carried out in accordance with the approved details.

Reason: To ensure that details of the entrance are satisfactory.

- 32 Prior to commencement of construction works, a scheme detailing access and service arrangements to the Post Office shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: To ensure that access arrangements are satisfactory.

- 33 Prior to the commencement of construction, a scheme for the provision of fire hydrants in association with this development shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme.

Reason: To ensure the provision of fire hydrants.

INFORMATIVE: This planning permission should be read in conjunction with the associated deed of planning obligation prepared under s.106 of the Town and Country Planning Act 1990 (as amended) between Cambridge City Council, Cambridgeshire County Council, and Universities Superannuation Scheme dated as this decision notice.

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a 'Considerate Contractor Scheme' aimed at promoting high standards of care during construction. The City Council encourages the developer

of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from the Considerate Contractor Project Officer in the Planning Department (Tel: 01223 457121).

INFORMATIVE: For the avoidance of doubt, agreed works comprising necessary Archaeological Investigations as part of the approved archaeological strategy shall not in themselves be regarded as development unless their facilitation requires commencement of demolition of existing buildings.

INFORMATIVE: This authority will have regard to BS5228: (part iv) 1986 and (parts i, ii and iii) 1997 and the Environmental Protection Act 1990 in monitoring the acceptability of the management of the construction phase under condition 03, and for the purpose of clarification - this legislation includes vibration considerations.

