



PLANNING

To: Councillors Dryden (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Hipkin, Pippas, C. Smart and Tunnacliffe

Despatched: Tuesday, 24 February 2015

Date: Wednesday, 4 March 2015

Time: 10.00 am

Venue: Committee Room 1 & 2 - Guildhall

Contact: Claire Tunnicliffe **Direct Dial:** 01223 457013

AGENDA

1 ORDER OF AGENDA

The Planning Committee operates as a single committee meeting but is organised with a three part agenda and will be considered in the following order:

- **PART ONE**
Major Planning Applications
Start time: 10.00am
- **PART TWO**
Minor/Other Planning Applications
Start time: 1.00pm
- **PART THREE**
General and Enforcement Items
Start time: at conclusion of Part Two

There will be a thirty minute lunch break before part two of the agenda is considered. With a possible short break between agenda item two and three which will be subject to the Chair's discretion.

If the meeting should last to 6.00pm, the Committee will vote as to whether or not the meeting will be adjourned. If the decision is to adjourn the Committee will agree the date and time of the continuation meeting which will be held no later than seven days from the original meeting.

2 APOLOGIES

3 DECLARATIONS OF INTEREST

Members are asked to declare at this stage any interests, which they may have in any of the following items on the agenda. If any member is unsure whether or not they should declare an interest on a particular matter, they are requested to seek advice from the Head of Legal Services before the meeting.

4 MINUTES

To confirm the minutes of the meeting held on 04 February 2015.
(Attached separately).

Part 1: Major Planning Applications (10.00am)
--

5 14/1496/FUL - 315-349 MILL ROAD
(Pages 9 - 114)

6 14/1697/FUL - ARU, EAST ROAD
(Pages 115 - 148)

7 14/1740/FUL - DOUBLETREE BY HILTON, GRANTA PLACE
(Pages 149 - 180)

8 14/2090/S73 - EDINBURGH BUILDING, SHAFTESBURY ROAD
(Pages 181 - 202)

9 14/2093/REM - EDINBURGH BUILDING SHAFTESBURY ROAD
(Pages 203 - 256)

10 14/1970/FUL - LAND AT FORMER ROSEMARY BRANCH, 503 COLDHAMS LANE
(Pages 257 - 296)

Part 2: Minor/Other Planning Applications (1.00pm)

- 11 14/2021/FUL - 51A HARTINGTON GROVE**
(Pages 297 - 306)
- 12 14/1653/FUL - LAND TO REAR OF 551-555 NEWMARKET ROAD**
(Pages 307 - 326)
- 13 14/1252/FUL - CITYLIFE HOUSE, STURTON STREET**
(Pages 327 - 342)
- 14 14/1450/FUL - LAND TO THE REAR OF 241 MILTON ROAD** Officer
(Pages 343 - 358)
- 15 14/1549/FUL - 15 SWANN'S ROAD**
(Pages 359 - 370)
- 16 14/1510/FUL - JESUS COLLEGE, JESUS LANE**
(Pages 371 - 390)
- 17 14/1511/LBC - JESUS COLLEGE, JESUS LANE**
(Pages 391 - 410)
- 18 14/1618/FUL - 265 QUEEN EDITHS WAY**
(Pages 411 - 418)

Part 3: General, Enforcement and Tree Works Items
--

- 19 ALEXANDRA GARDENS**
Report attached separately.
- 20 THE MARQUE SCHEME REVIEW**
(Pages 419 - 484)
- 21 EN/0382/14 - 26 BISHOPS ROAD**
(Pages 485 - 498)
- 22 EN/0047/14 - 49 WOODLARK ROAD**
(Pages 499 - 508)
- 23 EN/0378/14 - 45 ELFLEDA ROAD**
(Pages 509 - 514)

- 24** **14/571/TTPO - 19 CHAMPNEYS WALK**
(Pages 515 - 520)
- 25** **14/605/TTCA - CAPSTAN CLOSE**
(Pages 521 - 528)

Meeting Information

Location The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2, the Council Chamber and the Small Hall) are on the first floor, and are accessible via lifts or stairs.

**Local
Government
(Access to
Information)
Act 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each of the above reports on planning applications:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting Head of Planning Services (01223 457103) in the Planning Department.

**Development
Control
Forum**

Meetings of the Development Control Forum are scheduled for a week after the meetings of Planning Committee if required

**Public
Participation**

Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

Members of the public who want to speak about an

application on the agenda for this meeting may do so, if they have submitted a written representation within the consultation period relating to the application and notified the Committee Manager that they wish to speak by **12.00 noon on the day before** the meeting.

Public speakers will not be allowed to circulate any additional written information to their speaking notes or any other drawings or other visual material in support of their case that has not been verified by officers and that is not already on public file.

For further information on speaking at committee please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

Further information is available at

<https://www.cambridge.gov.uk/speaking-at-committee-meetings>

The Chair will adopt the principles of the public speaking scheme regarding planning applications for general items, enforcement items and tree items.

Cambridge City Council would value your assistance in improving the public speaking process of committee meetings. If you have any feedback please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk

Representations on Planning Applications

Public representations on a planning application should be made in writing (by e-mail or letter, in both cases stating your full postal address), within the deadline set for comments on that application. You are therefore strongly urged to submit your representations within this deadline.

The submission of late information after the officer's report has been published is to be avoided.

A written representation submitted to the Environment Department by a member of the public after publication of the officer's report will only be considered if it is from someone who has already made written representations in time for inclusion within the officer's report. Any public

representation received by the Department after 12 noon two business days before the relevant Committee meeting (e.g. by 12.00 noon on Monday before a Wednesday meeting; by 12.00 noon on Tuesday before a Thursday meeting) will not be considered.

The same deadline will also apply to the receipt by the Department of additional information submitted by an applicant or an agent in connection with the relevant item on the Committee agenda (including letters, e-mails, reports, drawings and all other visual material), unless specifically requested by planning officers to help decision-making.

**Filming,
recording
and
photography**

The Council is committed to being open and transparent in the way it conducts its decision making. The public may record (e.g. film, audio, tweet, blog) meetings which are open to the public.

Anyone who does not want to be recorded should let the Chair of the meeting know. Those recording meetings are strongly urged to respect the wish of any member of the public not to be recorded.

Fire Alarm

In the event of the fire alarm sounding please follow the instructions of Cambridge City Council staff.

**Facilities for
disabled
people**

Level access to the Guildhall via the Peas Hill entrance.

A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Accessible toilets are available on the ground and first floor.

Meeting papers are available in large print and other formats on request.

For further assistance please contact Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

**Queries on
reports**

If you have a question or query regarding a committee report please contact the officer listed at the end of relevant report or Democratic Services on 01223 457013 or democratic.services@cambridge.gov.uk.

**General
Information**

Information regarding committees, councilors and the democratic process is available at
<http://democracy.cambridge.gov.uk/>

Mod.Gov App

Modern.gov offer an app that can be used to ensure you always have the latest meeting papers for the committees you are interested in.

<http://www.moderngov.co.uk/our-solutions/tablet-app-paperless-meetings>

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1496/FUL	Agenda Item	
Date Received	13th October 2014	Officer	Mr Toby Williams
Target Date	12th January 2015		
Ward	Romsey		
Site	Land At 315 - 349 Mill Road Cambridge Cambridgeshire		
Proposal	Student housing development consisting of 270 rooms, communal areas, bicycle parking, refuse store, plant room, office, new substation, infrastructure and access.		
Applicant	Mr c/o Agent United Kingdom		

SUMMARY	<p>The development is contrary to the adopted and emerging Development Plans for the following reasons:</p> <ul style="list-style-type: none"> -It would fail to provide any housing to meet identified housing need and is contrary to policies 5/1, 7/9 and site allocation 7.12 in the Proposals Schedule of the Cambridge Local Plan 2006. -The emerging Local Plan is at an advanced stage of preparation and the proposal would be contrary to it and premature, prejudicing and cumulatively reducing the Council's ability to meet housing need over the lifetime of the Cambridge Local Plan 2014: Proposed Submission. -Not enough open space is provided on site, there is a shortfall in public informal open space provision locally and student use of such spaces would unreasonably intensify their use. The proposal is contrary to Cambridge Local Plan (2006) policy 3/8 and the, 'Open Space and Recreation Strategy'
---------	--

	<p>(2011).</p> <p>-The proposal does not include a public art delivery plan and the proposal is contrary to Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7(L) of the Cambridge Local Plan (2006).</p> <p>-The proposal would fail to secure a S106 planning obligation to secure mitigation in terms of indoor and outdoor formal open space, transport measures, occupancy restrictions and monitoring.</p>
RECOMMENDATION	REFUSAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located within Romsey Town on the northern side of Mill Road. It is rectangular in shape, measuring 60m on its frontage to Mill Road and is 100m deep, occupying an area of 0.60ha. It is close to local shops and services within the local centre and is near to a number of bus stops.
- 1.2 The site is currently vacant having been cleared of all buildings in 2009. Painted hoarding panels have been erected around its frontage onto Mill Road. Most recently the site was used as a car dealership/workshop by the Priory Motors Group but is now mainly hard-standing.
- 1.3 To the north and east is Brookfields Hospital. Immediately to the north is a line of mainly poplar trees of 20m height and vegetation adjacent to the Arthur Rank Hospice and late 20th century one and two storey healthcare buildings. To the east are a series of Victorian hospital buildings dating from the 1880's of 1-3 storeys in height. A strong line of 8 Lime trees and a Corsican Pine of 22-25m in height extend close to the eastern boundary and are highly visible from Mill Road. The two single storey pitched roof buildings setback from the road on the Brookfields site and the principle 2.5-3 storey gault brick building facing Mill Road (Brookfield House) are Buildings of Local Interest (BLIs).

- 1.4 To the south and opposite the front of the site is two-storey residential terraced housing typical of this part of Mill Road.
- 1.5 To the west is the site of the proposed mosque which has the benefit of planning permission under reference 11/1348/FUL issued in May 2013 but is as yet unimplemented expiring in May 2016. The mosque site is also currently vacant having being cleared of buildings.
- 1.6 The site lies just outside the extended Mill Road Conservation Area, which wraps around its southern and eastern boundaries. Nos. 299-307 Mill Road to the east, the terrace houses opposite and the historic buildings on the Brookfields Hospital site all lie within the Conservation Area boundary. Brookfield House is identified as a 'Focal Building' in the Mill Road Conservation Area Appraisal.
- 1.7 The site falls outside the controlled parking zone.
- 1.8 The site is listed as 7.12 the 'Former Magnet Warehouse, Mill Road' site in the Proposals Schedule of the Cambridge Local Plan (2006) with a total area of 1.10ha. It is allocated together with the mosque site for 'mixed use housing development and community facilities'. A rider to the allocation suggests that development could include a student hostel for Anglia Ruskin University on part of the site in lieu of affordable housing.
- 1.9 Relevant guidance and appraisal documents include the Mill Road Area Conservation Area Appraisal 2011 and the Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) 2007 (The Brief). The Brief was subject to extensive public consultation and provides an interpretation of the design policies contained within the Local Plan (2006) to help guide an appropriate form of development on the site.
- 1.10 The site forms part of proposal site R21 (Appendix B, of the Proposals Schedule) for dwellings and employment floorspace and is proposed to be included within the Mill Road Opportunity Area under policy 23, as part of the Draft Cambridge Local Plan 2014. Site R21 includes 315-349 Mill Road and the wider Brookfields Hospital site but not the Mosque site. The proposals schedule indicates the wider site at 2.78ha could accommodate 128 dwellings at 46dph and up to 1ha of employment floorspace.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for a student housing development. The plans have been revised and the number of student rooms proposed has reduced from 301 to 270. The proposal includes communal areas, bicycle parking, refuse stores, plant room, office, a new substation, infrastructure and access. The scheme would be built for students of Anglia Ruskin University (ARU) and the application is accompanied by a letter from ARU which provides their support for the proposal. The scheme would comprise four student Blocks providing three different types of student accommodation as set out in the table below:

Block	Studio Units (Bedroom, en-suite / kitchen)	Townhouse (Individual bedrooms & shared kitchen, bathroom and lounges)	En-suite Cluster (Rooms with en- suites & shared kitchen, dining, & conservatory spaces)
A	30		
B		71	
C		77	
D	18		74
Total (270)	48 (17.8%)	148 (54.8%)	74 (27.4%)

- 2.2 The application is accompanied by the following supporting information:

- Design and Access Statement
- Planning Statement
- Statement of Community Engagement
- Air Quality Assessment
- Noise Impact Assessment
- Drainage Assessment
- Transport Assessment and Travel Plan
- Energy and Sustainability Report
- Landscape Design
- Arboricultural Implications Assessment
- Ecological Assessment
- Archaeology Report

- Sunlight and Daylight Assessment
- Operational Statement
- Fire Strategy
- Heads of Terms: Planning Obligations
- Ground Investigation Report

2.3 As indicated above, the application has been amended since the original submission. The amendments, which have been re-consulted upon, include:

- Revised plans for the design, scale and siting of the student Blocks (all the originally submitted plans have been superseded)
- New marketing information for the site
- Updated Transport Assessment and Travel Plan
- Revised landscaping plans
- Revised Daylight and Sunlight Report
- Updated Energy Report
- Revised application form to account for the change in student room numbers

2.4 The development would comprise four separate Blocks of student accommodation; a southern Block facing onto Mill Road (Block A), two parallel Blocks running down the western (Block B) and eastern (Block C) sides of the site and a northern Block to the rear of the site (Block D).

2.5 To the east of Block A would be the vehicular access point from Mill Road, which turns into the site and would run along the rear side of the Block. The access arrangement is gated. To the west of Block A would be a small landscaped square, vehicular egress onto Mill Road and two disabled car parking spaces. All Blocks would face onto a central landscaped space accessible only to students and visitors. The proposal does not include any car parking for students apart from the disabled car parking spaces indicated above.

2.6 Block A (Studio Wing) incorporates the main pedestrian entrance for students from Mill Road into a lobby and ground floor student lounge area which in turn has access into the central landscaped space through the back of the building. Block A would also contain the laundry, an integral refuse area and substation. On its eastern side would be a ramped entrance point to an underground cycle store for 192 cycles on two tiered racks. The basement would also

be accessible via a 2m deep lift suitable for cycles which would serve every floor of the development. The basement would also contain space for plant and additional refuse space accessible via a platform lift. The 1st and 2nd floors would contain 30 studio rooms. Block A would be a mixture of 2 and 3 storeys high (pitched roofed) and occupy a broadly rectangular footprint.

- 2.7 Blocks B and C (Townhouses) would be accessed from the central landscaped space. Both Blocks are subdivided vertically into a series of 7 townhouse style student residences that would have shared bathroom and communal lounge and kitchen facilities. To the rear of both Blocks would be a series of small rear garden spaces extending to the edges of the site. Each townhouse would contain a cluster of between 8-12 student rooms. Blocks B and C together deliver 148 student rooms. The Blocks are mostly 4 storeys high (flat roofed) and occupy long rectangular footprints. The uppermost floors have been set back from the edges, particularly the roof accommodation of Block B facing the proposed Mosque. The townhouses closest to Block A on both Blocks B and C do not have a 3rd floor.
- 2.8 Block D (En-suite/Studio Wing) has two separate entrance points from the corners of the central landscaped space into two vertical circulation cores. Accommodation within the Block is divided horizontally into 74 single aspect en-suite student rooms on the ground, 1st and 2nd floors in typical clusters of between 5 and 7 rooms, each with their own communal lounge and kitchen areas. The 3rd floor provides 18 studio apartments. The Blocks have lift cores from the ground to the upper floors. Block D thus provides a total of 92 student rooms, would be 4 storeys high, flat roofed with the uppermost storey set back at its eastern and western ends. Its footprint is double canted, following a set back from the tree canopy line adjacent to the northern boundary.
- 2.9 All Blocks would be mainly clad in a buff brick. There would be limited timber panelling for Blocks B and C, and the use of timber rainscreen panelling and zinc rainscreen cladding for the upper floors of Blocks B, C and D. The sloped roofs of Block A would be slate. Windows would be aluminium double glazed units of various sizes set within reconstituted stone reveals with stone banding across the facades.

3.0 SITE HISTORY

- 3.1 The site has a long and varied history. I have listed the four of the most relevant applications to the site, the first of which highlights its former usage as a car dealership. The last two applications highlight that there has been interest in developing the site for residential purposes within the lifetime of the Cambridge Local Plan 2006.

Reference	Description	Outcome
11/1100/FUL	Change of use of established car showroom/sales (Use Class sui generis) to car valeting (Use Class B1) and hand car wash (sui generis) mixed use and siting of portacabin for staff facilities/shelter, together with removal of internal fence and tidying up of site	A/C 14/11/2011
11/0410/FUL	Change of use of established car showroom/sales (Use Class sui generis) to car valeting (Use Class B1) and hand car wash (sui generis) mixed use and siting of portacabin for staff facilities/shelter, together with removal of internal fence and tidying up of site.	Ref 12/04/2011
08/0663/FUL	Redevelopment of site for residential use comprising fifteen one-bedroom flats, ten two-bedroom flats, four three-bedroom town houses and six four-bedroom town houses and 51-bed student accommodation with associated car and cycle parking	W/D 24/11/2008
07/0990/FUL	Redevelopment for residential use and student housing (12 x 3 bedroom town houses, 19 x 1 bedroom flats, 24 x 2 bedroom flats and 72 bedroom student accommodation)	W/D 1/11/2007

11/1348/FUL	Adjacent Mosque Site: Demolition of disused storage building, relocation of electricity sub-station and erection of building for place of worship (mosque) and community facilities (all D1 Use Class), cafe (A3 Use Class), 2 social rented dwellings and associated development.	A/C 3/05/2013
-------------	---	------------------

4.0 **PUBLICITY**

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Developer Led Public Consultation Events	27.02.14 & 01.03.14
	At Mill Road Baptist Church.	

5.0 **POLICY**

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge	Local	3/1, 3/4, 3/6, 3/7, 3/8, 3/11, 3/12, 3/13
Plan 2006		4/3, 4/4, 4/11, 4/12, 4/13, 4/14, 4/15
		5/1, 5/5
		7/9, 7/10
		8/2, 8/3, 8/4, 8/5, 8/6, 8/9, 8/10, 8/16, 10/1.

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
	<p><u>City Wide Guidance</u></p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Buildings of Local Interest (2005)</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:</p> <p>Mill Road Area Conservation Area Appraisal (2011)</p> <p>Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) (2007)</p>

--	--

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance: 1, 3, 23 and 46.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

6.1 *Application as Submitted*

Holding Objection

Existing Conditions

The historic aerial photography contained on Google Earth confirms that the former facility was used with in excess of 100 vehicles on-site.

On-street parking

The County Council are concerned how Proctorial Control will operate for a Block of flats if occupied by students from several different education establishments, although this is an issue for the City Council as the planning authority to address.

Details should be provided as to the number of staff expected on site on a daily basis in order to assess the potential additional parking off site.

Non-car Travel

Non-car travel on street isochrones have been provided with the application show reasonable walking distances to key facilities. The isochrones are not clearly defined and therefore the County Council recommend these be updated. Signal crossing facility locations have been provided on figure 4, although the plan provided is not very clear and therefore should be updated.

The County Council require that the applicant provides a zebra crossing outside the development to aid pedestrians and cyclist on foot to cross Mill Road.

In addition it has not been recognised that students may also travel to Sainsbury's located on Barnwell Drive/ Coldham's Lane roundabout and therefore the County Council require a contribution towards the improvement of the cut through from Seymour Street into Wycliffe Road to facilitate these journeys.

An audit of pedestrian and cycle facilities to the Anglia Ruskin University, Cambridge University and other key facilities should be provided.

The Scoping Note identifies that the majority of stops comprise shelters although no suggestion of improvements have been provided, and therefore further information is required identifying where improvements and upgrades could be made to local stops.

Accident Data

Paragraph 2.4.4 identifies that there is a strong trend in the number of cyclist-related accidents on the roads in the vicinity of the site, although it should be noted that this trend continues along Mill Road towards the city centre on routes towards Anglia Ruskin and Cambridge University which is of particular concern to the County Council.

Any potential improvements that could be made to Mill road should be suggested by the applicant.

Person Trip Generation

Former use

The filtering applied to the TRICs sites appears reasonable and acceptable for the purpose of this assessment.

Proposed use

The daily person trips for the development are acceptable to the County Council as it comparable to the 4 trips per student room contained in the ECATP. However, the mode split applied to the person trips is not acceptable. Further consideration should be given whether the pedestrian and cycle facilities to the City Centre and Universities are sufficient to accommodate the additional trips.

Net Change

The County Council require AM, PM and 24 hour person trips by mode to be provided.

Highway Impact

Site Access Arrangements

Paragraph 5.1.2 mistakenly identifies the Brookfields Hospital access as the conflicting junction of concern to the County Council as part of the scoping discussions, instead of the junctions opposite the site. The concern is with the location of the access in relation to Montreal Road. This is marked as an egress on the proposals, however this will intensify conflict upon the public highway at this location.

Given the flexibility of movement of cyclists, it is likely to be used as an entry for cyclists and pedestrians.

Parking

The Highway Authority are concerned that this appears to be speculative development, as the "car-free" nature would normally

rely upon Proctorial Control. This is an issue for the City Council to consider as the Planning Authority and potential impact this may have on surrounding roads.

Disabled Car Parking

If the development is to be marketed for disabled persons, one parking space is insufficient disabled parking provision. As a group these occupants are more reliant upon the private car than many other students and this is reflected within the arrangements for administering proctorial control, furthermore disabled visitors would be expected to visit the site

Cycle Parking

The cycle parking provision on-site should be informed by the Cambridge Residential Cycle Parking Guide (CRCPG) and comply with standards which it currently does not.

The ramp needs to be of a shallow gradient with appropriately dimensioned channels on both sides if it is to be usable and convenient

In addition the doors on the side access to the bike store should be widened and the design informed by the swept paths shown in the CRCPG, the design should also allow ease of access for more varied pedal vehicles. Internal dimensions for the lift should be provided.

The visitor cycle parking numbers should be revisited by the applicant, the spaces provided should be a mix of covered and uncovered spaces.

Off Site Impact

The County Council are concerned about the cycling and walking connectivity of the site with the major destinations that this site will connect with.

Most trips to Colleges or ARU will use Mill road for at least part of their journey.

The length of Mill Road is constituted of two identified accident cluster sites, interfacing at the railway bridge.

No mitigation for the increased pedestrian and cycling usage, and therefore increase in risk, has been proposed. The County Council require that the Travel Plan be updated to provide measures to minimise the potential safety issues associated with students travelling to and from the site, as detailed in other sections of this report.

The Transport Statement should provide measures to alleviate any impacts associated with the development on the network, including the addition of a zebra crossing outside the development on Mill Road and a contribution towards a cut through between Seymour Street and Watkins Street.

Eastern Corridor Area Transport Plan

The site falls within the area for which a financial contribution of £216,405 towards the Eastern Corridor Area Transport Plan are sought.

Highway Safety

This section will need to be revisited by the applicant once a suitable mode split has been applied to the development trips.

Given the safety concerns associated with Mill Road the County Council require that the Travel Plan include a commitment to encourage students to cycle and provide training courses to provide an induction of how to cycle safely and legally in Cambridge. In addition students should be provided with specific cycle routes to colleges to ensure that students are fully aware of the safe routes.

Travel Plan

The County Council require that the Travel Plan include a commitment to encourage students to cycle and provide training courses to provide an induction of how to cycle safely in Cambridge. In addition students should be provided with specific

cycle routes to colleges to ensure that students are fully aware of the safe routes.

Conclusion

Having reviewed the Transport Assessment submitted in support of the application the County Council require further information to be provided by the applicant in order to comment fully on the application. Therefore a holding objection is recommended at this stage.

6.2 Application as amended

No Objection

A technical note has been submitted in response to our comments dated 5th November 2015.

Revised mode split and person trip generation

The applicant applies the Anglia Ruskin mode split which has been adjusted to reflect the travel options available at Mill Road.

The County Council had asked for mode split evidence of other student residences to provide origin data. The mode split data presented for Anglia Ruskin is destination data, although this provides a potentially helpful indication of student movements. Whilst we do not necessarily accept this, we do not consider on this occasion that this will have a significant impact on the required mitigation measures.

The analysis suggests a level of car trip generation although it is anticipated that a car free would not be expected to generate this level of movement. However, it is considered that it would not significantly change the conclusions and would be expected to have little impact.

Access by non-car modes and potential off-site improvements

The pedestrian and cycle isochrones have been updated to make them clear which is not acceptable to the County Council.

The ECATP contribution has been recalculated based on 270 rooms, rather than the 301 rooms in the previous TA. The required contribution would now be:

270 rooms x 4 trips per room = 1080 trips
1080 – 259 existing trips = 821
821 x £229 = £188,009

Paragraph 2.2.3 refers to S106 contributions being secured, however we would prefer to secure S106 contributions or direct implementation of improvements. In addition, we disagree with the statement that the ECATP would be spent on unrelated improvements, but instead would be spent on improvements within the wider corridor.

The County Council require the following improvements from Table TN2 to be secured through S106 agreement and/ or direct implementation:

- A contribution should be provided for the installation and maintenance of real-time bus information at the southbound bus stop located on Mill Road, near to the site.
- Advised cycle stop lines should be provided at the Coleridge Road/ Mill Road signalised junction.
- Improved footpath between site and Sainsbury's supermarket (via Seymour Street), including improved lighting and resurfacing.
- Zebra crossing on Mill Road outside the site frontage.

Cycle parking

The City Council standards require 234 cycle parking spaces to be provided, comprising 180 students and 54 visitors. The development proposals include for 192 spaces in the basement, 16 spaces in front of block A, and suggest conditioning 26 additional spaces the location of which are indicated on Appendix TE.

The County Council require that the minimum cycle parking standards be provided from the outset. In addition the cycle parking layout and ramp should be considered and agreed at the detailed design stage.

2.4 & 2.5 Site access arrangements and Car Parking

The meeting with the developer's consultant and the documents submitted following that meeting have addressed the concerns raised.

Travel Plan

The County Council require that the Travel Plan include a commitment to encourage students to cycle and provide training courses to provide an induction of how to cycle safely in Cambridge. In addition students should be provided with specific cycle routes to colleges to ensure that students are fully aware of the safe routes. Additional measures should be identified by the applicant where possible to minimise the risk to cyclist, such as free or discounted safety equipment etc.

We require that the actual travel plan should give more information on the monitoring process and how the travel plan would be governed in regards to changes should targets not be met. A Steering Group will now be set up and responsible for contingency planning should targets from an annual survey not be met.

This Travel Plan can only be considered as an outline document and the County recommends that a condition requiring the submission and approval of a full Travel Plan prior to occupation of the development is required should planning permission be granted

As this is an outline travel plan with no fixed measures we would recommend that it is a condition to be fulfilled prior to occupation that a full travel plan with SMART targets and specific actions is written and implemented.

The County recommends the inclusion of a site map with where facilities will be set placed in the final Travel Plan.

Conclusion

Having reviewed the Transport Assessment and supplementary information submitted in support of the application the County Council raise no objection to the application subject to the following being secured through planning condition or section 106 agreement:

- 1) ECATP contribution of £188,009
- 2) A contribution should be provided for the installation and maintenance of real-time bus information at the southbound bus stop located on Mill Road, near to the site.
- 3) Advised cycle stop lines should be provided at the Coleridge Road/ Mill Road signalised junction.
- 4) Improved footpath between site and Sainsbury's supermarket (via Seymour Street), including improved lighting and resurfacing.
- 5) Zebra crossing on Mill Road outside the site frontage.
- 6) A revised Travel Plan should be provided for agreement prior to occupation of the development that addresses the above issues raised.

NB: The County Council would be willing to deduct the cost of items 3-5 from the ECATP contribution (item 1) given the wider benefits.

Planning Policy (on matters of Principle)

6.3 Application as submitted and amended

Scope

'These comments address a range of issues, including the current allocation of the site and relevant policies in the Cambridge Local Plan 2006; the Mill Road Development Brief; the emerging allocation of the site and relevant policies in the Cambridge Local Plan 2014: Proposed Submission and discussion of the need for student accommodation in Cambridge; and provision of student accommodation.

Cambridge Local Plan 2006:

This plan was assessed for its compliance with the requirements of the National Planning Policy Framework. This assessment was agreed at Environment Scrutiny Committee for decision-making purposes on 26 June 2012. In terms of the policies and allocations mentioned in the paragraphs below, the plan is considered compliant with the National Planning Policy Framework.

Policy 7/9 Student Hostels for Anglia Ruskin University (Cambridge Local Plan 2006) and its supporting text adds further

detail as to how the student hostels can be provided in lieu of affordable housing on specific sites. The sites where the Cambridge Local Plan 2006 allows this approach in relation to Policy 7/9 are as follows:

- Site 7.11 Brunswick Site (1.57ha) Mixed use housing development and community facilities. Could include a student hostel for ARU on part of the site in lieu of affordable housing.
- Site 7.12 Former Magnet Warehouse, Mill Road (1.10ha) Mixed use housing development and community facilities. Could include a student hostel for ARU on part of the site in lieu of affordable housing.

Since the adoption of the Cambridge Local Plan 2006, Site 7.11 Brunswick Site has been subject to a planning application (08/0871/FUL), which substituted student accommodation for the affordable housing element of the scheme. In order to implement this, the applicants drew up a notional housing scheme with 40% affordable housing. The area used to provide affordable housing in this notional scheme was then used to provide student accommodation in the final scheme. The purpose of the notional scheme is to establish the land take of the affordable housing component in line with the policy. This scheme has now been developed and has provided 251 student units. This student accommodation was subject to a cascade mechanism within the Section 106 agreement for the development to restrict use of the student units to Anglia Ruskin University and the University of Cambridge.

Site 7.12 Former Magnet Warehouse, Mill Road has been subject to a planning application for the erection of a building for a place of worship (Mosque) and community facilities (all D1 Use Class), two social rented dwellings and associated development (11/1348/FUL). This planning application covers only the western half of the allocated site 7.12. Accordingly, it is considered that the remainder of the allocated site should be developed for residential development in line with the allocation for site 7.12 in the Cambridge Local Plan 2006 i.e. "Mixed use housing development

and community facilities. Could include a student hostel on part of the site in lieu of affordable housing.” The text of the allocation is clear that while it is allocated for mixed use development, housing is expected to form part of that development. Furthermore, the student hostel in lieu of affordable housing is very much optional and would only comprise equivalent to the portion of the site which would have been used to accommodate affordable housing. The proposal in planning application 14/1496/FUL is for a solely student accommodation scheme (270 units). Failure to provide any housing on the site is considered contrary to the allocation in the adopted Local Plan 2006 which allocates the site for “Mixed use housing development and community facilities”.

Furthermore, Policy 5/1 Housing Provision in the Local Plan 2006 is clear that sites allocated for residential development are safeguarded from development for other uses except in specific circumstances:

“These sites and provision are safeguarded and development for alternative uses will not be permitted except: a. as provided for in Policies 9/4 to 9/9 or the Proposals Schedule; or b. for additional floorspace for established firms for their own occupation and use on their existing site”.

Given that the proposed scheme does not include any housing, the proposal is considered contrary to policies 5/1, 7/9 and site allocation 7.12 in the Proposals Schedule of the Cambridge Local Plan 2006.

Mill Road Development Brief:

This document was adopted by the council on 10 July 2007. It is not a supplementary planning document and has only limited weight as a material consideration in decision-making.

The Cambridge Local Plan 2014: Proposed Submission:

The Cambridge Local Plan 2014: Proposed Submission was consulted upon from 19 July to 30 September 2013 and submitted to the Secretary of State on 28 March 2014. The Government’s

National Planning Policy Framework (Paragraph 216) sets out the weight which can be given by decision-takers to relevant policies in emerging plans. Whilst the emerging local plan has weight in decision-making as it has been submitted for examination, there remain unresolved objections to the relevant policies and allocations in the plan. Policy 46: Development of student housing and the allocation of Site R21: 315 - 349 Mill Road and Brookfields were both subject to a number of objections during the Cambridge Local Plan 2014: Proposed Submission consultation in July – September 2013. All representations made during this consultation have been submitted to the Inspector examining the plan on behalf of the Secretary of State.

Paragraph: 014 Reference ID: 21b-014-20140306 of the National Planning Practice Guidance refers to the circumstances under which it might be justifiable to refuse planning permission on the grounds of prematurity. It provides two circumstances, which it is likely (but not exclusively) that prematurity should be restricted to:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

If approved, this proposal would see the loss of part of existing and proposed housing allocations within the current Cambridge Local Plan 2006 and the emerging Local Plan respectively. This proposal risks this allocation with the loss of a number of housing units on Mill Road, but also has a potential cumulative effect. As such, the adverse impacts of granting planning permission on this site would significantly and demonstrably outweigh the benefits, by preventing the council from being able to deliver appropriate numbers of housing units to meet the city's objectively assessed need. Additionally, in reference to criterion b above, the emerging Local Plan is indeed at an advanced stage of preparation, given

that it has been submitted to the Secretary of State for examination.

It is considered that this application should be refused on the basis of prematurity, given the substantial and cumulative risk to the council's delivery of its objectively assessed need for housing.

For this application, there are two key differences between the adopted plan and the emerging plan. Firstly, this site now forms part of a larger allocation (Site R21). This allocation is a different site from Site 7.12 in the Cambridge Local Plan 2006, as it excludes the land with planning permission for the mosque and includes the adjacent Brookfields hospital site which wraps around to the north and east of the remaining portion of Site 7.12. Site R21 is proposed for allocation for residential, employment and healthcare development with an indicative number of 128 dwellings and 1 hectare of employment and healthcare floorspace.

The council has undertaken a Strategic Housing Land Availability Assessment (SHLAA) (first produced in 2012 and updated in 2013)¹ which is an important part of the evidence base to the local plan and has been endorsed by councillors as a material consideration in planning decisions. Furthermore, detailed site assessments of sites were undertaken as part of developing the emerging Local Plan. The site was first assessed as the remainder of site 7.12 for the purposes of including the site in the Issues and Options 2: Part 2 consultation. After representations were made by landowners for Brookfields Hospital at Issues and Options 2: Part 2 consultation, the site was expanded to include the hospital in the overall site area. The larger site R21 was assessed in the council's Technical Background Document - Part 2 Supplement to Part 2 Site Options within and on the Edge of Cambridge (January 2013). Together with the council's latest Annual Monitoring Report 2013-2014², the SHLAA and the Technical Background Document provide an up-to-date picture of the council's housing supply position and assessment of this site.

¹ Presented at Development Plan Scrutiny Sub-Committee on 29 May 2012 and 29 May 2013 at 2pm.

² Presented at Development Plan Scrutiny Sub-Committee on 9 December 2014.

Information in the Strategic Housing Market Assessment (SHMA) 2013 for the Cambridge housing sub-region and the Cambridgeshire County Council Population, Housing and Employment Forecasts Technical Report 2013 provide the most up-to-date assessment of housing need for Cambridge. Based on the data contained within the SHMA and the Technical Report, the emerging Local Plan identifies an objectively assessed need figure of 14,000 units to 2031. As identified within the council's housing trajectory, which forms part of the Annual Monitoring Report 2013 – 2014 discussed above, the actual and projected cumulative completions to 2031 comprise 14,102 units (compared with 14,191 units at Proposed Submission consultation stage).

In terms of provision of student accommodation, the council no longer considers it appropriate to provide student accommodation for Anglia Ruskin University in lieu of affordable housing on any allocated sites within the city. Despite a continuing reliance on open market housing in the city, Anglia Ruskin University has made considerable progress in acquiring new purpose built student accommodation since the allocation of a number of sites for student accommodation in the Cambridge Local Plan 2006. Significant levels of development around Cambridge railway station (CB1) allowed for the inclusion of student accommodation in the City Centre. 251 units were delivered at the Brunswick site adjacent to Midsummer Common during 2012 and are predominantly occupied by Anglia Ruskin University students. Over 1,000 student units have now been delivered at CB1. In addition, other new accommodation has come forward on a range of sites around the city, including at Addenbrooke's, Perne Road and Malta Road, and has increased the overall stock of purpose-built student accommodation serving Anglia Ruskin University.

Whilst the council recognises the potential impact on Anglia Ruskin University's provision of student accommodation, this matter needs to be balanced with the city's need for housing and the need to take a co-ordinated approach to delivering the whole site allocation of R21.

Need for student accommodation

In terms of overall need for student accommodation, work underpinning the emerging Local Plan forecasts that the population of students living in communal establishments will increase by 3,500, from 17,500 in 2011, to 21,000 in 2031³. The need for student hostels generated by this need is not taken account of in the draft 14,000 dwelling target for Cambridge. It is worthwhile triangulating these forecasts with information the council has received from the two universities in Cambridge.

The University of Cambridge are expecting 0.5% undergraduate and 2% postgraduate growth per annum, equating to approximately 4,060 additional students. The University of Cambridge seeks to house 100% of undergraduates in student accommodation and 90% of postgraduates, which equates to a need for just under 3,780 further student units by 2031.

Anglia Ruskin University also expects 0.5% undergraduate and 2% postgraduate growth per annum, equating to 1,421 additional students. They have not supplied data on their expectations of housing them in student accommodation, however Anglia Ruskin University generally houses a lower percentage of students in purpose built accommodation. It is noted that Anglia Ruskin University has provided a letter in support of the proposed development and has highlighted the need to accommodate first year undergraduates. However, Anglia Ruskin University has provided no information on their overall need for student accommodation and how this relates to their aspirations for growth.

The applicants also point out that the National Planning Policy Guidance paragraph 038 Reference ID: 3-038-20140306 states:

All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing

³ Population, Housing and Employment Forecasts Technical Report, 2013

market. Notwithstanding, local authorities should take steps to avoid double-counting.

Whilst the National Planning Policy Guidance notes that student accommodation 'can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market', it is not straightforward to undertake this task. Although it may be possible to average the number of students occupying housing to 4 students per house (for example) and accordingly work out that a scheme for 100 student units might free up 25 houses, this assumes that the houses are freed up and that they will be occupied by non-students in the future. Given lack of control by developers over the existing housing units used by students as housing in multiple occupation, the council has little or no certainty that this housing will be occupied in the future by non-students. The letter from Anglia Ruskin University provides no information on where the first year students in question were eventually accommodated, or indeed what percentages of its students live in purpose-built student accommodation and in general needs housing. Without further evidence, the council is not able to count the delivery of student units against the housing requirement.

Student completions and commitments

In terms of completions and commitments of student units since 2011: between 1 April 2011 and 31 March 2014, 1,056 student units (net) were completed. There were commitments at 1 April 2014 of a further 1,698 student units (net) with planning permission but not yet built. Since 1 April 2014 to September 2014, a further 379 student units (net) have obtained planning permission. There are therefore 3,133 student units which have been built out or have obtained planning permission since the start of the plan period for the emerging Local Plan. Many of these are restricted through a cascade mechanism within the Section 106 agreement to the University of Cambridge or Anglia Ruskin University. It is not considered that there is sufficient evidence of the urgent need for

student units to approve development contrary to policies 5/1, 7/9 and the proposals schedule in the adopted Local Plan 2006.

Conclusion

In conclusion, the proposal in planning application 14/1496/FUL fails to provide any housing on the site contrary to the allocation in the adopted Local Plan 2006 which allocates the site for mixed use housing development and community facilities. The proposal is considered contrary to policies 5/1, 7/9 and site allocation 7.12 in the Proposals Schedule of the Cambridge Local Plan 2006.

Furthermore, in the context of the emerging Cambridge Local Plan 2014, this proposal risks not only this allocation and the loss of a number of housing units on Mill Road, but would increase the risk of other allocated sites not being delivered for housing. As such, the adverse impacts of granting planning permission on this site would significantly and demonstrably outweigh the benefits, by prejudicing the outcome of the plan process and preventing the council from being able to deliver appropriate numbers of housing units to meet the city's objectively assessed need.'

Planning Policy (on matters of Open Space)

6.4 'Policy 3/8 of the Cambridge Local Plan states:

All residential development will provide public open space and sports facilities in accordance with the Open Space and Recreation Standards. Provision should be on-site as appropriate to the nature and location of development or where the scale of development indicates otherwise through commuted payments to the City Council.

Open space requirements are calculated on the basis of the number of people to be accommodated in a development, each unit in this case being assumed to accommodate one person per bedroom. The total assumed population of the development is therefore 270 people.

The total informal open space required by the development (based on provision of 18 square metres per person) is 4,860 square

metres. Given the size of the application site and the number of students the scheme proposes to house, it does not appear possible to accommodate both the proposed development and the amount of informal open space required on site.

Provision of informal open space in Romsey Ward

The application site lies within Cambridge's Romsey Ward. The Council's Open Space and Recreation Strategy 2011 describes Romsey Ward (page 61) as a *densely built-up, predominantly residential environment to the south-east of the City Centre. Much of the housing provision consists of terraced housing, although there are pockets of semi-detached housing in the northern part of the ward. Most gardens are relatively small and narrow and there is little in the way of street trees given the densely urban nature of the area.*

The Council's Open Space and Recreation Strategy 2011 describes both the strengths and weaknesses of each ward. For Romsey Ward, the weaknesses (page 61) are set out below:

Apart from the relatively informal pitch provision on Romsey Recreation Ground, there is no formal sports provision in Romsey. However, Coleridge Community College and Coleridge Road Recreation Ground are relatively close to the ward. The amount of informal open space in the ward is low given the local population density and the amount of natural and semi-natural green space is very low and is restricted to tree belts within Romsey Recreation Ground and Brooks Road Play Area.

The Strategy gives the population of Romsey Ward at 8,950⁴ (page 26). The amount of protected open space (this is all types of open space) equates to 10.56 hectares or 1.18 hectares per 1000 population. Of the total amount of protected open space within Romsey, 6.75 hectares classified as private protected open space, mainly comprising allotments. These spaces would be unlikely to be accessed by students of the scheme, as most of the city's allotments have waiting lists of a number of years. The remaining 3.81 hectares could be classified as forming part of the informal

⁴ Based on the known population at the time of drafting the Open Space and Recreation Strategy in 2011. The city's population is understood to have risen since 2011 to 9,450 (according to Cambridgeshire County Council's population data).

open space network, equating to 0.43h hectares per 1000 population (based on 2011 population).

The adopted standard for the provision of publicly accessible informal open space provision is 1.8 hectares per 1000 population. The Open Space and Recreation Strategy 2011 suggests this should move to a higher ratio of 2.2 hectares per 1000 population and is put forward for adoption as part of the Cambridge Local Plan 2014; Proposed Submission. This plan is currently at examination. As the relevant policy (Policy 68: open space and recreation provision through new development) is subject to a number of objections, the weight which can be afforded to it is limited.

The extent of under-provision of informal open space in Romsey Ward is considered significant. Furthermore, the Open Space and Recreation Strategy 2011 (page 55) recognises that Petersfield Ward suffers from a similar lack of publicly accessible informal open space. Petersfield directly abuts Romsey and is on a clear route from the site to the Anglia Ruskin University's East Road campus. Public open space in neighbouring Coleridge and Abbey wards is not conveniently located for ease of use by any students living within this development. As a result, Romsey Recreation Ground would be likely to be subject to even heavier use than it currently experiences, impacting on the quality and availability of provision.

It should also be noted that the Council's Open Space and Recreation Strategy sets out an opportunity on page 61:

Site 7.12 Former Magnet Warehouse on Mill Road is allocated for housing, community facilities and student housing in lieu of affordable housing in the Cambridge Local Plan 2006. If this site comes forward for its allocated use, the quality and quantity of open space made available on site should be high in line with the Council's standards in order to avoid further negative impact on deficiencies in publicly accessible open space in Romsey ward.

Additionally, the Council's Open Space and Recreation Strategy states as a threat:

Inadequate open space delivered as a result of new residential development coming forward and deterioration in the quality of existing open spaces.

Whilst this site has not come forward for its allocated use, student development still generates a need for informal open space provision. The development of the site should seek to provide a quantum of informal open space provision closer to the need arising from its future occupants. Any under-provision of space needs to be robustly justified.

The Mill Road Development Brief 2007 sets out an aspiration for the provision of a large area of open space extending back from Mill Road (not dissimilar to Ditchburn Place) which would create a well-defined space to serve the residential development of the site. The Brief was subject to extensive public consultation in March-April 2007 and again in June 2007 prior to consideration by the City Council's Environment Scrutiny Committee and approval by the Executive Councillor (Environment).

The applicants' attention should be drawn to paragraphs 1.9 and 4.18 of the Council's Open Space and Recreation Strategy with regard to the impact of the development on open space provision and the opportunities for provision and enhancement of open space. In conclusion, due to the size of the proposed development and the number of students likely to be living on site, the subsequent need arising for informal open space provision and the lack of such space provided as part of the development, and due to the location of the site within and adjacent to wards where there is a shortfall in public informal open space provision and where student use of such spaces would unreasonably intensify the use of such spaces and because substantial mitigation through developer contributions would not be possible but a greater percentage of informal open space provision would be possible from the site, the proposal is considered contrary to Cambridge Local Plan 2006 Policy 3/8 and the Cambridge City Council's Open Space and Recreation Strategy 2011.'

Head of Refuse and Environment

6.5 *Application as submitted*

No Objection: Recommends the following conditions: construction and delivery hours; construction noise, demolition and piling; dust; noise insulation from traffic; plant noise; noise assessment and mitigation from hospital plant; waste and recycling; waste lorry movements; and contaminated land. Various informatives are suggested.

Urban Design and Conservation Team

6.6 *Application as submitted*

Scale and Massing

Block A

Block A is approximately 35.5m long and whilst forward of the building line of the adjacent Mosque, forms a similar arrangement and relationship to Mill Road as the terrace houses opposite. The proposed block is broken into two elements ranging from 2.5 storeys (west) to 3.5 storeys (east) with the top floor accommodation located within the pitched roof spaces. The ridge line is in the same east-west orientation as the terrace houses opposite.

The submitted Mill Road Elevation (drawing D0201 Rev P1) shows that the eaves of the 2.5 storey element aligns with the parapet line of the lower portico element of the Mosque and that the ridge aligns with the taller parapet line of the prayer hall. The 2.5 storey element is approximately 6.6m high to the eaves and 10.5m to the ridge and is 2m taller than the ridge of the adjacent terrace houses. The proposed taller 3.5 storey element is significantly taller than these and is a similar height to the 3 storey Brookfields House (BLI) to the east but is approximately 4.8m above the ridge height of the terrace houses opposite.

The proposed arrangement of accommodation within Block A (with double banked corridors at upper floor levels and single aspect rooms) results in a deep plan block with shallow sloping pitched roofs. The initial pre-application proposals (page 26 of the

submitted D&A Statement) proposed double gable ends with linking elements spanning the valleys at roof level. Whilst a storey too tall, this approach was supported as it helped to break up the depth of the block and provided steeper roof pitches replicating the roof angle of the terrace houses opposite. The proposed scheme includes curved stair/circulation cores on the rear northwest and northeast corners of the block to visually break up the width of these gables. Despite this we are concerned that the 13m wide gable on the east face of the block and 12.6m wide gable on the west face forms a poor relationship with the existing visible gables of houses on Mill Road (e.g. No. 307 Mill Road and the terrace houses opposite are approximately 7.3m wide). The building will be particularly prominent from views looking east and west along Mill Road (as shown in the submitted 3D perspective views on page 47 of the D&A Statement). The overall scale fails to meet the brief and is too great when compared to the finer grain development of the surrounding conservation area.

Block B

Block B is located adjacent the western site boundary with the southern gable end fronting onto the proposed public space (located between Block A and the Mosque site). The gable is broken into two elements; the lower 3 storey element is approximately 9m wide, whilst the taller 3.5 storey element is approximately 12.3m wide and setback 1.2m. We are concerned that the 3.5 storey element is too tall at 14.6m and is visually prominent from views looking east along Mill Road as the block rises above the lower 'portico' element of the adjacent Mosque. The block needs to be reduced to 2.5 storeys.

Block C

Block C is located adjacent to the eastern site boundary and reflects the scale and massing of Block B opposite. We are concerned that the 3.5 storey scale of Block C and narrow garden depth (between 6.5-8m) results in an overbearing impact on the BLIs on the Brookfields Hospital site. Whilst the existing mature trees partially screen the proposal it is likely that this block will be highly visible from both Mill Road and within the Brookfields Hospital site.

Block D

Block D is 4 storeys high with a flat roof. The 3rd floor level is setback approximately 5.8m from the east and west elevations but only 0.6m from the north and south elevations.

Overall, with regards to scale and massing, we are concerned that the scale of development proposed on the site fails to respond to the domestic scale of the terrace houses opposite. The 3.5 storey elements of Block A, B and C form a poor scale relationship and are visually dominate in views along Mill Road and the adjacent Brookfields Hospital site. As noted in the Mill Road Development Brief (page 21) *'The ultimate height of buildings on the Mill Road frontage and to the boundaries of the site should not exceed the established ridge height established by properties opposite the site'*. The impact on the conservation area is also unacceptable and fails to respond to the domestic scale of houses in the surrounding context. The 3.5 storey elements of Block A, B and C need to be reduced by at least 1 storey.

Residential amenity

We are concerned that the proposed 3.5 storeys element on the Mill Road frontage will result in an overbearing impact on the terrace houses opposite.

The scale and close proximity of Block C to the western site boundary raises potential overlooking concerns between first floor windows on the west elevation of Block C and the windows to the social rented unit on the east elevation of the Mosque. As proposed the windows to bedrooms T01 and T02 of the 5th and 6th 'townhouses' are approximately 9m and 10m from the windows of the social rented unit located on the east elevation of the Mosque.

Elevations and Materials

The pre-application proposals for Block A (as shown on page 42 of the submitted D&A Statement) had the appearance of 6 'terraces' on the Mill Road elevation due to the vertical emphasis of the windows, downpipes and extended 'party' walls. This approach was supported (albeit a storey too tall) as the Mill Road elevation replicated the rhythm and fine grain of the terrace houses opposite. The extended 'party' walls were felt to replicate (to some extent) the appearance of chimneys and helped break up and articulate the roof line.

We are concerned that this approach has not been translated into the final design of Block A which now proposes full height curtain wall glazing at ground floor level and stone banding giving a horizontal appearance to the Mill Road elevations. The Mill Road Development Brief (page 21) states that *'the rhythm of the terraces opposite the site, in terms of the continuity of the frontage and, at a more detailed level, the ratio of solid (wall) to void (windows and doors) and the way in which they are organised on the elevations, should be used to inform the way in which elevations are handled'*. The detailed design of the Mill Road elevations need to be revisited with chimneys, extended 'party' walls, downpipes, windows etc. used to provide a vertical emphasis and reflect the rhythm and grain of the terraces opposite.

The elevation treatment of Blocks B, C and D is more successful. The 'townhouses' are broken up by the projecting bays, recessed brick panels and extended 'party' walls providing a vertical emphasis to the elevations. The north and south elevations of Block D are broken up by the arrangement of the stair/circulation cores.

The proposal takes a contemporary approach to the proposed material treatment and includes slate roofs, reconstituted stone cills, aluminium windows, timber rain screen cladding and buff facing brickwork with panels of light and dark mortar. The proposed material palette is acceptable in design terms.

Daylight and sunlight

Impact on surrounding properties

The results from the Vertical Sky Component (VSC) and the Annual Probable Sunlight Hours (APSH) tests show that the existing terrace houses opposite the site are not impacted upon by the proposed scheme when assessed against the BRE guidelines and maintain high levels of daylight. The hospital buildings considered to have a requirement for natural light retain good levels of daylight with 15 of the 18 rooms assessed enjoying a good level of daylight distribution in excess of the BRE guidelines.

However, the VSC results for the Mosque show that of the 9 windows assessed, none will adhere to the BRE guideline criteria. The daylight distribution test shows that out of the 5 windows assessed, all fall below recommended guidelines. The results for

the APSH tests are better with 3 of the 7 windows assessed falling just marginally below the 25% APSH threshold.

The windows impacted by the proposed development relate to habitable rooms within the social rented unit proposed on the east face of the Mosque (windows impacted are to the kitchen, living and dining rooms at ground floor level and bedrooms at first floor level of this unit). The impact to the windows assessed within the Mosque is a result of the height and close proximity of Block B to the western site boundary. Whilst the Mosque is yet to be constructed we are concerned the proposed student development will result in a poor living environment for the future occupants of the social rented unit. However, the consented Mosque application proposed a 1.8-2.1m high rendered block wall setback 1.8m from east elevation; the ground floor habitable rooms may therefore already receive limited daylighting.

Daylight within the proposed development

A total of 74 rooms have been tested of which 30 are combined studios and 44 are bedrooms. The submitted report assumes an Average Daylight Factor (ADF) criteria of 1.5% (for Blocks A & D) and 1% (for Blocks B & C). An ADF criteria of 2% should be used for rooms within Block A as these form studios and therefore have a combined bedroom, living room and kitchen function.

Of the 3 rooms assessed on the Mill Road frontage of Block A, 2 would achieve ADF levels of below 2%. The 7 rooms assessed on the rear elevation represent the worst case condition as the rooms directly face Block C. The ADF results for these rooms range between 0.64% and 0.82 which are well below the 2% recommended criteria. We are concerned that these rooms will form a poor living environment for the occupants.

The ADF results for Blocks B and C show that all of the bedrooms assessed exceed the 1% ADF target, whilst all but one of the living/kitchen rooms exceed the 1.5% ADF level.

For Block D the rooms assessed on the north elevation exceed the 1.5% ADF level. Out of the 21 rooms on the south elevation facing Blocks B and C, 8 fall below the BRE guidelines. We are concerned that these rooms will form a poor living environment for the occupants.

The APSH test for the proposed Blocks A-D indicates all the windows assessed would meet the BRE guidelines for access to annual and winter sunlight.

Shadow impacts to the proposed amenity spaces

The proposed central courtyard is shown to receive full sunlight at 12:00 on the 21st March; it is therefore likely that the central courtyard will meet the recommended BRE criteria for daylight and sunlight.

The rear private gardens associated with Block B are shown to be partially in shadow at 09:00, 12:00 and 15:00 on the 21st March. We are concerned that these rear gardens will fail to meet the recommended BRE criteria.

Cycle Parking

The submitted scheme proposes to incorporate all of the required cycle parking provision (200 spaces) within the basement level of Block A. A further 9 Sheffield stands are proposed on the Mill Road frontage for visitors. Access to the basement level cycle store is via a separate staircase with 400mm wide ramps either side. We are concerned that the proposed basement level cycle parking provision is poorly related to the majority of units within the scheme and may lead to bicycles being left within the central courtyard or within corridors.

Cycle parking should be located so as to relate to the individual entrance/core areas of each of the 4 blocks. The 14 'townhouse' units within Blocks B and C should incorporate their own cycle parking provision at the front of the 'house' units.

Landscape and Open Space

The landscaped thresholds proposed in front of the townhouse units (Blocks B and C) are acceptable in design terms. The thresholds include raised planting beds and bench seating which improves the privacy of the ground floor bedrooms (T06) and further defines and breaks up the length of the blocks.

The submitted site plan shows a large undefined space in front of the southwest corner of Block D which is accessed through the

proposed refuse store. The function of this space needs to be clarified.

The southernmost 'townhouse' in Block C has no access private amenity space due to the arrangement and location of the disabled car parking space and the substation.

Details of the proposed boundary treatments need to be provided.

Conclusion:

The creation of the pocket park at the front of the site and the proposed 'townhouse' typology used for Blocks B and C are supported in design terms. However we are concerned about the overall scale of development proposed on the site, the 3.5 storey elements of Block A, B and C forms a poor scale relationship and results in dominating the existing terrace houses and the lower scale buildings on the Brookfields Hospital site. This in turn has an adverse impact on the adjacent conservation area and BLIs on the Brookfields Hospital site. The 3.5 storey elements of Block A, B and C should be reduced by at least 1 storey to comply with the scale and massing guidance contained within the Mill Road Development Brief.

The treatment of the Mill Road elevation of Block A has a horizontal appearance and fails to reflect the rhythm and grain of the terraces opposite which have a more vertical emphasis.

The scale and close proximity of Block B to the western site boundary raises potential overlooking and overshadowing concerns to the social rented unit on the east face of the Mosque.

As proposed the submitted application is unacceptable in design and conservation terms and fails to meet the requirements of Cambridge Local Plan (2006) Policy 3/4 *Responding to Context*, 3/7 *Creating Successful Places*, 3/12 *The Design of New Buildings* and 4/11 *Conservation Areas*.

6.7 Application as amended

Scale and massing

In response to previous concerns regarding scale and massing the applicant has amended the scheme to reduce the overall height of Blocks A, B and C. These changes are discussed in more detail below.

Block A

The original submitted scheme proposed a total of 42 studio bedrooms located at first, second and third floor levels in Block A. The amended scheme reduces the number of studios in Block A to 30, and those located within the 3rd floor have been removed entirely.

The length of Block A has increased from approximately 35.2m to 37.3m, we assume as a result of incorporating the electrical substation within the footprint of the block.

The submitted application drawings for Block A broke up the Mill Road elevation into two elements (2.5 storey west element, rising up to 3.5 storeys on the east). The 2.5 storey element measured approximately 10.5m to the ridgeline and 6.5m to the eaves. The taller 3.5 storey element measured approximately 13.3m to ridgeline and 9.3m to the eaves (as measured from the ground floor finished floor level). Previously, the City Council's Design and Conservation Panel were *'more comfortable with this almost equal split between the 2+1+roof and the 3+1+roof elements as this variation helps to resolve Block A's previous solid mass appearance'* (D&C Panel Minutes dated 9th July 2014).

The amended Block A elevations break the Mill Road street frontage down further into four elements ranging from 2 storeys plus roof to 2.5 storeys and 3 storeys plus roof. The east and west gable ends of the block are bookended by 2 storey pitched roof sections. The ridge level of the lower 2 storey elements are approximately 7.9m high whilst the taller central 3 storey element is approximately 11.6m. The proposed amendments result in reducing the overall height of Block A between 1.7 and 2.5m when compared to the original submitted scheme.

The proposed reduction in height of the Mill Road frontage is supported in design and conservation terms. The ridge and eaves height of the lower 2 storey pitched roof elements bookending the block sit approximately 1m below the ridge and eaves levels of the terrace houses opposite. The variation in roofline between elements is supported and relates the scheme to the more varied roofline of existing terrace houses further west along Mill Road. Whilst the 3 storey pitched roof element remains taller than the terrace houses opposite, the approach to incorporate a greater proportion of the 2nd floor accommodation within the pitched roof space (within the cross eave dormers) visually reduces the scale of Block A. The ridge height of the 3 storey element no longer competes with the adjacent Brookfields House BLI on the adjacent Brookfield's Hospital site.

We previously raised concerns that the depth of Block A (13m wide eastern gable and 12.6m wide western gable) formed a poor relationship with the width of visible gables of existing houses along Mill Road. The amended floor plans show that the western gable end has been broken up and the rear element setback approximately 6.2m. The eastern gable has been equally broken up but the setback (of the rear element) is significantly less at 0.7m. As a result of the setbacks, the depth of the gable ends has been reduced to approximately 8.8m (eastern gable) and 8.5m (western gable). The revised approach is supported in design terms as the depth of the lower sections are more consistent with the depth of existing residential terraces on Mill Road. The lower sections also help to screen the full depth of the balance of the Block A building.

Blocks B and C

The amended drawings remove the pitched roofs proposed on Blocks B and C and replace them with flat roofs. As a result, the height of both blocks have reduced from approximately 14.4m to 12.1m. The 3rd floor accommodation has been setback approximately 3.2m from the west elevation of Block B (adjacent to the proposed Mosque) and both blocks have been setback approximately 7m from the south elevation.

Whilst not removing a storey, the revised roof form does result in a reduction in the overall scale and massing of these blocks. The deeper setbacks at 3rd floor level are more sympathetic to the scale of the terrace houses opposite. The 2nd floor parapet also forms

an improved scale relationship with the flat roof of the prayer hall on the adjacent approved Mosque site.

The reduction in height has resolved concerns about views of the scheme from the Conservation Area. Views of the 3rd floor from Mill Road will be largely concealed by Block A. Glimpsed views of Block B looking east along Mill Road will be possible but a larger proportion of the 3rd floor will be concealed by the prayer hall element of the Mosque. Existing trees on the boundary with the Brookfield Hospital site will result in filtering views of Block C when looking west along Mill Road.

Block D

The proposed amendments move the footprint of Block D between 0.51m (central element) and 1m (northwest element) away from the northern site boundary so as to reduce the impact on the root protection zone of the retained trees. This amendment is acceptable in design terms.

Elevations and materials

We previously raised concerns that the full height curtain wall glazing at ground floor level and reconstituted stone banding (between ground and first floor) on Block A gave a horizontal and somewhat commercial appearance to the Mill Road street frontage. The amended elevations for Block A remove the stone banding and have proposed smaller windows at ground floor level. We support this approach which improves the domestic appearance of the building.

Whilst the overall approach to the proposed elevations and material treatment is acceptable in design and conservation terms, the following amendments to Block A are required to improve the relationship and appearance of the block with the existing terrace houses opposite. These amendments could be covered through condition should the application be approved.

- The 2.5 storey element of Block A now includes a central extended 'party' wall which is acceptable in design terms. 'Party' walls should also be reintroduced to each end of the 3 storey element (as proposed as part of the original submitted application) so as to provide a vertical emphasis to the Mill Road elevation and further reinforce the breaks between elements.

- The material proposed for the ‘party’ walls should be pre-cast stone copings (as opposed to PPC aluminium cappings) to match the reconstituted stone window cills.
- Transoms should be introduced for the 1st and 2nd floor windows fronting Mill Road to improve the proportions and relate to the terrace houses opposite.
- The east and west gable elevations of Block A indicate a central recess between the roof pitches which is represented with a change in material. A deeper setback should be introduced to further break up the depth of the block when looking east and west along Mill Road.
- The reveal depth of windows needs to be clarified.

Daylight and sunlight

The increased setback to the west and south elevations of Block B at 3rd floor level has slightly increased the level of daylight within the habitable rooms, with 1 of the rooms now meeting the recommended daylight distribution test guidelines (previously all windows fell below recommended guidelines). The submitted amendments also result in increasing the Average Probable Sunlight Hours (APSH) results with 5 of the 7 windows assessment adhering to the BRE guideline criteria (previously 3 of the 7 windows adhered to the BRE guidance for APSH). However despite the proposed amendments, of the 9 windows assessed as part of the Vertical Sky Component (VSC) test, none would adhere to the BRE guidelines.

The VSC and APSH tables (Appendix B and D of the submitted Daylight and Sunlight Report dated 28th January 2015) shows existing and proposed figures for windows within the Mosque. The figures have been compiled using 3D computer modelling and specialist computer simulation software. The submitted 3D model views (Appendix A) do not show the 1.8-2.1m high boundary wall on the eastern boundary of the Mosque site which was proposed as part of the consented application. The applicant needs to confirm whether or not the boundary wall (which is located approximately 1.8m from the east elevation of the Mosque) was factored into the VSC and APSH tests.

Given that all of the buildings on the proposed site have been demolished the windows within the Mosque would inevitably receive a higher degree of daylight than it would have done prior to

demolition. In our view, the arrangement of habitable rooms and close proximity of windows to the eastern site boundary would impact existing daylight to these rooms.

Conclusion

The lower roof line of Block A and deeper setbacks proposed to the south elevation of Blocks B and C at 3rd floor level are supported in design and conservation terms. The scale and massing of these three blocks is now more sympathetic with the scale of the terrace houses opposite.

Whilst acceptable in design and conservation terms a number of amendments are required to the elevation treatment of Blocks A, B and C, as outlined herein, which should be conditioned should the application be approved.

Senior Sustainability Officer (Design and Construction)

6.8 Application as submitted

No Objection. Conclusion: The applicants approach to meeting the requirements of Policy 8/16 and many of the approaches related to sustainable design and construction are supported. I would encourage the applicant to go further in relation to the reduction of potable water consumption given the water stress faced by Cambridge.

Access Officer

6.9 Application as submitted

Objection: 1 more room for disabled students should be provided and 16 Blue Badge parking spaces. The entrance double doors need be power assisted or asymmetrical with one leaf being a minimum of 900mm. Reception needs hearing loop and seating of mixed height, with and without arms. It would be better if some accessible bedrooms were nearer the front of the complex. As wheelchair users will sleep upstairs secondary power supply to the lifts are needed.

Head of Streets and Open Spaces (Tree Team)

6.10 Application as submitted

Objection: Blocks A and C –Concerns regarding the nature of the outside space between the protected trees to the east and the four storey Block given how the space will be shaded by both trees and building. Notwithstanding the proposed tree protection, There are concerns regarding the impact of construction on the protected trees to the east. Given the height of the Blocks to be constructed, the location of the protection fencing is inadequate. The use of Trak panels in this area and the width of the ground protected by the panels would suggest vehicular access in this area for construction purposes. The access, which would include high sided vehicles, piling rigs and cranes would require significant pruning of overhanging branches. If this is not the case and vehicular access is not required the fencing should be pulled out to help protect canopies. This is potentially a significant issue, as if access is required for major construction activity there is insufficient space between the canopy edge and the building line, therefore addressing this impact cannot be conditioned. In addition to the above ground issue, to the south of this boundary a new access is proposed well within the RPA of the 1st three trees. Again the comments presented in the AIA regarding existing hard standing are acknowledged but it is not clear how far the existing hard standing extends into the RPA. If the new access requires extending the hard standing towards the trees in to soft ground, this will not be acceptable without a no dig construction.

Block D –is also close to the Category B trees to the north. Even with the extensive pruning proposed, the lower levels will suffer from lack of light due to the northern orientation and the proximity to the large tree belt. Again given the scale of the building and likely space required for construction, conflict between construction activity and tree canopies is expected. There is no indication of ground protection this area.

Proposed tree losses are acceptable but the scheme needs to allow for appropriate replacement and new planting especially along the frontage.

Head of Streets and Open Spaces (Landscape Team)

6.11 Application as submitted

Objection: Conclusion: Due to the fundamental concern over the height and massing of the proposals the application is not supported. The buildings create an overly dominant frontage onto the green spaces, both public and private as well as onto Mill Road and the residential terraces adjacent and opposite.

6.12 Application as amended

No Objection:

Central Open Space

- The improvements made result in a wider, more open central space. The building heights have included setbacks at upper levels which reduce the 'canyon'-like feel of the previous iteration.
- The "townhouse" units have reduced the total number of occupants and the amenity 'rear' spaces have been left undivided which provides a larger, more social space.
- The smaller planted areas at the frontage of the townhouses continue to create a defensible boundary image despite being reduced and this is an improvement

Impact on existing landscape

- The removal of both the substation and the parking bays from the rootzone areas of the trees on the eastern boundary is an improvement.
- Note: The access road to the east of Block A encroaches on the RPA of trees along the eastern boundary. This is a pre-existing hard paved area, construction under existing trees must be taken into account.

Amenity spaces

- The spaces surrounding Block D are not being utilised in the best way. There are opportunities for additional access to

the green areas around the building. This section of the building could be straightened. The slight relocation of Block D to give additional space to the trees at the rear of it is acceptable

Street scene

- Improvements have been made to the street scene aspects at Block A, including the articulation of the roof lines, the frontages and side aspects, there are still concerns about the overall width of the Block and the visual impact to the character of the area.

Conclusion

More comfortable about the proposals in this iteration than previous submissions however; more thought needs to be applied to the spaces around Block D, particularly the pinch points between Block D and Block C. More needs to be done to alleviate the width to Block A.

Head of Streets and Open Spaces (Walking and Cycling Officer)

6.13 Application as amended

No objection: There should be more cycle parking at grade near Block A or more cycle parking for Block D should be provided in a covered area near to Block D. The gradient of the ramp should be clarified as this will potentially affect the layout of the whole building - the gradient should be about 1 in 4. Whilst the lift is useable to take a bike down to the basement this will entail taking them through the lobby area and is not really a feasible option at busy times. The door to the basement parking should automatic.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.14 Application as submitted

No Objection: The proposals to limit the flow from the site to 5 l/s would be an improvement in terms of water management from the

site and therefore this is supported, however, there are no details of how this will be achieved. A surface water condition is recommended.

Head of Streets and Open Spaces (Public Art Officer)

6.15 Application as submitted

Objection: The planning application submission does not contain a Public Art Delivery Plan to support the application and to comply with the Council's policy. However, the Design and Access Statement contains the following: 'The council has a Public Art Supplementary Planning Document (2010) which guides provision of public art in Cambridge by setting out clear objectives on public art. The choice of public art should be informed by the development of design. A potential location for public art has been identified and public art consultant will be appointed to help develop the opportunities within the Site.' The text is also accompanied by a plan marking where the art will be located.

The planning submission simply does not have enough information within it, which sets out the provision of public art and also because it has not been considered as an important element of the scheme, time has passed, the development has been designed and opportunities have been lost. It is not satisfactory to have the plan marked where public art will be located and indeed, this is exactly what the policy set out to stop happening. As a matter of urgency the developer needs to seek advice from a professional art consultant and take the project forward. We will need a Public Art Delivery Plan submitted, which sets out the project and approach to it and this will need to be approved prior to the commencement of development (this could also be presented to the Council's Public Art Panel). At no time in the process has the developer made contact to seek advice and it would be helpful to have an indication of what the budget is.

Currently the planning submission does not comply with the Council's policy.

Anglian Water

6.16 Application as submitted

No Objection: Recommends a surface water condition.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.17 Application as submitted

No Objection: The location of the proposal sits within the busy city ward of Romsey, in terms of crime the ward has seen 558 x crimes recorded in the past 12 months. Only been 7 x crimes have been recorded in the immediate vicinity of the site

Cycle security is outlined within the Operational Statement (OS) as providing secure access and CCTV. Cycle crime is a significant problem in Cambridge therefore the security arrangements for cycles are of the utmost importance. The OS outlines that there will be a 24/7/365 day support via a national call centre and that a Major Incident Plan will be in place.

The cycle security arrangements outlined are adequate in terms of security e.g. lighting & CCTV. The Secured by Design requirements are supported. There is mention of an around the clock reception desk which would deal with parcels/letters and visitors.

There is no mention of visitor access within the document. Student accommodation within CB1 adopted the principle that all students' process mobile phones and that a visitor can contact a resident to be allowed access. This would be acceptable.

Satisfied with the considered level of security for the student accommodation.

Design and Conservation Panel (D&C Panel)

The scheme has been presented to D&C panel on two occasions prior to the formal application being made. The planning application is similar to the proposal put forward to the July 2014 meeting.

6.18 'D&C Panel Meeting of 9th July 2014

The revised pre-application proposal for student accommodation presented on behalf of the McLaren Construction Group. Today's presentation is in response to concerns raised at the June Panel meeting (verdict RED - 1, AMBER -6).

Presentation by Bill Soper and Nenad Manasijevic of TP Bennett Architects.

Revisions include a reduction in unit numbers from 329 to c. 300 and Blocks B, C and D having been pulled away from the site boundary. The east and west elements of Block D have been re-orientated to respond to the grain of buildings on adjacent sites, and Block A on Mill Road has been redesigned to correspond to the two and three storey plus roof context of the local area.

The Panel's comments are as follows:

Response to context

The Panel acknowledge the attempts made to adjust the scheme to make it more responsive to its context. However, the Panel felt that the presentation material lacked sufficient information to properly assess the impact of Blocks B and D and the intervening spaces in the site's north west corner on the rear elevations of the proposed mosque. Detailed studies of this important interface between the two developments would help to clarify potential issues of overlooking, privacy and appropriate boundary treatments such as fencing and landscaping.

Landscaping

- Central courtyard. The Panel welcome the removal of the secondary refuse collection point which allows this area to be given over entirely to landscaping.
- Mill Road frontage. In the Panel's view, there is a need to strike a balance between the hard landscaping elements and softer, garden elements, particularly where the site boundary meets that of the mosque. A continuation or integration with the mosque planting beginning with the alignment of the proposed trees is to be encouraged, so as the two areas could be read as a single amenity

space, (notwithstanding the interruption resulting from the mosque's ramped vehicular access.) Detailed consideration is needed to demonstrate how the vehicular ramp is to be integrated successfully into the site layout and surrounding landscaping.

Comments on the proposed residential Blocks

Block A

- Elevations. In general terms, the Panel were more comfortable with this almost equal split between 2+1+roof and 3+1+roof as this variation helps to resolve Block A's previously solid mass appearance. With its position between the proposed highly decorative mosque and the Edwardian BLIs of the Brookfields site, it was suggested that this Block could benefit from a more enriched elevational treatment. All agreed detailed design would be key.
- Dormer windows. The Panel would have welcomed a greater degree of subtlety here as the mosque in contrast offers singularity. The Panel would support a recessive dormer solution (although not on the eaves). That may indeed be the intention within the design. However there is a need for greater care and consistency in the drafting of the illustrations, as the shading used to illustrate these windows was misleading.
- Recessed glazed bays (southern elevation, eastern end). Further inconsistency is revealed between the elevations and the plan, with the last two bays appearing to be glazed on the elevations but not on the plans. Panel members also felt that the brick pier at the eastern end of the south elevation was visually too thin and weak.

Blocks B and C

- Boundary treatment. Treatment of both the east and west boundaries needs to be clarified, but more specifically Panel questioned the design and configuration of the fence and gates proposed between Block B and the eastern boundary of the mosque, which needs to be resolved. The architects are advised against the inclusion of close-bordered timber fencing between the rear of Block B and the boundary with the mosque. A more elegant solution is needed, given the importance of the landscaped space it will define and contain.

- Defensible space (southern end of Block B). As the southern end of Block B includes a kitchen and lounge area, there is a need for the external defensible space to be inward-looking out of respect to those using the mosque. The need for further development of the landscape treatment of this space has already been referred to under 'Landscaping' above.
- Elevations. The Panel questioned the juxtaposition of the blank gabled elevation at the southern end of Block B facing the square, in relation to the flat roof element that steps forward from the gable. Once again there are inconsistencies between different drawings for this element, so final intentions are not clear.
- Conservatories. Significantly more detail is needed here; not only in terms of how these ground floor 'cubes' would be experienced, but how they relate to the boundary with the mosque.

Block D

- Layout. The Panel note that Block D has been pushed back from the northern boundary by 1metre. Although the ground floor student rooms have reasonably sized windows, the Panel would encourage analysis of daylight levels. The boundary trees may be deciduous (Poplars), but there was a concern these rooms would be cold, gloomy spaces for a significant portion of the year.
- Point of arrival. Following the comments made last time, the Panel welcome the improvements made to entrance spaces by the provision of wider apertures.
- Elevations. Block D has an expressive form but calm detailing. The Panel would recommend greater architectural expression within its central area facing into the courtyard garden area, so as to enhance the quality of the courtyard, and achieve a better relationship to the architectural treatment of the Blocks B and C.
- West elevation to mosque - Daylight studies should also be undertaken to help evaluate the quality of this space within such close proximity to the mosque and whether in fact the central corridor would achieve the levels of natural light as described in the presentation.

Signage

- A development of this kind would require a signage strategy. Details of this would be welcomed.

Conclusion

The Panel experienced some difficulty in appreciating aspects of the scheme due to inconsistencies in various details shown in the presentational material. Greater attention to the accuracy of details would have enhanced the Panel's appreciation and assessment of the proposals (and may well have been reflected in additional green votes). The Panel re-iterate the benefits of consulting with the architects for the proposed mosque in resolving elevational, landscaping and boundary treatments of the schemes so as to achieve a compatibility in use for both student residents and worshippers, and to realise an integrated streetscape along the Mill Road frontage.

VERDICT – GREEN (2), AMBER (7)

.....

6.19 **'D&C Panel Meeting of 11th June 2014**

The proposal for student accommodation (329 units) by the McLaren Construction Group is at the pre-application stage. The accommodation types proposed include 47 studios, 10 studios for the disabled, 104 cluster en suite rooms and 168 townhouse rooms. The scheme presented by Nenad Manasijevic of architects TP Bennett accompanied by Laura Bradley of Bradley Murphy Design consists of four Blocks of accommodation arranged around a courtyard/ garden.

The site is located between the proposed Mill Road Mosque (which received Planning consent in 2012) and the Brookfields Hospital site which contains Buildings of Local Interest.

The Panel's comments are as follows:

Response to context

The Panel were far from comfortable with the assertion that the proposals were responsive to the surrounding context including the

approved scheme for a Mosque. Analysis of the relationship between the existing built form and publicly accessible space in the area was lacking and should, through the development of alternative arrangements and building types informed the scale, mass and form of the various residential elements. It was not evident as to whether the City Council's Mill Road Development Brief (2007) had been taken into account. Also, it was felt that insufficient consideration had been given to the way in which the proposed Mosque is to be arranged and function. For example, the location of Blocks B&D to be located very close to the site boundary and over-looking the adjacent east-facing prayer hall (particularly Block D) appeared to lack sensitivity despite the potentially more comfortable relationship illustrated in the small concept sketch included in the presentation material. Notably lacking were drawings including the detail of the Mosque. A context section including the Mosque would help and should be done to examine the situation.

It was suggested that the architects contact the architects of the Mosque – Marks Barfield.

Movement and access

- Student drop-off arrangements. The Panel were informed that access would be via the service route and staggered over several days. Some concern was expressed whether this would work effectively for 329 students and the potential for disruption and nuisance.
- Cycle parking. As the majority of spaces are to be located in the basement, the Panel would welcome some cycle provision in carefully chosen areas at street level for the benefit of visitors. Cycle parking incorporated into the public plaza may need to be avoided out of respect to those using the Mosque. It was also generally felt that cycle provision set back from the road would more likely be used by those visiting the site.
- Refuse collection. The Panel were unconvinced by the proposed arrangements, particularly for the secondary facilities serving Block D and to be sited on the edge of the courtyard gardens.

Layout

- Rooms (Blocks D). With only minimal amenity space between the Blocks and the site boundary, the Panel questioned whether sufficient breathing space would be provided between the single aspect, north facing rooms and the canopy edge. An improved response to the constraints is needed. Again, a contextual site section was noted as being useful both to examine and to review.
- Block D (stair). The point of arrival was regarded as mean and should be re-considered.

Scale and massing

Relationship between Block A and the buildings opposite. This Block is proposed to be 3.5 storeys which is considerably higher than the existing properties on the south side of Mill Road and does not acknowledge the character of its immediate surroundings. The Panel recommend that the Block should be 2 storeys plus roof. The additions of defensible space at ground level, which is a feature of the locality, should be considered.

Landscaping/open spaces

The Panel were generally supportive of the contemporary landscape concept. Given that the area is under-provided in green spaces the Panel would encourage exploration of the creation of multi-functional spaces and shared spaces appropriate to the setting of both the Mosque, the student accommodation and wider community.

Conclusion

Overall, the proposed built form of the scheme is not sufficiently responsive to the site's constraints and the wider context and is need of significant improvements to make it acceptable.

VERDICT – RED (1), AMBER (6)'

.....

6.20 Disability Consultative Panel (Meeting of 25 November 2014)

Student drop-off arrangements. Given the location of this site and the likely traffic congestion at peak times, the Panel would hope that a management plan will be in place to minimise congestion during student drop-off/collection periods.

Scooter charging points would be recommended.

Accessible lifts. These ideally should be fire fighting/evacuation lifts in order to provide a safe means of escape for disabled students or visitors.

Block D. This Block is furthest from the road which may cause additional difficulties for disabled students and visitors.

1 accessible parking bay on site is insufficient.

Induction loops. These need to be fitted in all publically accessible areas.

Wayfinding. Consideration needs to be shown towards the visually impaired when designing signage and creating spaces to be easily navigable.

Amenity space. The absence of a WC within a short walking distance would be a cause for concern for some ambulant disabled students and visitors.

Accessible WC for visitors. Some facilities for the benefit of older visitors arriving at the beginning or end of term would be welcomed.

Conclusion

This application reflects only minimal consideration for the disabled and the Panel expressed doubt as to the scheme's compliance with BSA 300, the Local Plan or Part M Building Regs. The distance between this site and the ARU campus as well as the increased cycling traffic on Mill Road generated by this development were also of concern to the Panel.

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

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:

24 Abbey Road	23 Hope Street	30 Suez Road
30 Belgrave Road	16 Jane's Court, Seymour Street	34 Suez Road
18 Belgrave Road	18 Jane's Court, Seymour Street	18 Tamarin Gardens
19A Belgrave Road	24 Jane's Court, Seymour Street	8 Tom Amey Court, St Philips Road
22 Belgrave Road	16 Madras Road	45 Vinery Road
26 Belgrave Road	17 Madras Road	55 Vinery Road
67 Burnside	5 Malta Road	57 Vinery Road
75 Burnside	273 Mill Road	King's Parade, CB2 1ST
	301-305 Mill Road (SPAR) (obj.)	32 London Road, Harston, Cambridge
95 Burnside	316 Mill Road	
3 Catharine Street	320 Mill Road	
96 Cavendish Road	322 Mill Road	
44 Cowper Road	372 Mill Road	
54 Cromwell Road	373 Mill Road	
210 Cromwell Road	380 Mill Road	
45 Eltisley Avenue	7 Montreal Road	
1 Fletchers Terrace	18 Montreal Square	
12 Hemingford Road	3 Natal Road	
14 Hemingford Road	58 Natal Road	
77 Hemingford Road	17 Romsey Road	
102 Hemingford Road	32 Romsey Road (EMRAG)	
129 Hemingford Road	13 Sedgwick Street	
1 Hobart Road	20 Seymour Street (obj.)	
6 Hobart Road	37 Seymour Street	
9 Hobart Road	42 Seymour Street	
30 Hobart Road	85 Seymour Street	3 x representations with no address given which will not be taken into consideration

7.2 The representations in objection to the application can be summarised as follows:

Principle

- The proposed use is contrary to the adopted local plan, emerging local plan and 2007 design brief for the site.
- The site should be developed for housing (family, key worker and affordable).
- The site should be developed for housing/mixed uses/community development.
- Lack of affordable units (either for students or local people) the development would not meet this need.
- Granting a 100% student scheme on this site would set a precedent and compromise the Council's ability to meet its housing targets.
- The proposal will not free up housing stock for general needs housing by students relocating to the site. The demand for student housing is 'infinite'.
- No evidence ARU will use the development.
- The accommodation would be occupied by students not from ARU or the University of Cambridge.
- The consent for the mosque has not invalidated the 2007 Brief.
- Students are already well catered for, such as at CB1.
- The Royal Standard site is providing student accommodation.
- The need for family and affordable housing outweighs the need for student housing.
- The trend is for family housing in the area to be converted for student use and not the reverse.

Layout

- The layout should include more green open space on its frontage as there is a shortage in the area.
- The small square of open space is poorly designed and too small.
- The development would put too much pressure on existing open spaces locally, such as Romsey Rec, especially with the population of Romsey having grown by 10% over the last decade.
- Buildings should be set back more significantly from Mill Road in accordance with the design brief.
- Density of 300 students too high.
- Lack of active frontage onto Mill Road failing to contribute to its vitality.

- Removal of Norway Maple tree on Mill Road unacceptable.
- New tree planting should be of a bigger stock (20-25cm girth).

Design

- The mosque would appear compressed and 'hemmed-in' by the development, losing its spaciousness.
- The design would not recognise the massing, proportions, materials or design culture of the mosque.
- The design is disconnected from local reference and is banal.
- The proposal is an unsuccessful contrast in style.
- Incongruous and conspicuous form.
- Low quality, cheap design.
- Too high.
- Should be two storeys to reflect local context.
- Overbearing impact on Mill Road and the Conservation Area.
- Not in keeping with the Conservation Area.
- Student units are too small.
- Detract from BLI's on Brookfield's Hospital site.
- The scale and positioning of the buildings would create a claustrophobic development.

Privacy

- Overlooking into adjacent mosque residential unit.
- Overlooking into housing opposite.

Light/Overshadowing

- Loss of light into adjacent mosque residential unit.

Noise

- Students will generate late night noise to the detriment of surrounding occupants.

Enclosure

- Block A would dominate housing opposite.

Car Parking

- No provision for parking.

- Students would generate unreasonable levels of car parking and traffic irrespective of proctorial control (which is not policed).
- Existing surrounding streets are already at capacity, the proposal would make the situation worse.
- The mosque would not be agreeable to making the underground car park available for student parking or set-down or drop-off.
- Visitor car parking bays should be provided, as family friends will visit and will cause disruption.

Cycle Parking

- The location of cycle parking within the basement will lead to cycles cluttering up the surrounding external spaces.

Co-ordinated development

- Demonstrates a lack of co-ordinated development with the mosque site adjacent.
- This is a piecemeal development.
- Will inhibit the development of the wider site R21.
- Should avoid piecemeal development like Cromwell Road.

Highway Safety and Transport Impacts

- Additional students cycling down Mill Road would generate a highway safety issue.
- Move-in and move-out days would cause congestion, parking problems locally and highway safety issues, particularly on Mill Road.
- Surrounding streets are already too congested and could not cope with an additional 1,300 pedestrian movements a day.
- Significant cycling improvements to Mill Road need to be made.
- Site is on a bottleneck and would exacerbate problems.
- Transport assessment is flawed.

Community

- Gated development.
- Not socially inclusive.
- Not a balanced, mixed use of the site.
- Students tenure is short-term and the student use would create a highly transient population.
- Increase in drug problems within the area would arise.

- Would create a ghetto.
- Nowhere on site for groups of students to meet.
- No evidence that the development would be warden controlled.
- Housing on the site would be better for community stability.
- Reduce the quality of life on Mill Road.

Other

- Profit driven, speculative proposal.
- No amenities for local residents are provided.
- Inadequate input or consultation with residents.
- Developer's summary of local interest is disingenuous.
- Would alter stock types within local shops in favour of student goods rather than family orientated goods.
- ARU should not continue to expand.
- Too much strain on local healthcare facilities
- Public Art should form part of the proposal.
- Increase in rubbish.
- Detrimental to the economic well-being of the City.

On the Amendments

- The issues have not been addressed
- A reduction in 10% of students is not sufficient, the reduction is minimal
- Does not address drop-off times and late night taxis
- Viability is not an issue
- Profit driven

7.3 A representation has been received from East Mill Road Action Group (EMRAG), of 32 Romsey Road. The representation is in objection to the proposal and can be summarised as follows:

- Local residents do not want student housing on the site. Most would prefer housing or mixed housing and flats with an affordable element (evidenced by EMRAG survey).
- The site should contain more green open space onto Mill Road with buildings set back.
- The existing 2007 development brief should be adhered to and should carry significant weight.
- There is no evidence that the scheme would free up existing housing stock in student use. The development would not meet the Council's Housing needs.

- This would be a gated community, of mono-tenure, not sustainable or mixed use.
- Parking should be provided on-site, the proposal is contrary to adopted car parking standards.
- 6,836 student bedrooms have been built in Cambridge or have planning permission since 2006. (4,501 built, 2,335 having p.p). Only 2,480 family homes have been built in the same period.
- The need for family and affordable housing would not be met.
- The need for student housing is limitless, many student dwellings are not occupied by ARU or University Students.

Results of 2007 survey by EMRAG

-154 responses. 68% oppose student housing, 15% support it. 78% support affordable housing, 11% oppose it. 88% favour green open space on site, 2% oppose it. Of 212 preferences, 7% supported student housing, 61% supported family housing, 49% supported a mix of flats and houses.

- 7.4 Two letters of support have been received from the following addresses:

- 20 Seymour Street
- 301-305 Mill Road (SPAR)

- One letter does not give any reason why the proposal is supported.
- The other letter of support indicates that a student use would be better suited next to the proposed mosque rather than affordable housing which would bring several issues associated with it.
- The proposal is a long-term and managed solution to the domination of student buy-to-let schemes.

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

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Open space
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Secured-by-design
9. Refuse arrangements
10. Highway safety
11. Car and cycle parking
12. Trees
13. Environmental Impact
14. Third party representations
15. Planning Obligation Strategy

Principle of Development

Cambridge Local Plan 2006

- 8.2 The Council's Policy Team has confirmed that policies 5/1 and 7/9 and the allocation within the adopted local plan are compliant with the requirements of the NPPF (2012). Policies 5/1 and 7/9 confirm the safeguarding of site 7.12 for mixed use housing development and community facilities, which could include a student hostel for ARU on part of the site in lieu of affordable housing.
- 8.3 I note that the Brunswick site, similarly allocated (site 7.11), has been built under permissions 09/0179/FUL and 09/0181/FUL for, amongst other uses, 205 market units and 251 student units for Anglia Ruskin University in lieu of the affordable housing element.
- 8.4 For the allocated site 7.12, of which the application site forms part, the mosque would constitute the community facility element of the allocation (planning permission 11/1348/FUL). Correspondence from the Muslim Academic Trust confirms there is a definite commitment to fund the mosque and that they anticipate the commencement of major works in summer 2015, irrespective of the outcome of this application. For the remainder of the allocated site – the application site - that leaves 0.6 hectares for the mixed use housing element to be delivered, which could include a student hostel on part of the site in lieu of affordable housing.

- 8.5 As the proposal is solely for student accommodation, it is contrary to policies 5/1, 7/9 and allocation 7.12 in the Proposals Schedule of the Cambridge Local Plan (2006) because it would fail to provide any housing.

The Cambridge Local Plan 2014: Proposed Submission

- 8.6 The site forms part of proposal site R21 (Appendix B, of the Proposals Schedule) for dwellings and employment floorspace, as part of the Cambridge Local Plan 2014 proposed submission. Site R21 includes 315-349 Mill Road and the wider Brookfields Hospital site but not the Mosque site. The proposals schedule indicates the wider site at 2.78ha could accommodate 128 dwellings at 46dph and up to 1ha of employment floorspace.
- 8.7 Because the emerging plan has been submitted for examination it has weight in the decision making process albeit that both policy 46 and proposed site R21 have been subject to objections during the emerging plan consultation process. This reduces the weight that can be attached to these emerging policies.
- 8.8 The Planning Policy Team state:
- 8.9 *'If approved, this proposal would see the loss of part of existing and proposed housing allocations within the current Cambridge Local Plan 2006 and the emerging Local Plan respectively. This proposal risks this allocation with the loss of a number of housing units on Mill Road, but also has a potential cumulative effect. As such, the adverse impacts of granting planning permission on this site would significantly and demonstrably outweigh the benefits, by preventing the council from being able to deliver appropriate numbers of housing units to meet the city's objectively assessed need...'*

and that the:

- 8.10 *'application should be refused on the basis of prematurity, given the substantial and cumulative risk to the council's delivery of its objectively assessed need for housing'.*
- 8.11 I accept this advice, the application is contrary to the emerging Local Plan and would be premature and conflicts with paragraph 14 of the National Planning Practice Guidance.

Student Need versus Housing Need

- 8.12 ARU has made progress in acquiring purpose built student accommodation since the adoption of the Cambridge Local Plan. The Policy response indicates that for ARU and subject to cascade mechanisms:
- 251 units have been delivered at the Brunswick site
 - Over 1,000 units have been delivered at CB1
 - Sites have come forward at Addenbrooke's and Perne Road and Malta Road serving ARU.
- 8.13 In my view, taken together with the above sites, existing planning applications under consideration, future windfall sites and evidence of student completions and commitments (3,133 units) since the start of the plan period for the emerging Local Plan, the development of the allocated site for both market housing and student accommodation would be unlikely to prejudice ARU's student housing need.
- 8.14 The application includes a letter from ARU setting out that it has a demand for student en-suite cluster and townhouse style properties in the location of the site and that they currently are unable to house all first year students in University sponsored accommodation. However, it is not clear from the letter whether ARU is specifically commenting on the proposed plans. I note that ARU make reference to not wanting 'large numbers of expensive studios'. The application contains 48 studio units, mostly within Block A. There is no evidence that these units would be affordable to ARU.
- 8.15 Notwithstanding the letter from ARU, the Policy team state that:
- 8.16 *'Anglia Ruskin University has provided no information on their overall need for student accommodation and how this relates to their aspirations for growth'.*
- 8.17 It is therefore difficult to compare the needs for general market housing with student housing on a strategic basis. I note that the Council no longer considers it appropriate to provide student accommodation for Anglia Ruskin University in lieu of affordable housing on any of the proposed allocated sites. By contrast, the

Council's objectively assessed housing need figure of 14,000 units (which does not include student hostels) to 2031 and latest actual and projected cumulative completions to 2031 would comprise 14,102 units. This emphasises the need to safeguard existing and proposed allocated sites.

Freeing up Housing Stock

- 8.18 The National Planning Policy Guidance paragraph 038 states:
- 8.19 *'All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. Notwithstanding, local authorities should take steps to avoid double-counting.'*
- 8.20 The Policy team accept that it may be possible to average the number of students occupying housing to 4 students per house (for example) and accordingly work out that a scheme for 100 student units *might* free up to 25 houses. The issues with this approach are that:
1. The developers do not have any control over existing housing units used by students.
 2. There is no certainty that student occupied houses would be freed up.
- 8.21 In my view, even if ARU were the applicant or minded to be party to a S106, it would be difficult to ensure that an element of their existing student housing stock should revert back to and remain in C3 use. What makes this difficult is that in the first place ARU would have to be agreeable to such a scenario and in the second, planning permission would be likely to be required, implemented and the continuing use secured. For students who rent in the private sector in properties that are set up for such use, I cannot necessarily see that general demand for continuing student occupation of such properties would not continue, either from ARU students or from other students of educational institutions within Cambridge.

- 8.22 The Policy comments conclude that without further evidence, the Council is not able to count the delivery of student units against the housing requirement. I agree with this approach, students who may otherwise have occupied HMO's in Romsey could equally be replaced by ARU students or other students and housing stock would not necessarily be released.

Site Marketing

- 8.23 The amended application includes a marketing report from Barford + Co which states that until February 2013 there had been little active marketing of the site. Before that time, between 2005-2012, the only form of marketing had been an 'All Enquiries' and 'For Sale' board on the site. In 2008, the Co-Op as applicant (08/0663/FUL) sought permission for a mixed housing and student scheme on the allocated site with the subsequent intention of a sale if permission were forthcoming. The application was withdrawn. The marketing report summarises the following:
- 8.24 -2009-2012 Limited marketing: via 'All Enquiries' and 'For Sale' board only. Occasional enquiries received, typically from housebuilders, retailers (food and non-food), restaurant operators, community groups and the NHS.
- 8.25 -2013 Full marketing of the site in late January - 28 February: via papers including the Estates Gazette, Cambridge Evening News, the internet including Rightmove, EG Propertylink and Barford + Co and mailshot to 300 housebuilders and developers. Best and final offers were invited by 28 February 2013.
- 8.26 The marketing in 2013 (Barford + Co states 11 offers were made but lists 12) resulted in the following offers:
- 5 bids from student housing operators
 - 3 bids from food stores
 - 2 bids from 'traditional' housebuilders
 - 1 bid from a housing association
 - 1 bid from a care home operator
- 8.27 The marketing report provides a general analysis of why, in the run up to the final offers date, a lot of the initial interest from housebuilders and Cambridge developers did not transpire into formal bids. The reasons given can be summarised as follows: site

too small (below 2 acres) for national housebuilders; presence of the mosque; road noise and congestion; uncertainty of the Brookfield's Hospital site.

- 8.28 No direct evidence from interested parties concerning their decision not to pursue a formal bid is given in the marketing report. Some of the statements appear to be conjecture.
- 8.29 No evidence is given relating to the offers made from the 'traditional' housebuilders or housing association. The marketing report refers to the only offers at a 'sensible' level as being those from student housing operators. The actual offers and their details are not set out.
- 8.30 My view is that the marketing report provides little information upon which to draw any real conclusions. The very limited full marketing exposure of the site (1 month) has resulted in bids from 'traditional' housebuilders. It is conceivable that a longer marketing exercise would have produced more interest and equally that if the site was put on the market again, that further offers from housebuilders would be forthcoming given that the NHS's intentions for the Brookfields site have become clearer and the larger proposed allocated site is 2.78ha. Neither is it beyond the capability of a house-builder to mitigate against issues of noise, disturbance or traffic congestion. The development of the mosque site is now more certain and, in my view, a choice to not pursue a bid on the basis of its potential proximity is short-sighted; housing and places of worship are common neighbours all along Mill Road. Given the strategic need for the site, either singularly or as part of a wider proposed allocation to provide housing, I do not consider its possible sale for mixed or general needs housing to be an outright obstacle to its development.

Conclusion on Issues of Principle

- 8.31 The applicants assert that the new homes bonus will apply to the new development, that Council tax receipts will increase (when student houses are freed up) and that the scheme would develop a brownfield site and ease pressure on the Green Belt. All these factors would be true of a planning application which included general needs housing on the site and I am, in any event, unconvinced that student houses would be freed up. In my view, the current allocation could still be realised and the approval of the

mosque application does not prejudice this. Notwithstanding the size of the mosque site, the application site is capable of delivering housing which would meet objectively assessed housing need. I give little weight to the marketing report albeit that I recognise that there has been interest in developing the site from 'traditional' housebuilders. I have no doubt that the location of the site for ARU students is appropriate and the development would be likely to fulfil some of ARU's student housing needs but to my mind, these factors do not outweigh the substantive need for general needs housing that the Council is looking for from this site, either through the current Local Plan 2006 or emerging plan and granting permission would undermine the Council's ability to provide for this.

Context of site, design and external spaces

Design

- 8.32 I have no particular issue with the design of Blocks B, C or D. They would be appreciated mainly by students and visitors to the site. Block D would be mostly enclosed from views by the preceding blocks. Its staggered footprint would provide some relief to its façade. Blocks B and C, the townhouses, are in my view well-proportioned and the combination of brick, timber infill panels, and detailing such as the stone cills and zinc rainscreen cladding would combine to provide a relatively plain but appropriate appearance. Urban Design and Conservation officers agree with this appraisal. If I were minded to recommend approval, samples of materials, reveal depths, rainwater goods and extract flues etc. would be sought via condition.
- 8.33 Turning to Block A, I note from the Design and Access Statement that this block has been redesigned on several occasions; earlier at the pre-application stage at the two presentations to Design and Conservation Panel and most recently through the latest amendments to the application. It strikes me that the architects have had some difficulty in achieving an appropriate design for the amount of accommodation proposed within it. Previous designs for this block have been both flat roofed and twin pitched at 4 storeys. As submitted, Block A was designed as a pitched roof combination of 3 and 4 storeys with the uppermost level of accommodation within the roof slope. As amended, the height of Block A has been broken down further into four different elements, two lower 2 storey

elements on either end, and two middle sections of 3 storeys each, the westernmost with recessive dormers and a slightly lower ridge height than the easternmost element with dormers that cross the eaves line.

- 8.34 As Block A faces onto Mill Road and would be highly visible and prominent from within the Conservation Area and in views of Brookfield House BLI (a focal building), its design quality and detailing has to be of a higher standard than Blocks B, C and D. In my opinion, Block A has a series of wide gabled elements and bulkiness of built form when seen in oblique views up and down Mill Road (views A, B, C, E and F). Views eastwards along Mill Road show the wide gabled elements of Block A set against the more slender and steeply pitched roof of Brookfield House. The location of the studio units, as a double bank of rooms around a central corridor, has led to this block being wider than the other blocks at 16.2m. In my view, the visual relationship between Block A's depth and its roof length and roof pitch together with the size of the dormers compared to Brookfield House BLI could be considered discordant.
- 8.35 However, I recognise the advice from the Urban Design and Conservation Team that the proposed amendments have resulted in reducing the overall height of Block A by between 1.7 and 2.5m and that this height is supported. The depth is mitigated by the lower 2 storey pitched roof elements bookending the block and the variation in roofline. The depth of the lower sections are also more consistent with the depth of existing residential terraces on Mill Road. The lower sections help to screen the full depth of Block A.
- 8.36 The Design and Conservation Panel, whilst commenting on a different design for Block A, suggested that it could benefit from a more enriched elevation treatment and that the detailed design would be key. It does not appear to me that these elements have evolved but that is not to say that with further refinement Block A could not be improved further. The Urban Design and Conservation Team agree with this approach.
- 8.37 The front elevation remains relatively plain with stone cill detailing to the windows. The centres of the wide gables are broken up with rectangular aluminium spandrel panels. The recess to these panels could be conditioned and the finer details of the glazing and window recesses could be sought. Other detailed design elements

such as flue extracts, brick samples, brick detailing, roofing materials and 'party' walls could be conditioned. On balance and in view of the advice I have received from the Councils Urban Design and Conservation Team, I am not minded to recommend refusal of permission for Block A.

Height

- 8.38 The mosque would be between 6 metres for the frontage block to 8m for the prayer hall located further back into the site. The dome would extend to 15m. The terraced housing opposite the site is typically 8.6m to the ridge. Most housing within the area is 2-2.5 storeys high. Brookfields Hospital buildings range from 1-3 storeys. Brookfields House, the BLI, is 2.5 storeys high extending to 12m to the ridge.
- 8.39 In terms of height, the Mill Road Brief (2007) indicates that 'the frontage should be of a similar scale to that on the west side of Mill Road opposite the site. A maximum of 2 residential storeys should limit the height of development along the frontage, although there may be some scope for some accommodation within the roof-space.'
- 8.40 The Brief goes on to state
- 8.41 *'The ultimate height of buildings on the Mill Road frontage and to the boundaries of the site should not exceed the established ridge height established by properties opposite the site. Recessed upper floors may reduce the bulk of buildings when viewed from Mill Road. Public consultation raised concerns over the ultimate height of buildings on the site and as a result this guidance recommends that 3 residential storeys should be the maximum height allowed. The acceptability of the final height of buildings will be dependent on the treatment of roofs and the scale and massing of development proposals'.*
- 8.42 Block A would be a mixture of 2 and 3 storeys. The uppermost storey would be set within the roof space. The ridge line of Block A would be 11.8m high and varied, dropping down towards its ends. Existing houses opposite are typically 8.6m high. Having examined the street section (A-A) along Mill Road and cross-sections (B-B & D-D) across Mill Road, I do not consider that of itself the height of

this Block would be harmful to the character and appearance of the area.

- 8.43 Blocks B and C would be 4 storeys. The uppermost storey would be flat roofed. Blocks B and C would be 12m high. The southernmost townhouses of these blocks do not include a fourth storey and are set back from the edge by approximately 7.2m. In addition, the fourth floor of Block B adjacent to the proposed mosque is set back 3.5m from the parapet. In my view, the recessive nature of the fourth floors would mean that in cross-section (see B-B & D-D) and in oblique views (see views B and C) that the height of these Blocks would not be overly dominant when seen from Mill Road.
- 8.44 Block D would be 4 storeys. The uppermost storey would be fractionally set back from the main northern and southern sides of the building, but set in from its eastern and western sides by 4.8m and 3.8m respectively. Block D would be 12m high. I have no concerns with the height of this building given its position at the rear of the site.
- 8.45 Whilst I recognise the Brief's guidance and the concerns raised by local residents, I do not consider the building heights proposed, because of either the recessive nature of the upper floors or the incorporation of accommodation with the roof space, to be harmful to the surrounding area. I note that height is not an issue raised by the Design and Conservation Panel or the Urban Design and Conservation Team.

Design of External Spaces

- 8.46 I have no issue with the design of the external spaces, these appear to be well laid out and design concepts for them sufficiently detailed. The Landscape officer is also of this view following amendments to the scheme. If I was minded to recommend approval I would recommend a number of conditions in relation to landscaping, both hard and soft, to ensure the quality of the spaces are delivered. However, I have more significant concern with regard to the quantity of open space provision provided given the number of students that would be living on this site. I set these concerns out in the paragraphs below.

Open Space

- 8.47 Policy 3/8 of the Cambridge Local Plan states:
- 8.48 *'All residential development will provide public open space and sports facilities in accordance with the Open Space and Recreation Standards. Provision should be on-site as appropriate to the nature and location of development or where the scale of development indicates otherwise through commuted payments to the City Council'.*
- 8.49 Open space requirements are calculated on the basis of the number of people to be accommodated in a development, each unit in this case being assumed to accommodate one person per bedroom. The total assumed population of the development is 270 people.
- 8.50 The total informal open space required by the development (at a rate of 18sqm per person) is 4,860sqm (almost half a hectare). The size of the site is 0.6ha and is taken up by the substantial footprints of the blocks. Given the number of students proposed, it does not appear possible to accommodate both the building footprints and the amount of informal open space required on site.
- 8.51 To the front of the site adjacent to Block A, a rectangular space of 288sqm (24m x 12m) identified in red on the applicant's open space strategy plan is proposed and would be publicly accessible. This could count towards the provision of informal open space on-site. Within the site, a rectangular space of 1,044sqm (58m x 18m) is proposed. This would not be open to members of the public. This is a central private amenity space for the proposed students. To the rear of Blocks B and C would be a series of semi-private garden type spaces associated with the townhouses typically of between 8-10m in depth. To the rear of Block D would be a shallow strip of land between 6-8m in depth running along the northern boundary and covered mostly by tree canopies.
- 8.52 Taking only the frontage space, the proposed development would provide for 5.9% of the adopted standard as publicly accessible informal open space. If the private rectangular space were to be included within this calculation (1,332 sqm), 27.4% of the adopted standard as publicly/privately accessible informal open space would be provided. I have not included the space to rear of Blocks

B, C or D as these are not laid out for more general informal open space use for students. The space behind Block D in particular is very unlikely to be used given its northerly orientation behind the block and its proximity to the canopies of the trees.

- 8.53 The site is within the Romsey Ward. The Cambridge City Council, 'Open Space and Recreation Strategy 2011 (OS Strategy)', describes Romsey Ward (page 61) as a:
- 8.54 *'Densely built-up, predominantly residential environment to the south-east of the City Centre. Much of the housing provision consists of terraced housing, although there are pockets of semi-detached housing in the northern part of the ward. Most gardens are relatively small and narrow and there is little in the way of street trees given the densely urban nature of the area.'*
- 8.55 The surrounding residential environment to the site displays these characteristics. Within the OS Strategy, the strength of Romsey Ward is identified as its allotment provision.
- 8.56 The OS Strategy goes on to state as its weakness:
- 8.57 *'Apart from the relatively informal pitch provision on Romsey Recreation Ground, there is no formal sports provision in Romsey. However, Coleridge Community College and Coleridge Road Recreation Ground are relatively close to the ward. The amount of informal open space in the ward is low given the local population density and the amount of natural and semi-natural green space is very low and is restricted to tree belts within Romsey Recreation Ground and Brooks Road Play Area.'*
- 8.58 The Strategy gives the population of Romsey Ward at 8,950. The amount of protected open space (this is all types of open space) equates to 10.56ha or 1.18ha per 1000 population.
- 8.59 Of the total amount of protected open space within Romsey, 6.75ha is classified as private protected open space, mainly comprising allotments. These spaces would be unlikely to be accessed by students of the scheme. The remaining 3.81ha could be classified as forming part of the informal open space network, equating to 0.43ha per 1000 population.

- 8.60 The adopted standard for the provision of publicly accessible informal open space provision is 1.8ha per 1000 population. The OS Strategy suggests this should move to a higher ratio of 2.2ha per 1000 population and is put forward for adoption as part of the emerging local plan 2014.
- 8.61 For a population of 8,950, the adopted standard for informal open space of 18sqm per person would require 161,100sqm of informal open space or 16.11 ha of informal open space provision within Romsey. I note the Policy team indicate that the known population at the time of drafting the Open Space and Recreation Strategy in 2011 was 8,950 but that the city's population is understood to have risen since 2011 to 9,450. However, for the purposes of my calculations I have used the lower figure.
- 8.62 The actual provision of 3.81ha of public informal open space therefore amounts to only a 24% provision of the standard. In other words, the Romsey ward is underprovided in informal open space by approximately 76% of the standard. The extent of under-provision of informal open space is therefore significant.
- 8.63 Within Petersfield, the amount of public protected open space amounts to 7.76ha, within Coleridge it is 18.17ha and Market it is 40.46ha. The OS Strategy (page 55) recognises that Petersfield Ward suffers from a similar lack of publicly accessible informal open space. Petersfield directly abuts Romsey and is on a clear route from the site to the ARU East Road campus. In my opinion, if there was sufficient provision of informal open space within Petersfield, students would be more likely to access it than any other adjacent ward, but this is not the case.
- 8.64 The OS Strategy states as an opportunity:
- 8.65 *'Site 7.12 Former Magnet Warehouse on Mill Road is allocated for housing, community facilities and student housing in lieu of affordable housing in the Cambridge Local Plan 2006. If this site comes forward for its allocated use, the quality and quantity of open space made available on site should be high in line with the Council's standards in order to avoid further negative impact on deficiencies in publicly accessible open space in Romsey ward. A pedestrian friendly access to the green space adjoining Cherry Hinton Brook and Coldhams Common should be considered.'*

- 8.66 I would describe the quantity of publicly accessible informal open space, at 5.9% of the adopted standard, as low.
- 8.67 The OS Strategy states as a threat:
- 8.68 *'Inadequate open space delivered as a result of new residential development coming forward and deterioration in the quality of existing open spaces.'*
- 8.69 Whilst this site has not come forward for its allocated use, student development still generates a need for informal open space provision. In my opinion, the development of the site should seek to provide a quantum of informal open space provision closer to the need arising from its future occupants. Any under-provision of space needs to be robustly justified.
- 8.70 The closest areas of informal open space provision are:
- Romsey Recreation Ground (within Romsey Ward) of 2.81 Ha (Parks and Garden site 18).
 - Coleridge Recreation Ground (within Coleridge Ward) of 5.08 Ha (Parks and Gardens site 07).
 - Parker's Piece, (within Market Ward) of 9.63 Ha (Parks and Gardens site 16).
- 8.71 Both Romsey Rec. and Coleridge Rec are within 10 mins walk of the site, but neither are on direct routes to the ARU East Road Campus from the application site. In my view, these spaces are likely only to be partly accessed by future student occupants Mon-Fri, perhaps more likely at weekends. Parker's Piece, a well-used strategic informal open space is the more likely of the spaces to be utilised by students for informal recreation which lies within the Market Ward. The OS Strategy identifies this space as at threat from deterioration in its quality due to high levels of use. Parker's Piece is of City wide importance and has considerable pressure from use throughout the year, not only for informal recreation but large scale events. Coldham's Common to the north is a City-wide strategic area of public open space which comprises a mixture of informal and formal recreation spaces, including numerous sports pitches. In my view, if students were to utilise Coldham's Common, it is more likely to be for formal sports activities rather than informal recreation, as it is further away to its access points (more than a

10min walk) than both Romsey Rec. and Coleridge Rec which are relatively nearby.

8.72 The Mill Road Development Brief 2007 sets out an aspiration for the provision of a large area of open space extending back from Mill Road (not dissimilar to Ditchburn Place) which would create a well-defined space to serve the residential development of the site. The Brief was subject to extensive public consultation in March-April 2007 and again in June 2007 prior to consideration by the City Council's Environment Scrutiny Committee and approval by the Executive Councillor (Environment).

8.73 Paragraph 1.9 of the OS Strategy states:

8.74 *'Within the existing built up area of Cambridge, there need to be improvements in the range of open space, sport and recreation opportunities that are available and accessible through:*

- *The protection and/or enhancement of existing open spaces; and*
- *The creation of new open space, mostly within new developments.*

In areas of deficit, creative solutions should be explored and implemented to make the most innovative use of sites. Planning officers should identify if a development site lies within an area deficient in open space and consider opportunities for delivery of additional open space within the proposed development. This is in order to ensure that the additional residents generated do not contribute to unmanageable pressures on existing open space.' (My highlights).

8.75 The site is within a ward where there is a deficit of public informal open space. It is also adjacent to a ward which also has such a deficit and is on a direct route to the ARU campus. My view is that is Parker's Piece is likely to take the strain of additional pressures arising from student occupiers given its proximity to the ARU campus on East Road. As this is a strategic space, it would not be unreasonable to expect such use from students irrespective of on-site provision, but likewise, I am of the opinion, due to the pressure of use and its distance from the application site, that it would be unreasonable for the development to rely mostly on this space as

catering for the needs of its students. I am of the same opinion with regard to Coleridge Rec. and Vinery Rec. There is a clear opportunity to provide more public informal open space on site as part of its development and such provision would undoubtedly be of significant benefit to future students in an area of clear deficit.

8.76 Paragraph 4.18 of the OS Strategy states:

8.77 *'Where opportunities are expressed in the ward profiles, they are intended to be illustrative rather than exhaustive. If **allocated or windfall sites come forward for residential development in wards where there are clear deficiencies in publicly accessible open space, the development should be required to provide high quality provision on site, unless it can be clearly demonstrated that this is not possible.** If provision cannot be secured on site, financial contributions should be paid in order to enhance open space in the locality to allow it to support a greater number of users. Site allocations will be reviewed as a part of the review of the Local Plan.'* (My highlights).

8.78 I am of the opinion that it would be possible to provide a greater extent of informal open space on site. This could be achieved by either setting the building footprint of Block A back, cutting out a block(s) from the proposal or lessening the height of the units to reduce student numbers and the pressure on the central open space. The applicants have indicated that they would be willing to provide financial contributions to enhance open space in the locality of the site. I am not convinced that contributions alone could address the fundamental issue of a lack of informal open space within the locality of the site. I am not aware of any schemes locally which would result in works to support a greater number of users; most of these spaces are already intensively used.

8.79 In conclusion, the proposal fails to provide sufficient informal open space for future students on site and is contrary to Cambridge Local Plan (2006) policy 3/8 and the Cambridge City Council, 'Open Space and Recreation Strategy 2011. The location of the site within and close to wards where there is a shortfall in public informal open space provision, means student use of such spaces would unreasonably intensify their use. Appropriate mitigation through developer contributions to increase the capacity for use of such spaces is not realistic. Given more informal open space

provision could be provided on site, the harm arising could be mitigated by the applicant.

Public Art

- 8.80 The application does not include a Public Art Delivery Plan as required by the Public Art SPD 2010. The Design and Access Statement indicates that the small square to the west of Block A could be utilised for the inclusion of some form of public art.
- 8.81 The Council's Public Art Officer has indicated that the planning submission does not have enough information within it, including the absence of a projected budget and that at no time in the process has the developer sought her advice. This has been relayed to the applicants and I was expecting this element of the submission to be addressed as part of the amendments, but it has not.
- 8.82 The applicant's approach to the inclusion of public art within the scheme is disappointing. I do not consider that a suitably worded condition could adequately address this issue because I have little certainty of what the public art would entail and where and how it would be delivered. The proposal is contrary to the Public Art SPD 2010 and policies 3/4 and 3/7(L) of the Cambridge Local Plan (2006).

Renewable energy and sustainability

- 8.83 The application includes an Energy and Sustainability report. This sets out that the applicants intend to:
- enhance the building fabric
 - provide natural ventilation to student rooms
 - provide solar glazing to East, West and Southern facades to prevent overheating
 - to provide water efficient fixtures and fittings
 - to use A rated building materials
 - to use permeable paving
 - to provide gas fired Combined Heat and Power (CHP) meeting 50% of the space heating and domestic hot water demand. This measure is predicted to achieve a carbon reduction of 15.7% in regulated emissions.

A BREEAM pre-assessment has also been carried out which demonstrates that a 'Very Good' rating is achievable'

- 8.84 The Council's Sustainability Officer has stated that the applicants approach to meeting the requirements of Policy 8/16 and many of the approaches related to sustainable design and construction are supported. I accept this advice.
- 8.85 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.86 All of the Blocks would have level access at their entrance points. The central landscaped space would be designed to be level and obstruction free. Blocks A and D would have three lifts and be fully wheelchair accessible. Blocks A and D would provide a total of 15 wheelchair studios/en-suite rooms (see table below). Two disabled car parking bays would be provided to the west of Block A. The applicants have indicated that, as necessary, the central space behind Block A could accommodate a further 3 disabled parking bays if required and that the need for this would be assessed on a yearly basis.

Block	Studio	Townhouse	En-suite Cluster
A	3		
B		0	
C		0	
D	3		9
Total (15 or 5.6%)	6		9

- 8.87 I note the Access Officer's and Disability Panel's recommendations for scooter charging points, accessible fire-fighting/evacuation lifts, induction loops, an accessible WC for visitors, way-finding, power assisted entrance doors, and that it would be better if some accessible bedrooms were nearer the front of the complex. These are all building control Part M issues but they have been relayed to the applicants and they have indicated that most of these

recommendations can be accommodated. If I was recommending approval, an informative advising of these recommendations could be appended to the decision notice.

- 8.88 The Disability Panel and the Access Officer also raise concern regarding Block D being the furthest from the road which may cause additional difficulties for disabled students and that only 1 accessible parking bay on-site is insufficient. As noted above, the number of disabled parking spaces that could be accommodated has been increased to 5 to address these concerns.
- 8.89 For Block D, I recognise that its position is furthest from the road but there is little practical means by which to make a route to this block any more straightforward.
- 8.90 Regarding disabled car parking provision, policies 7/10 and 8/10 and appendix C of the Local Plan set out the policy position. Appendix C states that where rooms are specifically designed for disabled people that disabled parking of at least 1 space for each room so designed should be provided. By providing space for 5 cars for 15 rooms, the development is therefore contrary to these adopted policies. However, I am mindful that this issue was tested on appeal at the former Texaco site on Huntingdon/Histon Road under planning reference 10/0887/FUL, where no disabled parking was provided for a student scheme of 94 rooms. In that appeal decision, the Inspector noted that:
- 8.91 *'There is, therefore, an inherent conflict in the Council's policy objectives. The choice lies between making no provision at all for people with disabilities on the one hand and providing four bedrooms without the required parking spaces on the other. The site is well served by public transport and is within walking distance of the city centre and many of the University colleges. There is a limited amount of on-street parking available nearby, on both Huntingdon Road and Histon Road, and a lay-by within the highway would be provided as part of the development. Moreover, by no means all people with disabilities have cars and, indeed, many are unable to drive at all. Taking all of those circumstances into account, the compromise solution proposed by the Appellants seems eminently sensible.'*
- 8.92 *My conclusion on this issue is that, in the particular circumstances of the site and in the light of other policy*

requirements, no demonstrable harm would be caused by the failure to provide disabled parking spaces in accordance with local Plan Policy 8/10.'

- 8.93 Whilst the application site is not as constrained as the former Texaco site, it is nonetheless located along a main transport corridor into town, is accessible via public transport and within reasonable distance of shops and services within the local Romsey Area. To my mind, the provision of 15 disabled car parking spaces would significantly erode the already constrained open space located within the site. For these reasons, and because the applicants have sought to accommodate as many spaces as they can in the revised plans, I do not consider this particular conflict with the Local Plan to be a reason for refusal that is sustainable on appeal, despite the original concerns of the Access Officer and County Transport colleagues.

Residential Amenity

Impact on amenity of neighbouring occupiers

Noise and Disturbance

- 8.94 The application includes a Management Plan. This sets out that the scheme would benefit from a full time accommodation manager, a full time assistant, a full time maintenance operative and three part time community ambassadors. The management team would be available on-site Monday-Friday 9am-6pm. The community ambassadors would be available 24 hours, 7 days a week, and would be likely to be third year students living on site, being on-call, out of core hours. They would be formally employed for the period of their tenancies and trained. Communal areas of the site would be covered via CCTV. Block A would include a reception desk and a common room area for students to meet. The management company appointed would be responsible for producing a student travel pack which would seek to influence travel behavior and highlight that, with the exception of allocated disabled spaces, that students owning or keeping a car in Cambridge is a breach of their contract which could lead to a termination of a tenancy. This could be written into a S106 agreement as necessary.
- 8.95 With regard to the check-in process, the Management Plan states:

- 8.96 *'Unlike university owned accommodation, there is no strict start date where all students must be matriculated. This is in part due to the anticipated mix of students at Mill Road, such as post-graduates and international students, who will continue to arrive well into October'.*
- 8.97 The management plan, which has been prepared by a student management company, also includes details relating to: Student welcome packs and travel advice; check-in time slots in order to stage the impact of the check-in process; the organization of the move-in day ensuring people are on hand to help move and store personal items; site security; the management of deliveries; meet and greet induction evenings emphasizing the responsibilities expected of students both inside and outside the site; the management of move out times; 24hr maintenance cover; tenancy checks on students; waste management; rules on tenant behavior; and the external display of contact information for on-site management and emergencies.
- 8.98 In my view the draft management plan is comprehensive and could be secured through a condition if I was minded to recommend approval. With particular reference to parking, I note that the site does have space for cars to pull in behind Block A to enable unloading. In my view, the effective management of a staggered check-in process is essential because this part of Mill Road is often congested and surrounding streets are often at parking capacity. This is not beyond the capability of a management company to successfully undertake.
- 8.99 The communal areas are central to the site and its layout is such that most impacts from student occupancy are likely to be internal. I therefore consider student behavior within the site is likely to be well managed.
- 8.100 I recognise, however, that it is more difficult to manage the off-site behavior of students who are by their nature a transient population. It is inevitable that from time-to-time, students living on this site are going to cause noise and disturbance to their neighbours and sometimes this is going to be late at night. However, this is a mixed use area that already contains a high proportion of students and which is well served by local restaurants, cafes and public houses, providing a late night economy. The site is also favourably

located directly off Mill Road as opposed to a side street where a large student presence would be more greatly felt. A number of nearby uses on the north side of this part of Mill Road are also non-residential; Brookfields Hospital is to the east and a series of local shops including a SPAR are to the west. The residential units contained within the Mosque itself would not front Mill Road. The range of student unit types also means that students will not solely be first year undergraduates. In my opinion, given this context, it would be difficult to argue that the impact of the use would be significantly harmful to the quality of life of local residents or that this harm could not be adequately managed by the on-site management team or other statutory bodies.

- 8.101 In my opinion, the development accords with policies 3/4, 3/7 and 7/10 of the Cambridge Local Plan 2006.

Privacy and Enclosure

- 8.102 Apart from the proposed Mosque, I do not consider that the scheme would unduly impact on any of its other residential or healthcare neighbours in terms of visual dominance, loss of light or privacy.
- 8.103 The scheme is sufficiently far enough away in terms of the siting of the blocks so as to adequately respect the amenity of Vinery Road and Mill Road occupants. Whilst I accept that the northerly outlook from living room and bedroom windows of occupiers of Mill Road properties directly opposite the site would change, this is an inevitable consequence of the development of the site. Set across the road, and at the proposed 3 storey height, I do not consider that Block A would be unduly harmful to the amenity of occupants opposite.

Impact on the Proposed Mosque

Sunlight and Daylight

- 8.104 The applicants have produced a sunlight and shadow assessment in accordance with BRE guidelines. In terms of external impact, the main issue highlighted is the impact on a residential unit granted as part of the mosque proposal which would be on its eastern side facing the middle of block B.

- 8.105 The Daylight and Sunlight Report concludes, that of 9 windows assessed in the mosque residential unit (4 ground floor windows, 5 first floor windows), none of them would adhere to the BRE guideline criteria (20%) on vertical sky component, with ratio reductions of between 0.52 to 0.76 the former value. A daylight distribution test for 5 rooms (2 on the ground and 3 on the first floor) within the residential unit, show that 4 would fall below recommended guidelines with ratio reductions of between 0.13 and 0.72.
- 8.106 From studying the plans of the proposed 3-bed residential unit for the mosque, the key issue would appear to be the impact on ground floor east facing living room windows which is brought about by the proximity and height of Block B. A cross-section (D-D) through the mosque, shows Block B to be 9.9m from the mosque residential unit.
- 8.107 If the mosque was built and the unit occupied, the theoretical impact would be a real one. However, that is not the case and I am mindful that approved plans for the mosque's residential unit provide very little external amenity space to the boundary (1.9m). I have asked the mosque to clarify the intended occupation of the unit and they have stated that it is designated for the imam and his family and they would be likely to be long-term occupants. The mosque has indicated that definite commitments have been secured to fund the project and that commencement of development is planned for late summer 2015.
- 8.108 In my view, this is an on-balance issue. On the one hand there is reasonable prospect of the development of the mosque and the permanent residential occupation of the unit and it is clear that subsequent occupation may well be affected by low light levels from the proposed student scheme. On the other hand, the approved plans for the mosque rely too heavily on an easterly outlook and give little space to future occupants to the boundary. In conclusion and despite my concerns, I am not minded to support a refusal of planning permission.

Privacy and Enclosure

- 8.109 Each of the first and second floors of Block B facing the proposed residential unit within the mosque would have a series of student bedrooms approximately 9.9m away (building-building). Block B

would therefore enclose and be visually dominant when seen from the proposed mosque side and there would inevitably be some inter-looking at relatively close range. To an extent, privacy issues could be resolved through the obscure glazing of the lower two thirds of the student window panes, or the insertion of privacy hoods or louvers to direct views from the student residencies away from the proposed mosque unit. However, the issue of enclosure and dominance of built form is less capable of mitigation. For the reasons given above, on balance, I am not minded to recommend refusal of the student scheme based upon a theoretical impact and especially where the approved mosque layout provides a relatively small amount of amenity space for the occupant(s) of the intended unit. If the proposed mosque were equidistant to the boundary as Block B (i.e. 8m), I doubt that I would have the same degree of concern in terms of either loss of light, overshadowing or enclosure.

Wider Community Impact

8.110 Lots of representations have criticised the fact that the development would be gated. I recognise that the provision of gates is not socially inclusive but in my opinion, it is necessary to ensure the adequate safety and security of students. Fears of increases in drug problems within the area and of the creation of a ghetto are in my opinion unfounded.

8.111 In my view, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.

Amenity for future occupiers of the site

8.112 The scheme provides a variety of different types of student accommodation and is generally set far enough from its boundaries so as to provide an adequate outlook for future occupants from bedroom and habitable room spaces. I have had some concern with regard to the occupants of Block D having a solely northern outlook into the tree canopies adjacent. I acknowledge that this block has moved marginally away from the canopy line and whilst this accommodation is not ideal it is satisfactory for an undergraduate student on limited tenancy. The site would be secure and I note the general support for the

proposal from the Police Architectural Liaison Officer. I note that the townhouse Blocks B and C would each have rear access into shared 'private' garden type spaces and that the Council's Landscaping Officer is generally satisfied with the landscape design of the scheme as amended.

- 8.113 In my opinion, notwithstanding my concerns with regard to the quantum of informal open space on site, the proposal would otherwise provide a satisfactory living environment in terms of the design and arrangement of the student blocks and the outlook from them and is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Secured-by-Design

- 8.114 The main entrance would be from Mill Road into Block A which would incorporate security barriers opposite a 24 hour reception. All internal doors would be operated via a key card system. The cycle security arrangements would be via a key card and covered CCTV. Low level lighting would cover the internal landscaped spaces within the site.
- 8.115 The Architectural Liaison Officer is satisfied with the level of security for the student accommodation as set out in the Design and Access Statement. I accept his advice. In my view, the development is in accordance with policy 3/7 of the Cambridge Local Plan 2006.

Refuse Arrangements

- 8.116 Provision for waste is made via 4 refuse storage areas across the site. Two would be within the ground and basement areas of Block A and two would be at the northern ends of Blocks B and C. Refuse would be collected via the access to the rear of Block A. The refuse arrangement would be managed by the appointed management company.
- 8.117 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.118 The County Council's original consultation response raised

numerous issues with the proposal as submitted. A significant amount of further survey work, audit and technical supporting/modal split information was requested.

8.119 In terms of specific mitigation for the development, the County Council has stated that they require:

- A contribution for the installation and maintenance of real-time bus information at the southbound bus stop located on Mill Road, near to the site.
- The provision of advised cycle stop lines at the Coleridge Road/ Mill Road signalised junction.
- The provision of an improved footpath between the site and Sainsbury's supermarket (via Seymour Street), including improved lighting and resurfacing.
- The provision of a zebra crossing on Mill Road outside the site frontage.

Site Access Arrangements

8.120 The Highway Safety Engineer originally raised a concern regarding the access point in relation to Montreal Road. The County Council now advise that they have met with the developers and that the documents submitted following that meeting have addressed the concerns raised. I have asked for further clarification on this point and will report any additional comments received on the amendment sheet or orally at the meeting.

Conclusion

8.121 Further information has been provided by the applicant in order to address the concerns raised. The County Council has advised, subject to mitigation, that the further information satisfies their concerns. I am minded to accept the advice from the County Council Transport Team. In my view, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

8.122 Apart from 2 designated disabled parking bays on-site, the scheme does not propose any car parking for students. A significant number of third party objections have raised concern with regard to parking, in particular that:

- students would generate unreasonable levels of car parking and traffic irrespective of proctorial control (which is not policed).
- that existing surrounding streets are already at capacity and the proposal would make the situation worse.
- visitor car parking bays should be provided, as family friends will visit and will cause disruption.

8.123 The applicants have indicated that as part of tenancy agreements that students will not be allowed to own or keep a car within Cambridge and that this can be secured via a S106 agreement. Students who do not abide by this agreement would be subject to warnings and the termination of their tenancy. This provision would accord with policy 7/10b of the Local Plan and in my view, the proximity of the ARU East Road campus means that most students will either walk, cycle or bus from the site. I do not consider that a significant increase in visitor parking provision on site would be justified. The scheme has a pick-up/drop-off area to the rear of Block A and I consider this to be sufficient if needed. The scheme is likely to only generate 2-3 full time staff on site at any one time. Staff would be encouraged through the travel plan to arrive by sustainable modes and I note that cleaning staff would be provided with cleaning equipment on site.

8.124 I recognise that these provisions do not guarantee that there would not be a demand for car parking in local streets arising from the development. I acknowledge that existing streets, which are outside the CPZ, are at capacity but, my view is that this will dissuade car ownership and visitor parking from occurring. This is an existing problem for local residents that the developers cannot address themselves and which, in my view, can only be partially tackled through the extension of the CPZ into this part of Mill Road.

Cycle Parking

8.125 On the eastern side of Block A would be a ramped entrance point to an underground cycle store for 192 cycles laid out on two tiered

‘Josta’ racks. The cycle store would be accessed via a secure card system and covered by CCTV. 16 spaces would be provided on Sheffield stands in front of the main entrance to Block A for visitors. Access to the basement cycle park has been tracked via a swept path analysis and the applicants have indicated that the lift to the basement is to be 2m deep to accommodate bikes if necessary.

8.126 The adopted standards require provision to be made for two thirds of the student bed spaces (180) and one visitor space for every five bed spaces (54). As such, 16 visitor spaces is below the standard, but I see no reason why this could not be increased through a suitably worded condition if considered necessary. The applicants have already indicated that further provision could be made within the public square to the west of Block A.

8.127 If I were minded to recommend approval, I would seek to ensure that the ramp gradient with appropriately dimensioned 400mm wide wheel channels on both sides; automatic door design on the side cycle access of no less than 1m in width; CCTV; and internal dimensions for the lift; are provided as part of detailed plans and secured by a suitably worded planning condition. I also welcome the applicant’s intention to explore the provision of a ‘Nextbike’ rental station at the site as part of their Travel Plan commitments.

8.128 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Trees

8.129 The Councils Arboricultural Officer raised an initial objection with regard to the potential impact of the construction of Blocks A and C, the access, car parking and a proposed sub-station, on TPO’d Lime trees adjacent to the eastern boundary. The protected Limes are a significant landscape feature of Mill Road, are widely seen and contribute positively to the setting of the Conservation Area.

8.130 The amended plans have sought to address these concerns by removing the sub-station (and associated trenching) and the parking space from the plans. The applicants have also clarified that the new access adjacent to the Block A and which runs underneath a tree canopy would be constructed no lower than the existing foundations to the hard-standing which are on site at

present.

- 8.131 The Arboricultural Officer also raised a concern with regard to Block D which is close to a number of category B trees to the north requiring extensive pruning. The applicants have amended the plans to set Block D further away from the tree canopies.
- 8.132 I will report any further comments from the Arboricultural Officer on the amendment sheet or orally at the meeting, however, in my view the development appears to have addressed the initial concerns and is likely to comply with Cambridge Local Plan (2006) policy 4/4. If I were minded to recommend approval of the scheme, I would ensure that tree protection conditions were imposed on the scheme, including a construction methodology for the access underneath the tree canopies.

Environmental Impact

Need for an Environmental Impact Assessment

- 8.133 On 21 January 2014 the Council offered a screening opinion confirming that the scheme did not require an Environmental Statement under the terms of the Environmental Impact Regulations. I am still of this view.

Construction and Operational Impacts

- 8.134 The Council's Environmental Health Officer has not raised an objection to the scheme. He has recommended conditions relating to construction and delivery hours; construction noise, demolition and piling; dust; noise insulation from traffic; plant noise; noise assessment and mitigation from hospital plant; waste and recycling; waste lorry movements; and contaminated land. Various informatives are suggested. If I were minded to recommend approval of planning permission, these conditions would be recommended.

Drainage

- 8.135 The Council's Sustainable Drainage Officer has raised no objection to the proposal. The proposal seeks to limit the flow of water from the site to 5 litres a second. This would be an improvement in terms of water management. If I were minded to

recommend approval of planning permission, a surface water drainage condition would be recommended.

Ecology

- 8.136 The application is accompanied by an Ecological and BREEAM assessment report. As the site is mainly hard standing, on-site ecology is considered mainly of negligible/low value. However, a number of semi-mature/mature trees (T1-T5) line the site, some of which have the potential for roosting bats. The report recommends works to these particular trees are only carried out subject to further surveys and only at particular times of the year as appropriate and that any site lighting is minimal and kept away from the trees. Similar provisions for the protection of birds, particularly during the nesting season, are recommended.
- 8.137 In order to promote bio-diversity within the site Bat boxes, Hedgehog nesting domes within garden areas, Sparrow, Starling and standard bird boxes on new buildings and on trees and species rich grassland and deadwood log piles to promote invertebrates such as Bumblebees and butterflies are proposed.
- 8.138 If I were minded to recommend approval, conditions requiring: adherence to the measures set out to protect bats and birds; the provision of an external lighting scheme; and provisions for the enhancement of bat, bird and invertebrate species for the site, would be recommended.
- 8.139 In my opinion, the ecological impact of the scheme would be acceptable and the proposal accords with Cambridge Local Plan policies 3/1, 4/3, 4/7, 4/13, 4/15 and NPPF advice

Third Party Representations

- 8.140 I summarise the third party representations and my responses to them in the table below.

<u>Principle</u>	
-The proposed use is contrary to the adopted local plan, emerging local plan and 2007 design brief for the site, compromising the Council's	See paragraphs 8.2 – 8.11

ability to meet its housing targets.	
-The site should be developed for housing (family, key worker and affordable).	As above
-The site should be developed for housing/mixed uses/community development.	As above
-Lack of affordable units (either for students or local people) the development would not meet this need.	There are no policies in the adopted local plan which required affordable student housing
-Granting a 100% student scheme on this site would set a precedent	Agree, this could set a precedent for other sites the Council has allocated where student uses are being proposed or could be proposed. However, each site should be treated on its own merits.
-The proposal will not free up housing stock for general needs housing by students relocating to the site. The demand for student housing is 'infinite'.	See paragraphs 8.18 – 8.22. It is agreed that housing stock would be necessarily be freed up from student use.
-No evidence ARU will use the development.	See paragraph 8.14 which notes ARU's interest in the site.
-The accommodation would be occupied by students not from ARU or the University of Cambridge.	See paragraph 8.152, a S106 occupation clause would cover this.
-The consent for the mosque has not invalidated the 2007 Brief.	Agree, the mosque forms part of the community facility element of the 2007 Brief and site allocation.
-Students are already well catered for, such as at CB1.	Agree, but this does not necessarily mean that there is not a further need for student accommodation.
-The Royal Standard is providing student accommodation.	As above
-The need for family and affordable housing outweighs the need for	See paragraphs 8.12 – 8.17.

student housing.	
-The trend is for family housing in the area to be converted for student use and not the reverse.	There is no evidence to support this.
<u>Layout</u>	
-The layout should include more green open space on its frontage as there is a shortage in the area.	See paragraphs 8.47 – 8.79. I agree regarding the need for more open space, but see no reason why this should necessarily be on the frontage.
-The small square if open space is poorly designed and too small.	See paragraph 8.46
-The development would put too much pressure on existing open spaces locally, such as Romsey Rec, especially with the population of Romsey having grown by 10% over the last decade.	See paragraphs 8.47 – 8.79.
-Buildings should be set back more significantly from Mill Road in accordance with the design brief.	I disagree, Block A building needs to front Mill Road and enclose it.
-Density of 300 students too high.	I agree, even as amended to 270 students. See paragraphs 8.47 – 8.79. This is most easily explained by the lack of open space provided for students.
-Lack of active frontage onto Mill Road failing to contribute to its vitality.	Block A would have an active frontage.
-Removal of Norway Maple tree on Mill Road unacceptable.	This is not a significant tree in terms of the wider street scene. Replacement planting could mitigate for this and be secured through condition
-New tree planting should be of a bigger stock (20-25cm girth).	This could be secured through condition

<u>Design</u>	
-The mosque would appear compressed and 'hemmed-in', and the design would not recognise the massing, proportions, materials or design culture of the mosque.	See paragraphs 8.32 – 8.37. I partially agree, but the harm here is really concerning the residential amenity of the proposed mosque residential unit. Detailed design elements can be secured through condition
-The design is disconnected from local reference, is banal and an unsuccessful contrast of low quality	As above
-Too high, claustrophobic positioning.	See paragraphs 8.38 – 8.45
-Overbearing impact on Mill Road, the Conservation Area and detract from the adjacent BLI's on Brookfield's Hospital.	As above
-Student units are too small.	The size of the units themselves are within established guidelines for student accommodation and would be acceptable to ARU and would meet Environmental Health regulations.
<u>Privacy</u>	
-Overlooking into adjacent mosque residential unit.	See paragraph 8.109.
-Overlooking into housing opposite.	This is across Mill Road from Block A. As such windows are already onto Mill Road, this is not considered a significant privacy issue worthy of refusal of planning permission.

<u>Light/Overshadowing</u>	
-Loss of light into adjacent mosque residential unit.	See paragraphs 8.104 – 8.108.
<u>Noise</u>	
-Students will generate late night noise to the detriment of surrounding occupants.	See paragraphs 8.94 – 8.101.
<u>Enclosure</u>	
-Block A would dominate housing opposite.	This is across Mill Road from Block A. The roof form and scale of Block A is sufficiently fragmented so as not to cause an issue of enclosure.
<u>Car Parking</u>	
-No provision for parking.	See paragraphs 8.122 – 8.124.
-Students would generate unreasonable levels of car parking and traffic irrespective of proctorial control (which is not policed).	As above
-Existing surrounding streets are already at capacity, the proposal would make the situation worse.	As above
-The mosque would not be agreeable to making the underground car park available for student parking or set-down or drop-off.	The mosque has explicitly stated this in their consultation response to the application.
-Visitor car parking bays should be provided, as family friends will visit and will cause disruption.	See paragraph 8.123
<u>Cycle Parking</u>	
-The location of cycle parking within	I disagree, both the cycle

the basement will lead to cycles cluttering up the surrounding external spaces.	parking basement area and the external spaces are likely to be well managed. The external space is unlikely to be cluttered by cycles. The basement area would also have secure access which means students are incentivised to use it.
<u>Co-ordinated development</u>	
-Demonstrates a lack of co-ordinated development with the mosque site adjacent and is a piecemeal development	The proposed mosque has permission and the applicants can do nothing about that. The relationships between the proposed developments has been examined.
-Will inhibit the development of the wider site R21.	See paragraphs 8.6 – 8.11
<u>Highway Safety and Transport Impacts</u>	
-Additional students cycling down Mill Road would generate a highway safety issue.	See paragraphs 8.118 – 8.121
-Move-in and move-out days would cause congestion, parking problems locally and highway safety issues, particularly on Mill Road.	See paragraph 8.97
-Surrounding streets are already too congested and could not cope with an additional 1,300 pedestrian movements a day.	See paragraphs 8.118 – 8.121, see proposed mitigation
-Significant cycling improvements to Mill Road need to be made.	As above
-Site is on a bottleneck and would exacerbate problems.	As above
-Transport assessment is flawed.	The applicants have

	addressed the concerns raised by the County Transport Team.
<u>Community</u>	
-Gated development, not socially inclusive. Students tenure is short-term and the student use would create a highly transient population	See paragraphs 8.110 – 8.111
-Not a balanced, mixed use of the site.	See paragraph 8.141
-Increase in drug problems, creation of a ghetto	See paragraph 8.110
-Nowhere on site for groups of students to meet.	Block A has a ground floor lounge facility
-Warden controlled.	There would be 24hr management cover
-Housing on the site would be better for community stability.	I do not disagree but this is not a reason for refusal in my view.
-Reduce the quality of life on Mill Road.	There is no evidence this would be the case.
<u>Other</u>	
-Profit driven, speculative proposal.	This is not a material planning consideration
-No amenities for local residents are provided.	This is not a requirement of policy. It would be unreasonable for the development to mitigate existing deficits in local amenities.
-Inadequate input or consultation with residents.	This is not a material planning consideration.
-Developer's summary of local interest is disingenuous.	This is a matter of opinion and is not a material planning consideration. The applicants have set out a statement of Community Engagement in accordance

	with the requirements of the NNPF and the Localism Act.
-Would alter stock types within local shops in favour of student goods rather than family orientated goods.	There is no evidence this would be the case. This is not a material planning consideration.
-ARU should not continue to expand.	ARU is not planning a significant increase in student numbers. The developers are arguing that the development would take students out of and free up existing housing stock.
-Too much strain on local healthcare facilities	There is no evidence this would be the case, see above.
-Public Art should form part of the proposal.	See paragraphs 8.80 – 8.82.
-Increase in rubbish.	This is not a material planning consideration.
-Detrimental to the economic well-being of the City.	There is no evidence this would be the case. Students would contribute towards the local economy.

8.141 A lot of third party representations criticise the use of the site solely for students as creating a tenure mono-culture and not providing a balanced, mixed use of the site. The lack of housing would mean that the wider community is potentially deprived of longer term occupancies which brings with them greater integration with the existing sedentary community and its associated infrastructure. However, in my opinion, the population of this part of Mill Road is defined by its mix of permanent and transient residents (which also includes young professionals living in HMO's on short-term tenancies). In my opinion, an additional 270 students is not going significantly unbalance the pre-existing housing mix.

Planning Obligation Strategy

Planning Obligations

8.142 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

8.143 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.144 The Planning Obligations Strategy Supplementary Planning Document (2010) recognises that if all the open space required in a new development under the Open Space and Recreation Standards cannot be accommodated on site, financial contributions towards the provision or improvement of open space elsewhere can be accepted. The Planning Obligation Strategy SPD provides a framework for the negotiation and expenditure of monies secured under Section 106 agreements.

8.145 For student developments, the Planning Obligation Strategy states that full provision for informal open space for non-family student accommodation will not be sought if the development is on a college campus and it can be shown that adequate appropriate open space is provided such that students are unlikely to make significant use of other informal open space. In this case, the development is not on the main East Road ARU campus nor is close to it. Furthermore, the East Road campus is a compact

educational environment and provides very little informal open space provision for students. In my view, the existing ARU campus would not cater for the need arising from the site.

8.146 If an off-site contribution was to be required towards informal open space, it would amount to £61,485 (£65,340 minus 5.9% or £3,855) worth of provision. In my view, however, it would not be reasonable to accept a contribution because:

- it would be unlikely to result in any identified tangible improvement to existing open space(s) to mitigate the need from students.
- any possible improvements to informal open space, such as at Coleridge Rec. or Romsey Rec, would not necessarily be of direct benefit to student occupiers of this site because of their location away from the student 'corridor' into town and the main ARU campus.
- even if nearby recreational spaces were used by students, this would cumulatively exacerbate the use of such spaces, such as at Coleridge Rec. or Romsey Rec, which is within a ward already under-provided for in terms of informal open space provision.
- more informal public open space could be provided on site. It would in the interests of good planning to make such provision given the site's location, the quantum of development and the need arising.

The requirement for this site also covers outdoor sports facilities and indoor sports facilities. The contributions can be calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238	270	£64,260
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952		
Total					£64,260

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269	270	£72,630
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076		
Total					£72,630

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242	270	£65,340*
1bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968		
*Total (£65,340 minus 5.9% (£3,855) on site public upon space)					£61,485

8.147 In the absence of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and in accordance with the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), the proposal is in conflict with Cambridge Local Plan (2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010).

Transport Contributions and Specific Improvements

8.148 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the East Corridor Area Transport Plan where the contribution sought per trip is £229.

8.149 The applicants have made an assessment of the proposal, on which the following assessment of expected additional trips and contributions is based.

Existing use trips = 259

270 student rooms x 4 = 1080

1080 – 259 = 821 net additional trips

821 x £229 = £188,009 ECATP contribution

The County Council has accepted the trip data and theoretical ECATP contribution but has indicated that it would prefer to secure site specific infrastructure through the S106. The possible improvements are listed below, the cost of the last three of which, if chosen to be implemented, would be taken off the ECATP contribution.

- A contribution towards the installation and maintenance of real-time bus information at the southbound bus stop located on Mill Road, near to the site.
- The provision of advised cycle stop lines at the Coleridge Road/ Mill Road signalised junction.
- An improved footpath between the site and Sainsbury's supermarket (via Seymour Street), including improved lighting and resurfacing.
- The provision of a zebra crossing on Mill Road outside the site frontage

8.150 In the absence of a S106 planning obligation to secure this infrastructure provision, the proposal is contrary to Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Travel Plan

8.151 A draft Travel Plan accompanies the planning application. The County Council require that a Travel Plan is secured for the site to

include a commitment to encourage students to cycle and provide training on how to cycle safely in Cambridge. In addition, students should be provided with specific cycle routes to colleges to ensure that they are fully aware of the safe routes. The County Council also ask that additional measures are identified by the applicant where possible to minimise the risk to cyclists, such as free or discounted safety equipment and that the final Travel Plan has more specific commitments regarding monitoring and governance. In my view, all of these measures are justified and could be secured either as part of a S106 agreement or by planning condition.

Occupancy

8.152 The applicants state that the accommodation would be for Anglia Ruskin University (ARU) students. ARU has stated that the development would meet the accommodation needs of some of its students but ARU is not the applicant. In my view, this development is speculative and policy 7/10 is applicable. A S106 planning obligation is therefore required to ensure that:

- Occupancy restrictions are in place to ensure the accommodation is only available to full time ARU or University of Cambridge students, and
- Management arrangements are in place to ensure students do not keep cars in Cambridge.

8.153 In my view, any S106 should also stipulate provisions relating to out-of-term use. In my view, given the very limited car parking on-site, I would be concerned regarding any use of the premises in the summer months that could significantly exacerbate on-street car parking demand (such as from delegates on courses) because the site is outside the CPZ. Occupancy restrictions and car ownership should also both be monitored by the applicants with such information being provided upon request to the Council.

Monitoring

8.154 The Planning Obligation Strategy (2010) requires that all new developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub- Committee on 25 March 2014

that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy

- 8.155 For this application a monitoring fee of £6,845 (5% of £136,890) is required to cover monitoring of Council obligations plus the County Council monitoring fee.

Planning Obligations Conclusion

- 8.156 It is my view that the planning obligations are necessary, would be directly related to the development and be fairly and reasonably related in scale and kind to the development. A S106 on this basis would pass the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The application has raised a significant number of issues including those of principle, design and scale, open space and impact on residential amenity for existing residents and likely future occupiers of the mosque. In my opinion, there is a strong case to pursue a refusal of planning permission on the grounds of principle and failing to meet housing need under the current Local Plan. There are also issues of prematurity given the advanced stage of preparation of the Cambridge Local Plan 2014: Proposed Submission and the knock-on effect of allowing this site to proceed in view of its proposed allocation and likely housing delivery from allocated sites to 2031 to meet housing need.
- 9.2 The application site cannot resolve the existing shortfall in informal open space provision but it would exacerbate it and in my view not enough space has been provided on site. Highway safety and transport issues have been resolved with the County Council Highway Safety Engineer and Transport Team. I recognise that residents have concerns regarding the impact of 270 students on the amenity of the area but I am satisfied that issues of noise and disturbance and car parking can be mitigated through the appropriate management of the accommodation. The impact on

future occupiers of the mosque is an on-balance recommendation given that it is likely to proceed, but I am not minded to support a reason for refusal at this stage given that the mosque development has not begun and the approval partly contributes to an uncomfortable relationship of built form.

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The development would fail to provide any housing on the site contrary to the allocation in the adopted Local Plan 2006 which allocates the site for mixed use housing development and community facilities. The development would therefore fail to meet objectively identified housing need and is contrary to policies 5/1, 7/9 and site allocation 7.12 in the Proposals Schedule of the Cambridge Local Plan 2006.
2. The emerging Local Plan is at an advanced stage of preparation and the proposal would be contrary to it and premature, prejudicing and cumulatively reducing the Council's ability to meet housing need over the lifetime of the Cambridge Local Plan 2014: Proposed Submission. As such, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits and the proposal is contrary to paragraph 14 of the National Planning Practice Guidance.
3. The proposal fails to provide sufficient informal open space for future students on site and is contrary to Cambridge Local Plan (2006) policy 3/8 and the Cambridge City Council, 'Open Space and Recreation Strategy 2011. The location of the site within and close to wards where there is a shortfall in public informal open space provision, means student use of such spaces would unreasonably intensify their use. Appropriate mitigation through developer contributions to increase the capacity for use of such spaces is not realistic. Given that a greater amount of informal open space provision could be provided on site, the harm arising could be mitigated by the applicant.
4. The proposal does not include a public art delivery plan and it is unclear whether the provision of public art on the site can be adequately provided. As such, the proposal is contrary to

Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7(L) of the Cambridge Local Plan (2006).

5. The proposed development does not make appropriate provision for: indoor sports or formal outdoor open space provision to mitigate the need arising from the site; transport mitigation (ECATP); and monitoring contributions in accordance with Cambridge Local Plan 2006 policies 3/8, 8/3 and 10/1, the Planning Obligation Strategy (2010), the Open Space Standards Guidance for Interpretation and Implementation 2010 and the Eastern Corridor Area Transport Plan 2002.
 6. The proposed development does not make appropriate provision for occupation restrictions to full time Anglia Ruskin University Students or University of Cambridge students, including restrictions on the keeping of a car within Cambridge in accordance with Cambridge Local Plan 2006 policy 7/10.
 7. The proposed development does not make appropriate provision for identified highways improvements and travel plan measures in accordance with Cambridge Local Plan 2006 policies 8/3 and 10/1 and the Planning Obligation Strategy (2010).
-
8. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

This page is intentionally left blank

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1697/FUL	Agenda Item	
Date Received	7th November 2014	Officer	Mrs Angela Briggs
Target Date	6th February 2015		
Ward	Petersfield		
Site	Anglia Ruskin University East Road Cambridge CB1 1PT		
Proposal	Demolition of the existing Bryant and Mellish Clark buildings and removal of the external escape stair to the David building and construction of a Science Centre (Use Class D1) with associated alterations to the east elevation of the Lord Ashcroft Building, landscaping and access alterations.		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed development would enhance the character of the area; <input type="checkbox"/> The proposed development would not harm the character of the bordering Conservation Area; <input type="checkbox"/> The proposed development would not have a significant impact on neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located at the University's East Road site, directly to the south of Broad Street. The site is currently occupied by the Bryant and Mellish Clark buildings which are teaching facilities in the Science faculty. The application site has an area of 0.4ha.

- 1.2 The Bryant building is a part single, part two storey building with a total gross internal area of 1,521sq.m. The Mellish Clark building is a three storey building, though linked to the single storey sculpture studio, totalling a gross internal area of 2,063sq.m. Both buildings are primarily brick, though with sections of render and also metal cladding to the sculpture studio.
- 1.3 The application site is located on the northern boundary of the East Road campus with the recently developed Lord Ashcroft Building (LAB) directly to the west and the David and Mumford buildings to the south. The Peter Taylor building is located to the east and provides student residences. All other adjacent buildings on the University site provide teaching and ancillary support services, such as staff offices. The Mumford building contains the University's library facility.
- 1.4 Broad Street contains residential properties and St Matthew's Primary School. The residential properties are three storey, with the third storey provided within the roof space. These properties are located on the opposing side of Broad Street to the application site and are comparatively modern additions, constructed in the 1990s. The primary school is located on the western extent of Broad Street.
- 1.5 Broad Street connects onto East Road and provides access to those residential properties on Flower Street and Broad Street, whilst also providing means of access to the primary school and the University. Streets beyond Broad Street to the north and east are largely residential in nature, including Norfolk Terrace and Flower Street. These contain pre-1900 terraced properties of a formal character.
- 1.6 Broad Street is relatively narrow with parking prohibited by double yellow lines on all but the designated parking spaces.
- 1.7 The application site is located outside, though adjacent to, the Mill Road Character Area of the Central Conservation Area. The boundary of the Conservation Area runs along the northernmost extent of Broad Street, including the residential properties and primary school. Other heritage designations in proximity of the application site include the Mill Road Cemetery, which is a Grade II Registered Park and Garden, St Matthew's

School and the Ruskin building. Whilst not statutorily designated, these are identified as Buildings of Local Interest (BLIs).

2.0 THE PROPOSAL

- 2.1 The application seeks planning consent for the demolition of the existing Bryant and Mellish Clark buildings and removal of the external escape stair to the David building, and the construction of a Science Centre (Use Class D1) with associated alterations to the east elevation of the Lord Ashcroft Building, landscaping and access alterations. The proposed development will not result in a related increase in student numbers.
- 2.2 The University has resolved that the provision of a new Science Centre is its primary focus for the next stage of re-development on the campus. The proposed new Science Centre will be a major new facility seeking to bring together teaching, postgraduate and staff facilities for the different departments which fall within this Faculty.
- 2.3 The proposal would include a 304 seat lecture theatre and a 202 place 'super-laboratory'. This latter space is a new way of teaching whereby classes from different disciplines can be taught in the same space at the same time, providing flexibility and maximising access to facilities.
- 2.4 The proposed building would broadly follow the site boundary on Broad Street, though set back to create a hard landscaped area. To the east, the building is set back even further, retaining the existing service access into the site. The proposed building is an equivalent height of 2.5 residential storeys on the frontage with Broad Street. The maximum height of the building is 15.3m to the ridge, which is set in towards the centre of the site, with the roof cascading down, gradually reducing in height towards Broad Street where it is a maximum height of 7.15m to the eaves.
- 2.5 The proposed building would connect directly onto the David building, which is already used by the Science departments. Services for the building are designed into the roof space of the building, as well as within a proposed plant room on the eastern side of the building. The air handling units are located on the southern extent of the roof, set behind a parapet. Provision is

also made for solar photovoltaic panels. The panels would be located on the south western side of the roof space. A total of 500sq.m of panels would be provided. The existing substation will remain and is located directly to the south of the proposed building.

- 2.6 The existing access between the Bryant and Mellish Clark buildings would be removed as part of the proposal. A new pedestrian and cycle access into the site would be created between the existing LAB and the proposed Science Centre. This access would also be used by emergency vehicles. The existing service access for deliveries, waste vehicles and emergency vehicles would remain at the eastern end of Broad Street, with some minor modifications to the access entrance. This service access would be gated to prevent unauthorised access.
- 2.7 Given the demolition of the Bryant building and the relocation of the access point to between the LAB and the proposed Science Centre, sections of the eastern elevation of the LAB would become visible. The proposals consequently include alterations to this elevation, including a glazed section on the eastern corner, with the remainder of the elevation in-filled with brickwork to match the existing.
- 2.8 The access into the proposed building would be via a renewed courtyard between the Science Centre and the Mumford building. There will not be direct pedestrian access from Broad Street, except a fire escape.
- 2.9 Landscaping forms part of the proposal, with the creation of a renewed courtyard in between the Science Centre and the Mumford building. Two London Plane trees are proposed to be removed to make way for the new emergency vehicle access in between the LAB and the Science Centre building. The proposed landscaping strategy incorporates low level planting adjacent to the proposed building entrance. The Landscaping along the Broad Street frontage would be completely hard, using appropriate paving designs to suit all users.

2.10 THE APPROVED MASTERPLAN

- 2.11 The University Masterplan (BDP, March 2009) was approved as part of the application, Ref: 08/1575/FUL for the proposed LAB

that has since been constructed. The Masterplan, therefore, acts as a material planning consideration for proposed development that comes forward on the East Road site.

- 2.12 The Masterplan sets broad parameters for development and states that *“The vision of the masterplan is to create an inspiring educational environment for staff students and residents to enjoy which is flexible, sustainable and reflects and reinforces the University’s own unique sense of culture and place within Cambridge”* (page 1).
- 2.13 The masterplan indicates the proposed demolition of the Bryant and Mellish Clark buildings and their replacement with a 1/2 storey, 2/3 storey and 3/4 storey building. These were based on assumed education floor to floor heights, which are typically 3.75-4m.
- 2.14 The masterplan suggests that the development at this location provides an opportunity to improve visual impact and the public realm on Broad Street.
- 2.15 The masterplan indicates the redevelopment of the Bryant and Mellish Clark buildings, to form a Science and Technology hub, in combination with the existing David building. The proposed submission reflects this intention, although the artists impression in the masterplan indicates an extension of the LAB design further down Broad Street, which was intended for illustrative purposes only.
- 2.16 The application has been amended by alterations to the vehicular access points from Broad Street into the site in order to respond to comments raised by the local highway authority and landscape team. The changes have resulted in the removal of the proposed street trees.

3.0 SITE HISTORY

- 3.1 The campus has an extensive planning history, of which the following are particularly relevant:

Reference	Description	Outcome
08/1575/FUL	Erection of D1 education building following demolition of Rackham Building and relocation of cycle	Approved

store.

08/1721/FUL	Erection of modular building for Class D1 educational use for a temporary period of three years on existing tennis court.	Approved
08/1722/FUL	Erection of modular building for D1 educational use for a temporary period of three years adjacent to the Ruskin building.	Approved
10/1272/FUL	Erection of D1 educational building and external alterations to electricity sub-station.	Approved
13/0077/FUL	Creation of new science lab and associated preparation laboratory. Associated works to the lobby, relocation of main entrance, new windows, doors and associated external works including a temporary stair enclosure.	Approved

4.0 **PUBLICITY**

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 **POLICY**

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 3/14 4/4 4/11 4/12 4/13 7/8 8/2 8/6 8/9 8/10 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Public Art (January 2010)
	<u>Area Guidelines</u> Mill Road Area Conservation Area Appraisal (2011)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

As submitted:

- 6.1 The access from Broad Street is inadequate. The applicant's tracking diagram indicate that a vehicle in the easternmost parking bay would be stuck by a servicing vehicle and a large area of the footway would be overrun. It would appear that the scheme could not be delivered in a practicable way. The western access requires a vehicle to over-swing the footway, specifically at a point where tactile paving indicates to the partially sighted or blind that it is safe to stand. Until this aspect of the application is resolved, the Highway Authority recommends the proposal be refused planning permission.

As amended:

- 6.2 The layout of the access from Broad Street is now adequate. The flagged paving at the western access would introduce excessive maintenance issues and must be replaced with concrete pavements, at least within the public highway. The tactile paving at the service entrance would, similarly, have issues of durability and further serves no function. It would confuse a visually impaired person and must be removed.

Head of Refuse and Environment

- 6.3 No objection subject to conditions relating to: Contaminated land; Construction/demolition noise, vibration and piling; Construction hours; Construction collection/delivery hours; piling; Dust; Building/plat noise; Waste and Recycling.

Urban Design and Conservation Team

- 6.4 The Urban Design and Conservation Team support the application.
- 6.5 The proposed Science building has an appropriate relationship to the residential properties opposite.
- 6.6 The applicant has shown that there are distinct glimpse views of the building from areas around the site. However, these will not unduly affect the character or appearance of the Conservation Area. In addition there will be little impact, if any, on the setting of any of the listed buildings in the vicinity which already have to contend with a number of modern buildings on the site which are of no particular architectural or historic interest.
- 6.7 The choice of materials is appropriate for this University site. In our view a red brick (with a natural coloured mortar, not dark joints) would better reflect other red-faced brick buildings on the existing campus and will provide a good contrast to the buff brick opposite: there is a clear distinction between the residential and the institutional uses in this way. Other materials are considered of a good quality and appropriate, e.g. anodized aluminium, timber.
- 6.8 The scale and height of the building is broadly in accordance with the approved masterplan. While the scheme includes a relatively large, long building, the type of teaching and working facility being provided is entirely suitable and appropriate on a University campus. The distant views indicated in section 7 of the Design and Access Statement demonstrate that very little of the new building will be seen from outside the side, other than from Broad Street where the main elevation of the building is situated in terms of views from a public street. A minor part of the new building will also be seen from the Mill Road Cemetery, but this amount is considered so minimal to be almost neutral in terms of its impact.

- 6.9 The sunlight/daylight studies indicate that there is a minor net negative impact of additional shadow caused by the new building, however this is only at the later part of the afternoon, and even then does not adverse effect much of the southern elevations of these residential units. In addition the scale and length of the building is not untypical of other buildings within the existing campus.
- 6.10 Finally, the area of the new building to be accessed from a new, southern internal court indicates a welcoming, high quality entrance arrangement accessed from other connected spaces within the campus and from Broad Street along the west elevation of the new building. The scale and detailed design and fenestration and materials of this southerly building elevation, along with the easterly projecting 'wing' of the building is designed with a strong, contemporary approach and includes varying elevational treatments to help animate from within this space.
- 6.11 Conclusion:

"The proposed building represents a high quality, much needed facility as part of the growing and changing campus for Anglia Ruskin University. As such, it will be a positive addition to the facilities on the campus and will complement the changing face of the site against this edge of the Central Conservation Area. The building has been carefully thought through in terms of design and materiality, in addition it is generally compliant with intended location, scale and mass of any building for this location within the 2009 site-wide masterplan which was endorsed by the Council as part of the approval of the Lord Ashcroft Building. The proposal therefore accords with Policies 3/4, 3/7, 3/12 and 4/11 of the Cambridge Local Plan (2006)".

Head of Streets and Open Spaces (Landscape Team)

- 6.12 No objection, subject to conditions relating to hard and soft landscaping, and landscape works maintenance plan.

Design and Conservation Panel (Meeting of 14th January 2015)

6.13 Level change.

The positive response to the Panel's comments from July is appreciated. However, there was still some concern expressed among Panel members that due to the change in level, residents in Flower Street and other surrounding streets would effectively be looking up at the site which due to its scale, could have an imposing effect.

6.14 Trees on Broad Street.

Although the articulation of the elevation is welcomed, the exclusion of the trees was regretted, but understood. The Panel were aware that this was an internal matter and that in the extremely challenging restricted environment of Broad Street, trees would be unable to reach their full growth potential.

6.15 A revised Masterplan for the site.

This is a heavily developed site relieved by connected areas of landscaping. As current arrangements are based on a 2009 Masterplan, the Panel felt strongly that commitment to improving the hard and soft landscaping of both courtyards would significantly help to define the kind of spaces that are aspired to. The very positive example of the courtyard in the Lord Ashcroft Building shows what an impact positive spatial planning can bring. By contrast, the tight new courtyard for the Science Centre scheme will be cluttered by cars and motorbike parking.

The Panel note that the hard/soft landscaping to the south of the David Building is not included in the current planning application. This had been raised at the pre-application stage. The Panel would wish to see firm commitment shown to this important amenity space. 6

6.16 Corner to Mumford Theatre.

The Panel felt this was highly restricted as a connection point with high footfall at peak periods. The University is advised to consider options for making this link more generous, possibly by reducing the cycle parking provision below the Mumford Theatre to provide a more generous route.

The lack of clarity over the status of this link further emphasises the need for an updated masterplan that can make a fresh evaluation of the connectivity of the various elements of the site.

6.17 Materials (darker brick).

The Panel welcome the choice of a darker brick that makes an effective distinction from the residential elements on Broad Street. The choice of a coloured mortar is questioned however, as it was felt that the brick should be matched with the mortar used elsewhere on the site.

6.18 Parking.

The Panel expressed their disappointment that the presentation did not include holistic planning, for example for car or bike parking arrangements. Failure to examine this proposal in the context of the site as a whole reveals the current incrementalist approach of the University towards planning its site.

6.19 Conclusion

The Panel would like to thank the architects for showing the video which provided greater appreciation of the internal space and organisation of the new building.

The proposal has the Panel's overall support; the scale, mass and detailing has been significantly improved with the change in storey heights dealt with innovatively on the Broad Street elevation. Issues raised in relation to the gate have been addressed and the flue/chimney arrangements clarified satisfactorily.

There is clearly a pressing need to revisit the Masterplan for Anglia Ruskin University East Road campus. As there is such an ambitious investment strategy behind this scheme, there is a clear need to look again holistically at the various functional needs of the East Road campus.

VERDICT – GREEN (unanimous)

Disability Consultative Panel (Meeting of 25th November 2014)

6.20 The Panel's comments are as follows:

- 6.21 Lecture theatre: The furniture needs to be movable for the benefit of wheelchair users.
- 6.22 Distances: With long distances between the different rooms/facilities, the Panel would recommend the provision of resting points and shorter distances between WCs for the benefit of the ambulant disabled.
- 6.23 Revolving doors: The architects are advised to explore more popular alternatives such as a standard, button activated or automatic door.
- 6.24 Conclusion:
The Panel expressed concern regarding the height and scale of this development, particularly in relation to neighbouring properties and its potential impact on Mill Road Cemetery.
- 6.25 The Panel agreed to provide further feedback on the access features following circulation of the Design & Access Statement. (Link to be circulated.)

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:
- ☐ 39, 51, 59, 61 Norfolk Terrace
 - ☐ 28, 29 Broad Street
 - ☐ 12 Blossom Street
- 7.2 The representations can be summarised as follows:
- ☐ Out of context with the traditional character of the Conservation Area;
 - ☐ Impact on residential amenity (over-shadowing);
 - ☐ Over-development of the site;
 - ☐ Concern about additional traffic;
 - ☐ Concern about noise and disturbance during construction;
 - ☐ Impact on emergency service access;
- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Trees and Landscaping
4. Impact on the character of the Conservation Area
5. Public Art
6. Renewable energy and sustainability
7. Disabled access
8. Residential amenity
9. Refuse arrangements
10. Highway safety
11. Car and cycle parking
12. Third party representations

Principle of Development

8.2 Policy 7/8 of the Cambridge Local Plan (2006) is relevant. The policy seeks to support the upgrade and limited further development of the University's East Road site to provide teaching, administrative, residential, social and amenity facilities, provided that:

- a) Development accords with an agreed Masterplan; and
- b) There is a reduction in private parking on site.

8.3 The proposal accords with the agreed Masterplan, approved in 2009 as part of the development for The Wrap and the LAB building. The Masterplan identifies the proposed demolition of the Bryant and Mellish Clark buildings and their replacement with a 1/2, 2/3, and 3/4 storey building that could be used to form a Science and Technology hub. In my view, the proposal accords with these parameters and therefore is acceptable.

8.4 The proposal does not intend to increase private parking on site, nor would it result in a reduction in parking as the University has already extensively reduced parking on site through the development of The Wrap and the LAB. There is, however a re-configuration of existing motorcycle and disabled

parking within the courtyard area of the development, which are only used when necessary. I therefore consider that the proposal meets the second criteria.

- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policy 7/8 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.6 The proposal would result in the demolition of the Bryant and Mellish Clark buildings which are 1/2 storey buildings. These buildings are not considered to be architecturally significant within the street scape, and therefore I consider that their loss would not harm the character of the area. The proposal seeks to replace the Bryant and Mellish Clark with a new Science Centre including a large lecture theatre, which is partly sunken below ground level, science laboratory/classes, offices and other related spaces. The combined floor space of the existing buildings is 3,584sq.m. The proposed building totals 7,625sq.m, and represents a net increase in space of 4,041sq.m (approx. 13% increase).
- 8.7 The proposed Science Centre includes a 2.5 storey building elevation stepped back from the pavement edge to Broad Street, rising to five storeys as it moves away from the domestic scale of the adjacent residential area into the academic institution buildings on the site. The eaves height at the Broad Street elevation is 7.15m. The roof design represents a cascade system in which it is broken up at each storey level so that visually, it appears less dominant along the roof scape and makes the building less bulky, in my view. Furthermore, the 2.5 storey level along the Broad Street frontage would harmonise with the scale of the domestic houses along Broad Street, opposite. The overall height of the building at its highest point is 15.3m, which reflects the height of the adjacent buildings of The Wrap.
- 8.8 Although the Masterplan adopted at the time of the planning application for the LAB suggested a two storey construction on the site of the Bryant building, the storey heights imagined would have been significantly higher than domestic. The proposed design takes a different approach but is in the spirit of that Masterplan by placing a domestically scaled elevation onto

the Broad Street frontage. Half a storey is sunk below pavement level, the eaves line is aligned with the adjacent dwellings and the fenestration is domestic in size. The modelling of the Broad Street elevation has been indented to reflect the bay windows, which is characteristic of this locality. However, the elevation facing into the campus (south elevation) is more institutional to reflect the academic character of ARU. This elevation also comprises a series of horizontal louvres at a higher level whilst continuing the brick and glass from the Broad Street elevation. It is intended that a red coloured brick would be used for the brick work areas of the building to tie in with the red brick of the Ruskin building, and the red panels of the LAB. I consider that this choice of brick is acceptable, would enhance the development and contrast successfully with the buff brick on the domestic buildings opposite.

- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Trees and Landscaping

- 8.10 The amended plans seek to alter the landscaping along Broad Street, in response to concerns raised by the Landscape Team specifically regarding the proposed trees and their impact on the proposed building. The proposed trees would have also meant the removal of one existing car parking space, which are designated to the local residents. The trees along this frontage have now been removed from the scheme and is supported by the Landscape Team. The removal of the two existing London Plane trees within the campus are also considered to be acceptable. In terms of landscaping, there would be some low level soft landscaping near the proposed building and the courtyard would be renewed with hard landscaping. I consider that this approach is acceptable given the size of the space and the relationship between the proposed building and the Mumford building. The courtyard would also reflect the existing route from The Wrap and therefore unite this paved area successfully.
- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/11.

Impact on the character of the Conservation Area

- 8.12 The site is not situated within the Conservation Area. However, it is on the edge of the Mill Road Conservation Area. The properties opposite, along Broad Street, are within the Conservation Area. Policy 4/11 of the Cambridge Local Plan (2006) is relevant and seeks to protect Conservation Areas from inappropriate development and relates to development *“which affect the setting of or impact on views into and out of Conservation Areas...”*.
- 8.13 The Conservation Officer is of the view that the proposed development would not harm the character of the Conservation Area. I would concur with this view, and consider that the proposed building would make a positive contribution to the edge of the Conservation Area and enhance the historic character of the wider locality.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/11.

Public Art

- 8.15 A Public Art Strategy has been submitted with the application, which identifies the approach and themes for the site. The Strategy aims to deliver on-site public art which would equate to 1% of construction costs, in accordance with the Public Art SPD. Comments from the Public Art Officer are currently awaited and I will report these on the amendment sheet.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Renewable energy and sustainability

- 8.17 Policy 8/16 of the Cambridge Local Plan (2006) is relevant. A Renewable Energy strategy is submitted as part of this application, confirming how this will be achieved. This sets out the anticipated energy requirements of the proposed building and consequently calculates the energy generated and carbon saving from the proposed sources of renewable energy. This includes 500sq.m of photovoltaic panels which would be installed on the proposed building's roof, as well as air source heat pumps. The proposed strategy results in 49% of the

building's energy being generated from low carbon sources, delivering a total carbon saving of 20.7%, which exceeds the policy requirement and guidance set out in the SPD.

- 8.18 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Disabled access

- 8.19 The proposed building is designed to allow all users to navigate through the building by ramps and lifts and corridors that are sufficiently wide enough. I am confident that the comments from the Disability Panel members can be incorporated within the internal design of the proposed building to ensure complete DDA compliance.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.21 The site is in close proximity to some residential properties, particularly nos.22, 23, 24, 25, 26 (flats) Broad Street and 27, 28 and 29 Broad Street (terrace houses). The site is also close to the residential properties further afield at Flower Street, Blossom Street and Norfolk Terrace.
- 8.22 In terms of outlook, the occupiers of the Broad Street dwellings would see a noticeable change in the Broad Street frontage from a 1-2 storey building to a 2.5 storey building. As I have explained above, the Broad Street elevation would rise up to 2.5 storeys with the building then rising up as it steps away from the Broad Street frontage. The proposed building (from the main facade of the building) would be stepped back from the pavement edge by 3.2m and would be approximately 11m away from the dwellings across the road.
- 8.23 Nos. 22 – 26 Broad Street, is an apartment building which is perpendicular to the proposed building. Beyond this building is

a private car parking area for the residents with an ancillary garage building.

- 8.24 One of the concerns raised by neighbours is loss of sunlight/daylight. A sunlight and daylight analysis is submitted with the application which forms part of the Design and Access Statement. This analysis considers the impact, existing and proposed. In addition, the cross sectional design of the building has been adjusted so that the pitched roof profile facing Broad Street, when viewed at a height of 2m at the ground floor windows of the properties opposite, would not rise above an angle of 25deg (from 28deg) from the horizontal. The sunlight/daylight analysis concentrates on the impact during the 21st March Equinox on an hourly basis from 8am until 6pm. The diagram illustrates that the main impact would be from 3pm until 5pm which shows some loss of sunlight to the lower and mid area of the apartment building and a slight loss of sunlight, below ground floor windows, of the properties opposite. In my view, I do not consider that this impact is significant to warrant refusal of the application on this basis, because the time span of this loss is minimal compared with the unaffected hours of the rest of the day. Furthermore, the 21st March equinox is when the sun is at its mid-point in the sky (at midday), and therefore I consider that the impact will lessen as the season progresses towards the summer equinox when the sun would be at its highest level.
- 8.25 In terms of potential noise and disturbance from additional traffic, the proposed development does not include plans to increase car parking or additional vehicle parking of any kind associated with the proposed building. Therefore I have no reason to believe that the development would give rise to an unacceptable level of traffic. I understand that construction traffic is also a concern. I agree that this will cause some disruption, as in all cases of new development. However, I have recommended a condition to control contractor arrangements, to ensure that this impact is reduced and is at a tolerable level within this small residential area (condition 17).
- 8.26 In terms of the concern raised about over-development, I do not consider that this would constitute over-development of the site because it reflects the scale of development on both sides of the road, and seeks to enhance the courtyard space between the proposal and the Mumford Building. A hard landscaped

area in front of the building also helps to give the proposal 'space to breath' within the street scape, and therefore improving the built relationship with the residential properties along Broad Street.

- 8.27 In terms of the concern about the proposed building being out of character with the area, I disagree with this view, and have set out my reasons above as to why I consider this proposal is acceptable in its context and with neighbouring buildings.
- 8.28 In relation to the impact on emergency service access, the proposal seeks to retain the access to the rear. The new access formed in between the proposed building and LAB will also allow emergency vehicles to enter the site. The access has been designed in accordance with the local highway authority requirements and is therefore considered to be acceptable, although details of the hard paving areas along the access road, will be required as part of a condition relating to landscaping (condition 14).
- 8.29 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.30 Service and waste vehicles would gain access to the University site via the existing access to the east of Broad Street and would therefore continue to operate in the same way post development. However, the information submitted does not contain specific details on the proposed waste and recycling provision/strategy. I recommend that a condition is appropriate requesting further details (condition 12).
- 8.31 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.32 The local highway authority was initially concerned about the new access arrangement from Broad Street and requested further information. The agent submitted an amended tracking diagram of the Broad Street access for the highway authority to

consider. The diagram also includes the removal of the proposed street trees in order to retain the existing number of car parking spaces, which the highway authority considers are required for local residents. The highway authority has advised that the diagram adequately overcomes their concern and supports the application in terms of highway safety. I would concur with their view that the proposed development would not have a detrimental impact on highway safety.

- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.34 The proposed development does involve the removal of eight disabled parking spaces. However, these will be relocated in order to comply with and support the need for access for all. Five spaces will be provided running parallel with and to the north of the existing cycle parking below the Mumford building canopy (along the edge of the renewed courtyard). The remaining three would then be located to the north of the Peter Taylor building.
- 8.35 The proposed development would not result in additional car parking spaces on site, and car parking on site has already been significantly reduced as part of The Wrap development.
- 8.36 In terms of cycle parking, the proposed development would not increase student or staff numbers. Therefore there is not a requirement for additional cycle parking as a result of the development. There are a significant number of cycle parking under the canopy of the Mumford building, which would be directly opposite the proposed building.
- 8.37 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.38 I have addressed the concerns raised by third parties in the above paragraphs.

9.0 CONCLUSION

- 9.1 In conclusion, I consider that the proposed development is acceptable, responds positively to the character of the area, and would not have a significant impact on neighbour amenity. I therefore recommend the application for approval.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. Prior to commencement of development, full details of the capital construction costs of the development shall be submitted to and approved by the Local Planning Authority in writing.

To expend not less than 1% of capital construction costs on the provision of the Public Art.

Prior to the commencement of development, with the exception of any works of demolition or below ground works, a Public Art Delivery Plan and Public Art Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Public Art Delivery Plan shall include:

Details of the Public Art and artist commission; Details of how the Public Art will be delivered, including a timetable for delivery; Details of the location of the proposed Public Art on the application site or within the development, including a location plan; A breakdown of costs and how one percent of the capital construction costs will be spent on the provision of Public Art;

The proposed consultation to be undertaken with the local community including ward councillors on the proposed Public Art; and the proposed engagement with the local community to promote the Public Art once completed.

The Public Art Maintenance Plan shall include:

Details of how the Public Art will be maintained for the life of the Public Art, including how often maintenance will be needed; The proposed insurance of the Public Art against loss or damage for the life of the Public Art; How any repairs would be carried out, including how and to where the Public Art would be moved, if that is necessary; and how the Public Art would be repaired/replaced in the event that it is damaged/destroyed completely;

The approved Public Art Delivery Plan shall be fully implemented in accordance with the approved timetable.

On completion of the Public Art it shall be maintained, repaired, insured and (if necessary) replaced in accordance with the approved Public Art Maintenance Plan, unless otherwise agreed in writing by the Local Planning Authority.

Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the approved Public Art Maintenance Plan.

Reason: To ensure the public art makes a positive and contribution to the site (Cambridge Local Plan 2006 policy 3/7).

5. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006, policy 4/13)

6. Prior to the commencement of the development hereby approved (including any pre-construction, demolition, enabling works or piling), the applicant shall submit a report in writing, regarding the demolition / construction noise and vibration impact associated with this development, for approval by the Local Planning Authority. The report shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites and include full details of any piling and mitigation measures to be taken to protect local residents from noise and or vibration. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006, policy 4/13)

7. 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. (Cambridge Local Plan 2006 policy 4/13)

8. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policy 4/13 of the Cambridge Local Plan (2006).

9. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning Authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

10. Prior to commencement until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

11. Before the development/use hereby permitted is occupied, 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 (Cambridge Local Plan 2006 policy 4/13)

12. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the Local Planning Authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/12 and 4/13)

13. Prior to the commencement of development, details of any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority before the buildings is occupied. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

14. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

15. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

16. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

17. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
- i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

INFORMATIVE: The applicant is advised that any granting of Planning Permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and a separate permission must be sought from the Highway Authority for such works.

INFORMATIVE: If during the works contamination is encountered, the LPA should be informed, additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. The applicant/agent to need to satisfy themselves as to the condition of the land / area and its proposed use, to ensure a premises prejudicial to health situation does not arise in the future

The Council's document 'Developers Guide to Contaminated Land in Cambridge' provides further details on the responsibilities of the developers and the information required to assess potentially contaminated sites. It can be found at the City Council's website on

<http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/land-pollution.en>.

Hard copies can also be provided upon request.

Demolition/Construction noise/vibration report

The noise and vibration report should include:

- a) An assessment of the significance of the noise impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 1 Annex E - Significance of noise effects. It is recommended that the ABC method detailed in E.3.2 be used unless works are likely to continue longer than a month then the 2-5 dB (A) change method should be used.
- b) An assessment of the significance of the vibration impact due to the demolition/construction works and suitable methods for this are to be found in BS 5228:2009 Part 2 Annex B - Significance of vibration effects.

If piling is to be undertaken then full details of the proposed method to be used is required and this should be included in the noise and vibration reports detailed above.

Following the production of the above reports a monitoring protocol should be proposed for agreement with the Local Planning Authority. It will be expected that as a minimum spot checks to be undertaken on a regular basis at site boundaries nearest noise sensitive premises and longer term monitoring to be undertaken when:-

Agreed target levels are likely to be exceeded
Upon the receipt of substantiated complaints
At the request of the Local Planning Authority / Environmental Health following any justified complaints.

Guidance on noise monitoring is given in BS 5228:2009 Part 1 Section 8.4 Noise Control Targets and in Annex G noise monitoring.

A procedure for seeking approval from the Local Planning Authority (LPA) in circumstances when demolition/construction works need to be carried out at time outside the permitted hours. This should incorporate a minimum notice period of 10 working days to the Local Planning Authority and 5 working days to neighbours to allow the Local Planning Authority to consider the application as necessary. For emergencies the Local Planning Authority should be notified but where this is not possible the Council's Out of Hours Noise service should be notified on 0300 303 8389.

Contact details for monitoring personnel, site manager including out of hours emergency telephone number should be provided.

INFORMATIVE: To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

Council's Supplementary Planning Document Sustainable Design and Construction 2007:

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

Guidance on the assessment of dust from demolition and construction

http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

Control of dust and emissions from construction and demolition
- Best Practice Guidance produced by the London Councils:

http://www.london.gov.uk/thelondonplan/guides/bpg/bpg_04.jsp

INFORMATIVE: To satisfy condition 10 (plant noise insulation), the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 Methods for rating and assessing industrial and commercial sound or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: The application should take into account British Standard BS7258: Laboratory Fume Cupboards which sets out heights that are required for adequate dispersion.

This page is intentionally left blank

Agenda Item 7

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1740/FUL	Agenda Item	
Date Received	28th November 2014	Officer	Mr Sav Patel
Target Date	27th February 2015		
Ward	Market		
Site	Doubletree By Hilton Granta Place Cambridge CB2 1RT		
Proposal	e-cladding of existing facade and erection of third floor extension to provide 16no additional bedrooms and associated works.		
Applicant	Mr C/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed development would enhance the existing appearance of the southern wing and improve views of the hotel from the land to the south.</p> <p>The design of the proposed extension would not have a detrimental impact on the character or appearance of the Conservation Area or setting of the adjacent listed building.</p> <p>The proposed development would provide a form of short-stay accommodation within the city centre which is compliant with policy 6/3.</p>
RECOMMENDATION	APPROVE

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site, which extends to 1.4 hectares lies on the eastern bank of the River Cam, between Sheep's Green to the west and Coe Fen to the east. It is accessed from Granta Place off Mill Lane.
- 1.2 The application site accommodates the Doubletree Hilton Hotel, formerly known as the Garden House Hotel. The hotel was reconstructed in the mid 1960's and then altered and extended following major fire damage in 1972. Further extensions were added in the 1980's and 1990's when a leisure club and swimming pool were incorporated. The current hotel is a bulky building of two phases; the majority of the building constructed in 1972 and the remaining elements of the pre-1972 hotel that were not destroyed in the fire. These sit uncomfortably with one another, their different architectural approaches, further disjointed by the leisure centre to the far south of the building on the site.
- 1.3 The site's linear nature, on a north to south axis, presents a significant frontage along the River Cam to the West. The building is in close proximity to the listed buildings of Peterhouse College and the Fitzwilliam Museum. The linear nature also presents issues for access, entrances and the servicing of the hotel with the car park located to the south, approximately 125 metres from the main entrance on Granta Place. Most visitors arriving by car use a secondary entrance adjacent to the car park.
- 1.4 The application site is within Conservation Area No. 1 (Central). The hotel buildings are not listed nor are they buildings of local interest (BLIs) but the location of the site is within the setting of adjacent listed buildings. Coe Fen and Sheep's Green are within the Green Belt and are designated as County Wildlife sites and Local Nature Reserves. There is a Tree Preservation Order (TPO) protecting four trees on the site and the site is within the Controlled Parking Zone (CPZ).

2.0 THE PROPOSAL

- 2.1 The proposal seeks planning permission for a third storey extension to the existing hotel to provide an additional 16 bedrooms. The proposed also includes the re-cladding of the

existing façade and an extension to the existing plant room on the rooftop.

- 2.2 This planning application follows on from planning application 13/1207/FUL which was for the conversion of the existing leisure centre to form 13 additional bedrooms including removal of pyramidal roof and re-cladding of existing façade and erection of third floor extension to provide 16 additional bedrooms. Planning permission (13/1207/FUL) was refused at Planning Committee on 6 August 2014 on the basis on the loss of the existing leisure centre and failure to secure transport mitigation measures and public art contributions.
- 2.3 The current application relates to the third floor extension and recladding. It should be noted that no refusal reason was attributed towards the third floor extension when the previous application was determined. This is a material planning consideration.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Heritage Assessment and Conservation Area Assessment
 3. Transport Statement including Travel Plan
 4. Energy Statement
 5. Planning Statement
 6. Sustainability Checklist
 7. S106 draft Heads of Terms

3.0 SITE HISTORY

Reference	Description	Outcome
10/0103/FUL	Erection of an extension to provide 56 additional bedrooms and a new leisure club at the Cambridge Doubletree Hilton Hotel, Granta Place.	REFUSED
11/0988/FUL	Demolition of existing single storey leisure centre, and erection a three storey extension	REF/Appeal Dismissed

	to provide 31 additional bedrooms and a new leisure centre	
11/0975/CAC	Demolition of existing single storey leisure centre	REF/Appeal Dismissed
13/1207/FUL	Proposed conversion of existing leisure centre to form 13no additional bedrooms including removal of pyramidal roof and re-cladding of existing facade. Erection of third floor extension to provide 16no additional bedrooms and associated works.	REFUSED

3.1 The previous planning application (13/1207/FUL) was refused for the following reasons:

1. The proposed development would result in the loss of a well-used, highly valued and centrally located Leisure Centre which meets the needs of the local community and which does not operate as an ancillary facility to the primary use of the site as a hotel but which has become established as an independent D2 use. The leisure facility is neither replaced to at least the existing scale and quality within the new development nor relocated to another appropriate premises or site of similar or improved accessibility for its users. The loss of the Leisure Centre therefore represents an unnecessary loss of a valued facility which would reduce the community's ability to meet its day-to-day needs. The proposed development is contrary to Cambridge Local Plan policy 6/1 and to advice provided in paragraphs 70 and 74 of the National Planning Policy Framework 2012.
2. The proposed development does not make appropriate provision for transport mitigation measures, public art and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 8/3 and 10/1 and as detailed in the Planning Obligation Strategy 2010, the Public Art Supplementary Planning Document 2010 the Southern Corridor Area Transport Plan 2002

- 3.2 Amended floor plans have been received which corrects the discrepancies identified regarding the balconies depths on the first, second and third floors, and a privacy issues affecting room 320. The amended plans are considered to be acceptable.

4.0 PUBLICITY

- 4.1 Advertisement: Yes
 Adjoining Owners: Yes
 Site Notice Displayed: Yes

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

- 5.2 Relevant Development Plan policies

Cambridge Local Plan 2006

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/2 3/3 3/4 3/7 3/9 3/11 3/12 3/13 3/14
	4/1 4/2 4/3 4/4 4/6 4/10 4/11 4/13 4/14 4/15
	6/1 6/3
	8/1 8/2 8/3 8/4 8/6 8/10 8/16 8/18
	10/1

- 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning	Sustainable Design and Construction Waste Management Design Guide

Documents	Planning Obligation Strategy Public Art
Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>Citywide:</u> Biodiversity Checklist Cambridge City Nature Conservation Strategy Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan Cambridgeshire Quality Charter for Growth Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) Cambridge Walking and Cycling Strategy Cambridgeshire Design Guide For Streets and Public Realm Air Quality in Cambridge – Developers Guide
	<u>Area Guidelines:</u> Southern Corridor Area Transport Plan Old Press/Mill Lane Supplementary Planning Document (January 2010) Conservation Plan – Coe Fen and Sheep's Green (2001)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 No detailed comments to make.

Cambridgeshire County Council (Transport)

- 6.2 No objection to the proposed development subject to the SCATP contribution totalling £23,616 (64 new trips x £369) and Travel Plan being secured via a S106 agreement. The Travel Plan to contain measures including personal travel planning for staff, travel information notice boards in staff areas and promotion of car share schemes. In addition travel information packs containing sustainable transport information should be made available in guest rooms, through the website and made available at the time of booking a room. Provision should also be made to promote the travel plan to visitors and users of the fitness centre and other on site uses. The travel plan should commit to monitoring of the Travel Plan annually for a five-year period.

Planning Policy Team:

- 6.3 The policy team has advised that the comments made on the refused 2013 application regarding the new hotel rooms are still relevant and they have nothing more to add. I set out below the policy team's comments on the new hotel rooms:

Planning Policy Team

6.4 New Hotel Rooms

Policy 6/3 Tourist Accommodation

This policy supports the maintenance, strengthening and diversification of the range of short-stay accommodation in Cambridge.

The Cambridge Hotel Futures Study 2012 was endorsed in June 2012 at Development Plan Scrutiny Sub-Committee for use as an evidence base for the review of the Local Plan and as a material consideration in planning decisions.

This study identified a need for between 979 and 2,013 new hotel bedrooms up to 2031. The Local Plan 2014 proposed submission document adopts the medium growth scenario, roughly halfway between these figures, and states the likely need is for 1,500 new hotel bedrooms. The study also noted a potential supply pipeline of 1,708 new hotel bedrooms in the area, although not all of these may be delivered.

However the study notes that:

- The firm proposals for 4 star and boutique hotels in Cambridge city centre fall short of the forecast levels of demand, combined with which there are fewer potential sites for hotel development here than in edge of city and out of centre locations. This points to action to bring further sites and schemes forward;*
- There is no immediate potential for a new 3 star hotel currently in the city centre, unless one or more of the existing 3 star hotels chooses to re-position which could open up an opportunity. Beyond 2026, however, an expanded market might support a 3 star hotel. A hotel of 3 star standard has been mooted for the Red House site;*
- If all the hotel proposals for 3 and 4 star hotels on the outskirts of the city go ahead, this will more than meet the requirement identified in the forecasts. They will need to generate significant levels of additional business through supply-led growth, particularly from leisure markets, and conference centre demand - which has not been factored into our calculations;*
- At budget level, the two Travelodge hotels at Orchard Park and Newmarket Road meet the medium level growth rate projections for budget hotel demand through to 2031, and will be operational in 2013. If the Premier Inn at Intercell House is also to go ahead, the market would need to expand at the high growth rate to meet this requirement. A budget level hotel could also be proposed for the station area, at CB1.*

The study recommended that new hotel bedrooms be located within, or on locations accessible to, the city centre.

The proposal for additional 4 star hotel bedrooms on a site adjacent to the city centre would appear to be the kind of development that the Cambridge Hotels Futures Study 2012 would indicate there is a need for in the future.

The proposal would therefore appear to meet the first line of Policy 6/3 in that it would be strengthening the range of short-stay accommodation in Cambridge, furthermore by assisting the viability of the rest of the Doubletree Hotel, it would also be helping to maintain the range of short-stay accommodation in the city centre.

Head of Refuse and Environment

- 6.4 No objection in principle subject to conditions on construction hours and noise insulation.

Urban Design and Conservation team

- 6.5 The three storey wing will clearly be increased in height and bulk which will be particularly evident from the south. Nevertheless, the position arrived at with the previous application in this respect was that it was not opposed. The application 13/1207/FUL was due to the loss of the leisure facility and not down to the design of the proposals.
- 6.6 There is a concern about the loss of privacy to Room 320 due to the balcony on the room located to the south due to the projection of the balcony (drawing no: 14 028 101). On the submitted west elevation (drawing no: 14 028 105), the balcony is not shown as extending but does show the projections diminish by floor going up the building. This discrepancy needs to be clarified.
- 6.7 The application is supported subject to clarification of the privacy issues on the identified room 320 and subject to the following conditions:
- Sample panel
 - Full details of non-masonry walling systems
 - Full details of all windows and doors
 - Details of the balconies
 - Cycle parking arrangements

Environment Agency

- 6.8 No objections have been raised to the proposed development and condition/informatives and recommendations have been

requested regarding flood planning to include appropriate method of flood warning and evacuation, and flood resilience and resistance measures.

Drainage Officer

- 6.9 Although the proposed development appears to be within flood zone 2 there are no proposals that appear to affect the ground floor or a change of use and therefore there are no flood risk issues associated with the application.

Landscape Officer

- 6.10 In the absence of a landscape plan and key views it is difficult to assess the visual impact of this scheme on the greenbelt/conservation area, as the context of the building and any landscape proposals need to be fully considered.

Sustainability Officer

Sustainable Development

- 6.11 For the most part, the measures being implemented related to sustainable design and construction are supported, including: The promotion of the use of materials that are locally sourced where possible, have lower embodied energy and A/A+ Green Guide ratings. Reference to the use of materials that can be recycled at the end of their life is welcomed; The consideration given to elevational treatment and the fenestration pattern in order to maximise natural daylight in order to reduce energy demands. While this approach is supported, it does need to be balanced against the need to minimise excessive summer solar gain, and it is noted that overheating is already an issue for existing south facing bedrooms in the hotel. As such consideration should be given to the specification of solar control glazing where required along with consideration of other measures such as the use of interstitial blinds. The aim should be to reduce the need for mechanical cooling. The proposed use of an extensive green roof is supported, although further detail on the layout of this roof would be welcomed, including how it relates to the proposed solar thermal panels. The proposal for the use of an extensive green roof is supported, although further detail on the layout of this roof would be

welcomed, including how it relates to the proposed solar thermal panels.

Renewable Energy

- 6.12 In terms of renewable energy provision, the proposed use of solar thermal panels air source heat pumps are predicted to lead to an 11.9% reduction in carbon emissions which is supported. It would be helpful if the location of the solar thermal panels could be shown on a roof plan, including how these relate to the proposed green roof.
- 6.13 The approach to sustainable design and construction and renewable energy provision is supported, although an updated roof plan showing the location of the solar thermal panels and how these relate to the proposed green roof would be welcomed.

English Heritage

- 6.14 The proposed development would result in some harm to the character and appearance of the conservation area which will need to be weighed against public benefit arising from the application including provision of additional hotel bedrooms in a central location. Mitigation could be provided through enhanced landscaping of the garden fronting the river and removal of existing clutter. Conditions landscaping and to prevent the introduction of further structures or fence could be imposed to enhance the garden fronting the river.
- 6.15 There is inconsistency between the elevation and layout plans regarding the balconies. The balconies should be contained between the bays if this application is to be approved.
- 6.16 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations in objection to the proposed development:

- 19 Leys Road

- 1 Cofte Close
- 35 Panton Street
- 43 Grantchester Street
- 66 Grantchester Meadows
- 75 Gough Way
- 11 Wordsworth Grove
- 18 Wordsworth Grove
- 84 Windsor Road
- 107a Grantchester Meadows
- 3 The Cenacle
- 10 The Lawns, Clerk Maxwell Road
- 4 Hardwick Street
- 12 Cherwell Court
- 10 Summerfield
- 29 Selwyn Gardens
- 7a Adams Road
- Church Rate Corner, Malting Lane
- Frostlake Cottage, Malting Lane
- Granary Yard, Malting Lane
- 1 Brookside Lane
- 82 Highsett
- 11 Latham Road
- 19 Millington Road
- Cambridge Past, Present and Future

7.2 The owner/occupier of the following address has made representation in support of the proposed development:

- 84 Windsor Road

7.3 The representations can be summarised as follows:

Impact on Conservation Area:

- Out of keeping with the conservation area and would not enhance the conservation area
- Visual intrusion would affect the amenities of the area
- Not compatible with the green and peaceful areas of Sheep's Green and Coe Fen
- Windows and lighting would be very intrusive
- No more erosion of conservation area
- Incongruous breach of the fen

Massing, Scale, Height

- It would represent an abrupt and aggressive block from Fen Causeway;
- The top storey will greatly increase the mass of the southern block and will loom over the adjoining river and fen;
- Scale out of keeping
- Too dominant for this sensitive area and make this eye sore even worse
- Hotel should be made smaller and more beautiful as it faces the green corridor along the river
- Too massive already
- Height of the additional storey should be made to minimise the visual impact and dominance
- Plant room is dominant and unacceptably large and should be resited
- Proposed building will have considerably greater mass and appear out of kilter with the rural feel of Coe Fen

Design and materials:

- Proposed choice of materials on the new extension will result in clashing styles of architecture with the existing building and appear incomplete;
- Bog standard design will be disastrous on the amenity area
- Too ugly a building already
- Application description includes a 'part ground floor extension' no details provided
- Proposed extension will add to the mish-mash

Views:

- Coe Fen and Sheep's Green are very important open areas
- Negative impact
- The building will appear as one monolithic block
- Block views of trees beyond
- Visible from a distance
- The proposal would increase views of an already unattractive building

Traffic:

- Increase traffic and pedestrian in this cul-de-sac location
- Insufficient car parking
- Increase congestion and risk of accidents
- Impact on traffic from Peterhouse College

- Contrary to the council's central area objectives on reduction of vehicular traffic and ease of movement for pedestrians and cyclist
- Too much traffic to the hotel already
- The proposal would add to traffic and overcrowding
- Increase in pollution levels

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development and relationship with previous schemes
2. Context of site, design and external spaces and impact on the Heritage Assets
3. Lighting
4. Renewable energy
5. Disabled access
6. Amenity of nearby occupiers
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Archaeological Interest
11. Third party representations
12. Planning Obligation Strategy

Principle of Development

8.2 This is the fourth application for the expansion of Doubletree Hotel to be submitted since 2010. The principle of the expansion of the hotel has been argued as acceptable in principle in relation to the previous application (13/1207/FUL) and the refusal of planning permission have not reflected any concerns regarding the principle of the extension/expansion of the hotel use.

8.3 Policy 6/3 (Tourist Accommodation) states that development which maintains, strengthens and diversifies the range of short-

stay accommodation will be permitted. The proposal complies with this policy.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 6/3 of the Local Plan.

Context of site, design and external spaces and impact on the Heritage Assets

- 8.5 The application site sits on the eastern bank of the River Cam and is surrounded by the protected green open space of Coe Fen to the east and south, and Sheep's Green to the west. These large, open, natural spaces make the site highly visible with long views afforded of the hotel from across this surrounding fen land.
- 8.6 This setting allows an awareness of the composition of the hotel buildings as two obvious phases. The main building constructed in 1972, and the remaining part of the pre-1972 hotel that was destroyed in a fire. The single storey pyramid shaped leisure centre further extends the main mass of the building albeit less noticeable from longer views due to its comparatively small scale. Given the sensitivity of the site and its exposed position by virtue of the surrounding undeveloped land, this phased approach of the building is very apparent.
- 8.7 It is acknowledged that the wholesale redevelopment of the site would be advantageous to the enhancement of the surrounding conservation area and the heritage assets within this setting. However, this is not what has been brought forward by this application and cannot therefore be seen as a constraint or a material consideration of this application.

External materials:

- 8.8 In the previous scheme, the proposed extension was similar to that proposed under this current application. The main difference from the previous scheme is the proposed use of zinc panel cladding with gault facing brick on the second and third floor. The proposed materials would be used to overclad the existing terracotta tiled bays and recessed balconies. Other than this, the proposed scheme is the same in terms of scale and room numbers as the previous scheme.

8.9 The full palette of proposed materials includes:

- Cambridge gault brick
- Prefab polished concrete sandwich panels – soffits
- Treated larch timber boarding
- Aluminum faced laminated timber curtain walling, doors and windows
- Zinc metal rain screen cladding
- Green roof

8.10 Having assessed the external appearance of the proposed extension, I am satisfied that the proposed palette of materials would provide an interesting contrast with the existing hotel and significantly improve the external appearance of the hotel, particularly when viewed from the south. The combination of dark zinc and light gault facing brick would give the southern wing a softer appearance and contribute towards reducing the perceived scale of the extension, particularly from distance views.

8.11 The proposal includes green roofing the roof terrace of the proposed extension using a plug planted Bauder green roof system. Access will be restricted to the roof. No details of this have been provided. I have therefore recommended a green roof condition so that details can be agreed.

Scale, Height and Appearance:

8.12 The proposed third floor extension will increase the height of the south wing of the hotel from 10.3 metres (overall) to 13.9 metres with a plant room which would project 2.3 above the proposed third floor and bring the maximum height of this part of the hotel to 16.2 metres. The proposed extension would in my view enhance the northern, western and southern elevations of the southern wing and hotel overall. Whilst the proposed extension would be visible from the south and beyond, I do not consider the impact on the character or appearance on the Conservation Area to be adverse enough to warrant refusal. The additional storey and recladding would, in my view, enhance the existing appearance of the southern wing which is currently a poor elevation in a prominent location.

8.13 The proposed plant room on roof of the third storey would be set 23.5 metres away from the southern edge and positioned

nearer to the main body of the hotel. The plant room would be clad with vertical paneling, have a flat roof and sit below the highest point of the hotel. In my view this element of the proposal would blend into the main hotel building and not have a significant detrimental impact on views from the land to the south.

- 8.14 The overall size of the proposed extension would be similar to the extension in the previous scheme and does not include any additional increase in the footprint of the hotel. It is important to note that the extension element in the 2013 application was considered to be acceptable did not form part of the refusal reason for the previous application.

Impact upon the Heritage Assets, the Green Belt and Protected Open Space:

- 8.15 The existing southern wing of the hotel is architecturally and visually weak, and fails to relate or address sympathetically with the sensitive context to the south. The proposed extension would, in my view, mend this visual deficiency of the south wing by introducing a high quality finish to the extension and part of the second floor, which be a significant visual enhancement.
- 8.16 The application is supported by a Heritage Assessment and Conservation Area Statement. This document considers the character of the area and the contribution of individual buildings such as Peterhouse Masters Lodge. An assessment is made of the development against identified heritage assets and consideration is also given to its impact on the Green Belt. The document concludes that the proposals will not have an adverse impact on the setting or character of the conservation area or the significant local heritage assets. In particular it is noted that 'the new building will not be higher than the immediate adjoining section of the existing hotel and the elevational treatment responds to the existing hotel continuing the rhythmic theme' and that 'the proposed extension and landscaping proposals are considered to retain the special interest and setting of the adjacent listed buildings, and preserve and enhance the character and appearance of the conservation area.'
- 8.17 The proposed approach of using a mixture of brick and zinc cladding delivers a 'perceived' reduction in mass and bulk which

is my view is successful. The site does sit adjacent to a very sensitive environment but the third floor extension as now designed will read as an enhanced part of the existing hotel. It is accepted that the hotel itself detracts from the visual amenity of its surroundings but I do not consider it possible to justify refusal of a satisfactory extension to the main body of the building on such grounds.

8.18 The application site is not within the Cambridge Green Belt. However, it does lie adjacent to land designated as green belt. The proposed development would be visible from the Green Belt but I do not consider the visual impact would be significantly adverse enough to warrant refusal, particularly as the extension would improve the appearance of the existing southern wing.

8.19 English Heritage accept the existing hotel is of no architectural merit and whilst the increased mass and bulk would undoubtedly result in some harm to the character and appearance of the conservation area they do not consider the degree of harm would cross the threshold of significant harm. EH consider the harm needs to be weighed against the public benefit arising from the proposed extension such as providing additional hotel rooms in a very central location.

Conclusion - Context of site, design and external spaces and impact on Heritage Assets:

8.20 The proposals for the extensions to the hotel have come a long way in addressing the constraints of this sensitive setting. The amendments to the elevational treatment of the third floor extension have led to a further perceived reduction in height, scale, mass and bulk over and above that delivered by the scheme as submitted.

8.21 I am convinced that the choice and simplification of the materials palette, and the retention of the position of the footprint in relation to the River means the proposed extension is sympathetic to its setting. When compared to the existing semi-transparent leisure centre, which is out of character with the building and surrounding area, it will have a positive, enhancing impact upon the surrounding Conservation Area/setting of listed buildings, protected open space and the adjacent Green Belt. English Heritage have requested a

condition to prevent further structures or fencing on the garden area. I do not consider such a condition is necessary to the proposed development, as any new structures or fencing are likely to require planning permission and therefore would be assessed separately on their own merits.

- 8.22 In my opinion the proposed development is successful in its response to the context of the surrounding area and its sensitive setting. The proposal is compliant with Cambridge Local Plan 2006 policies 3/4, 3/7, 3/14, 4/1 and 4/11 and to guidance provided by the NPPF 2012.

Lighting

- 8.23 The applicants have not submitted details of external or internal lighting. I have therefore recommended a condition to agree these details. In my view this would address concerns raised by third parties. In my view subject to such a condition, I am satisfied that the application complies with policy 4/13 Cambridge Local Plan 2006.

Renewable energy and sustainability

- 8.24 The Energy Statement has been submitted with the application includes an analysis of the projected energy consumption for the development. This demonstrates a consideration of various other technologies in order to argue the case for use of solar panels and air source heat pumps. These are considered a suitable technology and it is demonstrated that they will meet the 10 percent on site requirement of energy generation. Details are needed of the visual and noise impact of this equipment including the green roof. I have recommended a renewable energy condition and green roof condition to agree these details prior to development.
- 8.25 In my view subject to such a condition, I am satisfied that the application is compliant with Cambridge Local Plan 2006 policy 8/16 and the Sustainable Design and Construction SPD 2007

Disabled access

- 8.26 Hotels or guest houses with over ten bedrooms should have between 6 and 10 per cent of accessible rooms. The new build

accommodation with will provide 1:5 accessible rooms with a link room from the adjoining room being included.

8.27 The proposal will be required to conform to Part M of the current Building Regulations. The new facilities include:

- ☐ Nine disabled parking bays are proposed, equivalent to one in fifteen of the car parking provision on site
- ☐ Level access into the building at all entrances at ground floor
- ☐ All levels of the hotel will be accessible by lift.

8.28 I am satisfied that the proposed extension has thoroughly considered accessibility and inclusive access for all those who visit the building. The proposal is compliant with Cambridge Local Plan (2006) policies 3/7, 3/12 and 6/3.

Residential Amenity

Impact on amenity of nearby occupiers

8.29 Whilst the surrounding undeveloped open space constrains the proposed development, the uses adjacent to the application site are almost wholly commercial and University uses. As such, I do not consider there to be any privacy issues from overlooking or that the extension will have an enclosing or overbearing impact upon the occupiers of any neighbouring buildings. It will be the demolition and construction phases of the development which are likely to have a more significant impact upon the neighbouring university lecture and conference facilities in terms of noise and disturbance unless well managed.

8.30 Conditions have been suggested by the Environmental Health Officer to mitigate the impact of the development upon nearby uses during the construction and operational stages of the development and to deal with matters such as noise insulation and contaminated land remediation. In my view I am confident that these conditions would provide an appropriate degree of control over these potential adverse impacts to comply with Cambridge Local Plan (2006) policies 3/4 and 4/13.

Amenity for future occupiers of the site

8.31 The proposal enhances and improves the facilities on the site. In my opinion the proposal provides a high-quality environment

and an appropriate standard of amenity for future guests to the hotel, and I consider that in this respect it is compliant Cambridge Local Plan (2006) policies 3/7 and 3/14.

Refuse Arrangements

- 8.32 The applicant has not provided detailed information on waste and recycling but has confirmed that existing facilities will be used. I have nevertheless recommends a condition to secure these details. I am confident that refuse arrangements can be satisfactorily agree and subject to this the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.
- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.34 A number of issues have been raised by third parties with regard to highway safety. These express concern about the potential increase in pedestrian/vehicular/cyclist conflicts as a result of the likely increase in footfall and movements. This is not only on Granta Place but on the roads which provide access to it, namely Silver Street, Mill Lane and Laundress Lane. The Highway Authority has considered the proposals and is aware of the concerns of local residents. Officers are satisfied that the proposal will not give rise to any significant implications for highway safety and as such do not object to the proposal.
- 8.35 It is important to note that this was the conclusion also reached when considering the previous proposals. As such, I am of the view that the proposal will not have any adverse impact in terms of highway safety, and consider the proposal compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.36 The existing car park to the south of the leisure centre makes provision for a total of 174 car parking spaces, 9 of which are dedicated for disabled users. These spaces are shared between the hotel and leisure facility, but this area is also open for use to the general public.

8.37 Third party representations have included the view that given the additional 16 rooms and resultant additional guests who will be travelling to the hotel, there should not be a loss in the provision of on-site car parking spaces. The existing parking provision of 174 spaces is being maintained and would accords with the current City Council's Car Parking Standards as set out in Appendix C of the Cambridge Local Plan 2006 and the site is located within the Controlled Parking Zone (CPZ). I am satisfied that the proposal is compliant with Cambridge Local Plan 2006 policy 8/10.

Cycle parking

8.38 The site currently makes provision for 34 cycle parking spaces; this is to be increased to provide a total of 43 cycling parking spaces, an increase of 9 cycle parking spaces. If the Cycle Parking Standards are applied to the total number of hotel rooms in the expanded hotel then this would represent an under provision of cycle parking. In my view such an approach is unreasonable and the uplift should be considered in relation to the additional rooms that are generated by this proposal only. The Cycle Parking Standards require 1 space for every two members of staff and 2 spaces for every 10 bedrooms. There are 16 additional bedrooms which would generate a requirement for 4 cycle spaces. The application form indicates that no additional members of staff will be appointed. Nine additional spaces are to be provided which exceeds the cycle parking requirement. I have recommended a planning condition to secure details of the location of the additional cycle parking. In my view subject to such a condition, I am satisfied that the proposal is compliant with Cambridge Local Plan 2006 policy 8/6.

8.39 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Archaeological Interest

8.40 The site is in an area of archaeological potential as it is considered likely that important archaeological remains survive on and around the site known for multi-period remains. Immediately to the northeast is the site of a friary of the friars of the Sack dating from the 13th to 14th Centuries. To the north and

around Peterhouse medieval structures are known to remain. County Archaeology has previously recommended that a negative condition could be used to ensure proper archaeological investigation and recording. I would have recommended such a archaeology condition. In my view subject to such a condition the proposal is compliant with Cambridge local Plan 2006 policy 4/9.

Third Party Representations

- 8.41 The principal issues raised by the third party representations received to this application were concerned with the scale and design of the scheme in such a visible and sensitive site given the surrounding context of the River Cam, protected open space, conservation area and setting of listed buildings, and impact on traffic generation. I have addressed these concerns in the above relevant sections.

Planning Obligations

- 8.42 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 8.43 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The proposed development triggers the requirement for the following community infrastructure:

Transport

- 8.44 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the Southern Corridor Area Transport Plan where the contribution sought per trip is £369.
- 8.45 The applicants have submitted a Transport Assessment. This acknowledges that there will be an increase in the number of trips from all modes of transport to the site as a result of the proposed development of approximately 64 additional trips. The Highway Authority has accepted this figure and requested that Southern Corridor Area Transport Plan payment of £23,616 is secured by way of a Section 106 agreement.
- 8.46 The County Highways Authority has also requested a Travel Plan to be entered into. Details of the travel plan are to be agreed with the County Highway Authority but essentially the plan will be used to promote sustainable transport options to and from the hotel to patrons, visitors and staff.
- 8.47 The applicant has agreed to enter into an agreement to secure the above obligations. I have requested that the Committee grant delegated powers to officers to negotiate and complete a S106 planning obligation or to accept a Unilateral Undertaking to secure the requirements of the Planning Obligation Strategy 2010 in the event of an appeal. The proposal accord with the Cambridge Local Plan 2006 policies 8/3 and 10/1.

Public Art

- 8.48 The development is of a scale that requires provision to be made for public art. The applicants propose to make a public art contribution in accordance with the Public Art SPD. In my view this is an appropriate approach given the comparatively small value of 1% of construction costs and that it was proving difficult to provide any form of meaningful public art in relation to the previous schemes which would have generated a higher figure. Public Art is necessary to ensure that future users of the

development who will use city centre facilities will benefit from enhanced public art in the City.

- 8.49 The applicant has agreed to enter into an agreement to secure the public art contribution. I requested that the Committee grant delegated powers to officer to negotiate and complete a S106 planning obligation or to accept a Unilateral Undertaking to secure the requirements of the Planning Obligation Strategy 2010 in the event of an appeal. The proposal accord with Cambridge Local Plan 2006 policies 3/7 and 10/1 and the Public Art SPD 2010.

Monitoring

- 8.50 The Planning Obligation Strategy (2010) requires that all new developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub- Committee on 25 March 2014 that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy
- 8.51 For this application 5% of the public art contribution and the County Council monitoring fee is required.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

4. Before starting any brick 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, type of jointing 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 the 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. (Cambridge Local Plan 2006 policy 3/12).

5. Full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing are to be submitted to and approved in writing by the LPA. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

6. Full details of all windows and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures are to be submitted to and approved in writing by the LPA. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

7. Details of the appearance and materials of the proposed balconies on an appropriate scale drawing shall be submitted to and approved by the LPA prior to construction. Thereafter the development shall be undertaken in accordance with the agreed details.

Reason: To accord with Policy 3/4 and 3/12 of the 2006 Cambridge Local Plan.

8. No development shall commence until details of the covered, secured parking of bicycles of use in connection with the development hereby permitted shall be submitted to and approved in accordance with the approved details before use of development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 Policy 8/6).

9. Prior to the commencement of the use hereby permitted, the on-site storage facilities for trade waste, including waste for recycling and the arrangements for the disposal of waste detailed on the approved plans shall be provided. The approved arrangements shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity (in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006))

10. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

11. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.
 - i) contractors access arrangements for vehicles, plant and personnel,
 - ii) contractors site storage area/compound,
 - iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,
 - iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To protect the amenity of the adjoining properties during the construction period. (Cambridge Local Plan 2006 policy 4/13)

12. 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.
(Cambridge Local Plan 2006 policy 4/13)

13. 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
(Cambridge Local Plan 2006 policy 4/13)

14. No development shall take place until full details of any new external and internal lighting levels for the rooms in the third floor have been submitted and approval. The details shall include type of illumination, illumination levels and direction of illumination and mitigation measures to reduce the impact of lighting spillage. The lighting details shall thereafter be installed in accordance with the approved plans and details.

Reason: To avoid adverse effects of pollution (Cambridge Local Plan 2006 policies 4/13).

15. 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. (Cambridge Local Plan 2006 policy 4/9)

16. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary. (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site. (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology. (c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f). (d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. (e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. (f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the

closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To avoid adverse effects of pollution (Cambridge Local Plan 2006 policy 4/13).

17. No development shall commence until full details of the proposed renewable energy provisions (including ongoing maintenance schedules) as set out in the Energy Statement by Kehr and Tucker dated 29 August 2014 and full details of the proposed green roof, as set out on page 64-65 of the Design and Access Statement by infinit architects dated August 2014 shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To reduce carbon emissions (Cambridge Local Plan 2006 policy 8/16)

18. Prior to the occupation of the development hereby approved a Flood Plan shall be submitted to and approved in writing by the Local Planning Authority. The Flood Plan shall include the method of flood warning and evacuation procedure to ensure the safe use of the development in extreme circumstances. The approved Flood Plan shall thereafter be kept in an publically accessible location close to the main reception area.

Reason: To ensure the safety of those visiting the hotel (Cambridge Local Plan policies 3/7 and 3/12).

19. To satisfy standard condition 13 (Noise Insulation), the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 2014 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

INFORMATIVE: Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 9.00 metres of the top of the bank of the main river (Cam).

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/2090/S73	Agenda Item	
Date Received	24th December 2014	Officer	Mrs Sarah Dyer
Target Date	25th March 2015		
Ward	Trumpington		
Site	The Edinburgh Building Shaftesbury Road Cambridge Cambridgeshire CB2 8RU		
Proposal	Section 73 application to vary condition 22 of outline planning permission reference 14/0492/OUT (approved drawing numbers) to allow increase in footprint of tower element and extended roof plant area.		
Applicant	Mr Andrew Spendlove c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The Minor Material Amendment that is proposed is acceptable in the context of the development as a whole.</p> <p>An approval would result in changes to the Outline consent to specify alternative drawing numbers only and the impact of these changes have been fully assessed.</p> <p>Mitigation measures that have been secured via the original Outline consent can be secured as part of the Minor Material Amendment and will ensure that all of the impacts of the development are dealt with.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is part of the Cambridge University Press site which is located off Shaftesbury Road. The application site,

which is triangular in shape, currently accommodates a four storey office building, the Edinburgh Building, two high bay warehouse buildings and a single storey boiler house. The remainder of the site is given over to landscaping and surface car parking. To the east/south east of the site is the London to Kings Lynn railway line and the Cambridge Guided Bus (CGB) route which includes a cycle/footpath. The cycle/footpath marks the eastern boundary. To the west/south west are the Eastbrook Office building and its associated surface car park and a building which also accommodates Cambridge University Press. To the north are the Stephen Perse Sixth Form Centre, a predominately three storey building and the Kaleidoscope residential development.

1.2 The site is substantial in size at 2.67 hectares therefore the wider site context is also an important consideration. Beyond the immediate context to the north and west there is predominately residential development in the form of the Accordia development and the houses which front Clarendon Road, Shaftesbury Road, Fitzwilliam Road and Brooklands Avenue. To the north of the Kaleidoscope development there are office buildings including Unex House which faces Hills Road. Hills Road Bridge is a strong feature of the wider area and Hills Road itself is one of the main arterial routes into the City. To the east beyond the railway line is the Belvedere residential development and the Tripos Court and Purbeck House student accommodation blocks. To the South East is Homerton Business Park which is to be redeveloped to provide flats and student accommodation with commercial space and the Hills Road Sixth Form College. This wider area has experienced a high degree of change in the last decade.

1.3 The site is not allocated in the Cambridge Local Plan 2006 and is not in Conservation Area. Some of the streets in the local area are within the Controlled Parking Zone but this does not currently include the Accordia development.

2.0 THE PROPOSAL

2.1 Permission is sought for a minor material amendment to the outline permission (14/0492/OUT). The minor material amendments that form the basis of the application relate an increase of the footprint of the tower feature that is proposed in the southern wing of the development and an increase in the

area of roof plant. Both changes relate to approved Built Form Parameter Plan.

- 2.2 If permission is granted for the Minor Material Amendment this will lead to a variation of condition 22 on the outline planning consent and will result in a fresh outline planning permission being granted.
- 2.3 I have assessed the implications of making these changes the Assessment section below.
- 2.4 A submission of reserved matters has been submitted and there is a report for this application elsewhere on this agenda.

3.0 SITE HISTORY

- 3.1 The planning history of the site is as follows:

Reference	Description	Outcome
14/0492/OUT	Office development for Cambridge Assessment	A/C
14/2093/REM	Reserved matters for Demolition of Edinburgh Building, warehouse and associated building and erection of office development of up to 41,750sq. m gross external area with development generally being 4 and 5 storeys (with limited areas of screened rooftop plant), single tower element with two further storeys of accommodation, between 189 and 209 car parking spaces, a minimum of 1325 cycle parking spaces, up to 26 motorcycle spaces, hard and soft landscaping and ancillary facilities including staff canteens, meeting rooms, refuse enclosures, plant rooms,. social break-out spaces etc. all to serve as the new office campus	Pending

headquarters for Cambridge Assessment

3.2 The planning history of the Kaleidoscope site adjacent is as follows:

Reference	Description	Outcome
C/03/0611/OP	Outline application for residential development (3.14 ha), including the demolition of No's 18-22 (evens) Fitzwilliam Road.	A/C
06/0584/REM	Reserved matters proposal comprising 408 residential units (115 no.1 bed and 293 no.2 bed units to include 122 no. affordable units), ancillary community building and associated infrastructure (pursuant to Outline Consent C/03/0611/OP).	Refused and allowed on appeal
11/0426/FUL	Proposed redesign of approved Blocks A1, A3, G, H, Marker 1 and Marker 2 (as shown on drawing no P104 approved by ref: 06/0584/REM) to increase the height of Block G by between 1 and 2 storeys, Block H by 2 storeys, Marker 2 by 3 storeys and Block A1 by a single storey, as set out in outline planning permission ref: C/03/0611/OP and reserved matters ref: 06/0584/REM; thereby increasing the total number of apartments by 35 to 443 (including 21 private and 14 affordable housing apartments), thus increasing the total number of affordable units to 136, together with associated infrastructure	Refused and dismissed on appeal

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition:	No
	DC Forum:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/6 3/7 3/9 3/11 3/12 3/13
		4/3 4/4 4/9 4/11 4/13 4/14 4/15
		7/1 7/2 7/3
		8/1 8/2 8/3 8/4 8/5 8/6 8/8 8/9 8/10
		8/12 8/13 8/16 8/18
		10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010) Public Art (January 2010)
	<u>City Wide Guidance</u> Arboricultural Strategy (2004)

	<p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p>Area Guidelines</p> <p>Cambridge City Council (2002)–Southern Corridor Area Transport Plan:</p> <p>Brooklands Avenue Conservation Area Appraisal (2013)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in

the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 40: Development and expansion of business space
Policy 41: Protection of business space

6.0 CONSULTATIONS

Urban Design and Conservation Team

6.1 *Increase in tower footprint*

The proposed change results in an approximate 10-20cm increase in the widths of the tower elevations. The likely effect of this increase in terms of the visual impact will be negligible given the modest overall increase in the footprints from distance and nearer views and is therefore considered to be acceptable in design terms as it does not fundamentally change the scale and impact of this element as considered at the Outline stage.

Extension to roof plant area

The increase in the footprint of the plant will result in additional massing on the roof of the building. However, the configuration of the plant enclosure and the relative freedom for the location of plant within the 'zones' identified means that the cumulative impact of the physically increased plant area is unlikely to create any significant harm in terms of near or more distant views towards the development. As such it does not fundamentally change the scale and impact of this element as considered at the Outline stage.

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

7.0 REPRESENTATIONS

- 7.1 No comments on this application but third party comments have been made in respect of the submission of reserved matters.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. The implications of allowing a variation of Condition 22
3. Third party representations
4. Planning Obligation Strategy

Principle of Development

- 8.2 The principle of the development of the application site for office accommodation has been established by the Outline Planning permission granted under reference 14/0492/OUT. Although the details of the development would change if this application is approved the use will be unchanged.
- 8.3 In my opinion, the principle of the development is acceptable and in accordance with policies 3/1, 7/2 and 7/3 of the Cambridge Local Plan 2006.

The implications of allowing a variation of Condition 22

- 8.4 Condition 22 requires that the development is brought forward in accordance with the approved parameter plans which are specified on the Decision Notice as follows:

EPA CAC 00 100 REV P2 – Existing levels
CAS 396 MP 0 001 P – Landscape plan
EPA CAC 00 106 P2 – Site access and circulation plan
EPA CA C02 PLN01 REV P1 – Application site plan
EPA CAC 00 102 P8 – Built Form

- 8.5 The variation of condition that is sought would substitute drawing number EPA CAC 00 102 P8 – Built Form with drawing number EPA CAC 00 102 P9 – Built Form on the Decision Notice. This drawing shows a larger footprint for the proposed tower and an increased amount of roof plant.

Parameter Plan Comparison – Footprint of tower element

- 8.6 The Built Form Parameter Plan, as approved, makes provision for a tower element on at the north east corner of the south building. The tower will be visible from the railway/guided bus/cycle/footpath route. The maximum height of the tower is fixed at 39.1 metres and this is not changed by the variation that has now been sought. The footprint has changed on the amended plan and this is requested to be increased from 100 sq metres to 116.7 sq metres. This has proved to be necessary to accommodate a fire fighting lobby and lift in the core of the tower.

Parameter Plan Comparison – Roof Plant

- 8.7 The Built Form Parameter Plan, as approved, identifies zones for roof plant on both the north and south blocks but specifies that within these zones the roof plant footprint is limited to 600 sq metres. The maximum height of those parts of the building where roof plant is installed is limited to 24.6 metres. The maximum height has not changed but in bringing forward detailed plans the applicants require an increased area of roof plant. The variation proposes 776 sq metres of roof plant on the north building and 873 sq metres on the south building. The zones within which the plant is located is broadly as originally proposed. The approved zone on the north building extended to 1065 sq metres which is well in excess of the plant area now proposed. On the south building the approved zone was 850 sq metres.. The roof plant now proposed is 23 sq metres in excess of this.
- 8.8 The consultation response received from the Urban Design and Conservation team confirms that the minimal change to the overall scale and massing of the tower element is acceptable in design terms. Similarly, the UDC team considers that the change to increase the area of roof plant will have minimal impact in terms of the visual impact of the proposals and is therefore acceptable in design terms

- 8.9 I agree with this view. The extensive assessment of the visual impact of the building at the outline application stage included consideration of the tower and the roof plant. In the context of the scale of the building as a whole I consider that the amendments are acceptable.

Planning Obligations

- 8.10 The application if approved will result in a new Outline Planning permission. However because the application has been submitted under section 73 of the Town and Country Planning Act 1990 (as amended) the section 106 Agreement that was attached to the Outline Approval under reference 14/0492/OUT will also apply to the new permission.

9.0 CONCLUSION

- 9.1 An approval of the Minor Material Amendment will result in a new Outline Planning permission being granted. The changes to Condition 22 will enable the detailed plans to be considered as reserved matters. I have carried out a Screening Opinion and concluded that a further Environmental Assessment is not necessary to support this application.
- 9.3 The s106 Agreement that was entered into to secure mitigation measures in connection with the original Outline permission is drafted so that it applies to applications under s73 such as this.
- 9.4 I have assessed the minor material amendments that have been requested and concluded that they are acceptable. The conditions and informatives that I have recommended are identical to those that were attached to the original Outline permission but the approved drawing numbers will be amended on the Decision Notice.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the access, appearance, landscaping, layout and scale, (hereinafter called the 'reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To ensure that all necessary details are acceptable (Cambridge Local Plan 2006 policies 3/4, 3/12 and 8/2)

3. Prior to the commencement of any development, full details of the design and construction methodology, particularly concerning foundations, structures, services, and landscaping of the development abutting the Cambridge Guided Bus (CGB) route shall be submitted to and approved by the local planning authority including proposals for work space and any operational impact on CGB during construction including precautions to prevent items falling on the CGB. The development shall be implemented in accordance with the approved details.

Reason To safeguard the route of the Cambridgeshire Guided Bus in the interests of improving accessibility and highway safety (Cambridge Local Plan 2006 policies 8/2 and 9/9).

4. Prior to the commencement of development, a site wide Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:
 - a) Demolition, construction and phasing programme.
 - b) Contractors access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
 - c) Construction/Demolition hours which shall be carried out between 0800 hours to 1800 hours, Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.

- d) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- e) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- f) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- g) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
- h) Maximum vibration levels.
- i) Dust management and wheel washing measures in accordance with the provisions of London Best Practice Guidance: The control of dust and emissions from construction and demolition.
- j) Use of concrete crushers.
- k) Prohibition of the burning of waste on site during demolition/construction.
- l) Site lighting.
- m) Screening and hoarding details.
- o) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- q) External safety and information signing and notices.
- r) Consideration of sensitive receptors.
- s) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

The DCEMP shall include a Travel Plan for all staff involved in construction activities which shall include details of the means by which staff will access the site, where staff vehicles will be parked and what provision is made for bussing staff into the site.

The development shall then be undertaken in accordance with the agreed plan

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents/occupiers (Cambridge Local Plan 2006 policy 4/13).

5. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope (having regard to the building fabric, glazing and ventilation) shall be submitted to and approved in writing by the local planning authority. The scheme shall achieve the internal noise levels recommended with the Sharps Redmore Acoustic Planning Report dated 25th March 2014 (1313783). The approved scheme shall be fully implemented and a completion report submitted prior to the occupation of the noise sensitive development. The approved scheme shall remain unaltered in accordance with the approved details.

Reason: To protect amenity of the occupants of residential and other noise sensitive development (Cambridge Local Plan 2006 policy 4/13).

6. 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 (Cambridge Local Plan 2006 policy 4/13)

7. Before the development/use hereby permitted is occupied, 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.

The scheme shall include the following:

- (i) Generator - Emergency Use Only

The generator shall only be used in the event of mains power failure or in accordance with (ii) below. It shall not be used as an alternative supply in the event of disconnection from the mains supply following for example non-payment.

(ii) Generator - Hours of Running for Maintenance

Running of the generator as part of routine maintenance and repair shall only take place for the length of time specified by the manufacturer between the hours of 8am 6pm Monday to Friday, 9am 1pm Saturday and no time Sunday or Public Holidays.

Reason: To protect amenity of the occupants of residential and other noise sensitive development (Cambridge Local Plan 2006 policy 4/13).

8. Before the development/use hereby permitted is commenced, details of equipment for the purpose of extraction and/or filtration of fumes and or 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. (Cambridge Local Plan 2006 policy 4/13)

9. Details of any proposed floodlighting or external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity. (Cambridge Local Plan 2006 policies 3/11 and 4/15)

10. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: In order to ensure that any contamination of the site is identified and remediation measures are appropriately undertaken to secure full mitigation in the interests of environmental and public safety. (Cambridge Local Plan 2006 policy 4/13).

11. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: In order to ensure that satisfactory provision is made for waste storage and collection (Cambridge Local Plan policy 3/12)

12. No development shall commence until further details of the circulation route for refuse collection vehicles have been submitted to the local planning authority and approved in writing. The required details shall include a full construction specification for the route, and a plan defining the extent of the area to which that specification will be applied. No part of the development shall be occupied until the refuse vehicle circulation route has been laid out and constructed in accordance with the details thus approved, and thereafter the route shall be maintained in accordance with those details.

Reason: In order to ensure that satisfactory provision is made for waste storage and collection (Cambridge Local Plan policy 3/12)

13. 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. (Cambridge Local Plan 2006 policy 4/9)

14. Prior to the commencement of development, with the exception of demolition and below ground works, full details of the proposed cycle ramp serving the north east access to the site shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved plans and the ramp shall be available for use prior to occupation of the building hereby approved.

Reason: To ensure satisfactory provision for cycle access via the CGB route (Cambridge Local Plan policy 8/4)

15. Prior to the commencement of development full details of the proposed provision for fire hydrants shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure satisfactory provision of fire hydrants (Cambridge Local Plan policy 3/7)

16. Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses (Cambridge Local Plan 2006 policies 4/13 and 8/18 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

17. Any foundation design, including piling (and investigation boreholes using penetrative methods), will only be permitted with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it can be demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses (Cambridge Local Plan 2006 policies 4/13 and 8/18 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

18. Development shall not begin until a scheme for foul water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses (Cambridge Local Plan 2006 policies 4/13 and 8/18 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

19. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Philosophy date 26 March 2014, Ref 61032590 rev C, produced by Rambol and the following mitigation measures detailed within the FRA: 1. Limiting the surface water run-off generated by all events up to the 1 in 100 (plus suitable allowance for climate change) so that it will not exceed 102l/s and not increases the risk of flooding off-site. 2. Utilisation of a SUDS management train to attenuate, convey and discharge the surface water at the restricted rate. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reasons. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. uses (Cambridge Local Plan 2006 policies 4/13 and 8/18 and Supplementary Planning Document 'Sustainable Design & Construction' 2007)

20. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 critical storm will not exceed 102 l/s following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include: details of how the scheme shall be maintained and managed after completion and demonstration that the drainage philosophy documents recommendations are followed

Reason: To prevent the increased risk of flooding, both on and off site, and to demonstrate that they will not pose a risk to vulnerable groundwaters. (Cambridge Local Plan 2006 policies 4/13 and 8/18 and Supplementary Planning Document 'Sustainable Design & Construction' 2007)

21. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control of the water environment shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

Reason To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses (Cambridge Local Plan 2006 policies 4/13 and 8/18 and Supplementary Planning Document 'Sustainable Design & Construction' 2007)

22. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

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). The applicant is reminded that under the terms of the s106 Agreement you are required to notify the City Council of the date of commencement of development.

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: The applicant is advised that where a proposal involves works on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building, the provisions of the Party Wall Act 1996 shall apply. The granting of planning permission does not override any obligation arising from this or other legislation.

INFORMATIVE: Any development adjacent to CGB shall be conducted in accordance with the CGB's document entitled 'Guidance for Developers' and Operation Policy (http://www.cambridgeshire.gov.uk/info/20017/buses/95/guided_busway/3) and construction methodology statement and risk assessments.

INFORMATIVE: To satisfy standard Noise Insulation condition, the rating level (in accordance with BS4142:1997) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 Method for rating industrial noise affecting mixed residential and industrial areas or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: To satisfy the emergency generator condition the noise level from the emergency generator associated with this application should not raise the existing background level (L90) by more than 5 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

INFORMATIVE: To satisfy standard condition C60 (Odour/Fume Filtration/Extraction), details should be provided in accordance with Annex B and C of the, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems, prepared by Netcen on behalf of Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at:
<http://webarchive.nationalarchives.gov.uk/20130123162956/http://www.defra.gov.uk/environment/quality/noise/research/kitchenehaust/documents/kitchenreport.pdf>

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/2093/REM	Agenda Item	
Date Received	24th December 2014	Officer	Mrs Sarah Dyer
Target Date	25th March 2015		
Ward	Trumpington		
Site	The Edinburgh Building Shaftesbury Road Cambridge Cambridgeshire CB2 8RU		
Proposal	Demolition of Edinburgh Building, warehouse and associated building and erection of office development of up to 41,750sq. m gross external area with development generally being 4 and 5 storeys (with limited areas of screened rooftop plant), single tower element with two further storeys of accommodation, between 189 and 209 car parking spaces, a minimum of 1325 cycle parking spaces, up to 26 motorcycle spaces, hard and soft landscaping and ancillary facilities including staff canteens, meeting rooms, refuse enclosures, plant rooms,. social break-out spaces etc. all to serve as the new office campus headquarters for Cambridge Assessment.		
Applicant	Mr Andrew Spendlove C/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed building is of a design and appearance which are appropriate to its setting in a sustainable and accessible location.</p> <p>The Outline consent is a very significant material consideration and subject to the approval of the associated Minor Material Amendment the development accords with that consent in all regards.</p> <p>Mitigation measures that have been</p>
---------	--

	secured via the Outline consent will ensure that all of the impacts of the development are dealt with.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is part of the Cambridge University Press site which is located off Shaftesbury Road. The application site, which is triangular in shape, currently accommodates a four storey office building, the Edinburgh Building, two high bay warehouse buildings and a single storey boiler house. The remainder of the site is given over to landscaping and surface car parking. To the east/south east of the site is the London to Kings Lynn railway line and the Cambridge Guided Bus (CGB) route which includes a cycle/footpath. The cycle/footpath marks the eastern boundary. To the west/south west are the Eastbrook Office building and its associated surface car park and a building which also accommodates Cambridge University Press. To the north are the Stephen Perse Sixth Form Centre, a predominately three storey building and the Kaleidoscope residential development.
- 1.2 The site is substantial in size at 2.67 hectares therefore the wider site context is also an important consideration. Beyond the immediate context to the north and west there is predominately residential development in the form of the Accordia development and the houses which front Clarendon Road, Shaftesbury Road, Fitzwilliam Road and Brooklands Avenue. To the north of the Kaleidoscope development there are office buildings including Unex House which faces Hills Road. Hills Road Bridge is a strong feature of the wider area and Hills Road itself is one of the main arterial routes into the City. To the east beyond the railway line is the Belvedere residential development and the Tripos Court and Purbeck House student accommodation blocks. To the South East is Homerton Business Park which is to be redeveloped to provide flats and student accommodation with commercial space and the Hills Road Sixth Form College. This wider area has experienced a high degree of change in the last decade.
- 1.3 The site is not allocated in the Cambridge Local Plan 2006 and is not in Conservation Area. Some of the streets in the local

area are within the Controlled Parking Zone but this does not currently include the Accordia development.

2.0 THE PROPOSAL

- 2.1 This application relates to a submission of reserved matters following the grant of Outline Planning permission in November 2014. When outline planning permission was granted all matters were 'reserved' for determination at a later stage. In this case the 'reserved matters' are access, appearance, landscaping, layout and scale. This submission relates to all of these matters.
- 2.2 Outline planning permission was granted subject to a number of planning conditions. The most pertinent condition to this submission is condition 2. This condition requires that all reserved matters must be approved before development can commence.
- 2.3 There are also a number of conditions on the outline planning permission that require the submission of further detailed information prior to the commencement of development. The discharge of these planning conditions is complicated by the fact that an application has been made for a minor material amendment (MMA) to the outline permission (14/0492/OUT) (application ref. 14/2090/s73). The minor material amendments that form the basis of the application relate to an increase of the footprint of the tower feature that is proposed in the southern wing of the development and an increase in the area of roof plant. If the MMA application is successful a new Outline Planning permission will be granted and it will be necessary to discharge the conditions against that permission if they have not already been discharged. A report is presented elsewhere on the Agenda for this application.

The discharge of planning conditions can be carried out under powers delegated to officers but I have made reference to them because the applicant has sought to discharge them at this stage. The relevant conditions relate to the following:

- Condition 11 – Waste
- Condition 12 - Circulation routes
- Condition 13 – Archaeology
- Condition 14 – Cycle ramp

2.4 The application is accompanied by the following supporting information, some of which relate to discharge of planning conditions:

1. Drawings
2. Planning Statement
3. Design Report
4. Landscape Report
5. Public Art Strategy

2.5 The application has been amended to respond to concerns raised by the case officer, the Public Art Officer, the Landscape officer, the Urban Design and Conservation team, the Cycling and Walking Officer, the Access officer, the Senior Sustainability Officer (Design and Construction) and the Design and Conservation Panel. The amendments are as follows:

Public Art

Updated Public Art Strategy submitted.

Response to Design and Conservation Panel comments/Alterations to the Building Design

At the time of writing this report the response and amended details have not been submitted. I will refer to them on the Amendment Sheet.

Alterations to Landscape Proposals

At the time of writing this report the response and amended details have not been submitted. I will refer to them on the Amendment Sheet.

Alterations to Car/Cycle Parking

Additional information regarding type and layout of cycle parking

Reduction in parking spaces at site entrance from 163 spaces to 157 spaces

Six cycle parking spaces to be provided in entrance courtyard

Renewable Energy

Additional information regarding the ground source heat pump and carbon calculations.

3.0 SITE HISTORY

3.1 The planning history of the site is as follows:

Reference	Description	Outcome
14/0492/OUT	Office development for Cambridge Assessment	A/C
14/2093/REM	Reserved matters for Demolition of Edinburgh Building, warehouse and associated building and erection of office development of up to 41,750sq. m gross external area with development generally being 4 and 5 storeys (with limited areas of screened rooftop plant), single tower element with two further storeys of accommodation, between 189 and 209 car parking spaces, a minimum of 1325 cycle parking spaces, up to 26 motorcycle spaces, hard and soft landscaping and ancillary facilities including staff canteens, meeting rooms, refuse enclosures, plant rooms,. social break-out spaces etc. all to serve as the new office campus headquarters for Cambridge Assessment	Pending

3.2 The planning history of the Kaleidoscope site adjacent is as follows:

Reference	Description	Outcome
C/03/0611/OP	Outline application for residential development (3.14 ha), including the demolition of No's 18-22 (evens) Fitzwilliam Road.	A/C
06/0584/REM	Reserved matters proposal comprising 408 residential units (115 no.1 bed and 293 no.2 bed units to include 122 no. affordable units), ancillary community building and associated infrastructure (pursuant to Outline Consent C/03/0611/OP).	Refused and allowed on appeal
11/0426/FUL	Proposed redesign of approved Blocks A1, A3, G, H, Marker 1 and Marker 2 (as shown on drawing no P104 approved by ref: 06/0584/REM) to increase the height of Block G by between 1 and 2 storeys, Block H by 2 storeys, Marker 2 by 3 storeys and Block A1 by a single storey, as set out in outline planning permission ref: C/03/0611/OP and reserved matters ref: 06/0584/REM; thereby increasing the total number of apartments by 35 to 443 (including 21 private and 14 affordable housing apartments), thus increasing the total number of affordable units to 136, together with associated infrastructure	Refused and dismissed on appeal

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition:	No
	DC Forum:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/4 3/6 3/7 3/9 3/11 3/12 3/13
		4/3 4/4 4/9 4/11 4/13 4/14 4/15
		7/1 7/2 7/3
		8/1 8/2 8/3 8/4 8/5 8/6 8/8 8/9 8/10
		8/12 8/13 8/16 8/18
		10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010) Public Art (January 2010)
	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water

	<p>Management Plan (2011)</p> <p>Cambridgeshire Quality Charter for Growth (2008)</p> <p>Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p> <p>Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p>Area Guidelines</p> <p>Cambridge City Council (2002)–Southern Corridor Area Transport Plan:</p> <p>Brooklands Avenue Conservation Area Appraisal (2013)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF

will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

Policy 40: Development and expansion of business space
Policy 41: Protection of business space

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 The site provides adequate space for a servicing vehicle turn so as to be able to enter and leave the site in forward gear. Please verify that the aisle widths within the car park are at least six metres wide. (Confirmed 6 metres wide).

Cambridgeshire County Council (Sustainable Communities)

- 6.2 No comments received.

Head of Environmental Services

- 6.3 No objection in principle.

Construction/demolition pollution – addressed by condition 4 of Outline consent

Noise – addressed by conditions 5, 6 and 7 of the Outline consent.

Odour – addressed by condition 8 of the Outline consent

Lighting – addressed by condition 9 of the Outline consent

Contaminated Land – addressed by condition 10 of the Outline consent

Air Quality – no objection but recommends provision of electric vehicle charging points

Waste Strategy – the proposals are reasonable and the submitted information is satisfactory to discharge conditions 11 and 12 of the Outline consent

Urban Design and Conservation Team

6.4 *Summary*

Subject to 14/2029/S73 being approved the scheme is parameter plan compliant and therefore supported in design terms.

The further study to understand the visual impact of the proposals reveals that the scheme will have minimal impact on the setting of the City from more distant views and at the more local level has the potential to enhance the approach to the City from the south through the proposed tower. In scale and massing terms the scheme is parameter plan compliant and at the more detailed level has the potential to create a high quality and well detailed scheme that responds to the surrounding context in an appropriate way.

The information provided on the elevations and accompanying details demonstrates the proposals have been well designed with clear attention to the proposed materials and detailing. Materials and details will need to be covered by condition should the application be approved.

Overall the scheme meets Policies 3/4, 3/7, 3/11 and 3/12 of the Cambridge Local Plan (2006) and is supported in design terms.

Parameter Plan compliance

Subject to the approval of the S73 the scheme is compliant in terms of approved parameter plans.

Layout and scale

As mentioned above, the proposals adhere to the scale and layout (as amended through 14/2090/S73) of the parameter plans.

Northern block

The northern block is organised to form three wings extending northwards from the lower courtyard facing block. These wings are orientated to enclose the first floor podium gardens located

between the wings. The overall height and massing of these wings was fixed through the Outline permission. The middle and eastern wings rise to ground+3 storeys and the Shaftsbury Road wing rises to ground+4 storeys. The courtyard facing block rises to ground+4 storeys. Given the proximity (approximately 16.5m) of the Kaleidoscope development to the north, the impact of the scale and massing was tested at the Outline application stage. The assessment demonstrated that whilst the scheme will alter the current situation for a number of units to the easternmost end of the residential block, the scale and massing would not result in an unacceptable impact when assessed against the BRE guidelines 'Site Planning for daylight and sunlight: a guide to good practice'.

Southern block

The southern block is designed with a rounded end to the southernmost tip working with the site shape to run parallel to the railway line and CGB/pedestrian/cycle route. The overall shape creates a 'C' to provide enclosure to the podium garden on three sides. The overall height is ground+4 storeys.

The alignment of the block has been canted in an easterly direction by 1.5 degrees to reduce the apparent length of the Shaftsbury Road elevation when approaching from the north heading into the site. This approach successfully mitigates any concerns about the impact of the length of this elevation when viewed from Shaftesbury Road.

Tower

The Outline Parameter plans created an opportunity for a 'tower' of up to 39.1m as part of a subsequent Reserved Matters application. Such a tower is proposed and located to the east side of the site and creates something of an 'arrival marker' on the way into Cambridge when approaching from the south. The tower will have a varied design throughout its height with each of the four facades articulated slightly differently and so providing variation from differing viewpoints. A spiral access stair will rise up through the tower and meeting rooms located at different floor levels will ensure it is functional for users. The bulk of the tower will be clad in hand set brick work with pre-cast concrete panels on certain sides higher up and an open viewing deck separating the top of the tower which will be

raised above the deck on slender piers and comprise a glass 'box' which will itself include an artist intervention using a subtle lighting display installed within this box. The light display will 'glow' subtly at night and provide a visual point of interest from surrounding areas.

An assessment of the impact of the tower is made under 'Visual impact/key views'.

Visual impact/key views

The Design & Access Statement Appendix C contains a series of Verified Views and CGI images to show how the Reserved Matters scheme sits into the Cambridge skyline from distant views and nearer views. The UDC team analysis and conclusion against each of the views is identified below:

Massing views:

i) Limekiln Road

Part of the massing of the proposals can be seen rising just above the established existing tree line. The 'tower' can be seen breaking clear of the tree line, as would be expected, and forms an addition to the skyline to the south of the emerging cluster of Belvedere and The Marque. Given the lightweight and glazed top to the tower and its modest footprint, the impact is considered acceptable.

ii) Wort's Causeway

From Wort's Causeway, the proposals can again be seen emerging just beyond the treeline. The tower does not break the distant horizon and as with Limekiln Hill, forms a relatively small intervention on the established skyline. As such it is considered acceptable from this viewpoint.

iii) Magog Down

The view from Magog Down shows that the proposals will create minor change to the established view in terms of the main massing of the proposals. The tower does not break the horizon and is less noticeable than in other assessed views.

Detailed views:

iv) Long Road Bridge

The massing of the southern end of the proposals is visible rising just above the trees. The tower is more prominent in this view but is fulfilling its intended function as a marker on this approach into the City. The view is limited by the established tree belts to the east and west and by the change in ground level to bridge the railway. The impact of the proposals is judged to be acceptable.

v) Hills Road Bridge

The proposals coalesce with the general increase in the scale and massing of buildings on Kaleidoscope and across the railway on Belvedere and The Levels. The tower helps to mark the CA site against the prevailing built form. The impact of the proposals from this vantage point is acceptable.

vi) Shaftsbury Road

The detailed view from the gates at the entrance to this section of Shaftsbury Road reveals that the proposals will have a positive impact on this view. The very top of the tower is just visible. The overall impact of the views is acceptable in design terms.

vii) Entrance courtyard

The proposals from this view show how the scheme extends the area of established landscape across into the proposed courtyard. The massing of the courtyard creates an appropriate level of enclosure and the tower creates a counterpoint against the more horizontal form of the link block.

viii) View from the Guided Busway

The view reveals that the proposals will be more broken due to the proposed tree planting along the eastern boundary. The tower forms a more discrete element emerging beyond the tree line. The impact of the proposals from this view is acceptable in design terms.

Night views:

ix) Long Road Bridge

As with the day time view, the southern end of the proposals is just visible above the tree line. The tower element will be apparent, particularly at the upper levels, as it is proposed to be lit. The level of lighting will be crucial in this regard and the D&A notes at section 3.12 (page 28) that the light work on the

top of the tower is intended to be illuminated to 5cd/m² (candelas per square metre), which is equivalent to a 'rural environmental zone' or 'low district brightness'. As such it will form a glowing 'lantern' and is not considered to be harmful in design terms.

x) *Hills Road Bridge*

As with the day view, the overall impact is considered acceptable. The top of the tower is more visually prominent given the intended lighting of this element. The overall impact of the lighting is considered to be acceptable in design terms.

Based on the verified views described above, the tower is most prominent from more localised views and somewhat prominent in more distant views (Limekiln Road and Wort's Causeway).

An assessment of the tower requires consideration against established policy in both the existing Local Plan (2006), specifically saved Policy 3/13, as well as new draft policy within the Local Plan (2014): Proposed Submission, specifically Policy 60 and Appendix F (more detailed guidance supporting Policy 60). The principle intent of both policies is to ensure that any new tall building will deliver a high quality addition to the city skyline and it will not detract from, or adversely impact upon, established character of the city including its heritage assets.

The UDC team view is that the tower creates a well-articulated and varied form. Each of the elevations responds to its particular context and is terminated by a glazed and lightweight top. It will create an interesting addition to the established skyline of the city.

In terms of its function, the tower helps to provide a reference point for the development both at a site and more distant level. It counters the horizontal form of the main north and south buildings and helps mark this 'gateway' into the city from the more suburban character to the south to the more urban centre characterised by buildings of greater scale around the Hills Road bridge, including residential development along both sides of the rail line and CB1 immediately beyond. The character of this part of the city is, in many ways, still emerging with schemes being developed or in the planning stages such as at Homerton College and within CB1 itself. While there are other 'tall' buildings in this location, notably The Marque and The

Belvedere, the tower for Cambridge Assessment will not compete with these buildings as it sits principally within the railway/guided bus corridor and (as can be seen in verified views) is separated from those buildings. For these reasons, our conclusion is that the tower will form a high quality addition to the city skyline and will not adversely impact on the established character of the city or its heritage assets.

Elevations and materials

Cambridge Assessment has a requirement for a large number of meeting rooms and these are located along the Shaftesbury Road frontage with easy access via the entrance court. The ground floor is raised by approximately 500mm (see drawing: EPA CAC 05 ELE 308 Rev P9) to enhance the privacy of these rooms whilst allowing surveillance of the street. Bay windows, set within the overall grid at the ground floor enhance and subtly differentiate the ground floor room from the more general office based functions above. The auditorium and restaurant are also on the ground floor and relate well with the garden court.

The proposals will use a limited overall palette of materials to create a unified approach to the elevations. Within this established palette, variations to the design of the north and south blocks in response to solar orientation and as part of the courtyard/entrance arrival space create a subtle and well-judged degree of difference and variation. The creation of a well-defined base is important to the elevations and accented by the use of 9 inch rusticated brickwork piers.

The elevation to Shaftesbury Road is characterised by a single façade treatment generated by the 9m structural grid that generates the frequency of solid to void on the main elevations. The visual impact of it is moderated by the 'Shaftesbury gable façade' that is introduced adjacent to the entrance courtyard and further broken down by the courtyard itself and the link building which is significantly set back from the road frontage. The 'gable' is organised on an 11.2m structural grid that allows for a variation from that on the rest of the building and is joined to the building with a glazed junction. The main facade is composed of brick, concrete piers and lintels and aluminium windows, coping and brise soleil.

The Shaftesbury gable façade is characterised by a contrasting window layout with deep reveals but maintains the use of brick, concrete and aluminium. The glazed junction addresses the change in height between the wings of the north building and its longitudinal element. The same façade treatment is used on the north elevation facing the Kaleidoscope development.

The proposed façade treatment for the courtyard elevations takes on a different form with an inner layer composed of render and an aluminium windows and an outer layer of off-white pre-cast concrete forming a brise soleil.

The tower

The tower has been designed to work with the overall language developed for the elevations and rises from a more solid brick base of brick and concrete. At its upper level the tower incorporates panels of brickwork/concrete which could be used as a 'canvas' for public art within the proposals. At seventh floor there is a viewing platform with a parapet. A gap, formed by the viewing platform, provides a clear break between the masonry elements of the tower and the more lightweight translucent or textured glass screen in the tower above. This element forms a plant area which is shrouded to provide a further 'canvass' for the artist who is developing the public art project.

Roof plant and screening

The roof plant areas are set back from the building edges and will be screened using 'terracotta baguettes' which will also be used to screen the car parking areas. The creation of a the plant screen will help to reduce the impact of plant from more distant views and creates an enclosure to prevent the proliferation of 'kit' across the roof that would be detrimental from more distant views.

A 1.3m high parapet is provided to external 'public' elevations (see Drawing: EPA CAC 05 DTL 010 Rev P4) and a stainless steel handrail is provided to the courtyard elevations.

Material Study for Reserved Matters Application

The applicant has submitted Design & Access Statement Appendix D: Material Study for Reserved Matters Application. This provides further details of the intended facades, podium facades, upper and ground floor window conditions, the link building glazing and information relating to the plant enclosure as well as a tower study. It provides a detailed analysis of the possible brick types and how the facades will be composed of the various materials. A mixed buff brick of the type used on the nearby Accordia development is likely to be used and is proposed to be handset with a lime mortar. This brick is supported in principle although the brick, along with other materials will be covered by condition should the application be approved.

Public Realm, Arrival Courtyard and Amenity spaces

The overall design of the development achieves good interrelations between buildings, routes and spaces. As described elsewhere, the site needs to be secure because of the nature of the activities undertaken by Cambridge Assessment. However the development still offers up a generous entrance courtyard space on Shaftesbury Road and presents an attractive built frontage to all sides, particularly alongside the railway boundary. The private spaces within the scheme experience a very high level of natural surveillance and the difference in level between the pavement and internal floors combined with landscaping provides a secure environment to the street frontage in a more subtle way.

Public Realm

The Entrance Court provides the main entrance into the proposals for visitors and accommodates a drop-off area, seating and more formal landscaping.

Each of the three proposed podium spaces is themed (mind, body and soul) to create a level of difference and distinctiveness. These podiums will be accessible to employees. Adjacent to the southern 'body' garden is a terraced area which wraps around the building to provide seating in association with the cafeteria.

The Garden Court is bounded by the link building and the North and South buildings and will be visible through the link building

from the Entrance Court. It is designed as a more formal space with a lawn and signature tree providing a focal point on the railway elevation. A formal hedge and topiary box trees form an edge to the space.

The north part of the Shaftesbury Road frontage will benefit from a formal line of large trees to continue the character to the north of the site while the south part will be more informal to respond to the character of the area to the south of the site. A more informal edge is also proposed in the car park and adjacent to the boundary with the Kaleidoscope development.

Response regarding Design & Conservation Panel comments

The scheme was presented to the Design & Conservation Panel on the 10th December 2014 where it received an 'amber' light. Concerns were raised relating to two key areas. The first being 'urban engagement' - that is the way in which the scheme responds to its context as part of a 'new city block' and contribution of a new public realm. The second area related to the public address of the building and in particular, the response of the Shaftesbury Road elevation.

A second meeting on the 23rd January 2015 was organised to allow panel members to see the site and understand the context more thoroughly. Overall the Panel felt that the site visit was useful in understanding the scheme in its context. The landscape was seen as a significant element in helping to break up the mass and repetition of the elevations. The continuation of the tree lined avenue along Shaftesbury Road was welcomed.

In terms of the public interaction, Panel understood and accepted that the security of the site was a necessary and influential factor in the design of the scheme. However further consideration of how activity and life could be introduced to the ground floor level should be considered with the idea that a refreshments kiosk could be introduced to the proposals.

Following this meeting the scheme was given a 'green' light with the following conclusion:

The site visit, and the opportunity to be presented with additional detail on the scheme's architecture and

landscaping (with the supporting documentation and modelling) gave the Panel comfort that encouraging progress is being made to express the building's public presence and to its assimilation into the surrounding environment.

This is a highly disciplined, controlled building, and while there may be structural and commercial reasons for the inevitable repetition, there is scope to look again at both the northern, southern and courtyard elevations and levels of interactivity so as to add some relief and give the building a more welcoming, public face on Shaftesbury Road.

High quality detailing is expected in the execution of this scheme and the Panel sincerely hope that the current design team continue with the project to its completion.

VERDICT – GREEN (4), AMBER (3)

Following on from the presentation and discussion, the applicant is investigating how the elevations on the courtyard could be amended to respond to the suggestions made by Panel. In our considered view any changes required will be subtle in nature and will not require any fundamental changes to the scheme.

Recommended conditions

- Sample panel of facing materials
- Details of non- masonry walling systems
- Details of windows and doors

Response to further information

To be reported on Amendment Sheet.

**Cambridge City Council Senior Sustainability Officer
(Design and Construction)**

6.5 *Application as submitted*

General approach to sustainable design and construction

At the outline stage, a number of commitments related to sustainable design and construction were made, and the Planning Statement that accompanies this reserved matters application states that these are continuing to be pursued, which is supported. These commitments included:

1. The emphasis on the role of building form in promoting natural daylight and natural ventilation. The Design and Access Statement confirms that careful consideration has been given to areas of fenestration in order to maximise the balance between allowing excellent levels of natural light internally and minimising solar gain. External brise soleil are to be provided to minimise excessive solar gain on south and west elevations, an approach that is supported
2. The proposals to exceed the minimum building U values and air permeability performance targets set out in Part L 2013
3. The testing of the thermal performance of the buildings to the UKCIP 09 projections
4. The references in the Site Waste Management Plan to the potential to re-use on-site materials arising from the demolition of the existing buildings (e.g. bricks and concrete)
5. The approach to the water management strategy, which looks to attenuate, harvest and celebrate water. The strategy includes:
 - ☐ Rain gardens;
 - ☐ Porous paving in car park areas;
 - ☐ Underground crate storage systems (careful consideration will need to be given to the location of these crates in relation to the landscaping proposals and proximity to tree roots)
 - ☐ Expression of the drainage through the detailing of channels and kerbs.

It is, however, noted that the Living Roofs that were included as part of the drainage strategy approved at the outline application appear to no longer be included in the scheme, which is disappointing given the multiple benefits that these offered including biodiversity enhancement, surface water attenuation and reduction of internal cooling loads. It is strongly recommended that the applicant reconsider their inclusion as the long term lifecycle costs of a green roof will be lower than a conventional flat roof system and given the roof top plant and presence of photovoltaic panels on the roofs, the roof structure should be more than capable of accommodating the loading from the living roofs.

As part of comments on the outline application there were areas where further consideration was encouraged to be given to other aspects of sustainable development, including water conservation measures to reduce potable water demand, the provision of electric vehicle charging points and a car club space. The applicant should confirm whether any of these measures are to be implemented.

Renewable Energy Strategy

In line with the requirements of Policy 8/16 of the Cambridge Local Plan 2006, major developments will need to meet a minimum of 10% of their energy requirements from the use of on-site renewable energy. The Energy Strategy that accompanied the outline application recommended the use of photovoltaic panels and also considered a range of other renewable technologies that could be utilised to meet and indeed exceed the 10% renewable requirement.

The Planning Statement that accompanies this reserved matters application confirms that the renewable energy approach now utilises both photovoltaic panels (which are shown on the roof plan) and a ground source heat pump. Initial analysis of the carbon saving associated with these technologies indicates that they have the potential to reduce carbon emissions by 26%, an approach which is fully supported. Given that the renewable energy strategy is now more progressed than it was at the outline application stage, and in order to verify that these technologies will exceed the Council's renewable energy policy requirement, it is considered

appropriate for final carbon calculations to be submitted to the Council.

This could be by way of a planning condition requiring carbon calculations to be submitted in line with Section 2.4 of the Council's Sustainable Design and Construction Supplementary Planning Document.

As a ground source heat pump is to be utilised, a drawing showing the location of the boreholes or horizontal loop system and how this relates to any landscaping and drainage strategy should be submitted to the Council. Again this could be by way of condition if it were not possible to submit this prior to determination.

Conclusion

The overall approach to sustainable design and construction and renewable energy provision is supported subject to further consideration of living roofs and recommended conditions.

Response to further information

The information demonstrates that the scheme will meet, and exceed, policy requirements in relation to renewable energy. Conditions are no longer required.

Head of Streets and Open Spaces (Landscape Team)

6.6 *Application as submitted*

Drainage

The water management strategy of the site will have a significant effect on the landscape, particularly underground tanks. More information is needed about how the drainage proposals will affect the landscape proposals.

The Landscape team are very supportive of the previous proposals for green or brown roofs.

Landscape Irrigation

An automatic system is recommended because the containers and podiums will always require a long term, rigorous regime of watering as they will dry out very quickly and will need a relatively quick response to avoid damage to plants.

Planting generally

It is recommended that the planting proposal in the woodland boundary planting bed is changed to one easily managed species such as Amelanchier or Viburnum and retain an edge treatment.

The swales and rain gardens will have long periods in a dry condition but the proposed planting favours damp conditions.

Podium landscapes

Drawings are needed to demonstrate that the construction of the podiums will allow good growing conditions and a sound structure.

Response to further information

To be reported on Amendment Sheet.

Head of Streets and Open Spaces (Walking and Cycling Officer)

6.7 *Application as submitted*

The large area of cycle parking at the front of the site is poorly thought out. The spacing does not provide enough aisle width between rows and the layout needs to be reconfigured to ensure that users can access all the parking provided.

The staff parking should be covered. Visitor cycle parking should be adjacent to the main entrance and does not need to be covered.

There appears to be no detail of the staff parking within the podium car parking. A scaled plan of the layout should be

provided with detail of the racks proposed and nearest accesses into the building.

Response to further information

To be reported on Amendment Sheet.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.8 *Application as submitted*

The application as it stands cannot be supported as the proposals are not in accordance with the approved surface water drainage philosophy. Condition 19 of the outline approval states 'The development permitted by this application shall be carried out in accordance with the approved Drainage Philosophy date 26 March 2014'

This has green roofs as a key SuDS feature and these do not appear on the reserved matters application.

In the absence of a surface water drainage scheme it is not possible to make an assessment that the proposals would be acceptable and compatible with the landscape proposals.

Response to further information

To be reported on Amendment Sheet.

Head of Streets and Open Spaces (Nature Conservation Officer)

6.9 No comments received.

English Heritage

6.10 The application should be determine in accordance with nation and local policy guidance and on the basis of City Council specialist advice.

Environment Agency

- 6.11 Comments on Outline application remain pertinent because detailed information has not yet been submitted.

Anglian Water

- 6.12 No comments received.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.13 No objections.

Cambridgeshire County Council (Archaeology)

- 6.14 Comments awaited regarding discharge of condition.

Cambridgeshire Fire and Rescue Service

- 6.15 Adequate provision should be made for fire hydrants either via planning condition or s106 Agreement.

Head of Streets and Open Spaces (Public Art)

- 6.16 The process of bringing forward public art on the site accords with the Public Art SPD. The Public Art Strategy has been presented to the Public Art Panel and the Panel are supportive of it subject to some modifications.

Access Officer

- 6.17 The statement says 6 + 1 large Blue Badge parking spaces, yet the plan shows 8 marked spaces. There should be a total of 10 Blue Badge marked spaces as close to entrances as possible

The Planning and Design statements do not adequately comment on the provision for disabled people.

There should be lift in tower (possibly is one on plan, but not stated)

Reception area, interview rooms and auditoriums need hearing loops.

Many details need to be designed for disabled usage, but such details are not shown on this application.

Response to further information

To be reported on Amendment Sheet.

Design and Conservation CB1 Sub-Panel (10 December 2014)

6.18 Urban Engagement

The Panel recognised the importance of this major new building, which will consolidate the various existing offices of Cambridge Assessment into a new global headquarters. For such a landmark development in the city, they questioned the apparent lack of commitment for the building to contribute meaningfully to the public realm. This operates both on the level of distant views as seen from the railway on entering Cambridge, and in terms of the experience of the building when approached down Shaftesbury Avenue. Compared with the bustling environment currently generated around their offices along Hills Road, this new facility seems to be entirely inward looking and provides for no public engagement in its spaces, gardens or facilities. Notwithstanding this is not a public building and is for staff and visitors of Cambridge Assessment only, the Panel feel strongly that this building should not appear as a stand-alone headquarters in a commercial park, but could be better integrated in its setting to create an appropriately urban typology.

Courtyard

The Panel questioned the spatial quality of the entrance courtyard positioned between the large-scale monolithic structures to the north and south. The absence of tables, chairs and cycle parking contribute to this absence of activity and animation at ground level. In this large urban structure, the Panel were disappointed that the courtyard would not be used to foster a sense of public arrival. This was seen as contributing to the scheme's general lack of openness and engagement with its environment, though all agreed that the computer generated images provided did not show it to the scheme's advantage.

Elevational treatment

The Panel identified themes of restraint and repetition with the building illustrated in quite unrealistic perspectives. The provision of better contextual illustrative material revealing the elevational treatment particularly from down Shaftesbury Road and also from the very public elevation to the railway line would have been helpful.

With a building of this scale there is clearly a degree of repetition – but particularly on the south block, the 17 similar bays seem relentless. It was felt that the banding used on the Shaftesbury Road elevation emphasises its length and made the west courtyard appear even more inward looking and unwelcoming. It was not clear how the elevations really respond to their orientation and what variation in the depth of shading is envisaged. Greater articulation of the vertical elements is encouraged.

The Tower

The Panel thinks that this is an important design element of the scheme and gives the opportunity to establish a landmark presence for the building, especially at night. The tower needs to be able to express itself, perhaps with less formal restraint to provide a much-needed element of delight. The Panel note that feedback is anticipated from a number of artists on their potential involvement in designing this element.

Landscaping

As so little information was provided on the landscaping, the Panel feels unable to make detailed comments. They are disappointed that such an important element of the development should have been presented in such generic terms.

Particularly when seen from the railway, the rhythm of the courtyard planting on the east elevation will need to provide seasonal interest and a strong presence that can be read from passing trains. Inspiration could be taken, for example, from the existing green wall of Virginia creeper on the Edinburgh Building, which has provided a seasonal landscape feature that

many people take note of and identify with. This planting needs to provide the dominant view of the building, rather than the parking provision below, as with the buildings on the other side of the tracks.

Materials

The Panel were pleased to see the buff brick samples that are being considered. Some concern was expressed that the concrete sills would weather differently, although this would depend on the quality of the detailing. The Panel would like to see the materials palette as it develops.

Shared areas

The dining area appears small for a building of this scale that is intended to house up to 3000 employees, especially if no further coffee bars or sandwich shops are included. The closed nature of the building and its facilities seems further accentuated by the privacy requirements of the ground floor plan.

Conclusion

With a new building of this scale, the architects are designing a development that inescapably defines major new urban blocks in the city. A strong statement is being made here with this highly visible new building for Cambridge. However, it is presented as a closed organisation, with rather minimal response to its surrounding environment. Further contextual work is needed on each elevation, as well as information on how the site itself would be navigated.

There is scope to create a building that responds more strongly with its context and that feels more welcoming to staff, visitors and the public. The architects are strongly encouraged to explore the options for greater engagement in the fabric of the city, to create a lasting public presence that everyone can be proud of.

VERDICT – AMBER (unanimous)

It is requested that this proposal is brought back to the Panel subject to the provision of further contextual analysis and stronger presentation material.

Design and Conservation CB1 Sub-Panel (23 January 2015)

- 6.19 This follows the earlier presentation to the Panel at the December 2014 meeting (unanimous AMBER verdict). A Reserved Matters application has now been submitted based on the December proposals (with additional roof plant and floor footprint of the tower submitted as minor material amendments). The purpose of the meeting was to allow the Panel to better understand the design in its context and comment on the facades and landscaping in greater detail. Presentation material included detailed documentation on the building and landscaping, three dimensional models –including large scale mock-ups of elevation types – and material samples.

The Panel's comments were as follows:

- ☐ Urban engagement. Concerns about the scheme's contribution to the public realm were allayed by the presentation of the landscaping scheme for the site and the elaboration provided on the design of the elevations. The substantial formal and informal landscaped and pavement strip adjoining the proposed building would provide a welcome continuation of the established tree-lined approach down Shaftesbury Road from the north of the site. Views from the train on entering and leaving Cambridge would be enhanced by sight of the landscaped southern themed podia and eastern courtyard gardens, the tower and edge planting, all combining to break-up the mass and repetition of the building.
- ☐ It is accepted that security is an influential factor in the design of the building and this has informed the Shaftesbury Road elevations and the formation of defensible spaces created by the landscaped frontages. Nevertheless, it was felt that further publically accessible elements were needed to be at ground floor level to add to a sense of a city street. For example, amenities such as a kiosk or coffee stand within the front courtyard could provide a sense of conviviality or 'common ground' and would help to relieve what is still viewed as a long and repetitive frontage.

Elevational treatment

- ☐ Brise soleil The Panel supported the use of projecting metal features to all elevations as a means of managing solar gain.

The design team are encouraged to ensure that the design palette for the brise soleil is subtly varied in its application in response to the orientation of the elevation to which the brise soleil are to be fitted. The Panel felt that subtle variation in the arrangement of the brise soleil would provide some relief to the repetitive, and perceived relentless nature of the southern block's elevations, such as through exploiting the changing orientation around the curved southern end of this block.

- Shaftesbury Road Elevation, northern block. The Panel expressed some disappointment that the designers were not tempted to modulate the Shaftesbury Road elevation using means other than a set-back between the main element and the 'gable' end to the return on the north side of the entrance courtyard. There is an opportunity to play with the elements of light and shadow here and to add subtle variation using a variegated brick.
- Entrance Courtyard - Link building. The design team were encouraged to consider a syncopated placement of the fins rather than the regular spacing proposed. The Panel supports the inclusion of the link building within the area of public art provision and would like to see the art brought to ground level, so as introduce some additional interest and colour to this space.
- Entrance Courtyard – north and south elevations. Panel were of the view that the entrance courtyard would benefit from a subtle change in elevational treatment in place of the continued repetition of the treatment used for the Shaftesbury Road elevation. Consideration might be given to repeating the treatment currently used for the 'gable' end to the Shaftesbury Road return on the block forming the north side of the entrance courtyard.
- Shaftesbury Road Elevation, southern block. The suggestion was made that careful detailing of the expansion joints between the elevations panels could provide some subtle delineation and contribute to a lessening in the degree of repetition resulting from the alignment of the 17 similar bays.

The Tower

Standing at 39 metres, the tower is a prominent and important design element of the scheme. It will act as a landmark and should establish a presence which is valued, including at night. It should be noted that distant views of the tower were not presented on this occasion.

The Panel were acquainted with the designs of the three artists invited to submit schemes from which one will be selected for incorporation into the architecture of the tower and the link building. The Panel would have preferred to have viewed a detailed rendering of the way in which the scheme to be selected would be incorporated into the tower. Whilst the marriage of the selected artwork with the tower's architecture is still in development there was an expectation that the required quality of delight, during the day as well as by night (by providing a low-level diffused glow from a lightweight lantern) is achievable.

Landscaping

Overall, the Panel welcomed the proposed landscaping scheme with its mixture of formal and informal avenue tree and under-planting, the sophisticated planting of the three themed podia gardens and the courtyards. Several possible detailed adjustments were mentioned which the design team may wish to consider. Firstly, the 'greening' of the exposed edge of the floor slabs on the edge of the landscaped podia on the railway elevation, perhaps through the use of cascading plants, should be incorporated in order to hide its prominent horizontal and hard appearance. Secondly, as box hedging is susceptible to blight, other plant types could be substituted to perform a similar function to the box. Also, in order to add to the site's biodiversity it was suggested that nest boxes for swifts could be incorporated to encourage such visitors.

Materials

Brick and mortar types. The use of a variegated brick type was preferred to a more uniform coloured rusticated brick. The Panel is very supportive of the choice to use lime mortar.

Conclusion

The site visit, and the opportunity to be presented with additional detail on the scheme's architecture and landscaping (with the supporting documentation and modelling) gave the Panel comfort that encouraging progress is being made to express the building's public presence and to its assimilation into the surrounding environment.

This is a highly disciplined, controlled building, and while there may be structural and commercial reasons for the inevitable repetition, there is scope to look again at both the northern, southern and courtyard elevations and levels of interactivity so as to add some relief and give the building a more welcoming, public face on Shaftesbury Road.

High quality detailing is expected in the execution of this scheme and the Panel sincerely hope that the current design team continue with the project to its completion.

VERDICT – GREEN (4), AMBER (3)

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

7.0 REPRESENTATIONS

- 7.1 Representations have been received from occupiers of the following addresses:

36 Aberdeen Avenue
8 Aberdeen Square (neutral)
173 Glenalmond Avenue
223 Glenalmond Avenue (neutral)
343 Glenalmond Avenue (neutral)
41 Holbrook Road
Suite 124 23 King Street
21 The Steel Building, Kingfisher Way
3 Shaftesbury Road
Whitlocks, High Street, Trumpington

7.2 The following comments are made:

Traffic generation/car parking

General concern about increased traffic (5)

Additional congestion in the area (3)

Double yellow lines should be provided on Shaftesbury Road to ease congestion

There should be no car or motorcycle parking on site to give a clear message to staff to use other modes.

A new stop on the CGB should be provided (3)

There should be a firm commitment to provide foot/cycle access from Hills Road Bridge to the CGB, to widen the footpath on Brooklands Avenue by removing the wall next to English Heritage and improve lighting.

There should be lighting and a fence on the CGB to improve safety.

A residents parking scheme should be introduced at Acccordia to stop contractors parking; this should be funded by the developer. (3)

Concern about condition of local roads (potholes) and whether they will be able to accommodate additional traffic.

Traffic modelling data should be in the public domain.

The Travel Plan is not viable because the site is poorly served by public transport, links are poor and there no effective mechanisms to deliver changes in travel habits.

Construction Phase

The use of Shaftesbury Road before 9.30 am and after 4.30 pm should be restricted for safety reasons

Contractors should be offered an off-site parking facility

Building Design

The design is generally positive (2)

The light box in the tower would waste energy, may be shiny and will be an eyesore.

Impact on residential amenity (Kaleidoscope)

Loss of daylight to windows facing south towards the development (2)

Loss of view from south facing windows

Loss of privacy from south facing windows

Concern about noise and mess during the construction phase which will affect shift workers particularly

The roads within Kaleidoscope are not yet adopted and any parking control will need to be undertaken through our management company, at a cost to local residents.

- 7.3 The Accordia Residents Association (ACRA) has made comments about the submission of the Demolition and Construction Environmental Management Plan (DCEMP) which is required by planning condition on the Outline consent. ACRA has also queried how this will be enforced and what action will be taken if working practices are not in conformity with the plan.

ACRA has also asked detailed questions about the parking survey and Travel Plan. These matters are also related to the Outline consent.

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

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Public Art
4. Sustainable development and renewable energy
5. Disabled access
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Access, car and cycle parking
10. Third party representations
11. Outstanding issues raised by internal and external consultees.
12. Planning Obligation Strategy

Principle of Development

- 8.2 The principle of development has been established by the Outline Planning consent as amended by the Minor Material Amendment (application ref. 14/2090/s73) and associated parameter plans. The Parameter Plans address the following matters:

- ☐ Application Site Plan with Existing Levels
- ☐ Built Form with Proposed Levels
- ☐ Site Access and Circulation Plan
- ☐ Landscape Parameter Plan

- 8.3 There is a report elsewhere on the Agenda which deals with the application for a Minor Material Amendment (MMA) to the Outline Permission to accommodate changes in comparison with the Parameter Plans as approved under the Outline Planning Consent. This report assumes that the recommendation of approval on that report is accepted.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 3/1, 7/2 and 7/3 of the Cambridge Local Plan 2006.

Context of site, design and external spaces

- 8.5 The reserved matters submission relates to the access, appearance, landscaping, layout and scale of the development, therefore design considerations are key to the determination of the application. The parameter plans have set a threshold on

matters such as the footprint and height of the blocks as they come forward in their detailed form and the approvals of the parameter plans were predicated on the assumption that a building of such height and mass would be acceptable in the context of the site. It is therefore essential that the building that has been brought forward accord with parameter plans.

- 8.6 There is a report elsewhere on the Agenda, which deals with the Minor Material Amendment to increase of the footprint of the tower feature that is proposed in the southern wing of the development and to increase the area of roof plant of the footprint of the blocks. On the assumption that the recommendation is accepted, all elements of the building footprint and the roof plant proposals accord with the parameter plans.
- 8.7 The overall layout and scale of the development are controlled by the restrictions imposed by the parameter plans and I have concluded that the scheme accords with the maximum parameters. However consideration also needs to be given as to the how the built form sits within those parameters and the appearance of the development. Only by doing this can the detailed impact of the development be properly addressed.

Response to context

In my view the design of the building responds positively to its context. The existing buildings on the site are dominant both in terms of their scale and the materials of their construction. The experience of the site from its western edge is limited by the private nature of this part of Shaftesbury Road. The west elevation of the building is composed of four elements; the elevation of the western wing of the north building, a block which steps forward and announces the presence of the third element, the entrance courtyard and the long west elevation of the south building. The west elevation of the south building is slightly canted back to reduce the visual impact of what otherwise would appear as a very long elevation.

To the east the site is bounded by the Kings Lynn to London railway line, Cambridge Guided Bus (CGB) route and a cycle/footpath. This makes the east elevation and rounded southern end highly visible in stark contrast to the western side. To this edge the building presents two areas of open space on

raised podia and the tower which enliven this façade in a way which is highly appropriate to its more active side.

To the north the north building is formed by a longitudinal built form running east to west with three wings extending towards the Kaleidoscope development. Two areas of open space on raised podia help to soften the relationship of this part of the building adjacent to sensitive residential development.

The north and south buildings are linked by a comparatively lightweight structure which will enable views between the entrance courtyard and the open space beyond. The landscape proposals, which I have addressed in more detail below, will provide a very high quality of amenity space for users and will make a positive contribution to the wider area. In particular the trees on the Shaftesbury Road frontage will reflect the quality of the street trees in surrounding streets and will help what will be a significant building to become integrated into the streetscape.

Movement and Access

Vehicular access into the site will be off Shaftesbury Road. The principle parking area is under the podia and two wings of the north building and alongside the boundary with the Kaleidoscope development. 152 car parking spaces are provided in this location therefore most private cars will enter the site at the north access point.

37 car parking spaces are provided under the podium on the south building so access for private cars entering the site at the southern entrance will be more limited. The southern entrance will also provide access for service vehicles serving the kitchen and other servicing and to access the waste compound which lies between the building and the boundary. Service vehicles will be able to turn on site and exit in forward gear.

In my view car parking is well integrated into the development and will not dominate the external appearance.

Access to the building for pedestrians and cyclists is also via the entrances on Shaftesbury Road and via a dedicated gate off the footpath/cycle route. A ramp is to be provided within the site to deal the change in level. Facilities for cyclists are

provided close to the entrances to encourage these forms of transport.

Layout

The overall design of the development achieves good interrelations between buildings, routes and spaces. The site needs to be secured because of the nature of the activities which are undertaken by Cambridge Assessment. However the development still offers up a generous entrance courtyard space on Shaftesbury Road and presents an attractive built frontage to all sides, particularly alongside the railway boundary. The private spaces within the scheme experience a very high level of natural surveillance and the difference in level between the pavement and internal floors combined with landscaping provides a secure environment to the street frontage in a subtle way.

Scale and massing

The scale and massing of the building accords with the approved parameter plans, as amended by the MMA application. The Outline application was subject to rigorous scrutiny in terms of the impact of the building on close and more distant views. This included a comprehensive Visual Impact Assessment with Verified Photomontage Views (VIA). The VIA related to verified views from the following locations:

- ☐ Limekiln Road layby, Cherry Hinton
- ☐ Wort's Causeway
- ☐ Magog Down – Little Tree Hill
- ☐ Long Road railway bridge, looking north
- ☐ Hills Road bridge, looking south
- ☐ From Shaftesbury Road, looking south-east.

Views have been reproduced from the same vantage points to enable an assessment of the detailed building to be made:

In my report for the Outline application I concluded as follows:

In conclusion the VIA considers that the tower element of the building will be widely visible from known viewpoints around the southern edge of Cambridge, although the lower sections of the building are only likely to become

noteworthy within 1km, based on the photomontage evidence. The building is unlikely to appear above the horizon line from the more distant viewpoints. The VIA highlights consideration of the height of the tower and the external colour treatment as potential ways in which its the appearance of the building from a distance could be mitigated. Appropriate space for landscaping is also noted as important to its immediate setting.

The verified views that have been submitted support this conclusion. The tower at 39.1 metres will be the most visible element at a distance. It is proposed that the upper element of the tower be illuminated and the control of the level of luminance will be key to ensuring the tower does not appear as a 'beacon' which would not be appropriate in the wider views. Night time views have been provided which demonstrate the importance of this level of control. I have recommended a condition to require the submission and approval of the maximum luminance level of the tower (condition 4)

The views from Hills Road Bridge and Shaftesbury Road also show that the scale and massing of the building will have a comfortable relationship with surrounding development including that on the opposite side of the railway line.

Open Space and Landscape

The reserved matters submission conforms to the approved Landscape Parameter Plan.

A number of areas of open space and landscape are proposed as a setting to the building. These are as follows:

Entrance Court
Podium spaces
Garden Court
Boundary Planting

Entrance Court

The Entrance Court is framed by the link building and the two flanking building forms. It is a hard paved area incorporating a vehicle drop off and includes seating and tree planting.

Podium spaces

Three podium gardens are proposed above the ground floor car parking/servicing areas. The concept for these spaces is mind, body and spirit and each garden is planted in a different way to provide a variety of spaces for the users of the building to enjoy.

Adjacent to the southern 'body' garden is a terraced area which wraps around the building to provide seating in association with the cafeteria.

Garden Court

The Garden Court is bounded by the link building and the North and South buildings and will be visible through the link building. It is designed as a more formal space with a lawn and signature tree providing a focal point on the railway elevation. A formal hedge and topiary box trees form an edge to the space.

Boundary Planting

The north part of the Shaftesbury Road frontage will benefit from a formal line of large trees to continue the character to the north of the site while the south part will have less formal planting to reflect the woodland character of the area to the south of the site. Woodland character planting is also proposed in the car park and adjacent to the boundary with the Kaleidoscope development.

Comments from Landscape Officer and Sustainable Drainage Officer

The Landscape Officer has raised a number of detailed concerns about the proposed landscaping which the applicants have been made aware of. These can generally be resolved via the submission of further information. The relationship between the landscape and the drainage proposals is more complex.

Condition 19 of the Outline consent requires the development to be carried out in accordance with a Drainage Philosophy that was submitted with the Outline planning application. This Philosophy included the use of Green/Brown Roofs to manage surface water run-off. The reserved matters as submitted did

not include a brown/green roof which is in conflict with the Drainage Philosophy.

The Sustainable Drainage Engineer has met with the drainage consultants and there is an alternative way of dealing with surface water without reliance on the green/brown roofs. This will require the submission of an application to vary condition 19 so that an alternative Drainage Philosophy can be agreed. However green/brown roofs have benefits which go beyond surface water attenuation; for example improving biodiversity.

The applicants have decided to introduce a brown roof/rooves in response to concerns raised by officers and details of these are to be submitted.

Elevations and Materials

Cambridge Assessment has a requirement for a large number of meeting rooms and these are located along the Shaftesbury Road frontage with easy access via the entrance court. The auditorium and restaurant are also on the ground floor and have a positive relationship with the garden court. Plant rooms are located in the central part of the ground floor. The upper floors take the form of open plan offices. The elevational treatment expresses these internal arrangements.

Given the scale of the building and the comparatively limited range of activities carried out within it there is a danger that the elevations become too monotonous and regimented. However in my view this is not the case for this building.

The elevation to Shaftesbury Road is characterised by a single façade treatment. The visual impact of it is moderated by the 'Shaftesbury gable façade' that is introduced adjacent to the entrance courtyard and further broken down by the courtyard itself and the link building which is significantly set back from the road frontage. This gable is joined to the building with a glazed junction. The main facade is composed of brick, concrete piers and lintels and aluminium windows, coping and brise soleil.

The Shaftesbury gable façade is characterised by a contrasting window layout with deep reveals but maintains the use of brick, concrete and aluminium. The glazed junction addresses the

change in height between the wings of the north building and its longitudinal element. The same façade treatment is used on the north elevation facing the Kaleidoscope development.

An alternative façade treatment is employed to the courtyard elevations. This takes the form of an inner layer composed of render and an aluminium windows and an outer layer forming a free standing brise soleil in pre-cast concrete.

The tower has been designed to be compatible with the elevations of the building and at its lower levels is finished in brick and concrete. At its upper level the tower includes panels of brickwork/concrete which could be used by the artist as part of the proposals for public art. It will be necessary to control these elements by planning condition to ensure that they have a satisfactory appearance if not brought forward as part of the art installation. At seventh floor there is a viewing platform in the tower above which is a plant area which is shrouded to provide a 'canvass' for the artist who is developing the public art project. It is expected that this will take the form of a lighting installation.

The Shaftesbury Road elevation of the link building is also a potential area of intervention by the artist. Again this flexibility needs to be controlled by planning condition.

The roof plant areas are set back from the building edges and will be screened using terracotta baguettes which will also be used to screen the car parking areas. In my view the roof top plant areas and the waste compound are well integrated into the building envelope.

The architect has produced a Material Study to support the application which has provided a detailed analysis of the possible brick types and how the facades will be composed of the various materials. At this time the brick has not been selected but a mixed buff brick of the type used on the Accordia development is likely to be used.

Urban Design and Conservation Team and Landscape Team comments.

Both urban designers and landscape officers have been involved in the scheme since its inception and have been fully

engaged with bringing forward the detailed plans for the reserved matters submission.

These officers have provided detailed comments on the application which are set out at paragraphs 6.4 and 6.6 above. The UDC team has assessed the key elements of the building, reviewed the verified views and CGI images and considered the building appearance and proposed materials in great detail. Similarly the Landscape officer has assessed the detailed proposals for landscaping.

Both the UDC team and the Landscape officer support the application subject to modifications to the landscape proposals. These are expected to be made and amended plans submitted in advance of the Committee meeting. I will provide an update on the Amendment Sheet.

Design and Conservation Panel (DCP) comments

The scheme has been presented to the DCP twice, in December and January. In December the scheme received an Amber verdict because the Panel had concerns about the way in which the block would engage with the site context. At the meeting in January, which included a site visit, the Panel gave a Green/Amber (4/3) verdict because they maintained concerns about how the ground floor would present a public face to Shaftesbury Road.

The comments from the DCP have been discussed with the applicants and they are in the course of preparing revised proposals for the entrance courtyard to address the issues raised. Revised plans will be submitted in advance of the Committee meeting. I will provide an update on the Amendment Sheet, however it should be noted that the UDC team consider that any changes should be subtle and that they support the proposals as submitted.

Public Art

The provision of public art is secured via the s106 Agreement associated with the Outline Planning Consent. The s106 Agreement includes a clause that binds the Agreement to any subsequent application under section 73 of the Planning Act e.g. the current application for a Minor Material Amendment.

A Public Art Strategy has been submitted which refers to the permanent commission which has been allocated most of the budget, public engagement and a project celebrating Cambridge Assessment's international links. An artist has been selected who is working on proposals for installations at the entrance and on the tower. These will be embodied in a Public Art Delivery Plan.

The Public Art Officer is supportive of the process that is being followed.

In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Sustainable Development and Renewable energy

8.29 The Planning Statement which supports the application confirms that the renewable energy approach now utilises both photovoltaic panels (which are shown on the roof plan) and a ground source heat pump. The Senior Sustainability Officer has identified that overall the proposed strategy has the potential to reduce carbon emissions by 26%. Further information has been provided in response to comments made by the Senior Sustainability Officer which have resolved the issues that she raised.

8.30 I am satisfied that the applicants have suitably addressed the issue of renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD.

Disabled access

8.31 The Design Statement confirms that there will be step free access to the ground floor and parking spaces for disabled people are located close to entrances. The proposals will need to comply with building regulations. The Access Officer has raised concerns about the arrangements for car parking for disabled people which I have addressed below.

The Access Officer has also queried whether there is a lift in the tower and made comments about the need for a hearing loop. There is a lift in the tower and I have recommended an informative to address the requirement for a hearing loop.

8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

The impact on residential amenity was considered in depth in my report for the Outline application which considered the impacts in the wider area such as those arising from car parking in residential streets and construction phase impacts. These have been addressed via planning conditions and obligations in the s106 Agreement. It is however appropriate to consider the detailed impact of the development on the occupiers of the Kaleidoscope development now that there is further detail about boundary treatment and fenestration.

The following is an extract of my report on the Outline application.

8.194 The closest residential properties to the site are within the Kaleidoscope development which is to the north of the site. Two blocks are located close to the site boundary. Block F incorporates a wing which runs parallel and approximately 2 metres from the site boundary and Block G3 runs at right angles to the boundary and parallel to the railway line presenting a gable end to within 4 metres from the site boundary.

8.195 There are flats and student accommodation units to the east but these are separated from the site by the railway line, the CGB line and the CGB footpath/cycleway. Although the new buildings will be visible from the east I do not consider that they will be overbearing or enclosing. The separation distances are such that overlooking/loss of privacy, overshadowing and loss of light will not be significant.

Overbearing and Enclosing Impacts – Blocks F and G3 Kaleidoscope

8.196 The space between the boundary of the site and Block F of the Kaleidoscope development is occupied by a full height gantry which provides access into the flats at first, second and third floor level. The approved plans show these flats as open plan accommodation with windows facing south and north into an enclosed courtyard. At present the ground floor access

areas and gantry balconies face towards the existing car park. The existing CUP warehouse building is 48 metres from Block F.

8.197 The proposed development will be much closer to Block F with a minimum distance of 13m from the boundary in the central part and 16.5m to the north east. However, the proposed podium areas will have a fundamental impact on the scale and mass of this part of the building. Above first floor level there will be substantial open areas with two of the three wings of the North Block facing Block F. These wings are going to be in the order of 20m wide and the north east wing will be aligned predominately beyond the east end of Block F. At ground level it is proposed to provide landscaping along the northern boundary.

8.198 The balcony areas on the gantry to Block F1 do not appear to me to be being used as external amenity space and they have been designed principally as access areas. The gantry itself screens views from the doors and windows towards the site and the views from the ground floor flats will be softened by landscaping.

8.199 The gable end of Block G3 of the Kaleidoscope development contains windows which face the site but the approved plans show these as secondary windows with primary views being to the east and west.

8.200 In my view, although the new development will be more dominant in views from the north, given the particular site context and the way in which it is designed I do not consider that it will have a harmful overbearing or enclosing impact.

Overlooking/loss of privacy – Blocks F and G3 Kaleidoscope

8.201 The Outline form of the application means that detailed arrangement of windows and design of the podium spaces is not known at this time. However the existing gantry on Block F effectively controls direct overlooking into private spaces within the flats. As I have described above, the balconies are not currently used as outdoor amenity space therefore overlooking of them is not likely to be particularly harmful. In any case Cambridge Assessment requires a secure site by virtue of the

type of works that is being carried out in the building and for this reason the potential for interlooking will be controlled by design.

Overshadowing and loss of light – Blocks F and G3 Kaleidoscope

8.202A Daylight and Sunlight Assessment was submitted in support of the application. The findings of this report were that 4 windows in Block F and Block G3 would be adversely affected by the development. In light of concerns raised by the UDC team further work has been carried out and this has resulted in the north east wing of the North Block being reduced in length so that it will be no closer than 16.5m from the boundary. The affected windows now achieve the BRE criteria for daylight.

My earlier conclusions were that the new development will not have a harmful overbearing or enclosing impact and that the BRE criteria for daylight will be achieved on the facades of the Kaleidoscope blocks. These conclusions allowed the parameter plans to be approved and it would be unreasonable to reconsider them. However it is appropriate to consider the issues of overlooking and loss of privacy.

In this regard the detailed plans show that there will be windows in the ends of the wings facing Kaleidoscope. However these windows are set in deep reveals (0.5m) which will limit the ability to look directly into the windows on the Kaleidoscope blocks. The Kaleidoscope blocks are set back from the boundary and incorporate gantries which will also reduce the potential for overlooking. Therefore whilst less than the rule of thumb 20 m window to window distance, at approximately 15 metres, the arrangement is acceptable in my view.

Overlooking is also possible from the podium gardens but this has been mitigated by the planting scheme and parapet wall feature which internalise views. Planting along the northern boundary will control potential overlooking of ground floor flats and reduce glare from headlights.

In addition to the issues addressed above, residents of Kaleidoscope have also raised concern about noise and disturbance during the construction phase and loss of view. With regard the latter there is no right to a protection of view under planning policy or guidance. The views from the flats will

change but it could be argued that the view of the podium garden is better than the current view of the car park.

Noise and disturbance during the construction phase will be controlled via the Demolition and Construction Environmental Management Plan and construction hours will be limited. However I do appreciate that this could present unavoidable problems for shift workers.

- 8.33 In my opinion, subject to compliance with conditions, the proposal provides an appropriate level of control of impact on residential amenity and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.34 A screened waste compound is located between the building and the boundary with the railway. This is accessible from the service area. Condition 11 of the Outline consent requires submission and approval of arrangements for waste and Condition 12 requires submission and approval of the route for refuse vehicles. Information to discharge both of these conditions has been submitted with the reserved matters submission and EHO have confirmed that these can be discharged.

In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 in relation to refuse arrangements.

Highway Safety

- 8.35 Access within the site was set out on the approved Site Access and Circulation Parameter Plan. The Highway Authority has not raised any highway safety concerns.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car Parking

- 8.37 The Outline consent fixes the maximum amount of car parking to between 189 and 209 spaces. A total of 189 car parking spaces are provided under the podia and two wings of the north building and alongside the boundary with the Kaleidoscope development. This is permitted under the terms of the outline consent. The application has been amended to provide 10 car parking spaces for use by disabled drivers. This represents 5% of the total number of car parking spaces and is acceptable.

I have recommended an informative to request that consideration be given to the provision of charging points for electric vehicles.

Cycle Parking

- 8.38 The Outline consent fixes the minimum amount of cycle parking to 1325 cycle spaces and 26 motorcycle spaces. This level of provision has been brought forward as part of the reserved matters submission. Cycle parking for staff takes the form of high density cycle parking stands under the podia and two wings of the north building. The application has been amended to relocate six spaces to the entrance courtyard.

The detailed type of cycle parking stands, the requirement for staff cycle parking to be covered and the provision of the required number can be secured by planning conditions.

- 8.39 I am awaiting confirmation from the Walking and Cycling Officer and will provide an update on the Amendment Sheet.
- 8.40 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.41 In comparison with the Outline application, very few representations have been made in relation to the application. The concerns raised about traffic generation/car parking were addressed at the Outline application stage and construction

phase impacts are capable of being controlled by compliance with conditions attached to the Outline consent. I have recommended a condition to control the level of illumination from the tower and do not agree that this feature will be an eyesore. I have addressed concerns regarding the impact on residential amenity in my section Residential amenity above.

Outstanding issues raised by internal and external consultees

Condition 15 secures the provision of fire hydrants as required by Cambridgeshire Fire and Rescue.

Planning Obligation Strategy

- 8.42 This is a reserved matters submission and necessary mitigation measures are already secured via the Planning Obligation secured under the outline planning permission. This situation will prevail in relation to the new Outline Planning Permission that is granted as part of the approval of the Minor Material Amendment.

9.0 CONCLUSION

- 9.1 The proposed development accords with the parameter plans that have been agreed under the Outline planning consent, as amended. The Outline planning consent and its associated planning obligations secure the mitigation necessary to allow the development to be integrated into its surroundings. The design of the building and its landscape setting is of a very high quality and is supported by the Urban Design and Conservation team.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

1. Prior to the commencement of above ground works, a sample panel of the facing materials to be used shall be erected on site to establish the detail of bonding, coursing and colour, type of jointing 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: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

2. Prior to the commencement of above ground works, full details of all non-masonry walling systems, cladding panels or other external screens including structural members, infill panels, edge, junction and coping details, colours, surface finishes/textures and relationships to glazing and roofing shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

3. Prior to the commencement of above ground works, full details of all windows and doors, as identified on the approved drawings, including materials, colours, surface finishes/textures shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

4. Prior to commencement of installation of internal or external lighting to the eighth floor of the tower, full details of the means of illumination and the maximum illumination at both during daylight hours and the hours of darkness shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that the external appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

5. Prior to the commencement of above ground works, full details of the treatment of the masonry panels on the tower (marked L on drawing number EPA CAC05 ELE 410 P7) shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that the external appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

6. Prior to the commencement of above ground works, full details of the treatment of the first floor west elevation of the link building shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that the external appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

7. Prior to the commencement of installation of cycle parking facilities, full details of the design of cycle stands shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that satisfactory facilities for cyclists are provided. (Cambridge Local Plan 2006 policy 8/6)

8. Prior to the commencement of installation of cycle parking facilities, full details of the means by which cycle parking for staff will be covered and secured shall be submitted to and approved in writing by the local planning authority. This may consist of large-scale drawings. Thereafter the development shall be undertaken in accordance with the approved details.

Reason: To ensure that satisfactory facilities for cyclists are provided. (Cambridge Local Plan 2006 policy 8/6)

9. Prior to first occupation of the development, all cycle parking spaces shown on the approved plans shall be provided and thereafter retained.

Reason: To ensure that satisfactory facilities for cyclists are provided. (Cambridge Local Plan 2006 policy 8/6)

10. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

11. The applicant is encouraged to install charging points for vehicles within the development.
12. The applicant is encouraged to install hearing loops in the reception area, interview rooms and auditoria.

This page is intentionally left blank

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1970/FUL	Agenda Item	
Date Received	10th December 2014	Officer	Michael Hammond
Target Date	11th March 2015		
Ward	Cherry Hinton		
Site	Land At Former Rosemary Branch 503 Coldhams Lane Cambridge Cambridgeshire		
Proposal	Erection of 8 dwellings and 2 flats, car and cycle parking and landscaping, together with associated infrastructure.		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The development provides a high quality living environment for future occupiers.</p> <p>The revisions to the scheme address the concerns expressed by the inspector in relation to the previous appeal decision.</p> <p>The principle of developing this site for residential dwellings would not cause conflict with any policy in the Cambridge Local Plan 2006.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site was previously occupied by the Rosemary Branch Public House (now demolished) and is situated on the junction of Coldhams Lane and Rosemary Lane. To the southeast and southwest of the site (on the opposite side of Coldhams Lane and Rosemary Lane) there are industrial/commercial buildings. To the northwest of the site there are residential properties (Hathedene Close), backing on to the site, which are mainly terraced houses. To the northeast, there is a mixture of

residential properties, with a pair of semi-detached single storey dwellings directly adjacent to the site and two storey dwellings further along Rosemary Lane.

- 1.2 The site is not within a Conservation Area or the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought to redevelop the site for residential use – eight houses and two flats.

- 2.2 Along the Coldhams Lane frontage, there would be four two-storey houses, with front roof dormer windows, that share a uniform design and scale. The built form would then tangent to face the corner junction between Rosemary Lane and Coldhams Lane, with a three storey element providing two flats. The built form would then tangent again along Rosemary Lane, providing four two-storey houses, two of which are staggered lower in height and without front roof dormer windows.

- 2.3 Between the final house and the common boundary with 1 Rosemary Lane there would be an electronically controlled gate providing access to a courtyard car parking area at the rear of the building, which would contain 10 car parking spaces are positioned along the rear common boundary with Hathedene Close. Four further car parking spaces would be located on the opposite side of the car parking courtyard. Individual cycle and bin stores would be provided in each of the rear gardens of the houses, within the garden of the 1-bed flat, and adjacent to the entrance hall of the 3-bed flat, accessed from a pathway.

- 2.4 The application is accompanied by the following supporting information.

1. Planning Design and Access Statement
2. Noise Assessment
3. Renewable Energy Statement (Feasibility and 10% Calculations)
4. Transport Statement
5. Surface Water Management Strategy
6. Landscape Plan
7. Plant List
8. Sustainability Statement

2.5 Revised drawings and information have been submitted to make the following amendments:

- ☐ Reconfigured access to bins/bikes in relation to parking space CP10.
- ☐ Amendments to landscaping.
- ☐ Sustainability amendments and statement.

2.6 The application has been submitted to overcome concerns raised by the Planning Inspector in his recent appeal decision and to allow development to come forward on the site.

3.0 SITE HISTORY

Reference	Description	Outcome
12/0724/FUL	Residential redevelopment of eight houses and two flats following demolition of existing Public House.	Refused - Appeal dismissed
12/1411/DEMDET	Prior notification of the demolition of former Rosemary Public House, 503 Coldhams Lane, Cambridge.	Notification required
13/1171/FUL	Residential redevelopment of eight houses and two flats (following demolition of existing Public House).	Refused – Appeal Dismissed

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	<p>3/1 Sustainable Development</p> <p>3/4 Responding to context</p> <p>3/7 Creating successful places</p> <p>3/11 The design of external spaces</p> <p>3/12 The design of new buildings</p> <p>4/13 Pollution and amenity</p> <p>5/1 Housing provision</p> <p>8/2 Transport impact</p> <p>8/6 Cycle parking</p> <p>8/10 Off-street car parking</p> <p>Planning Obligation Related Policies</p> <p>3/7 Creating successful places</p> <p>3/8 Open space and recreation provision through new development</p> <p>3/12 The Design of New Buildings (waste and recycling)</p> <p>5/14 Provision of community facilities through new development</p> <p>10/1 Infrastructure improvements (transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects)</p>

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
	<p><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Interim Planning Policy Guidance on the Protection of Public Houses in the City of Cambridge (2012)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some

weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Original Comments (19/12/2015)

- 6.1 Further information is required. If the information is received and is satisfactory, the following conditions and informatives should be attached:

- ☐ *No unbound material,*
- ☐ *First use of vehicular access,*
- ☐ *Drainage,*
- ☐ *Visibility splays,*
- ☐ *Manoeuvring area,*
- ☐ *Redundant vehicle crossover,*
- ☐ *Access as shown on drawings,*
- ☐ *Traffic management plan,*
- ☐ *Highways informative.*

Further comments (16/01/2015)

- 6.2 The amended plan is satisfactory.

Head of Refuse and Environment

- 6.3 No objection subject to comments regarding construction/ demolition pollution, traffic noise and contaminated land, and the following conditions and informatives:

- ☐ *Construction hours,*

- ☐ *Collection or deliveries,*
- ☐ *Piling,*
- ☐ *Noise insulation scheme,*
- ☐ *Contaminated land,*

Urban Design and Conservation Team

- 6.4 The proposed pitched roof form with lower ridge and eaves heights and accommodation within the pitched roof space has resulted in reducing the scale and massing of the proposed units. We support this approach, the units now reflect the domestic scale of existing houses on Rosemary Lane and Hatherdene Close.

The application is supported, subject to the following conditions:

- ☐ *Samples of materials,*
- ☐ *Boundary treatment.*

Senior Sustainability Officer (Design and Construction)

Original comments (19/01/2015)

- 6.5 The applications approach to renewable energy provision is supported. Further information related to the overall approach to sustainable development through the use of the principles of sustainable design and construction should be submitted prior to determination

Further comments (03/02/2015)

- 6.6 The additional information is adequate and the application is now supported.

Access Officer

- 6.7 No comment.

Landscape Team

Original comments (07/01/2014)

- 6.8 The landscape team supports the submitted application and feels that many of the comments regarding landscaping can be

dealt with under condition. The application is supported, subject to conditions:

- ☐ *Hard and soft landscaping,*
- ☐ *Hard and soft landscaping implementation,*
- ☐ *Boundary treatment.*

Further comments (29/01/2015)

6.9 The original comments and conditions are still relevant.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.10 No objection.

Cambridgeshire County Council (Archaeology)

6.11 No objection, subject to condition:

- ☐ *Archaeological investigation.*

Anglian Water

6.12 No objection, subject to condition:

- ☐ *Surface water disposal.*

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

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations in support of the application:

- ☐ No.1 Rosemary Lane
- ☐ No.4 Rosemary Lane
- ☐ No.5 Rosemary Lane
- ☐ No.9 Rosemary Lane

7.2 The representations can be summarised as follows:

- ☐ No objection to application.
- ☐ BSS run a 24 hour operation.
- ☐ The provision of a wall between the access gate and boundary fence is welcomed.
- ☐ Request for wall to be extended for length of no.1 Rosemary Lane.
- ☐ Clarification needed regarding wall between tree and boundary fence.
- ☐ The design is appropriate and sensitive to surrounding area.
- ☐ A frequent bus service is required to prevent development contribution to traffic congestion from private car users.

7.3 The owners/occupiers of the following addresses have made representations in objection of the application:

- ☐ No.9 Neath Farm Court
- ☐ No.368 Mill Road

7.4 The representations can be summarised as follows:

- ☐ Overdevelopment.
- ☐ Potential increase of on-street parking along Rosemary Lane.
- ☐ The Rosemary Branch pub is listed as an important community facility in the IPPG on the protection of public houses and as such the application does not conform to policy.
- ☐ There is a need for a pub in this area.
- ☐ Highway safety.
- ☐ Disturbance from users of gate at vehicle entrance.

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development

2. Context of site, design and external spaces
3. Public Art
4. Renewable energy and sustainability
5. Residential amenity
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations
10. Planning Obligation Strategy

Principle of Development

Loss of a Public House

- 8.2 A previous application for this site (12/0724/FUL) was refused for the following reason:

“Paragraph 70 of the National Planning Policy Framework states that Local Planning Authorities must 'guard against' the unnecessary loss of valued facilities and services. The site has not been adequately marketed and therefore there is no clearly substantiated evidence to demonstrate that there is no longer a need for the public house. The proposal is therefore contrary to the guidance provided by paragraph 70 of the National Planning Policy Framework (2012).”

- 8.3 In the Appeal Decision, the Inspector agreed with this viewpoint and concluded that ‘since public houses are identified as community facilities in the NPPF, I do not consider it unreasonable to expect supporting evidence to show that there is no realistic prospect of using the site for this purpose before alternative uses are contemplated. Without this evidence, it is considered that the proposal would be contrary to the objectives of the NPPF.’
- 8.4 However, since this decision, the site has been cleared of buildings, and it was determined in the previous application (13/1171/FUL) that it would be unreasonable to argue that paragraph 70 applies to a case such as this, where a building has been demolished and the use has been lost.
- 8.5 As the circumstances of this application are the same as the previous application (13/1171/FUL) I consider the loss of the public house to be acceptable.

Residential development

- 8.6 Policy 5/1 of the Cambridge Local Plan (2006) states that proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining land uses. There are residential properties situated to the northwest and northeast of the site, and in my opinion this site is appropriate for residential development, subject to compliance with other policies of the Cambridge Local Plan (2006) and the NPPF.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.8 The previous application was refused for the following reason:

“The resultant emphasis on the staggered profile would impose a conspicuously jarring building form compared to the modest, simple massing of nearby housing and the utilitarian appearance of nearby commercial buildings.”

“The appellant submits that the development would provide a distinctive facade which would enliven and animate the public realm at this point in Coldhams Lane. However, in this regard I share the Council’s concerns that the appeal proposal would lack sufficient legibility by virtue of presenting an incoherent hybrid of residential accommodation in a scheme of commercial scale and massing. As such it would not appropriately reflect the local context described above and would appear noticeably incongruous at this prominent location.”

- 8.9 The current proposal shares a similar layout to the previous proposal. The proposed buildings would sit approximately 5.5m further forward on the Rosemary Lane frontage than the neighbouring house at no.1 Rosemary Lane. In light of this, the proposed building would have a very strong presence in the street, especially as it would occupy a corner.

- 8.10 Planning policies require that new buildings to be of high quality design, and that they reflect some of the characteristics of their surroundings. The proposed scheme, in my opinion, achieves this.
- 8.11 The proposal has addressed the concern relating to the staggered profile raised in the previously refused scheme by reducing the variation in roof height along the Rosemary Lane and Coldhams Lane frontages down from the previously refused (7.1m to 10m) to the proposed scheme (8.8m to 10m). The reduction in variation in terms of ridge height provides smooth transitions, creates a more integrated relationship between the houses and the flats on the corner in terms of bulk and scale, and makes the corner less visually obtrusive than the previously refused scheme.
- 8.12 The removal of the 'gull wing roofs' and proposed replacement with more traditional pitched roofs with front dormer windows and chimneys is far more reflective of the residential context of the site and in keeping with the residential character of the area.
- 8.13 The proposed facade of the building reads effectively as a residential development and addresses the concerns raised in the previously refused application regarding it appearing as a commercial building in scale and massing. The external materials, roof design, articulation of doors, rhythm and design of windows all contribute towards the successful reflection of the scheme to residential properties in the surrounding area and the proposed design of the houses is in keeping with the character of the area.
- 8.14 The urban design and landscape teams are both supportive of the application, subject to conditions, and I agree with this advice.
- 8.15 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

Public Art

- 8.16 A Public Art Delivery Plan has not been submitted as part of this application, which is stipulated as a requirement in paragraph

7.12 of the City Council's Public Art Supplementary Planning Document (SPD). The Public Art SPD states that 'where public art proposals are not submitted with planning applications, the City Council may refuse the application. At this late stage in the design process it will not be possible to include public art that mitigates against the development and has any quality'.

8.17 The SPD sets out that it is the City Council's preference that public art is delivered on site but it is recognised that there may be cases with smaller major developments where it would be inappropriate or physically impossible to include public art on site, and this includes proposals that are submitted late in the design process. In my opinion, this proposal fits these criteria and therefore if permission were to be granted a commuted sum could be paid towards the delivery of off-site art works. This is due to the developments limited public access and it being too late in the design process to integrate public art and provide a demonstrable public benefit.

8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

Renewable energy and sustainability

8.19 A Sustainable Development Checklist has been submitted and the submitted Energy Statement meets the requirements set out in the Sustainable Design and Construction SPD. The sustainability officer has confirmed this and supports this application, and I agree with this advice.

8.20 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.21 The neighbouring properties that may be affected by this proposal are the neighbouring residential properties to the northwest on Hathedene Close and the neighbouring residential properties to the northeast on Rosemary Lane.

Overlooking and loss of privacy

Impact on Rosemary Lane

- 8.22 On Rosemary Lane, the proposed dwellings would be staggered, and would sit approximately 5.5m further forward than the neighbouring dwelling, 1 Rosemary Lane. This positioning in the street would mean that the rear windows of the proposed houses would look out over their own and each others rear gardens and the courtyard carpark beyond, and towards the rear gardens of Hatherdene Close beyond this. Any oblique views towards the rear garden of the neighbouring house on Rosemary Lane would be blocked by the house itself. There are windows proposed on the side elevation of this house, but these would serve bathrooms and therefore a condition has been added requiring that the first floor windows are obscure glazed and fixed shut. A condition that removes permitted development rights for this end unit has also been attached to protect the amenity of this neighbouring property from overlooking.

Impact on Hatherdene Close

- 8.23 On Coldhams Lane, the end house, closest to the common boundary with Hatherdene Close would stand 4.2m back from the back of the footway, approximately 0.8m further back than the side elevation of 1 Hatherdene Close. This end house would have a window serving a dining room at ground floor level and a window serving a bathroom at first floor level. Again, conditions have been added requiring that this first floor window is obscure glazed and fixed shut, as well as the removal of permitted development rights for this end unit. Direct views from the ground floor level would be blocked by the proposed boundary wall and therefore it is my view that there would be no direct overlooking of the houses on Hatherdene Close. There will, however, be potential for oblique views across to the Hatherdene Close houses from the bedroom windows at first floor level. In my opinion, as the proposed row of dwellings and the existing houses on Hatherdene Close would stand at a right angle to one another, close oblique views would not be possible. Longer, oblique views would be possible but due to the distances involved it is my view that the overlooking

experienced would not be significant, and would not warrant refusal.

- 8.24 The houses on Hatherdene Close have relatively short rear gardens, which means that the rear wall of these houses is 10m from the common boundary with the site. The rear wall of the proposed houses standing on Rosemary Lane would be (at its closest point) 23.5m from the common boundary with the Hatherdene Close houses, and due to this separation distance it is my opinion that any overlooking would not be significant and would not warrant refusal.

Overshadowing and dominance

- 8.25 The proposed development would stand to the southwest of the neighbouring houses on Rosemary Lane, and therefore there is potential for them to overshadow the neighbouring house on Rosemary Lane in the late afternoon. The area of the site directly adjacent to this neighbour was open land used as the pub garden when the pub was open, and therefore there is a difference between the existing and proposed situations. However, the position of the proposed houses further forward than those on Rosemary Lane in conjunction with the additional separation distance between the proposed houses and the existing properties to the north along Rosemary Lane, it is my opinion that they will not overshadow or dominate the neighbouring houses or gardens.
- 8.26 The existing pub building has had a number of extensions over time, and the original, two-storey element of the building stood approximately 7m from the common boundary with 1 Hatherdene Close. The proposed development would stand to the southeast of the neighbouring houses on Hatherdene Close, 1.4m from the common boundary and therefore there is potential for the proposed dwellings to have a greater impact on 1 Hatherdene Close, in terms of overshadowing and dominance, than is currently experienced. This situation is the same as a previous proposal (12/0724/FUL), and this previous application was refused for this reason. However, in the Appeal decision the Inspector took the view that this would not be significant and that 'the outlook would not be dominated by the new dwelling whose unconventional design means it would be lower than a traditional house'. The proposed house would be of a similar height as this previous proposal (12/0724/FUL) and

of the same depth, but would be set further back. Considering the Inspector's view on the previous proposal I consider that it would be unreasonable to refuse the application on the grounds of overshadowing or dominance.

Noise and disturbance from the access road

- 8.27 A previous application (12/0724/FUL) was refused for the following reason:

Due to the positioning of the access road, adjacent to the boundary with 1 Rosemary Lane, the occupiers of this property would suffer from an unreasonable level of noise and disturbance associated with comings and goings to and from the development. For this reason the proposal are unacceptable and in conflict with Cambridge Local Plan 2006, policy 3/7.

- 8.28 The access to the car park at the rear of the site would be situated adjacent to the common boundary with 1 Rosemary Lane, in the same position as proposed in the previous application. As this access would serve a sizeable car park, the previous case officer was concerned that the neighbour, 1 Rosemary Lane, would experience a significant level of noise and disturbance from comings and goings, and the application was refused for this reason. In the Appeal decision, the Inspector took the view that 'the intention to install near silent gates at the entrance and a 1.8m to 2m high brick wall between the access and the bungalow would make a significant contribution in reducing noise and disturbance. The inspector judged this arrangement to be acceptable and therefore the inclusion of the brick wall and gates is considered to be acceptable.
- 8.29 The proposed scheme follows the guidelines set by the appeal decision, in keeping with the previously refused scheme (13/1171/FUL), which was considered acceptable from a residential amenity standpoint. As a result, it is considered that there will not be harm to neighbouring properties in terms of vehicle traffic accessing the rear of the site through the gate.
- 8.30 In my opinion the proposal respects the residential amenity of its neighbours and the constraints of the site and I consider that

it complies with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.31 The previous application was deemed acceptable in terms of providing a high quality and attractive living environment for future residents in relation to rear gardens and the courtyard at the rear of the site. In the current application, the proposed courtyard is broadly the same in terms of this rear courtyard and garden space and in my view, the proposed courtyard is consistent with the previous application which in relation to amenity was deemed acceptable.
- 8.32 All of the proposed houses would have private gardens, as would the ground floor, one-bedroom flat. The three-bedroom flat occupying the upper floors would have a garden room on the first floor, overlooking Coldhams Lane and the junction of Coldhams Lane and Rosemary Lane. There are no policies in the Cambridge Local Plan (2006), which give specific guidance on private amenity space, and in my opinion the amount of private amenity space proposed is adequate.
- 8.33 A noise report has been submitted in relation to the impact of traffic noise from Coldhams Lane on future occupiers of the proposed dwellings. The Environmental Health team has recommended that a noise insulation scheme be added as a condition to reduce the level of noise experienced in these residential units as a result of the proximity of the habitable rooms, including the first floor balcony overlooking the corner junction, to the high ambient noise levels in the area. I agree with this advice and have added the condition accordingly.
- 8.34 Due to the close proximity of the site to a previous landfill, the Environmental Health team have recommended a condition requiring a full contaminated land assessment, which I have recommended.
- 8.35 While it is identified that there are industrial premises opposite the site, these premises are used as warehouses and therefore would not create any significant level of noise or pollution to harm the amenity of future occupiers. The main implication of these industrial premises would be related to traffic noise, which would be addressed through the noise insulation scheme, as

described previously. The Environmental Health team have not raised any concerns with the industrial premises in the surrounding area and I agree with this advice.

- 8.36 In my opinion the proposal provides an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12

Refuse Arrangements

- 8.37 It is proposed that each dwelling would have an individual refuse store within their garden. The three-bedroom flat, which does not have a garden and would have a refuse store adjacent to the hallway, accessed from a pathway. Five bin collection points will be provided, two on Rosemary Lane and three on Coldhams Lane. Amendments have been made to provide a new pedestrian gate to unit 10 to avoid the potential conflict between moving bins from the rear gardens and the parking spaces at the rear to the designated bin bay. The Environmental Health team has not raised any concerns with the proposed refuse arrangements.
- 8.38 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.39 The highway authority has raised no objection to the proposed access of the scheme in relation to highway safety, and has recommended conditions to ensure that the access of the car park onto Rosemary Lane is safe. I agree with this advice and have recommended conditions.
- 8.40 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.41 Appendix C (Car Parking Standards) states that, at a maximum, dwellings with less than 3 bedrooms can have one parking space and dwellings with more than 3 bedrooms can have two parking spaces. This would equate to 15 spaces on this site. 14 spaces are provided. This is below the maximum standards

but, in my opinion, this is acceptable as the site is relatively close to amenities in the centre of Cherry Hinton. The site is not within the Controlled Parking Zone and residents could park on Rosemary Lane, with minimal impact on the occupiers of neighbouring properties.

8.42 It is proposed that an individual cycle store is provided for each dwelling. These stores are of an adequate size, and this approach is satisfactory and acceptable. Cyclists would need to cross the car park to leave the site, but as they can access and leave the site via pedestrian pathways and are not forced to use the vehicle access it is my opinion that this situation is acceptable.

8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.44 The majority of the representations have been addressed in the main body of this report:

<u>Objection</u>	<u>Paragraph</u>
Disturbance from users of the gate.	8.28
Highway safety.	8.39
Increase of on-street parking.	8.41

8.45 Overdevelopment

8.46 The level of density of the site (63 dwellings per hectare) is reflective of the surrounding area where there are residential properties to the north at the end of Hatherdene Close which represent a higher density (72 dwellings per hectare), and in contrast a lower density (53 dwellings per hectare) of properties to the west along Hatherdene Close.

8.47 The loss of the public house does not confirm with planning policy

8.48 I note that the IPPG lists the Rosemary Branch as a community asset that should be preserved and it is included in policy 76 of the emerging local plan (2014). However, the demolition of the

public house was carried out separately (12/1411/DEMDT) and the loss was justified in the previous application (13/1171/FUL) and so paragraph 70 of the NPPF no longer applies.

8.49 The boundary wall between the site and no.1 Rosemary Lane needs to be extended and clarification of boundary treatment is needed

8.50 A condition has been attached in relation to the boundary treatment. The Environmental Health team has not raised any objection to the noise from vehicles using the gate and the suggested extension of the boundary wall is a civil matter.

Planning Obligation Strategy

Planning Obligations

8.51 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.52 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.53 The application proposes the erection of 6 three-bedroom houses, 1 three-bedroom flat, 2 two-bedroom houses and 1 one-bedroom flats. No residential units would be removed, so the net total of additional residential units is 10. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357	1	357
2-bed	2	238	476	2	952
3-bed	3	238	714	7	4998
4-bed	4	238	952		
Total					6307

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50	1	403.5
2-bed	2	269	538	2	1076
3-bed	3	269	807	7	5649
4-bed	4	269	1076		
Total					7128.5

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363	1	363
2-bed	2	242	484	2	968
3-bed	3	242	726	7	5082
4-bed	4	242	968		
Total					6413

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0	1	0
2-bed	2	316	632	2	1264
3-bed	3	316	948	7	6636
4-bed	4	316	1264		
Total					7900

8.54 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010) and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010), I am satisfied that the proposal accords with Cambridge Local Plan

(2006) policies 3/8 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

Community Development

- 8.55 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is J1256 for each unit of one or two bedrooms and J1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256	1	1256
2-bed	1256	2	2512
3-bed	1882	7	13174
4-bed	1882		
Total			16942

- 8.56 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.57 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is J75 for each house and J150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	8	600
Flat	150	2	300
Total			900

8.58 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Household Recycling Centres

8.59 A network of Household Recycling Centres are operational across the Cambridgeshire and Peterborough area. Continued development will put pressure on the existing facilities and require expansion of the network. Financial contributions are required in accordance with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012). These contributions vary according to the nature and scale of the proposed development and are based on any additional costs for the relevant local authority arising out of the need for additional or improved infrastructure, which is related to the proposed development.

8.60 The adoption of the Waste Management Design Guide SPD requires a contribution to be made in relation to all new development where four or more new residential units are created. Policy CS16 of the adopted Minerals and Waste Core Strategy requires new development to contribute towards Household Recycling Centres (HRCs) consistent with the RECAP Waste Management Design Guide SPD.

8.61 For new development in Cambridge the relevant HRC is located at Milton. The following table sets out how the contribution per new dwelling has been calculated for the Milton HRC.

Notes for Milton	Infrastructure/households	Source
4 sites at J5.5 million	£22 million	Cost per site sourced from Mouchel Parkman indicative costs 2009
Total catchment (households)	115,793	WMT Recycling Centre catchment tables CCC mid 2009 dwelling figures
New households	24,273	CCC housing trajectory to 2025 as of December 2010
<u>Infrastructure costs</u> Total number of households in catchment x New households in catchment		
<u>£22 million</u> x 24,273 = £4,611,730 115,793		
Total Developer Contribution per household = £190		

The net gain is 10 therefore the necessary contribution towards HRC is £1,900.

- 8.62 Subject to the completion of a S106 planning obligation to secure the requirements of the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012), I am satisfied that the proposal accords with the Cambridgeshire and Peterborough Minerals and Waste Development Plan (Core Strategy Development Plan Document July 2011) policy CS16.

Education

- 8.63 Upon adoption of the Planning Obligation Strategy (2010) the Council resolved that the Education section in the 2004 Planning Obligations Strategy continues to apply until it is replaced by a revised section that will form part of the Planning Obligations Strategy 2010. It forms an annex to the Planning Obligations Strategy (2010) and is a formal part of that document. Commuted payments are required towards education facilities where four or more additional residential units are created and where it has been established that there is insufficient capacity to meet demands for educational facilities.
- 8.64 In this case, 10 additional residential units are created and the County Council have confirmed that there is insufficient capacity to meet demand for pre-school education, primary education, secondary education, and lifelong learning. Contributions are not required for pre-school education, primary education and secondary education for one-bedroom units. Contributions are therefore required on the following basis.

Pre-school education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	1	
2+-beds	2		810	9	7290
Total					7290

Primary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	1	
2+-beds	2		1350	9	12150
Total					12150

Secondary education					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		0	1	
2+-beds	2		1520	9	13680
Total					13680

Life-long learning					
Type of unit	Persons per unit		£per unit	Number of such units	Total £
1 bed	1.5		160	1	160
2+-beds	2		160	9	1440
Total					1600

8.65 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy 2010, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Public Art

8.66 The development is required to make provision for public art and officers have recommended as set out in paragraphs 8.8 to 8.10 above that in this case a commuted public art payment to the S106 Public Art Initiative is appropriate. This commuted sum needs to be secured by the S106 planning obligation.

8.67 Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

Monitoring

8.68 The Planning Obligation Strategy (2010) requires that all new developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub- Committee on 25 March

2014 that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy

- 8.69 For this application a monitoring fee of £2,279.53 is required to cover monitoring of Council obligations plus the County Council monitoring fee and the monitoring fee associated with the provision of public art.

Planning Obligations Conclusion

- 8.70 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The application is considered to be acceptable as the design has addressed the reason why the Inspector dismissed the previous appeal. I therefore recommend the application for approval.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement by 17/04/2015 and the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

3. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

4. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

5. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

6. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawings. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety.

7. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety.

8. Any redundant vehicle crossover of the footway must be returned to normal footway and kerb at no cost to the Highway Authority.

Reason: for the safe and efficient operation of the public highway

9. The access shall be provided as shown on the approved drawings and a width of access of 5 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

Reason: In the interests of highway safety.

10. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are: i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway) ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street. iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway) iv. Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway. Reason: in the interests of highway safety
11. The windows identified on the end elevations of units 10 and 1 at first floor level shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12).

12. 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.
(Cambridge Local Plan 2006 policy 4/13)

13. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.
14. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details. Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.
15. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 "Guidance on sound insulation and noise reduction for buildings". The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered without prior approval.

16. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary. (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site. (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology. (c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f). (d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. (e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. (f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the

closure report together with the necessary documentation detailing what waste materials have been removed from site.

17. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

18. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

19. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the local planning authority. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

20. No development shall take place until samples of the materials used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14).

21. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

22. No development shall take place within the area indicated until the applicant, or their agents 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. Developers will wish to ensure that in drawing up their scheme, the timetable for the investigation is included within the details of the agreed scheme.

Reason: To secure the preservation of the archaeological interest of the area either by record or in situ as appropriate.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no windows or dormer windows other than those expressly authorised by this permission shall be constructed on unit nos. 10 and 1 as shown on drawing no. EDG/14/51/2B.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

24. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

This page is intentionally left blank

Appeal Decision

Site visit made on 18 March 2014

by David Spencer BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 April 2014

Appeal Ref: APP/Q0505/A/13/2208813
503 Coldhams Lane, Cambridge CB1 3JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Lennox Property Management Ltd against the decision of Cambridge City Council.
 - The application Ref 13/1171/FUL, dated 5 August 2013, was refused by notice dated 6 November 2013.
 - The development proposed is residential development (eight houses and two flats).
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. In reaching my decision I have taken into account the Planning Practice Guidance which came into force on 6 March 2014.

Main Issues

3. The main issues are the effect of the appeal proposal on the character and appearance of the surrounding area and whether the proposal makes adequate provision for any additional need for infrastructure, services and facilities arising from the development.

Reasons

4. The development plan consists of the saved policies of the Cambridge City Local Plan 2006 (the Local Plan). The chapter 'Designing Cambridge' sets the objective to ensure development is of the highest design quality. To secure this objective Policy 3/4 requires development to positively respond to their context including at criterion (c) a need to apply the characteristics of the locality to inform the siting, massing, design and materials of the proposed development. Saved Policy 3/12 deals specifically with design and permits new development that would, amongst other things, have a positive impact on their setting with regards to siting, height, scale and form. These policies are consistent with the National Planning Policy Framework (the Framework) which states that securing high quality design is a core planning principle and a key aspect of sustainable development.
5. The site occupies a prominent position on the corner of Coldhams Lane and Rosemary Lane at a gateway location on the entrance to Cherry Hinton. Following consent the public house on the site has been demolished and the City Council accepts that the site has a 'nil' land use. The footprint and

hardstanding from the former use remain and as a previously developed site its redevelopment is to be encouraged. It is not disputed that the principle of residential development is acceptable and that a contemporary design solution would be appropriate.

6. The appellants' Design and Access Statement identifies that the scheme has responded to the predominantly modern industrial and commercial context. This includes a modern glass and steel car dealership building which stands on its own as a gateway into a business estate to the south-west and a range of nondescript brick and sheet steel warehousing and depots to the east. As such I am not persuaded that these buildings provide the necessary form or quality to set the pattern for residential development at the appeal site.
7. Moreover, rather than forming part of the adjacent commercial character, the appeal site is to a greater extent part of a small, defined block of residential development to the north of Coldhams Lane and to the west of Rosemary Lane. The overriding character is one of modest residential scale and relatively simple form, particularly at Hatherdene Close. Greater variety exists in the housing in Rosemary Lane due to the mix of single and two storey dwellings but this mix is not imposing and nor does it provide a particularly strong design reference.
8. Whilst the proposed layout responds appropriately to the linearity of the adjacent housing, the proposed massing of the scheme would follow a stepped profile to the terraced housing units resulting in an appreciable variation in roof heights as they ascend to the bulky corner unit. The resultant emphasis on the staggered profile would impose a conspicuously jarring building form compared to the modest, simple massing of nearby housing and the utilitarian appearance of nearby commercial buildings.
9. The appellant submits that the development would provide a distinctive façade which would enliven and animate the public realm at this point in Coldhams Lane. However, in this regard I share the Council's concerns that the appeal proposal would lack sufficient legibility by virtue of presenting an incoherent hybrid of residential accommodation in a scheme of commercial scale and massing. As such it would not appropriately reflect the local context described above and would appear noticeably incongruous at this prominent location. Both parties have referred to the previous appeal for a similar scheme on the site (ref APP/Q0505/A/12/2183797). The plans considered at that appeal are not before me and in any event I have considered the layout and design of the appeal proposal on its own merits and have found similar issues with the proposed design as encountered by the previous Inspector, primarily due to the site context.
10. The appellant submits that by virtue of the Local Plan being out of date paragraphs 14 and 49 of the Framework are engaged thereby introducing the presumption in favour of sustainable development for the appeal proposal. Paragraphs 6-9 of the Framework state that the three dimensions of sustainable development cannot be treated in isolation. Whilst the scheme would fulfil an economic and social role, the environmental dimension of sustainable development includes enhancing the built environment. For the reasons set above the proposal would not enhance the built environment and as such the presumption does not apply. Saved Local Plan policies 3/4 and 3/12 which the Council relies on are not housing land supply policies and consequently are not out of date by virtue of paragraph 49 of the Framework.

11. I therefore conclude that the proposal would cause significant harm to the character and appearance of its surroundings, thereby conflicting with saved Local Plan policies 3/4 and 3/12 and the objectives of the Framework to secure high standards of design and respond to local context.

Financial Contributions

12. A signed and dated Unilateral Undertaking for financial contributions towards open space, community facilities and waste receptacles was submitted during the appeal. I have considered these against the statutory tests set out in the Community Infrastructure Levy (CIL) Regulations 2010. The Council has relied on its Committee Report which refers to its Planning Obligation Strategy (2010) and Open Space Standards (2010). I am satisfied that the Council has provided sufficient information to show how the City Council's contributions have been calculated. I therefore find the proposed contributions in relation to the provision of open space, sports facilities, children and teenage facilities, waste receptacles and community facilities are necessary to cater for the direct needs of future residents. They would satisfy the statutory tests laid out at paragraph 204 of the Framework and would meet the objectives of saved Local Plan policies 3/8, 5/14 and 10/1 for contributions to appropriate facilities reasonably associated with the proposed development
13. The S106 also contains a contribution towards the household recycling facility at Milton in line with the County Council's waste management strategy (RECAP). There is also a proposed contribution towards life-long learning. Whilst in themselves these contributions are modest it nonetheless remains that there is very limited evidence before me to test the basis for these contributions and their direct relationship to the appeal proposal. As such, I do not consider these to be necessary or appropriate having regard to the statutory tests.

Other Matters

14. Reference has been made that the scheme should include a replacement drinking facility in lieu of the demolished public house. I have before me the evidence produced by both the appellant and Council which convincingly demonstrates the negative likelihood of re-establishing a drinking premises at the appeal location. In any event the public house has lawfully been demolished and as such the public house use on the site no longer exists. I am not presented with any local or national policy which would require the reinstatement of the facility and as such the principle of a residential-only redevelopment scheme on this previously-developed site would be acceptable.

Conclusion

15. Whilst the appeal proposal would make adequate provision for any additional need for infrastructure, services and facilities arising from the development and would contribute to the supply of housing in a sustainable location it would fail to provide an appropriate design solution for this prominent location. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Spencer

INSPECTOR

This page is intentionally left blank

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/2021/FUL	Agenda Item	
Date Received	17th December 2014	Officer	Miss Catherine Linford
Target Date	11th February 2015		
Ward	Queen Ediths		
Site	51A Hartington Grove Cambridge Cambridgeshire CB1 7UA		
Proposal	Demolition of existing 2 bedroom house and single garage, and construction of 4 bedroom 1 & 3/4 storey house and basements along with 1 storey wing, car lodge, bin and cycle store.		
Applicant	Mr And Mrs Matthew Hutchinson 51 Hartington Grove Cambridge Cambridgeshire CB1 7UA		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed additions would be visually acceptable and would not have a significant detrimental impact on neighbouring properties.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 51a Hartington Grove is a former coach house located to the rear of 51 Hartington Grove. It has two floors but is described as 1¾ storey dwelling by the applicant because it has a ridge height of 5.6m and an eaves height of 4.1m, which is lower than a conventional house. Although the building is in the ownership of the owners of 51 Hartington Grove it is a separate dwelling and accessed via a track between 51 and 53 Hartington Grove. The building accommodates a living room and kitchen/diner on the ground floor and a bathroom and two bedrooms on the first floor. It has its own curtilage, which also accommodates a

single garage. The building has a slate roof and is finished in white render.

- 1.2 The surrounding area is characterised by residential development of varying style and age. To the rear of the site is a terrace of six two storey houses fronting Rathmore Road.
- 1.3 The site does not fall within a Conservation Area and there are no listed buildings, Buildings of Local Interest or protected trees in the vicinity. The site falls outside the controlled parking zone.

2.0 THE PROPOSAL

- 2.1 Full planning permission is sought for the demolition of the existing two bedroom house and single garage, and construction of a four bedroom 1 and 3/4 storey house and basements along with one storey wing, car lodge, bin and cycle store.
- 2.2 This application is identical to a previous application (12/0763/FUL) with the addition of a basement, and alterations to the ground floor.

3.0 SITE HISTORY

Reference	Description	Outcome
06/0087/FUL	Erection of a 4 bedroom two storey dwellinghouse and conversion of existing house into garage and annex	WDN
11/0736/FUL	Demolition of existing two bedroom house and single garage and construction of 3 bedroom 1 3/4 storey house, along with car lodge, bin and cycle store.	A/C
12/0763/FUL	Demolition of existing two bedroom house and single garage and construction of 3 bedroom 1 3/4 storey house, along with one storey lodge, bin and cycle store.	A/C

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Local Plan 2006		3/1 3/4 3/12
		4/4
		5/1
		8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste

	Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
--	--

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The proposal replaces one dwelling with a new dwelling, which, although larger, would not generate a significantly different amount of vehicle movements or parking demand. The applicant must, however, provide a manoeuvring diagram to demonstrate that the ability is retained for each of the parked vehicles to turn within the site to enter and leave in forward gear whilst the other vehicle is present. A condition is recommended to ensure that the manoeuvring area is retained.

Head of Refuse and Environment

- 6.2 No objection, subject to conditions relating to construction hours, delivery hours, piling, dust and plant room insulation.

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

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:

- ☐ 53 Hartington Grove

- 7.2 The representations can be summarised as follows:

- ☐ Overdevelopment. The size of the development has increased by stealth since the first application with the addition of a one-storey wing and now basements.
- ☐ Noise and disruption during demolition and construction.
- ☐ Loss of trees.
- ☐ Insufficient parking.
- ☐ The access is narrow and onto a busy road, which would cause access problems for emergency vehicles.
- ☐ The application does not facilitate emergency escape routes from the basement for disabled people.

- 7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representation received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Background
2. Context of site, design and external spaces
3. Residential amenity
4. Third party representations
5. Planning Obligation Strategy

Background

- 8.2 There have been two previous approvals on this site. In 2011 planning permission was granted for the replacement of the existing house with a three-bedroom 1 and 3/4 storey house, along with a car lodge, bin and cycle store (11/0736/FUL). A

subsequent application was granted in 2012 for a material amendment to this application to include a single storey lodge (12/0763/FUL).

Context of site, design and external spaces

- 8.3 The acceptability of the proposed house and car lodge have already been established by previous application 11/0763/FUL, and the acceptability of the single storey wing has been established by previous application 12/0763/FUL. The elements of the proposal in question are the addition of a basement, and the increase in the size of the single storey part, adjacent to the common boundary with 53 Hartington Grove.
- 8.4 The proposed house would not be visible from the street and would subsequently have no detrimental impact on the streetscene of Hartington Grove. The addition of a basement includes the introduction of voids to provide light. In my view these voids would not have a detrimental visual impact, and are acceptable.
- 8.5 The previous applications included a single storey element adjacent to the common boundary with 53 Hartington Grove. It is proposed that the length of this part of this house is increased. As this would not be clearly visible, it is my view that this would not have a detrimental visual impact.
- 8.6 No trees would be impacted on by the proposals.
- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

- 8.8 In my opinion, the proposed amendments would have no detrimental impact on neighbouring properties.
- 8.9 The proposed basement would have no impact, apart from noise and disturbance when it is being constructed. Conditions restricting working hours (3), and deliveries and collections (4) would mitigate against this.
- 8.10 The proposed addition to the single storey element abutting the common boundary with 53 Hartington Grove would be 2.8m in

height and due to its minimal height it is my view that it would not enclose, dominate or overshadow this neighbour to an unacceptable degree. There is no potential for overlooking.

- 8.11 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Third Party Representations

Insufficient parking

- 8.12 The level of parking was considered to be acceptable in the previous two applications.

The access is narrow and onto a busy road, which would cause access problems for emergency vehicles

- 8.13 The access already serves a house, and was considered to be acceptable in the previous two applications.

The application does not facilitate emergency escape routes from the basement for disabled people.

- 8.14 This is a matter for Building Control and is not a planning consideration.

Planning Obligation Strategy

Planning Obligations

- 8.15 A S106 agreement is not required because there is no increase in the number of units and therefore there is no additional pressure upon facilities.

9.0 CONCLUSION

- 9.1 In my opinion the addition of a basement and the increase in the length of the single storey element abutting the common boundary with 53 Hartington Grove would not result in the proposal having a detrimental visual impact or a significant detrimental impact on neighbouring properties. I, therefore, recommend that the application is approved.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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. (Cambridge Local Plan 2006 policy 4/13)

4. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

5. Prior to the installation of any intended air source heat pump, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the proposed air source heat pump 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 (Cambridge Local Plan 2006 policy 4/13)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

7. The proposed studio attached to the main dwelling hereby permitted shall be used solely in conjunction with and ancillary to the main dwelling 51A Hartington Grove; and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

8. The dwelling hereby approved shall not be occupied until a diagram to show that vehicles can manoeuvre on the site in such a way as to enter and leave up the access path in forward gear, has been submitted to and approved in writing by the local planning authority. The approved manoeuvring space shall be retained free of obstruction.

Reason: In the interests of highway safety. (Cambridge Local Plan (2006) policy 8/2).

INFORMATIVE: To satisfy standard conditions relating to Noise Insulation, the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 'Method for rating industrial noise affecting mixed residential and industrial areas' or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1653/FUL	Agenda Item	
Date Received	21st October 2014	Officer	Mr Tony Collins
Target Date	16th December 2014		
Ward	Abbey		
Site	Land To Rear Of 551-555 Newmarket Road Cambridge CB5 8PA		
Proposal	Erection of 3no. dwellings		
Applicant	Mr Bennell Farm West Street The Gallery Comberton Cambridgeshire CB23 7DS United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of residential development on the site is acceptable; <input type="checkbox"/> The proposed development would not have a significant impact on neighbour amenity; <input type="checkbox"/> The proposed development would represent a modern and modest scale design within an established residential area, which would not appear oppressive in its context. <input type="checkbox"/> The Highway Authority is satisfied that the proposal does not pose a threat to highway safety
RECOMMENDATION	APPROVAL

A.0 INTRODUCTION

- A.1 This application was brought before Planning Committee on 4th February 2015 with a recommendation for approval. Committee resolved to defer a decision on the application to allow time for

the case officer to seek clarification from the highway authority about a number of issues relating to highway safety. A list of these issues, and the highway authority's response to them are included in paragraphs 6.2-6.7 of the consultation responses section of this report. I have summarised and assessed these responses in paragraph 8.23 of the report.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site is located to the north side of Newmarket Road between the junctions of Ditton Walk and Ditton Fields, within a predominantly residential area in the east side of the City. This part of Newmarket Road is characterised mainly by semi-detached, two-storey, dwellings, some of which have off-road parking to the front and sizable rear gardens. The application site currently forms part of the rear gardens of nos.551 – 555 Newmarket Road. These properties have an unusually long plot depth of about 73m. The application site is not visible from the public realm although is over-looked from long distances by properties beyond the rear boundary of the site. There are many outbuildings to the rear of 551-555 Newmarket Road, which are all of domestic scale.
- 1.2 In the locality, there has been some backland development recently, including the building of Abbey Gardens, 50m to the north, and nos.30 & 30a Ditton Walk to the immediate west of the application site. The latter date from the 1980s and were originally arranged in an 'L' shaped plan before being extended. These dwellings are single storey, although due to their mono-pitch roof design, they would appear close to two-storey in scale.
- 1.3 The site is not situated within a Conservation Area and not within a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The application seeks planning consent for the erection of three dwellings to the rear of nos.551 and 555 Newmarket Road. As part of the proposal, a new private access would be constructed between nos.553 and 555. The 4-5m access road would lead to an informal shared-surface private drive to serve the three new dwellings. The access road would be widened to 5m adjacent to the Newmarket Road junction, in accordance with

County Highways specifications. The proposal also includes car parking, cycle and bin storage to serve the new dwellings, and hard and soft landscaping.

3.0 SITE HISTORY

Reference	Description	Outcome
14/1300/FUL	Erection of 4no. dwellings	Application withdrawn.

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/10 3/11 3/12 4/4 4/13 4/16 5/1 8/2 8/6 8/10

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
-----------------------------	---

	Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 No objection.
- 6.2 Response to later request for clarification on specific questions (Replies are given verbatim.)

- 6.3 Does the access drive allow for safe passage of construction vehicles?
Will it permit efficient and convenient collection of waste and recycling?

You could access it with medium commercial vehicles and smaller HCV vehicles with appropriate traffic management. It wouldn't accommodate 5 axle articulated tractor trailer units. It is possible that some deliveries would need to be offloaded and transferred from the public highway.

- 6.4 Does it allow for safe passage of emergency vehicles?

Yes, a fire tender requires a minimum width of 2.75 metre to pass, 3.1 if it is required to pass at speed.

- 6.5 Does it allow for safe passage of cycles and pedestrians?

For the likely level of traffic (motor vehicle, cycle and pedestrian associated with three dwellings, yes.

- 6.6 Is there any conflict with the safe operation of the signal-controlled pedestrian crossing on Newmarket Road?

I do not consider that a severe impact upon the safe operation of the highway could be demonstrated.

- 6.7 Is there any hazard to highway safety from its proximity to the bus stop to the west?

Again, I do not consider that a severe impact upon the safe operation of the highway could be demonstrated.

Head of Refuse and Environment

- 6.2 No objection subject to conditions relating to contaminated land, construction hours, construction collection/delivery hours, piling, and dust.

Head of Streets and Open Spaces (Landscape Team)

- 6.3 Principle of the scheme is supported. The landscape proposals are suitable.

Environment Agency

- 6.4 No objection subject to a condition relating to contaminated land.
- 6.5 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owners/occupiers of the following addresses have made representations:

- ☐ 1, 2 Webster Terrace;
- ☐ 30, 30A Ditton Walk;
- ☐ 547, 549 Newmarket Road;

- 7.2 The representations can be summarised as follows:

- ☐ Loss of privacy from over-looking;
- ☐ Design is inappropriate and out of character with the area;
- ☐ No street lighting, leading to a potential promotion of crime;
- ☐ Potential impact on cyclist and pedestrian safety;
- ☐ Impact on traffic flow;
- ☐ The proximity of plot 1 to the boundary would cause over-shadowing;
- ☐ Increase in noise and disturbance from three additional dwellings;
- ☐ Would set an unacceptable precedent for further backland development;
- ☐ The proposed development would threaten the existing wildlife;

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

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations
8. Planning Obligation Strategy

Principle of Development

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) is relevant. The policy generally supports additional residential development within the City:

“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”.

- 8.3 The site is situated within an existing and established residential area, where a degree of backland development already exists (30 & 30a Ditton Walk). I therefore consider that residential development on this site could be supported.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.5 This part of Newmarket Road is characterised mainly by semi-detached properties, set back from the road, all of a similar architecture and therefore quite formal. Among this character,

within the wider area, are also single detached dwellings, and terrace forms. There are two local examples where development has occurred in a backland form. One is immediately to the west of the site (30 & 30A Ditton Walk) and more recently, the Abbey Gardens development situated off Ditton Walk, which is a cul-de-sac development of 15 dwellings. Nos. 30 & 30A Ditton Walk are a pair of detached single storey dwellings with a mono pitch roof design element, which rises above the main part of the dwelling. Both of these dwellings are mirror images of each other and introduce a design which is quite different to the traditional architecture of Ditton Walk. Abbey Gardens appears to follow the traditional architectural cues of Ditton Walk and are two and a half storeys in height.

- 8.6 This part of Newmarket Road is relatively busy with general traffic especially as the site is closely situated to the Abbey football ground and the Newmarket Road Retail Park. This route is one of the main roads which connect to the City Centre. There is a bus stop in close proximity to the site entrance.
- 8.7 The rear gardens of nos. 551- 555 Newmarket Road are open and there are several domestic outbuildings. The boundaries of the site consist of close boarded fencing and trees and shrubs.
- 8.8 In terms of the design, the proposal seeks to reflect the angular edges of 30 and 30A Ditton Walk. They would be two-storeys in their form, but rising up to only 5.5m in height, which I consider to be a scale which is close to that of a single storey dwelling. The host dwellings of Newmarket Road are at least 1.5m higher than the proposed dwellings. The proposed dwellings would also be a complete contrast to the prevailing architecture of Newmarket Road. The dwellings are simply designed using strong horizontal lines, which in my view, help to keep the buildings low and unobtrusive in its context. I consider that the design is acceptable and blends in successfully within a backland context and does not compete with the host dwellings, nor with the neighbouring dwellings to the west.
- 8.9 In terms of the design of the external spaces, the proposal includes a shared-surface private drive from Newmarket Road which would run in between nos. 553 and 555. This would continue up the site and meet areas of soft landscaping which will help to define the new dwellings and soften the hard edges of the buildings. Bearing in mind that the site is currently

garden land, I consider that it is important to retain/incorporate as much soft landscaping in the external spaces, in order to support any existing wildlife and create a buffer between built development and open spaces. A planning condition relating to hard and soft landscaping is, therefore, proposed to achieve this (condition 12).

- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.11 Several neighbours have objected to the proposal, which are summarised in paragraph 7.2 of my report.
- 8.12 In terms of the impact on neighbours, the proposal seeks to minimize this through the design elements. The dwellings are all 'L' shaped which reflect the dwellings to the west. The main area of the first floor element of Plot 1 would be approximately 8m from the boundary with no.549 Newmarket Road. Plot 1 would also be situated 9m further away from the rear of no.549, and therefore its presence would more noticeable towards the end of the rear garden of no.549 rather than directly adjacent or behind it. There are windows serving bedroom 1 along the west elevation which are to be obscure glazed. There are also windows on the south elevation, serving bedroom 2, which would more than 20m away from the rear of nos. 549 and 551. I consider this arrangement to be acceptable and would not result in a significant loss of privacy. The gable end of Plot 1 (north elevation) would be very close to the boundary with nos.553 and 555. There is a bathroom window on this elevation which would also be obscure, and therefore not result in any loss of privacy, in my view. I consider that Plot 1 is situated sufficiently away from 549, 551 and 553 Newmarket Road and would not dominate their outlook or make them feel unnecessarily enclosed.
- 8.13 Plot 2 is situated immediately adjacent to Plot 1 and set slightly forward of Plot 1 on the site. The first floor element of Plot 2 would be situated 9m from the boundary with no.30a Ditton Walk. As on Plot 1, there are bedroom windows along the west elevation, which would be obscurely glazed and not cause over-

looking. There are also windows serving bedroom 2, which would look back into the Plot and unlikely to cause significant over-looking towards 30a Ditton Walk.

- 8.14 Plots 1 and 2 are both over 30m away from the rear elevations of nos.1 and 2 Webster Terrace, to the east. I consider that the proposed development will have a minimal impact on the amenity of these neighbours because of the long distances between them.
- 8.15 Plot 3 is situated at the end of the site and is the largest plot and has a slightly larger footprint than Plots 1 and 2 as it incorporates a garage. Plot 3 would be nearly 7m away from the boundary with no.30a Ditton Walk, although this is from the single storey element. The first floor element would be nearly 15m away from the boundary. The first floor element of Plot 3 would also be over 30m away from the rear elevation of no.1 Ditton Fields. As on Plots 1 and 2 there are windows at first floor level, serving a bedroom, along the west elevation. These would be obscurely glazed. There are also windows along the east elevation, at first floor level, facing towards 1 Ditton Fields. These are considered to be acceptable given the long distance between Plot 3 and the rear of 1 Ditton Fields.
- 8.16 Considering the proposal as a whole, I consider that by virtue of their modest scale, orientation, relationship with existing boundaries and neighbouring properties, I do not consider that the proposed dwellings would significantly over-shadow the neighbouring properties. The application is supported by shadow diagrams, which demonstrates that the proposed development would have a minimal impact on over-shadowing on all of the equinox periods.
- 8.17 In terms of noise and disturbance, I consider that the impact of people and vehicle movements arising from three additional dwellings, would not significantly disturb the existing tranquil setting of this area. I consider that with additional soft landscaping along the site and plot boundaries, any noise and disturbance can be successfully minimised.
- 8.18 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Amenity for future occupiers of the site

- 8.19 In my view, I consider that the proposed development would blend in well within the established residential area. The site is located within a highly sustainable area of the City, close to public transport routes and local amenities. The design of the buildings and the site layout represents a high quality development, in my view, and I therefore consider that future occupiers would feel comfortable and safe in this environment.
- 8.20 In my opinion the proposal provides a high-quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Refuse Arrangements

- 8.21 The proposal demonstrates adequate bin storage to serve each dwelling, and they are located in a suitable area of the site to enable the bins to be easily collected.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.23 The local highway authority considers that the access road and shared-surface is acceptable to serve the three new dwellings. In response to my specific questions following the deferral of this item at Planning Committee in February, the development control engineer at the highway authority has confirmed the following:
- ☐ The access road is adequate to enable construction deliveries, waste collection and access by emergency vehicles
 - ☐ The access road would be safe for use by cyclists, pedestrians and motor vehicles given the expected level of movements from three houses.

- The juxtaposition of the point of entry and exit to the access road and the nearby bus stop and light-controlled pedestrian crossing would not pose any threat to highway safety.

8.24 The highway authority has suggested a condition which would require visibility splays to be incorporated, which I consider to be appropriate and necessary in the interest of pedestrian and cyclist safety, as well as other car drivers. I therefore recommend a condition to this effect (condition 5). In my opinion, subject to this condition, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

8.25 The proposed scheme includes car parking for the new dwellings, including a space for no.553 Newmarket Road. There are a total of 6 car parking spaces on the site. I consider that the level and provision of car parking to serve this proposal is acceptable.

8.26 In terms of cycle parking, the proposed scheme demonstrates that adequate cycle storage could be accommodated within the garages of each plot, and would be secured.

8.27 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.28 I have covered most of the concerns raised by neighbours in my report. One concern raised relates to impact on the existing wildlife. I am not aware of any protected species on site that may be harmed. I accept that back gardens attract wildlife and are a benefit to our environment. However, I consider that the proposed scheme would provide a natural habitat for wildlife that would be similar to the existing environment by virtue of the proposed soft landscaping scheme and the creation of three new gardens for each of the plots. I do not consider that wildlife would be threatened in such a way that would cause concern that they may not return.

Planning Obligation Strategy

Planning Obligations

- 8.29 As a result of the Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government) developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This also applies to all residential annexes and extensions. The proposed development falls below this threshold therefore it is not possible to seek planning obligations to secure community infrastructure in this case.

9.0 CONCLUSION

- 9.1 In conclusion, I consider that the proposed development is acceptable and approval is recommended.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety (Cambridge Local Plan Policy 8/2)

4. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

5. Prior to the commencement of development, two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawing number P-01 Rev A. One visibility splay is required on each side of the access, measured to either side of the access, with a set-back of two metres from the highway boundary along each side of the access. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: In the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

6. No demolition or construction works shall commence on site until a traffic management plan has been agreed with the Planning Authority in consultation with the Highway Authority. The principle areas of concern that should be addressed are: i. Movements and control of muck away lorries (all loading and unloading should be undertaken off the adopted public highway) ii. Contractor parking, for both phases all such parking should be within the curtilage of the site and not on street. iii. Movements and control of all deliveries (all loading and unloading should be undertaken off the adopted public highway) iv. Control of dust, mud and debris.

Reason: in the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

7. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the Local Planning Authority and receipt of approval of the document/documents from the Local Planning Authority. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority.

The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: In their interest of residential amenity (Cambridge Local Plan 2006 policy 4/13)

8. 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. (Cambridge Local Plan 2006 policy 4/13)

9. Except with the prior written agreement of the local planning authority, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

10. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the Local Planning Authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Reason: To protect the amenity of nearby properties.
(Cambridge Local Plan 2006 policy 4/13)

11. Prior to commencement until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To protect the amenity of nearby properties
(Cambridge Local Plan 2006 policy 4/13)

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

13. All hard and soft landscape works shall be carried out in accordance with the approved details, and to a reasonable standard in accordance with the relevant recommendation of the appropriate British Standard or other recognised code of good practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the local planning authority in writing. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning authority gives its written consent to any variation.

Reason: To ensure provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved design. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

14. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions, or additions or garages shall be erected other than those expressly authorised by this permission.

Reason: To protect the amenity of adjoining properties, and to prevent overdevelopment of the site. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or with any order revoking and re-enacting that Order with or without modifications) no windows or dormer windows shall be constructed other than with the prior formal permission of the local planning authority.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/14)

17. The windows identified as having obscured glass on drawing numbers P-02 Rev A, P-03 Rev B, P-04 Rev B shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of any dwelling hereby permitted and shall have restrictors to ensure that the window cannot be opened more than 45 degrees beyond the plane of the adjacent wall and shall be retained as such thereafter.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1252/FUL	Agenda Item	
Date Received	5th August 2014	Officer	Mr Tony Collins
Target Date	30th September 2014		
Ward	Petersfield		
Site	Citylife House Sturton Street Cambridge CB1 2QF		
Proposal	Change of use from the permitted use as a studio/cafe bar/multimedia education centre and community facility (sui generis) granted under planning permission 97/1020 to a Class D1 dance school/studio including limited alterations to the external envelope of the building.		
Applicant	c/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed use would maintain the community use of the building and improve links with the local community by providing classes and facilities.</p> <p>The potential impact on the amenity of residential neighbours can be addressed through conditions.</p> <p>The highway authority has advised that the proposal would not cause any significant threat to highway safety.</p>
RECOMMENDATION	APPROVAL subject to conditions.

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The site lies adjacent to St Matthew's Piece in the Petersfield area of the city. It is bounded on the east side by York Street, on the north side by New Street, on the west side by Sturton

Street, and to the south by the open space of St Matthew's Piece. The areas to the east, south and west of the site are primarily residential, including many small nineteenth-century terraced houses, and small modern houses and flats. The area to the north is a mixed area, which includes light industrial and retail uses as well as dwellings and student accommodation.

- 1.2 The site lies wholly within the City of Cambridge Conservation Area No. 1 (Central). The northern and eastern boundaries of the site also form the boundary of the conservation area.
- 1.3 The trees which stand along the eastern, northern and western boundaries of the site (London planes and one lime) are protected by Tree Protection Order (TPO) 4/2005. The majority of the site does not have any specific designation in the adopted Cambridge Local Plan of 2006, but a strip of land on the east side of the site, fronting onto York Street, is designated as Protected Open Space. This strip includes a number of Plane trees and is of an irregular shape. Part of the Protected Open Space is currently covered by tarmac and is used as car parking associated with Citylife House.
- 1.4 The car park is situated on the New Street frontage to the site, and provides parking for 39 vehicles of which 6 are for disabled parking. There are also a total of 22 cycle parking spaces along the eastern side of the building.
- 1.5 The site lies outside the Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 This application seeks planning permission for change of use of the existing sui-generis use (97/1020) to dance school/studio (D1 use) including external alterations to the main building principally involving the insertion of a number of windows on the east elevation of the building facing York Street.
- 2.2 The proposal is for the building to be altered for occupation and use by Bodywork Company Dance Studio, and will facilitate their relocation from a number of sites within central Cambridge. These comprise two properties on Glisson Road, whilst Bodywork also utilise space within the local YMCA and at St Paul's Centre, both of which are within walking distance of their Glisson Road facilities.

- 2.3 Bodywork Company Dance Studios was founded in 1981. In 1990 Cambridge Performing Arts was founded. It provides high-level courses in professional dance and musical theatre.
- 2.4 Bodywork also offers a range of dance and fitness classes from Monday to Saturday. This is proposed to continue within the existing building. The proposed use would operate student classes from 0800 (registration) until 1700 or 1800 Monday - Friday. Term and half term dates follow Cambridge school holidays. Theatre school children classes start at approximately 1630 and all day on Saturday. Adult/community classes start at 1830 - 2200 Community classes could also run at weekends, popular classes include adult ballet, contemporary dance, tap, Zumba, pallate, yoga and various fitness classes. Weekends additional classes and workshops could be arranged.
- 2.5 Saturday hours overall would be 0900-1800 and Sunday hours 1000-2100. The Sunday activities will be predominantly for community based activities, and Saturday activities will equally be geared towards the local community. Classes after 6pm during the week (Monday to Friday) are principally aimed at the local community.
- 2.6 The submitted plans demonstrate that the scheme will deliver a total of 9 dance studios, ranging in size from 35 sqm through to 131 sqm. The proposal also includes storage space, electrical cupboards, wardrobes, offices, changing facilities and WCs/showers, and a reception area plus staff room and a coffee bar/break-out space.
- 2.7 In addition, at first floor level on the south-east corner of the building, there is a proposal for a small community coffee shop, and the intention would be for this to potentially spill out into the outside area adjoining St Matthew's Piece.
- 2.8 The proposal includes the provision of 74 cycle parking spaces around the northern, western and southern perimeter of the building. The current site provides 39 car parking spaces which the proposal would be maintain but 17 of the spaces would be allocated to Bodywork staff of which there are proposed to be 35 full (12) and part time (23) staff.

3.0 SITE HISTORY

Reference	Description	Outcome
97/1020	Change of use from youth club to studio/ café-bar/multi-media education centre and community facility (sui generis),	Approved with conditions
99/0454	Illuminated signage	Approved with conditions
99/0956	Temporary change of use to winter Nightshelter,	Withdrawn
05/1171	Change of use from studio / café-bar /multi-media education centre and community facility (sui generis) to public open space	Approved with conditions
05/1180	Demolition of Howard Mallett Centre	Approved with conditions
06/0567	Erection of Community Innovation Centre	Refused, appeal dismissed

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No
	Public Meeting/Exhibition (meeting of):	Yes

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

5.2 Cambridge Local Plan 2006

3/4 Responding to context
3/7 Creating successful places

3/11 The design of external spaces
3/14 Extending buildings
4/2 Protection of open space
4/4 Trees
4/11 Conservation Areas
4/13 Pollution and amenity
4/15 Lighting

5/11 Protection of community facilities
5/12 New community facilities
8/2 Transport impact
8/4 Walking and Cycling accessibility
8/6 Cycle parking
8/10 Off-street car parking

5.3 Supplementary Planning Documents

Cambridge City Council (May 2007) – Sustainable Design and Construction
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Eastern Gate Supplementary Planning Document (October 2011)

5.4 Material Considerations

City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)

Area Guidelines

Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comments to make.

Cambridgeshire County Council (Transport)

First Comments:

6.2 The submitted Transport Statement is insufficient and further information is required in order to be able to comment fully. The following additional information is required:

- How the parking spaces for the proposed use will operate and be controlled, particularly at weekends for drop offs;
- Explanation to accompany the car parking accumulation assessment including how the profile has been derived;
- Further justification required on the comparative trip generation between the existing Bodyworks use and current use;
- Further clarification concerning trip travelling off site;
- Details of the timetable of classes to understand the number of students expected to arrive and/or leave the site and associated parking demands;
- Details of other possible uses of the site on weekends e.g. other community uses which could potentially attract trips;
- Further details are required concerning trip travelling off site during the date and the scale of development remaining as existing in order to determine the ECATP figure;
- Further information require on transport impact to fully comment on the potential impacts on the surrounding area;
- Travel plan should be provided prior to occupation should be secured through condition or s106 agreement.

Therefore, a holding objection is recommended until the additional information is provided.

Second comments:

6.3 Following discussions with the agent's transport consultant, the holding objection can be removed, as the information provided in the additional information has adequately responded to the issues raised by CCC, subject to the following:

- A travel plan to encourage users of the proposed development to travel using sustainable transport modes;
- Parking management plan detailing how parking will be managed on site;
- A financial contribution of £31,831 to secure ECATP contribution.

Head of Refuse and Environment

- 6.4 No objections subject to conditions relating to construction hours, plant noise mitigation, noise limitation devices fitted within the studios, doors and windows to be kept closed, and hours of use.

Urban Design and Conservation team

- 6.5 The proposed works will not have a detrimental impact on the character or appearance of the conservation area and is therefore supported.

Tree Officer

- 6.6 No objection subject to conditions requiring an Arboricultural Method Statement and Tree Protection Plan being submitted for approval.
- 6.7 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Councillor Robertson has commented on this application and raised concerns with potential increase in vehicle movements and has concerns with the number of car parking spaces to be provided and the impact on the existing car parking provision from the potential new building proposed adjacent to the existing building.
- 7.2 The owners/occupiers of the following addresses have made representations:
- 17 Fairsford Place
 - 97 York Street
- 7.3 The representations can be summarised as follows:
- The site is not suitable for a dance studio use;
 - Significant increase in traffic generation would;
 - Children's safety would be affected;

- Increase in noise levels from the proposed use;
- Detrimental impact on the residential amenity of the surrounding neighbours;
- The coffee shop use is unwelcome and will increase noise;

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

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Third party representations

Principle of Development

8.2 The proposed use would falls within the parameters of Core uses within D1 (Non-residential institutions) use, as set out in paragraph 5.22 of the Local Plan. The proposed use would provide the provision of education and a dance studio which would be open to the local community. On this basis, policies 5/12 (New community facilities) and, to some extent, 5/11 (Protection of Existing Facilities) are relevant to assess this proposal.

8.3 Policy 5/12 states that proposal to develop new or extend existing community facilities, for which there is a local need, will be permitted. Paragraph 5.26 states that flexible buildings such as community centres or halls should be designed to accommodate as many different community and leisure activities as possible. The proposal would continue and extend the existing community use of the existing building.

8.4 Policy 5/11 (Protection of Existing Facilities) advises that development leading to the loss of community facilities will only

be permitted if it can be demonstrated, inter-alia, that the facility can be replaced to at least its existing level and quality within the new development. That is the approach that is being taken in this instance.

- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policies 5/11 and 5/12 of the Cambridge Local Plan (2006).

Context of site, design and external spaces

- 8.6 The proposal includes some external alterations to the existing building which consists of seven additional windows in the eastern elevation (York Street side) including an area for a condenser unit. Six of the windows in the eastern elevation are to be inserted to give light to the first floor dance studios proposed with that aspect. These new openings will improve the currently bland and stark eastern elevation, and will provide life and animation which will benefit the building and the surrounding area. No details have been provided for the proposed condenser unit. A separate planning application will be required for this and will be assessed accordingly.
- 8.7 The proposal also includes an increase to the height of part of the roof of the building to accommodate the mezzanine level. This would affect the central section of the eastern elevation and include a step increase of 750mm. This additional increase in height of the central section of the building on the eastern elevation would not have any significant adverse impact on the character or appearance of the Conservation Area.
- 8.8 In my opinion the proposed external alterations are acceptable and compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 Concerns have been raised regarding the potential noise impact from the proposed use and pedestrian safety impact from the increased level of traffic generation associated with the proposed use.

- 8.10 In terms of noise impact, the applicant has submitted a noise report which has been carefully assessed by the Environmental Health Officer (EHO). After several iterations, the EHO is satisfied with the noise report, as report gives a concise and detailed argument in support of the change of use and applies stringent noise limits for noise limiting devices. On this basis, and subject to the recommended noise mitigation conditions, I do not consider the proposed use would create significant levels of noise nuisance such that it would have a detrimental impact on the residential amenity of the adjoining residents.
- 8.11 In terms of the impact from traffic generation, the transport statement has been carefully assessed by County Highways. After several discussions with the applicant's transport consultant and submission of further information, County Highways are now satisfied with that, subject to conditions relating to the parking management and travel plan to encourage sustainable modes of transport to arrive at and leave the site, the proposed use would not significantly increase traffic generation and car parking in the area to levels that would have an adverse impact on the character of the area or the residential amenity of the surrounding residents.
- 8.12 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.13 No details for the proposed refuse arrangements have been provided. There is an enclosed bin store on the eastern side of the building but no details of its capacity have been provided. I have therefore recommended a waste condition to ensure details are provided for our approval before the commencement of the proposed use.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.15 Whilst concerns have been raised regarding the potential impact on highway safety, the County Highways Officer has

raised no issues with highway safety from the proposed use and they have removed their holding objection to the proposal.

- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

Car parking

- 8.17 The proposal does not include any loss of car parking from the existing level of 39 spaces (33 standard space and 6 disabled spaces). However the proposal is to allocate 17 of the 39 spaces to Bodyworks. These spaces will only be allocated to staff during 9am to 5pm after which the spaces will be used for drop-off with a dwell time of 5 mins. According to the applicant's transport information, none of the students attending the existing Bodywork sites use a car as a mode of transport. Students mostly walk, cycle or use public transport. As for staff, they mostly use a car or public transport. For the evening classes, the mode of transport is split between car, cycle, walking or public transport.
- 8.18 The applicant is willing to submit a Travel Plan which will encourage alternative modes of transport and provide travel information to all students and visitors.
- 8.19 The proposal include 263 sqm of new floor space, which would according to the Council's car parking standards require 1 space per 20sqm of public space (including disabled car parking) to be provided. This equates to 14 spaces. Whilst it would be difficult to squeeze any additional car parking on the site without having an impact on the existing protected open space, I am satisfied that the site located within a sustainable location with good links to public transport and is highly accessible. County Highways have also recommended a condition requiring a parking management plan which details how parking will be managed on site. In these terms, therefore, I do not consider the lack of additional car parking would have a detrimental impact on the site or area such that it would warrant the refusal of this application.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.21 I have addressed most of the concerns raised by third representations in the above sections. I set out below my response to the outstanding concern.

The potential cumulative impact on car parking arising from the potential new building adjacent to the Citylife building.

- 8.22 A potential planning application for student accommodation building on land east of the Citylife building cannot be taken into consideration as part of this application as each application is considered on its own merits. There is no certainty that an application for such a building will be made.

Planning Obligations

Transport

- 8.23 Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the East Corridor Area Transport Plan where the contribution sought per trip is £229. A total ECATP contribution is required for (139 x £229) £31,831. The applicant is willing to enter into a s106 agreement to secure this obligation as part of the proposed use.

Planning Obligations Conclusion

- 8.24 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 CONCLUSION

- 9.1 The proposed change of use from sui-generis to D1 (Bodywork) use would maintain a community use in this location such that it would be to the benefit of the local community. Whilst during the day the proposed use would be used by students working towards an academic qualification, the building and studios

would be opened up to the local community and several fitness classes are proposed to be arranged. The applicant is keen to emphasise their willingness to engage with and incorporate the local community with the proposed use.

- 9.2 The applicant has demonstrated that the proposed use would not have a significantly adverse impact on the residential amenity of the surrounding residents in terms of noise levels and traffic generation subject to conditions.

10.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

4. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

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. (Cambridge Local Plan 2006 policy 4/13)

6. Before the development/use hereby permitted is occupied, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the plant shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

7. Noise limiting devices (specification and design to be agreed with the LPA) shall be fitted within the studios so that all amplified music is channelled through the devices. The maximum noise levels will be set by agreement with the LPA and will be reviewed from time to time as appropriate.

The Premises Management and/or nominated person shall ensure that the noise limiting device is sealed after commissioning, so that sound operators cannot override the system during any performance or class and that the agreed settings are kept unless otherwise agreed in writing by the LPA.

The use hereby approved shall be carried out in accordance with the approved specifications and details.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

8. During performances, practices or classes all doors and windows in the studios being used must be kept closed at all times.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2006 policy 4/13)

9. The premises shall only be used for performances, practice sessions and dance classes between the hours of 08.00 and 22.00 Monday to Saturday and between 10.00 and 21.00 on Sundays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

10. Prior the commencement of the use hereby permitted full details of waste storage and collection arrangements shall be submitted to and approved in writing by the local planning authority. The agreed arrangements shall be maintained permanently thereafter.

Reason: To ensure satisfactory waste and recycling provision and to protect public amenity. (Cambridge Local Plan 2006 policies 3/1 and 3/4)

11. Prior to the commencement of the use hereby permitted, a parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of how the parking for the use is managed on site. The car parking for the approved use shall thereafter be carried out in accordance with the approved plan.

Reason: To ensure the existing car parking operates effectively with the use and to minimise the impact from on street parking (Cambridge Local Plan (2006) policies 8/1, 8/3 and 8/10).

12. No development shall take place until a Travel Plan for the Bodywork use has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be focused on encouraging sustainable modes of transports for its students, staff and visitors. The approved plan shall be implemented and monitored according to the provisions approved by the local planning authority.

Reason: To increase sustainability, limit pollution, and mitigate any air quality impact of the development. (Cambridge Local Plan (2006) policies 3/1, 4/13, 4/14 and 8/2)

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1450/FUL	Agenda Item	
Date Received	30th September 2014	Officer	Elizabeth Thomas
Target Date	25th November 2014		
Ward	Kings Hedges		
Site	Land To The Rear Of 241 Milton Road Cambridge CB4 1XQ		
Proposal	Erection of new detached dwelling and associated garage		
Applicant	Mr & Mrs Andreou 241 Milton Road Cambridge CB4 1XQ United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed development would contribute towards meeting the current housing needs; <input type="checkbox"/> The proposed development has been designed and laid out to complement the approved development and setting without have a detrimental impact on the amenity of the surrounding residents. <input type="checkbox"/> The proposal would make effective and more efficient use of this constrained site in terms of building layout, design and in terms of housing need;
RECOMMENDATION	APPROVAL with conditions

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Property number 241 Milton Road is designated as a Building of Local Interest, the property and site in question is situated within a designated tree preservation order area.
- 1.2 The application site is back-land and is formed from land at the far end of the rear garden of 241 Milton Road. Planning permission (12/1537/FUL) has already been granted for 13 residential units on a back-land site adjoining the application site. A further dwelling was approved under planning permission (14/0518/FUL), positioned within the far end of the rear gardens of 243, 245 and 247 Milton Road.
- 1.3 The area is characterised by low density, mainly detached two storey properties, set back from the highway on large plots. The plot depths are on average 80 metres front to back. Some of the rear gardens along Milton Road (for example 233, 229 and 283 Milton Road) have already been subdivided in a piecemeal fashion to accommodate new, back land dwellings. This is most prevalent on the application site side of Milton Road.
- 1.4 On the opposite side of Milton Road (south-east) is a consistent pattern of two storey semi-detached houses set back from the road.
- 1.5 To the north-west of the site are the two storey dwellings in Woodhead Drive and a three storey block of residential flats in Robert Jennings Close. To the north of the properties on Woodhead Drive is a recent residential development comprising two and three storey properties.

2.0 THE PROPOSAL

- 2.1 The proposal is for a detached, two storey residential dwelling with detached garage. The rear elevation of the proposed dwelling would face the rear boundary of number 241 Milton Road and the front elevation would face the scheme approved under 12/1537/FUL. The garage would be located to the rear south east corner of the garden to ensure no detrimental harm to T005, T006 and T007.

- 2.2 The design of the proposed dwelling is of a similar style to that of the dwellings approved on the adjoining site. The approved access (12/1537/FUL) is proposed to be used to provide access to the dwelling.
- 2.3 The application is accompanied by the following supporting information:
1. Proposed amended plans and elevations as at 28.01.2015.
 2. Topographical tree survey.

3.0 SITE HISTORY

Reference	Description	Outcome
12/1537/FUL	Erection of 13 no. dwellings (following demolition of no. 235 Milton Road	Approved
14/0518/FUL	Erection of detached dwelling with associated garage on land to the rear of no.243, 245 and 247 Milton Road	Approved

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/3 3/4 3/6 3/7 3/10 3/12
		4/4
		5/1

	8/1 8/4 8/6 8/10

5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>National Planning Policy Framework – Planning Practice Guidance March 2014</p> <p>Circular 11/95</p> <p>Ministerial Statement (1 December 2014) by Brandon Lewis Minister of State for Housing and Planning (Department of Communities and Local Government)</p>
-----------------------------	--

5.3 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 No comment.

Refuse and Environment

6.2 No objections to the application in principle, subject to conditions.

- ☐ Construction hours (CC63)
- ☐ Piling
- ☐ Contaminated land

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

Tree Officer

6.4 The tree officer states the scheme is better in accommodating for the trees on site, however there are still concerns regarding the nuisance from needles and cones falling on vehicles, therefore the tree officers recommended condition will be added to the permission.

7.0 REPRESENTATIONS

7.1 One objection representation has been received from the occupier of number 237A Milton Road. In summary, the representation is an objection in regard to concerns regarding pollution, increased traffic movement, noise pollution, increased flooding risks as well as taking into consideration the density of housing to this section of Milton Road. I will address these points in my assessment below.

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

8.0 ASSESSMENT

8.1 Having assessed the application, all site constraints and considered all relevant policy, material considerations and amended drawings I consider the main matters for consideration are:

1. Principle of development
2. Context of site, design and external spaces

3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Principle of Development

- 8.2 The application site is located in a sustainable location due to its proximity to local shops and public transport and cycle links into the city centre. Windfall housing sites such as this are permitted by the Local Plan subject to the existing land uses and compatibility with adjoining uses.
- 8.3 The proposed development would complement the existing form and character of development in the area. There are also other examples of back land development along Milton Road, albeit on a smaller scale to that proposed here. Nevertheless, the principle of residential development on ancillary garden land on this side of Milton Road has been established.
- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policies 3/4 and 5/1.

Affordable Housing

- 8.5 The approved scheme (12/1537/FUL) consisted of 13 residential units and application 14/0518/FUL was for a further one making 14. The proposed scheme has been brought forward independently of the approved schemes due to issues of land ownership.
- 8.6 Nevertheless, the proposed unit would result in 15 residential dwellings in this back land location. The trigger for policy 5/5 is for 15 or more dwellings or on site areas over 0.5 hectares. The site area of the approved scheme was 0.49 hectares (12/1537/FUL) and 300sqm (14/0518/FUL). The site area of the proposed dwelling site is 352sqm. This area combination would trigger the affordable housing policy. However, as previously mentioned the proposal scheme does not form part of the approved scheme even though it will physically link to it.
- 8.7 This back land location is in multiple ownership and some residents did not want to include their gardens in the

development which resulted in the layout that was approved. The current application seeks to include one additional house. It cannot be argued that the 15th house triggers the need for affordable housing because the principle has already been established through the previous scheme (12/1537/FUL) and application (14/0518/FUL) and this application is not part of the previous applications. The potential need for affordable housing would have to be 'captured' at the stage when the residential scheme for 13 dwellings was approved (12/1537/FUL). This would have been by identifying other land in the s106 Agreement. Normally this would be other land in the applicant's ownership to avoid the effect of sub-division of sites and that would not have been appropriate here because there are multiple site owners.

Context of site, design and external spaces

- 8.8 The proposed development will be situated in between two previously approved schemes under 12/1537/FUL and 14/0518/FUL. The overall spacing and context of the property in relation to surrounding dwelling will be very similar to the adjacent surroundings. Therefore, overall scale, mass and character is considered acceptable and the proposed development would be in keeping with surroundings. The proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/12.
- 8.9 The proposed development has been amended to ensure that protected trees on site will not be affected by the proposal. The proposed driveway that is situated within the RPA is to follow a no-dig construction. These amendments now satisfy the tree officer overall. However, the dropping of needles and cones falling are still a concern and I therefore recommend an appropriate condition to address this issue.

Residential Amenity

- 8.10 The proposed dwelling has been laid out to appear as part of the previously approved scheme. The proposed dwelling has been off-set from the access route and in line with the previously approved scheme.
- 8.11 The impact on amenity of neighbouring occupiers is not considered to be an issue as the proposed dwelling's form and

mass is very similar to the surroundings. It has been noted there is a first floor window proposed on the side of the extension where the chimney is proposed, however the proposed window will serve a bathroom with obscured glazing. Therefore the window is not considered an issue. It is considered the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

Refuse Arrangements

- 8.12 The amended proposed scheme demonstrates the site can adequately accommodate for refuse/bin storage to the rear of the proposed development. Therefore, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Car and Cycle Parking

- 8.13 The site can provide for adequate cycle and car parking accommodation. Therefore, the proposed development is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.14 The objection representation from 237A Milton Road raises matters in relation to pollution, increased traffic movement, noise pollution, increased flooding risks and density of housing. I will address each matter in turn.

8.15 Pollution

The application is not considered to significantly contribute towards any type of pollution as the proposed development is situated within a sustainable location, which is within close proximity to existing services and facilities, this in turn should encourage frequent convenient trips either by foot, bike or public transport.

8.16 Increased traffic movement

The proposal is likely to increase the use of the access route as an additional dwelling would be using it to get to and from the proposed site. However, the additional use is not considered to significantly increase traffic movement as it is an additional

dwelling. The highway authority has no comment to make on the application.

8.17 Noise Pollution

I do not consider that a single additional house at this distance from neighbouring is likely to give rise to any significant additional noise.

8.18 Increase Flooding Risk

The site is not situated within the flood plain an additional building is not likely to have a significant impact on surface water flooding.

8.19 Density of Housing

8.20 Furthermore, the rear garden of 241 Milton Road is large enough (approx. 40 metres in length) to accommodate for adequate private amenity space to accommodate for 241 and the proposed dwelling. The proposed dwelling will integrate within the existing established surroundings and context, conforming to local policies 3/4, 3/6 and 3/10.

Planning Obligation Strategy

Planning Obligations

8.21 The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

8.22 In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The Affordable Housing Supplementary Planning Document 2008 provides guidance in

terms of the provision of affordable housing and the Public Art Supplementary Planning Document 2010 addresses requirements in relation to public art (amend/delete as applicable). The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Open Space

8.23 The Planning Obligation Strategy requires that all new residential developments contribute to the provision or improvement of public open space, either through provision on site as part of the development or through a financial contribution for use across the city. The proposed development requires a contribution to be made towards open space, comprising outdoor sports facilities, indoor sports facilities, informal open space and provision for children and teenagers. The total contribution sought has been calculated as follows.

8.24 The application proposes the erection of one four-bedroom house. A house or flat is assumed to accommodate one person for each bedroom, but one-bedroom flats are assumed to accommodate 1.5 people. Contributions towards provision for children and teenagers are not required from one-bedroom units. The totals required for the new buildings are calculated as follows:

Outdoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	238	238		
1 bed	1.5	238	357		
2-bed	2	238	476		
3-bed	3	238	714		
4-bed	4	238	952	1	1
Total					952.00

Indoor sports facilities					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	269	269		
1 bed	1.5	269	403.50		
2-bed	2	269	538		
3-bed	3	269	807		
4-bed	4	269	1076	1	1
Total					1,076.00

Informal open space					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	242	242		
1 bed	1.5	242	363		
2-bed	2	242	484		
3-bed	3	242	726		
4-bed	4	242	968	1	1
Total					968.00

Provision for children and teenagers					
Type of unit	Persons per unit	£ per person	£per unit	Number of such units	Total £
studio	1	0	0		0
1 bed	1.5	0	0		0
2-bed	2	316	632		
3-bed	3	316	948		
4-bed	4	316	1264	1	1
Total					1,264.00

Community Development

- 8.25 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to community development facilities, programmes and projects. This contribution is £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

Community facilities			
Type of unit	£per unit	Number of such units	Total £
1 bed	1256		
2-bed	1256		
3-bed	1882		
4-bed	1882	1	1
Total			1,882.00

- 8.26 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 5/14 and 10/1 and the Planning Obligation Strategy 2010.

Waste

- 8.27 The Planning Obligation Strategy (2010) requires that all new residential developments contribute to the provision of household waste and recycling receptacles on a per dwelling basis. As the type of waste and recycling containers provided by the City Council for houses are different from those for flats, this contribution is £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

Waste and recycling containers			
Type of unit	£per unit	Number of such units	Total £
House	75	1	1
Flat	150		
Total			75.00

- 8.28 Subject to the completion of a S106 planning obligation to secure the requirements of the Planning Obligation Strategy (2010), I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/7, 3/12 and 10/1 and the Planning Obligation Strategy 2010.

Monitoring

- 8.29 The Planning Obligation Strategy (2010) requires that all new developments contribute to the costs of monitoring the implementation of planning obligations. It was agreed at Development Plans Scrutiny Sub- Committee on 25 March 2014 that from 1 April 2014 monitoring fees for all financial and non-financial planning obligations will be 5% of the total value of those financial contributions (up to a maximum of £50,000) with the exception of large scale developments when monitoring costs will be agreed by negotiation. The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy
- 8.30 For this application a monitoring fee of (£310.85) is required to cover monitoring of City Council obligations plus the County Council monitoring fee.
- 8.31 The sum of £172.00 will be required for the council's legal fees.

Planning Obligations Conclusion

- 8.32 It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

9.0 RECOMMENDATION

APPROVE subject to the s106 Unilateral Undertaking Version B Agreement and the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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. (Cambridge Local Plan 2006 policy 4/13)

4. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents noise and or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: In order to ensure that any contamination of the site is identified and remediation measures are appropriately undertaken to secure full mitigation in the interests of environmental and public safety. (Cambridge Local Plan 2006 policy 4/13).

6. Prior to the commencement of development and with reference to BS 5837 2012, details of the specification and position of all protection measures and techniques to be adopted for the protection of any trees from damage during the course of any activity related to the development, shall be submitted to the local planning authority for its written approval in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP).

The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: For the protection and interest of existing trees.

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1549/FUL	Agenda Item	
Date Received	4th October 2014	Officer	Elizabeth Thomas
Target Date	29th November 2014		
Ward	Abbey		
Site	15 Swann's Road Cambridge CB5 8JZ		
Proposal	Retrospective full planning application for the retention of the use of the site as a self-storage yard with the erection of eleven containers plus associated entrance gates from Swann's Road.		
Applicant	Mr Michael Conway 32 Byron Hill Road Harrow London HA2 0HY United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The site is a sustainable and suitable location for storage use (B8 use class) <input type="checkbox"/> The development would not give rise to any significant detrimental impact on neighbour amenity.
RECOMMENDATION	APPROVAL with conditions

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is situated to the north of the area of land known as 15 Swann's Road (Ref: SWNRD-L000 OS Map) between a protected industrial site for B1(c), B2 and B8 use classes and the main London to King's Lynn railway line which runs north/south and adjacent to the application site on the east side. 15 Swann's Road is divided into various uses (with various occupiers) including car hire, scrap yard and metal recycling. On the far side of the main railway line are four dwellings, screened from the railway line by trees and shrubs.

- 1.2 The site is within Flood Zone 2
- 1.3 The site is not in a conservation area, but the boundary of the Riverside and Stourbridge Common section of Central conservation area runs along northern edge of site and down the far side of the railway tracks to the east. There are no listed buildings on the site, and no protected trees. The Green Belt lies to the north of the site sharing a short common boundary. The Grade I listed Leper Chapel lies approximately 80m away to the east of the railway.

2.0 THE PROPOSAL

- 2.1 A full retrospective planning application for the use of the application site as a self-storage yard with the erection of eleven containers plus associated entrance gates from Swann's Road.
- 2.2 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Drawings in relation to the site

3.0 SITE HISTORY (15 Swann's Road)

Reference	Description	Outcome
14/1459/ADV	Installation of one metal framed stand sign.	Application permitted
11/0288/FUL	Change of use to car hire business and erection of ancillary office and wash down canopy/facility on land off Swann's Road.	Application permitted
80/0482	Erection of temporary storage building	Application Permitted
97/0800		Withdrawn
95/0769	Erection of a light industrial building (Class B1(c)) and erection of two general industrial/warehouse distribution buildings (Class B2/B8).	A/C

92/4165	Erection of a non-ferrous metal store (Class B8).	Refused
81/0033	ERECTION OF 2 x 48 SHEET POSTER HOARDINGS (RETROSPECTIVE APPLICATION).	Application permitted
11/0288	Use of land for storing of scrap metal, waste skips and heavy goods vehicles, shearing and baling of scrap metal	Application permitted
11/1533	Change of use to car hire business and erection of ancillary office and wash down canopy/facility on land off Swann's Road.	Part refused part approved
96/0789	Erection of two internally illuminated fascia signs and an internally illuminated double sided monument sign.	Refused
99/0200	Variation of condition 02 of C/0031/81 and condition 07 of C/95/0769/FP which relate to hours of operation on, and the occupation of, the Scrapyard Site and associated storage b	A/C
78/0850	Erection of a light industrial building (Class B1c) and erection of two general industrial warehouse and distribution buildings (Class B2/B8) (outline application).	Application permitted
12/1625	Use of land as builders and demolitions contractors yard	Application withdrawn
80/0445	Use of site for storage of recycling containers and skips, associated vehicle parking (former use, storage of wood).	Application permitted

Use of land for display and sale of motor vehicles

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

5.1 Relevant Development Plan Policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 4/13 4/15 7/2 7/3
Material Considerations – City Wide Guidance	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011)

5.2 Relevant Central Government Guidance, supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework 2012 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)
-----------------------------	---

5.3 Status of Proposed Submission – Cambridge Local Plan

5.4 Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

5.5 For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

32 Flood risk

34 Light pollution control

35 Protection of human health from noise and vibration

41 Protection of business space

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 No significant adverse effect upon the Public Highway should result from this proposal if it gains benefit of Planning Permission.

Environment Health

6.2 As there are no concerns with regards to environmental health considerations, Environmental Health have no objections.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.3 Crime analysis reveals there have been no crimes recorded for Swann's Road in the past 12 months. The proposal for a self-storage yard in terms of fencing and new gate appear to be fit for purpose in terms of security. No recommendations or specific comment to make.

Environment Agency

The Environment Agency has confirmed the site is within Flood Zone 2 and that the risk of flooding is low. They have no objection to the application subject to suitable conditions.

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

7.0 REPRESENTATIONS/OBJECTORS

- 7.1 A representation has been received from Cambridge Storage Ltd which raises matters in relation to floor area, lack of site staffing, traffic and the possibility of the site becoming a distribution hub.

- 7.4 Objections have been received from the occupiers of Station House and Station Lodge, at Barnwell Junction, which concern:

- ☐ Noise
- ☐ Times of use
- ☐ Number of units proposed
- ☐ Lighting
- ☐ Security
- ☐ Site surface
- ☐ Residential amenity
- ☐ Cumulative impact

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

8.0 ASSESSMENT

Principle of Development

- 8.1 Policy 7/2 of the Cambridge Local Plan 2006 permits development within Class B8(storage) if it is of a limited scale and contributes to local employment opportunities. The proposal meets these criteria. I consider the principle of the development acceptable; there are no other policy grounds for refusal. The proposed retrospective development would

integrate well with surrounding uses, satisfying policies 3/1, 3/4, 3/6, 3/7 and 3/11.

Residential Amenity

- 8.2 I do not consider there to be any detrimental impact on the visual amenity of those living nearby. The application site has barriers running along the railway line. On the other side of the railway line (the residential side) there are standard wooden fence panels above one metre. The containers on the application site are single storey. They are visible from trains and partially from those residential properties which are directly opposite the site through the trees and shrubs, but having assessed the site I do not consider that the impact is significant.
- 8.3 Representations raise particular concerns about noise. Having considered them carefully, I am of the opinion that noise arising from the proposed use is likely to be limited. Visits to the site by customers are not likely to be frequent, and the noise associated with a visit (movement on gravel, engine noise, opening and closing the container, movement of objects into and out of the container, talking) will be at a relatively low volume. Additionally noise and light diminishes at a distance when perceived from across the railway line, and would also be partially masked by the tree/shrub belt and the fence on the residential side of the railway line. I have considered the cumulative impact of the potential noise created by this proposal in the context of and together with the other activities at 15 Swann's Road and I do not consider the overall noise levels will have a significant adverse impact either on the neighbours' amenity or on the environment.
- 8.4 However, I recommend conditions that will control the hours of use on the application site (6am to 6pm), the number of containers, and the height and position of the containers, and require a site management plan. These conditions would address the concerns raised about 24-hour use, increases in the number of containers, and wind-blown rubbish.
- 8.5 Representations also express concerns that large articulated vehicles will use the site. In my view the limit on the number of containers (conditioned) makes this unlikely, and I do not consider that there is any need to add conditions limiting the size of vehicles accessing the site.

- 8.6 The Architectural Liaison Officer has confirmed no crimes have been recorded for Swann's Road in the past 12 months. The agent has also confirmed that CCTV will be installed, which will act as a deterrent to crime.
- 8.7 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7

Third party comments

- 8.8 I have dealt with the majority of the third party comments above in paragraphs 8.3 to 8.7. The matters raised with regard to noise, times of use, number of units proposed, lighting, security, surface and residential amenity have been addressed in the residential amenity section of this report and via recommended conditions.
- 8.9 A representation has been received from Cambridge Storage Ltd raising concerns about some detail in the submitted application form. I address each matter in turn.
- 8.10 The applicant has provided information that the total application site area is 2253.0 sqm and that the containers are approximately 6 metres in length and approx. 2.4 metres in width. There is sufficient spacing surrounding the 11 containers for movement. A condition will ensure the containers will not increase in quantity or height. The applicant's agent has confirmed there are currently 12 containers on site. If the applicant wishes to retain the twelfth container, a new planning application will be required. I have considered the application as submitted, which is for 11 containers I have recommended a condition to limit the number to 11. Any proposal for future containers will require an application under section 73 to vary this condition.
- 8.11 The disposal of rubbish is a matter for the occupiers/owners of the site, which is the same for any other development site. I have recommended a condition requiring a management plan, which in my view is a sufficient safeguard on this issue. Were rubbish on the site to become a public health concern (which I consider unlikely, given the condition I have recommended) this would be a matter for the environmental health department.

- 8.12 I have considered the objections neighbours have raised regarding the nature of development within the area of the site in relation to noise and its cumulative impact on residential amenity.
- 8.13 I have also considered the cumulative impacts of other uses within the vicinity of the application site including the existing scrap yard and existing car hire businesses during my site visit and my assessment of the application in detail. It is considered appropriate for this application to be approved subject to conditions because in my view the frequency of visits to the site by customers is likely to be low, and the noise created by each customer is also likely to be low, therefore the cumulative impact, even considering existing noise from adjacent sites and the railway line is not likely to be significant enough to require refusal.
- 8.14 I noted during my site visit that the proposed development site is situated adjacent to the existing railway line (east) and the scrap yard is south west of the site. Representations suggest the site should be used as a buffer for residential amenity. Such a buffer is not suggested, and I can only consider the application before me. Moreover, guidance in the National Planning Policy Framework suggests that proposals for sustainable development that accord with the development plan should be approved without delay when there are no adverse impacts of doing so. In my view, notwithstanding representations made, there are no features of the proposal which render it unsustainable, and therefore, the presumption in favour of sustainable development should apply in this instance.
- 8.15 An Environmental Impact Assessment (EIA) screening opinion was undertaken at the beginning of this application and it was concluded that no EIA was required as the application is not likely to have significant impacts on the environment. The application site does not propose any of the development descriptions stated in schedule 1 or 2 of The Town and Country Planning (Environmental Impact Assessment) EIA Regulations 2011. Notwithstanding this, a careful assessment has been made of the possibility of significant environmental impacts from the development, including physical changes in the locality, use of natural resources, noise, contamination, impact on the Green Belt and the conservation area, and impact on ecologically

sensitive areas, features of cultural or historic interest, and existing land uses. This is recorded on the EIA screening proforma, which is attached to the case file.

9.0 RECOMMENDATION

- 9.1 For the above mentioned reasons the application complies with national and local policy. In my view neighbour amenity impacts will be limited and I have recommended conditions which will address the issues that might arise. Therefore I recommend the approval of this application.

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Hours of use
The use hereby permitted shall take place only between the hours of 06:00 and 18:00 Monday to Sunday, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity.

4. Number of containers
The development hereby permitted shall only allow up to 11 containers on the application site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity.

5. Height and position of containers
The height of the containers must remain at single storey unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity.

6. Management Plan
Within 5 months of this permission being granted a management plan must be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include operation and function of the site, refuse arrangements and implementation programme.

Reason: To safeguard amenity of the area and to help assimilate the development into its surroundings better.

7. Groundworks
No intrusive groundwork's whatsoever is permitted without the prior written approval of the Environment Agency and the relevant notification and written approval of the Local Planning Authority.

Reason: To limit and prevent flooding

8. The application, as submitted, does not appear to include any below ground level works, as the site is within a Groundwater Vulnerability Zone, no intrusive groundwork's whatsoever would be permitted without our respective authorities prior written approval. It would be necessary for the applicant to have first submitted an appropriate ground contamination assessment and remediation plan in accordance with the requirements of NPPF 121.

Reason: In the interest of flood risk prevention.

INFORMATIVE: Pollution Prevention Guidance

The applicant is advised that a series of Pollution Prevention Guidance documents has been issued by the Environment Agency and can be found by the following link:
<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

This page is intentionally left blank

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1510/FUL	Agenda Item	
Date Received	17th October 2014	Officer	Elizabeth Thomas
Target Date	12th December 2014		
Ward	Market		
Site	Jesus College Jesus Lane Cambridge CB5 8BJ		
Proposal	qInternal refurbishment and external remodelling of the Rank Building; addition of a new entrance building between Marshall Court and the Rank Building; internal refurbishment of the Webb Building; alterations to the west elevation and addition of a new cafe pavilion to the north elevation of the Webb Building (formerly Wesley House). Proposals provide facilities for lectures and conferences, social space, administrative spaces and residential accommodation.		
Applicant	Mr Christopher Pratt Jesus College Jesus Lane Cambridge CB5 8BL United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed amendments to the building and site as a whole are acceptable in principle subject to refinement and details via condition. <input type="checkbox"/> The amended proposal respects the architectural and historic character of the buildings and the site as a whole.
RECOMMENDATION	APPROVAL subject to conditions and S106 agreement

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Jesus College site, to the north of Jesus Lane, is enclosed by that street, Victoria Avenue, Jesus Ditch, and Park Street. It lies wholly within City of Cambridge Conservation Area No.1 (Central), and contains a number of listed buildings. In the nineteenth century, the Wesley House site was developed within this area. Its original main building (referred to from now on as the Webb Building) was designed and built in the traditional Cambridge college format, around three sides of a court, to be used as a whole, as a Methodist theological college. This building is listed Grade II. The fourth side of the original Wesley House court, facing Jesus Lane, was closed in the mid-twentieth century by the erection of the Rank building. The Rank building is not listed.
- 1.2 As a result of a review of training requirements by the Methodist Church, Wesley House has been radically reduced in size. Permission has already granted, under 14/1116/FUL, 14/0259/FUL, 14/0592/LBC and 14/0590/FUL, for alterations to the small eastern part of Wesley House to adapt it to its new role. The remainder of the former Wesley House site, including the Rank building and the majority of the Webb building, has returned to Jesus College ownership. This application proposes alterations to adapt this part of the site and to reintegrate it with the rest of Jesus College. The alterations include some demolition, including small parts of the Webb building, some remodelling, extensive internal alterations to all the buildings, including the Webb building, and some new development, particularly the creation of a new entrance between the Rank building and the adjoining listed houses at 20-22 Jesus Lane.

2.0 THE PROPOSAL

- 2.1 There are a number of proposed changes and alterations to the buildings and site. I have dealt with the proposal under the following headings in section eight of this report and via subsequent recommended conditions.
- ☐ Proposed works to the Webb building
 - ☐ Proposed works to the Rank building
 - ☐ New building element

2.2 It is important to note this application has been amended since the original submission. The main amendments to the original proposal are as follows:

2.3 Proposed floorspace

The application was originally calculated by the applicant as having 1019.0sqm net additional gross internal floorspace. This was later recalculated as 848.0sqm net additional gross internal floorspace. Revised floorspace calculations were set out to the case officer from the agent in an email dated 21/11/15.

2.4 Conservation and heritage

Extensive consultation has taken place with the conservation officer to amend the scheme. This is detailed further in the consultation and assessment sections of this report.

3.0 SITE HISTORY

3.1 There is a wide range of previous development history in relation to Jesus College I have included the most recent and relevant development history in relation to this application.

Reference	Description	Outcome
14/1116/FUL	The demolition of a group of outbuildings currently in use by the colleges gardening department and for the temporary relocation of the gardening department to a building known as The Forum.	Permitted
14/0259/FUL	Alterations to storage sheds to form new boiler house	Permitted
14/0592/LBC	Demolition of existing single storey rear extension and erection of replacement three storey rear extension, internal and external alterations to Grade II Listed Wesley House	Permitted
14/0590/FUL	Redevelopment of Wesley House comprising demolition of existing gatehouse and erection	Permitted

	of replacement academic hub building, demolition of existing single storey rear extension and erection of replacement three storey rear extension, and associated external alterations	
14/1508/FUL and 14/1509/LBC	Erection of a single storey covered walkway link in West Court.	Refused

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 3/14 4/4 4/10 4/11 7/7 8/2 8/3

5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 – use of conditions in planning permission
Supplementary Planning	Planning Obligation Strategy (March 2010)

Guidance	
Area Guidance	<u>Area Guidelines</u> Cambridge City Council (2002)–Eastern Corridor Area Transport Plan: Cambridge Historic Core Conservation Area Appraisal (2006) (Jesus Lane)

5.3 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance/the following policies in the emerging Local Plan are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

- 6.1 The site falls within the area for which financial contributions towards the Eastern Corridor Area Transport Plan (ECATP) are sought. The ECATP is required for any development that generates a net increase of 50 or more trips.

Conservation Team

- 6.2 The proposals represent a major set of interventions in the complex of buildings. The architectural interest, including the collegiate form around three sides of an open quadrangle,

needs to be maintained and the adaption of interior features needs to be sensitive to the contribution they make to the significance of the listed building hence the conditions recommended below. Subject to conditions, the proposals are considered compatible with Local Plan policies 4/10 and 4/11 and the NPPF.

Environmental Health

- 6.3 The Environmental Health team have no objections to this application in principle, subject to the following recommended conditions and informatives.

Conditions:

- ☐ Construction hours
- ☐ Deliveries during demolition/construction
- ☐ Air quality
- ☐ Building/plant noise insulation
- ☐ Hours of use of the external terrace/pavilion
- ☐ Waste and recycling commercial
- ☐ Waste and recycling residential

Informatives:

- ☐ Plant noise insulation
- ☐ Air quality
- ☐ Food safety
- ☐ Licensing

Senior Sustainability Officer (Design and Construction)

- 6.4 As the application is not major this means the requirements of policy 3/1 and 8/16 of the Cambridge Local Plan (2006) are not applicable. The design and access statement submitted with the application demonstrates the principles of sustainable design and construction have been considered.
- 6.5 The Sustainability Officer encourages the applicant to give further consideration to surface water drainage for this development and possible future development thinking about how it could be integrated into a landscape proposal.

Landscape Architect

- 6.6 No comments to make on this application.

Access Officer

- 6.7 The access officer has urged provision of hearing loops, asymmetric doors, mixed height seating, good colour contrast and handrails.

7.0 REPRESENTATIONS

- 7.1 No third party representations have been received.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main matters are:

1. Principle of development
2. Context of site, design and external spaces
3. Renewable energy and sustainability
4. Disabled access
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Planning Obligation Strategy

Principle of Development

- 8.2 The building and site in question are in a sensitive and constrained location any development proposal will need to respond carefully to this context.
- 8.3 It is considered the amended proposed development has successfully addressed the concerns originally raised, and responds in an appropriately sensitive manner to its context.
- 8.4 In my opinion, the overall principle of the development is acceptable and in accordance with policies 3/4, 3/7, 3/11, 3/12 and 3/14.

Context of site, design and external spaces

Masterplan:

- 8.5 The Design and Access Statement (at paragraph 2.1) notes that the current application is part of phase one of a masterplan which would have two further phases.
- 8.6 I do not consider it helpful to refer to a masterplan as a minor background statement in this proposal when no detailed information or discussions have taken place with the local planning authority about the rationale, development or detail of the proposed masterplan.
- 8.7 I am not aware that this masterplan has any status in terms of having been put to or endorsed by the Local Planning Authority. For clarity, the decision to be made on this application is confined to the present application only and will not imply endorsement of any masterplan. Although the submitted drawings include a "Site Plan – Future Phases" NMLA-1402-P1-00-012, I have excluded this from the consent I recommend for the current applications (14/1510/FUL & 14/1511/LBC) – via a condition and an informative – as it is not detailed to any degree in the applications, is not part of the description of development applied for, and therefore is not examined in officers' or consultees' responses.

Proposed works to the Webb Building:

- 8.8 Significant changes are proposed to the Webb Building, which form the most controversial aspect of the proposed development. This is because proposed changes are to the library, access to the new cafe pavilion, and changes to the western part behind the proposed new foyer block [which includes demolition]. This is a significant change to a listed building, therefore attention to detail is paramount.

The conservation officer's advice is that the adaptations to the interior are acceptable provided that appropriate conditions guarantee the detail.

- 8.9 Removal of the purpose designed and built book shelving from the Gutteridge Library is proposed.

Proposed works to the Rank Building:

- 8.10 The existing building is not a success in townscape terms due to its bulky and horizontal emphasis, which is at odds with the conservation area. Therefore successful improvement is welcomed to this building.
- 8.11 The proposed development shows much better more vertical emphasis to the facade, but the materials proposed are questionable within the context of the site. These materials need to be controlled by condition.

New building elements:

- 8.12 The lantern light over the new foyer block would be a significant feature in the streetscape as it marks an entrance. This is a very prominent area as it is a junction point for several of the building and routes around them.
- 8.13 The new entrance proposal will form a modest contrast with the Porter's Lodge entrance the other end of the Rank Building forming the new entrance to Wesley House. The new entrance is considered a vast improvement from the former garage entrance use. Again the success of these extensions to the Webb Building would depend upon good materials and detailing and appropriate conditions are therefore recommended.
- 8.14 The proposed cafe pavilion at the north side of the site is attached to the old Common Room (through which it is accessed). The amended submission of this element has been revised to be a lighter, more transparent structure with accordingly reduced impact on the common room/library building. The garden structure-based design can read as an addition in the setting provided by the grounds. More glazing in the roof and walls will result in better visibility of the rear walls and stone-mullioned, windows of the host building. The revised pavilion is subservient in the relationship of the host and "extension". The new terrace/basement upon which the pavilion would sit is revised to have less heavy detailing with railings rather than parapet.

- 8.15 Conditions are essential to control the detail of these changes but overall I am satisfied that the proposal conforms to planning policies 4/10 and 4/11 and the Framework.

Renewable energy and sustainability

- 8.16 Sustainable measures have been put forward as part of the proposed scheme which are considered acceptable.
- 8.17 The Sustainability Officer has commented on this application and is satisfied with the sustainable measures put forward.

Disabled access

- 8.18 The access officer has recommended some improvements to the scheme. I recommend informatives to highlight these issues to the applicants.

Residential Amenity

- 8.19 I do not consider the proposal would have any impact on the amenity of neighbours.

Refuse Arrangements

- 8.20 The Environmental Health department has recommend appropriate conditions for waste and recycling, which will enable the proposal to comply with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.21 The highway authority has raised no concerns about highway safety. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Planning Obligations

ECATP Financial Contributions

As mentioned in section 6.1 of this report the site in question falls within the area for ECATP and the proposed development will increase daily trip generation by more than 50.

Currently a S106 legal agreement is being sought between the LPA, County Transport and the agent/applicant.

The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Transport

Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the Eastern Corridor Area Transport Plan. The contribution sought is J27,480 total.

Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Planning Obligations Conclusion

It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale

and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement by 4th May 2015 and the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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. (Cambridge Local Plan 2006 policy 4/13)

4. 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 (Cambridge Local Plan 2006 policy 4/13)

5. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

6. Prior to the commencement of development/construction, details of the ventilation scheme for the residential units on the façade fronting X shall be submitted to and approved in writing by the local planning authority. The scheme shall be installed before the use hereby permitted is commenced and shall not be altered without prior approval.

Reason: In the interest of Environmental Health

7. To protect local amenity, the hours of use for the external terrace/patio of the bar/café shall be limited to:

Monday - Saturday = 09:00 hrs - 23:00 hrs

Sundays and Bank Holidays = 10:00 hrs - 22:00 hrs

Outside these hours, doors and windows should remain closed when amplified music is played.

Reason: In the interest of Environmental Health

8. Prior to the commencement of development, full details of the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, or any other means of storage will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point and the arrangements for the disposal of waste shall be provided and shall include provision for a minimum of 50% recycling/organic capacity. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2 and BE4).

9. Prior to the commencement of development, full details of the on-site storage facilities for waste including waste for recycling shall be submitted to and approved in writing by the local planning authority. Such details shall identify the specific positions of where wheeled bins, will be stationed and the specific arrangements to enable collection from within 10m of the kerbside of the adopted highway/ refuse collection vehicle access point. The approved facilities shall be provided prior to the commencement of the use hereby permitted and shall be retained thereafter unless alternative arrangements are agreed in writing by the local planning authority.

Reason: To protect the amenities of nearby residents/occupiers and in the interests of visual amenity. (Cambridgeshire and Peterborough Structure Plan 2003 policy P1/3 and Cambridge Local Plan 1996 policies BE2 and BE4)

10. To satisfy standard condition C62 (Noise Insulation), the rating level (in accordance with BS4142:1997) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period).

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

11. The Council has produced a guidance document to provide information to developers on how to deal with air quality and air pollution issues. The document, 'Developers Guide to Air Quality in Cambridge' can be downloaded from the City Council website on <http://www.cambridge.gov.uk/ccm/content/environment-and-recycling/pollution-noise-and-nuisance/air-pollution/air-quality-guide-for-developers.en>. Hard copies can also be provided upon request.

12. As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and food storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team of the Refuse and Environmental Service at Cambridge City Council on telephone number (01223) 457890 for further information.
13. If the premises is intended to provide alcohol, regulated entertainment or food after 11pm or before 5am it may require a Premise Licence under the Licensing Act 2003. The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 for further information.
14. Notwithstanding submitted Drg NMLA-1402-P1-00-012 "Site Plan - Future Phases", this permission does not include the additional development indicated thereon.

Reason: For the avoidance of doubt and in the interest of good planning.

15. Notwithstanding submitted Drawing NMLA-1402-P1-00-101 Rev P1, no three-dimensional fence, wall or other structure shall be erected to subdivide the West Court.

Reason: In order to maintain the open character of the historic courtyard and Listed buildings and to be consistent with Cambridge Local Plan policy 4/10.

16. Prior to the commencement of development and prior to any excavation works taking place on the site, the need for an archaeological investigation (regarding eg the café/pavilion basement excavations) to be undertaken is to be established via the County Archaeologist.

Reason: In the interest of architectural and/or historic merit.

17. Prior to the commencement of development full details of bicycle & waste / recycling bin stores including screening / cladding / roofing materials, etc. to be submitted to and approved in writing by the LPA. Works shall thereafter be constructed only in accordance with the approved details.

Reason: In the interest of architectural and/or historic merit

18. Prior to the commencement of development a hard landscaping scheme, including full details of external ramps, steps, railings, piers, gates, walls, coping stones, capstones, surface and boundary treatments, is to be submitted to and approved in writing by the LPA. Landscape works shall thereafter be constructed only in accordance with the approved details.

Reason: In the interest of architectural and/or historic merit

19. All manhole or similar covers are to be of the infilled type [ie: a steel or other tray containing paving materials to match the surroundings] and if the cover crosses a boundary between two paving material types, the infill shall include both types to match. Works to manhole covers shall thereafter be constructed only in accordance with the foregoing.

Reason: In the interest of architectural and/or historic merit

20. Prior to the commencement of development full details of all glass walling systems [including framing, fixing, tinting, solar control, fritting, etching, etc.] are to be submitted to and approved in writing by the LPA.

Reason: In the interest of architectural and/or historic merit

21. Standard external materials Condition relating to new facades to front & rear of Rank Building & new Entrance/Link Block.

Reason: In the interest of architectural and/or historic merit

22. No development shall commence until s106 agreement has been agreed and approved in writing by the Local Planning Authority

Reason: to ensure the proposed development is in accordance with local policy.

INFORMATIVE: Discharge of the foregoing Conditions cannot be made by the unaccompanied submission of Working Drawings. Each submission shall be cross-referenced to the appropriate part of the appropriate drawing or sample and related to the numbered Condition as described in the Notice of Decision.

INFORMATIVE: This permission does not include for the additional development indicated on Drg NMLA-1402-P1-00-012 "Site Plan - Future Phases".

INFORMATIVE: If geocellular storage is chosen, this will need to be sited away from any tree root zones and measures will need to be implemented to ensure that future tree planting does not take place above these crates.

INFORMATIVE: It is encouraged for the applicant to give further consideration to how surface water drainage for future development could be integrated into landscape proposals, taking a water sensitive urban design approach.

1. The auditorium, teaching rooms and reception all need hearing loops.
2. If the double doors are not power assisted asymmetric doors with one leaf being a minimum of 900mm is best.
3. Reception seating should be of mixed height with and without arms.
4. Good colour contrast and signage should be used to aid visually impaired people.
5. Hand rails where seating is on stepped levels.
6. The access officer needs to see redesign of 5% of bedrooms/flats to be properly assessable.

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by #, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for transport mitigation measures in accordance with Cambridge Local Plan 2006 policies 8/3 and 10/1 and the Eastern Corridor Area Transport Plan 2002.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

This page is intentionally left blank

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1511/LBC	Agenda Item	
Date Received	17th October 2014	Officer	Elizabeth Thomas
Target Date	12th December 2014		
Ward	Market		
Site	Jesus College Jesus Lane Cambridge CB5 8BJ		
Proposal	Internal refurbishment and external remodelling of the Rank Building; addition of a new entrance building between Marshall Court and the Rank Building; internal refurbishment of the Webb Building; alterations to the west elevation and addition of a new cafe pavilion to the north elevation of the Webb Building (formerly Wesley House). Proposals provide facilities for lectures and conferences, social space, administrative spaces and residential accommodation.		
Applicant	Mr Christopher Pratt Jesus College Jesus Lane Cambridge CB5 8BL United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed amendments to the building and site as a whole are acceptable in principle subject to refinement and details via condition. <input type="checkbox"/> The amended proposal respects the architectural and historic character of the buildings and the site as a whole.
RECOMMENDATION	APPROVAL subject to conditions and S106 agreement

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Jesus College site, to the north of Jesus Lane, is enclosed by that street, Victoria Avenue, Jesus Ditch, and Park Street. It lies wholly within City of Cambridge Conservation Area No.1(Central), and contains a number of listed buildings. In the nineteenth century, the Wesley House site was developed within this area. Its original main building (referred to from now on as the Webb Building) was designed and built in the traditional Cambridge college format, around three sides of a court, to be used as a whole, as a Methodist theological college. This building is listed Grade II. The fourth side of the original Wesley House court, facing Jesus Lane, was closed in the mid-twentieth century by the erection of the Rank building. The Rank building is not listed.
- 1.2 As a result of a review of training requirements by the Methodist Church, Wesley House has been radically reduced in size. Permission has already granted, under 14/1116/FUL, 14/0259/FUL, 14/0592/LBC and 14/0590/FUL, for alterations to the small eastern part of Wesley House to adapt it to its new role. The remainder of the former Wesley House site, including the Rank building and the majority of the Webb building, has returned to Jesus College ownership. This application proposes alterations to adapt this part of the site and to reintegrate it with the rest of Jesus College. The alterations include some demolition, including small parts of the Webb building, some remodelling, extensive internal alterations to all the buildings, including the Webb building, and some new development, particularly the creation of a new entrance between the Rank building and the adjoining listed houses at 20-22 Jesus Lane.

2.0 THE PROPOSAL

- 2.1 There are a number of proposed changes and alterations to the buildings and site. I have dealt with the proposal under the following headings in section eight of this report and via subsequent recommended conditions.
- ☐ Proposed works to the Webb building
 - ☐ Proposed works to the Rank building
 - ☐ New building element

2.2 It is important to note this application has been amended since the original submission. The main amendments to the original proposal are as follows:

2.3 Proposed floorspace

The application was originally calculated by the applicant as having 1019.0sqm net additional gross internal floorspace. This was later recalculated as 848.0sqm net additional gross internal floorspace. Revised floorspace calculations were set out to the case officer from the agent in an email dated 21/11/15.

2.4 Conservation and heritage

Extensive consultation has taken place with the conservation officer to amend the scheme. This is detailed further in the consultation and assessment sections of this report.

3.0 SITE HISTORY

3.1 There is a wide range of previous development history in relation to Jesus College I have included the most recent and relevant development history in relation to this application.

Reference	Description	Outcome
14/1116/FUL	The demolition of a group of outbuildings currently in use by the colleges gardening department and for the temporary relocation of the gardening department to a building known as The Forum.	Permitted
14/0259/FUL	Alterations to storage sheds to form new boiler house	Permitted
14/0592/LBC	Demolition of existing single storey rear extension and erection of replacement three storey rear extension, internal and external alterations to Grade II Listed Wesley House	Permitted
14/0590/FUL	Redevelopment of Wesley House comprising demolition of existing gatehouse and erection	Permitted

	of replacement academic hub building, demolition of existing single storey rear extension and erection of replacement three storey rear extension, and associated external alterations	
14/1508/FUL 14/1509/LBC	Erection of a single storey and covered walkway link in West Court.	Refused

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

5.0 POLICY

5.1 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/11 3/12 3/14 4/4 4/10 4/11 7/7 8/2 8/3

5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 – use of conditions in planning permission
Supplementary Planning	Planning Obligation Strategy (March 2010)

Guidance	
Area Guidance	<u>Area Guidelines</u> Cambridge City Council (2002)–Eastern Corridor Area Transport Plan: Cambridge Historic Core Conservation Area Appraisal (2006) (Jesus Lane)

5.3 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan are of relevance/the following policies in the emerging Local Plan are of relevance:

6.0 CONSULTATIONS

Cambridgeshire County Council (Transport)

- 6.1 The site falls within the area for which financial contributions towards the Eastern Corridor Area Transport Plan (ECATP) are sought. The ECATP is required for any development that generates a net increase of 50 or more trips.

Conservation Team

- 6.2 The proposals represent a major set of interventions in the complex of buildings. The architectural interest, including the collegiate form around three sides of an open quadrangle,

needs to be maintained and the adaption of interior features needs to be sensitive to the contribution they make to the significance of the listed building hence the conditions recommended below. Subject to conditions, the proposals are considered compatible with Local Plan policies 4/10 and 4/11 and the NPPF.

Environmental Health

- 6.3 The Environmental Health team have no objections to this application in principle, subject to the following recommended conditions and informatives.

Conditions:

- ☐ Construction hours
- ☐ Deliveries during demolition/construction
- ☐ Air quality
- ☐ Building/plant noise insulation
- ☐ Hours of use of the external terrace/pavilion
- ☐ Waste and recycling commercial
- ☐ Waste and recycling residential

Informatives:

- ☐ Plant noise insulation
- ☐ Air quality
- ☐ Food safety
- ☐ Licensing

Senior Sustainability Officer (Design and Construction)

- 6.4 As the application is not major this means the requirements of policy 3/1 and 8/16 of the Cambridge Local Plan (2006) are not applicable. The design and access statement submitted with the application demonstrates the principles of sustainable design and construction have been considered.
- 6.5 The Sustainability Officer encourages the applicant to give further consideration to surface water drainage for this development and possible future development thinking about how it could be integrated into a landscape proposal.

Landscape Architect

- 6.6 No comments to make on this application.

Access Officer

- 6.7 The access officer has urged provision of hearing loops, asymmetric doors, mixed height seating, good colour contrast and handrails.

7.0 REPRESENTATIONS

- 7.1 No third party representations have been received.

8.0 ASSESSMENT

- 8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main matters are:

1. Principle of development
2. Context of site, design and external spaces
3. Renewable energy and sustainability
4. Disabled access
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Planning Obligation Strategy

Principle of Development

- 8.2 The building and site in question are in a sensitive and constrained location any development proposal will need to respond carefully to this context.
- 8.3 It is considered the amended proposed development has successfully addressed the concerns originally raised, and responds in an appropriately sensitive manner to its context.
- 8.4 In my opinion, the overall principle of the development is acceptable and in accordance with policies 3/4, 3/7, 3/11, 3/12 and 3/14.

Context of site, design and external spaces

Masterplan:

- 8.5 The Design and Access Statement (at paragraph 2.1) notes that the current application is part of phase one of a masterplan which would have two further phases.
- 8.6 I do not consider it helpful to refer to a masterplan as a minor background statement in this proposal when no detailed information or discussions have taken place with the local planning authority about the rationale, development or detail of the proposed masterplan.
- 8.7 I am not aware that this masterplan has any status in terms of having been put to or endorsed by the Local Planning Authority. For clarity, the decision to be made on this application is confined to the present application only and will not imply endorsement of any masterplan. Although the submitted drawings include a "Site Plan – Future Phases" NMLA-1402-P1-00-012, I have excluded this from the consent I recommend for the current applications (14/1510/FUL & 14/1511/LBC) – via a condition and an informative – as it is not detailed to any degree in the applications, is not part of the description of development applied for, and therefore is not examined in officers' or consultees' responses.

Proposed works to the Webb Building:

- 8.8 Significant changes are proposed to the Webb Building, which form the most controversial aspect of the proposed development. This is because proposed changes are to the library, access to the new cafe pavilion, and changes to the western part behind the proposed new foyer block [which includes demolition]. This is a significant change to a listed building, therefore attention to detail is paramount.

The conservation officer's advice is that the adaptations to the interior are acceptable provided that appropriate conditions guarantee the detail.

- 8.9 Removal of the purpose designed and built book shelving from the Gutteridge Library is proposed.

Proposed works to the Rank Building:

- 8.10 The existing building is not a success in townscape terms due to its bulky and horizontal emphasis, which is at odds with the conservation area. Therefore successful improvement is welcomed to this building.
- 8.11 The proposed development shows much better more vertical emphasis to the façade, but the materials proposed are questionable within the context of the site. These materials need to be controlled by condition.

New building elements:

- 8.12 The lantern light over the new foyer block would be a significant feature in the streetscape as it marks an entrance. This is a very prominent area as it is a junction point for several of the building and routes around them.
- 8.13 The new entrance proposal will form a modest contrast with the Porter's Lodge entrance the other end of the Rank Building forming the new entrance to Wesley House. The new entrance is considered a vast improvement from the former garage entrance use. Again the success of these extensions to the Webb Building would depend upon good materials and detailing and appropriate conditions are therefore recommended.
- 8.14 The proposed café pavilion at the north side of the site is attached to the old Common Room (through which it is accessed). The amended submission of this element has been revised to be a lighter, more transparent structure with accordingly reduced impact on the common room/library building. The garden structure-based design can read as an addition in the setting provided by the grounds. More glazing in the roof and walls will result in better visibility of the rear walls and stone-mullioned, windows of the host building. The revised pavilion is subservient in the relationship of the host and "extension". The new terrace/basement upon which the pavilion would sit is revised to have less heavy detailing with railings rather than parapet.
- 8.15 Conditions are essential to control the detail of these changes but overall I am satisfied that the proposal conforms to planning policies 4/10 and 4/11 and the Framework.

Renewable energy and sustainability

- 8.16 Sustainable measures have been put forward as part of the proposed scheme which are considered acceptable.
- 8.17 The Sustainability Officer has commented on this application and is satisfied with the sustainable measures put forward.

Disabled access

- 8.18 The access officer has recommended some improvements to the scheme. I recommend informatives to highlight these issues to the applicants.

Residential Amenity

- 8.19 I do not consider the proposal would have any impact on the amenity of neighbours.

Refuse Arrangements

- 8.20 The Environmental Health department has recommend appropriate conditions for waste and recycling, which will enable the proposal to comply with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.21 The highway authority has raised no concerns about highway safety. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Planning Obligations

ECATP Financial Contributions

As mentioned in section 6.1 of this report the site in question falls within the area for ECATP and the proposed development will increase daily trip generation by more than 50. Currently a S106 legal agreement is being sought between the LPA, County Transport and the agent/applicant.

The Community Infrastructure Levy Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. If the planning obligation does not pass the tests then it is unlawful. The tests are that the planning obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In bringing forward my recommendations in relation to the Planning Obligation for this development I have considered these requirements. The Planning Obligation Strategy (2010) provides a framework for expenditure of financial contributions collected through planning obligations. The applicants have indicated their willingness to enter into a S106 planning obligation in accordance with the requirements of the Strategy and relevant Supplementary Planning Documents. The proposed development triggers the requirement for the following community infrastructure:

Transport

Contributions towards catering for additional trips generated by proposed development are sought where 50 or more (all mode) trips on a daily basis are likely to be generated. The site lies within the Eastern Corridor Area Transport Plan. The contribution sought is £27,480 total.

Subject to the completion of a S106 planning obligation to secure this infrastructure provision, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

Planning Obligations Conclusion

It is my view that the planning obligation is necessary, directly related to the development and fairly and reasonably in scale and kind to the development and therefore the Planning Obligation passes the tests set by the Community Infrastructure Levy Regulations 2010.

10.0 RECOMMENDATION

APPROVE subject to completion of the s106 Agreement by 4th May 2015 and the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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. (Cambridge Local Plan 2006 policy 4/13)

4. Prior to the commencement of development a system of monitoring the nearby Listed Buildings/structures for movement during demolition/construction/alteration/excavation is to be submitted to and approved in writing by the LPA. The submission shall include details of acceptable parameters, frequency and accuracy of measurements, location of monitoring points, etc. The submission shall also include a statement of who is responsible for reviewing the results of the monitoring data, for informing the LPA/LABC if results exceed the acceptable parameters and for taking preventative action to avoid damage to nearby Listed Buildings/structures in the event of adverse movement.

Reason: To avoid harm to the special interest of the Listed Building (Cambridge Local Plan 2006, policy 4/10).

5. The means of preservation, protection and treatment of the following items of architectural / historic interest is to be agreed in advance of any works on site in writing by the LPA:

- i] Joinery including panelling, etc.
- ii] Historic floors
- iii] Plasterwork to walls & ceilings
- iv] Fireplaces, hearths, etc.
- v] Staircases including balustrades

Note: It will be expected that items vulnerable to damage during the works will be protected by means of fixed boxing [of plywood, etc.] or thick padding [of foam plastic or rubber, etc.] and this will be maintained for the full duration of all works to the Listed Building.

6. The dismantled brickwork, stonework [including sills & lintels, band courses, copings, etc.], windows & frames [including furniture], joinery, railings are to be carefully removed from the building/structure and cleaned/repaired and set aside in a safe & secure place. If the salvaged materials are to be reused in/on the building/structure, full details of the method of reuse are to be submitted to and approved in writing by the LPA. If the salvaged materials are not to be reused on the site, then the salvaged materials are to be taken to a reputable salvage merchant to enable them to be reused elsewhere. The LPA shall be supplied with written proof of the successful recycling of the materials.

Reason: To comply with Cambridge Local Plan 2006, policy 4/10 d).

7. Prior to the commencement of development a Method Statement is to be prepared, submitted to and approved in writing by the LPA containing full details of the means of locating, identifying and gaining access to any asbestos for removal. The Method Statement is for the purposes of ensuring that no damage occurs to historic fabric or finishes during the removal process. It is not for use to comply with safety or other such regulations involving asbestos.

Reason: To avoid harm to the special interest of the Listed Building (Cambridge Local Plan 2006, policy 4/10).

8. No development shall take place until a full photographic record and survey has been made depicting the exterior and interior of the building (including any parts to be demolished) and a copy deposited with each of the following organisations: the Cambridgeshire Collection of the Central Library, Lion Yard, Cambridge; the County Archive, Shire Hall, Castle Hill, Cambridge, and the local planning authority. The nature of the photographs and drawings is to be agreed in advance with the local planning authority before the deposit is made.

Reason: to foster understanding of the building's importance in the national and Cambridge context, and to ensure proper recording of any aspects of the building's special interest which are to be lost or altered. Cambridge Local Plan 2006, policy 4/10).

9. No brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

10. No stonework, artificial or natural, (including columns, strings, quoins, lintels, sills, copings, plinths or kneelers) is to be erected until details of the source, colour, texture, coursing, mortar mix design, joint type and thickness and pointing technique, have been submitted to, and approved in writing by the local planning authority in the form of large-scale drawings and/or samples. If so required by the local planning authority, the latter may need to be submitted as a panel, which must be retained on site for comparative purposes until the development is completed. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

11. No roofs shall be constructed until full details of the type and source of roof covering materials and the ridge, eaves and hip details, if appropriate, have been submitted to the local planning authority as samples and approved in writing. Roofs shall thereafter be constructed only in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

12. No boiler flues, soil pipes, waste pipes or air extract trunking, etc. shall be installed until the means of providing egress for all such items from the new or altered bathrooms, kitchens and plant rooms has been submitted to and approved in writing by the local planning authority. Flues, pipes and trunking, etc. shall be installed thereafter only in accordance with the approved details.

Reason: to avoid harm to the special interest of the listed building (Cambridgeshire and Peterborough Structure Plan 2003, policy P7/6 and Cambridge Local Plan 2006, policy 4/10).

13. Where traditional floors remain [cobblestones, stone slabs, clay pammets, brick pavers, encaustic tiles, terrazzo, parquet, etc.] these are to be retained unless otherwise agreed in writing by the LPA.

Reason: In the interest of architectural and/or historic merit.

14. Prior to the commencement of development large scale drawings of details of new / altered sills, lintels, jambs, transoms, mullions, thresholds, etc. to be submitted to and approved in writing by the LPA. Sills, lintels, jambs, transoms, mullions, thresholds, etc. shall be installed thereafter only in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

15. Where an opening(s) is/are to be created between rooms, full details of the dimensions of the opening and the resultant stub walls and downstand, the linings and architraves to finish the opening and the reinstatement of the flooring between rooms are to be submitted to and approved in writing by the LPA. Openings shall be created thereafter only in accordance with the approved details.

Reason: In the interest of architectural and/or historic merit

16. All redundant and disused services including cables, pipes, ducts, vents, grilles, trunking, switchgear, wiring, extractor fans, air conditioning plant, conduits and the like, are to be removed carefully from the historic building and the resulting areas made good to match the nearby historic work or to the satisfaction of the LPA.

Reason: In the interest of architectural and/or historic merit

17. All existing historic timber floorboards are to be protected during the works. Where such boards have to be lifted to allow for service runs, this is to be done with care [no ripping, splitting, power sawing or other crude methods are permitted] and the boarding is to be reinstated to match exactly in every respect the historic laying and fixing method unless otherwise agreed in writing by the LPA.

Reason: In the interest of architectural and/or historic merit

18. Prior to the commencement of development where central heating radiators or other fixed appliances are to be installed details of fixing to walls [in particular timber panelling, lath-and-plasterwork or other historic fabric], pipe runs, notching of joists, etc. and positions of controls & wiring [thermostats, ice stats, etc.] are to be submitted to and approved in writing by the LPA. Heating systems shall be installed thereafter only in accordance with the approved details.

Reason: In the interest of architectural and/or historic merit

19. Where traditional flooring materials are lifted and reinstated, the balance to replace elements too damaged to be reused is to be made up of salvaged, second-hand or new elements to match exactly in every respect [type, colour, dimension, texture, surface treatment, etc.] the existing.

Reason: In the interest of architectural and/or historic merit

20. Prior to the commencement of development full details of all new / altered passenger / freight lifts and their associated shafts, plant rooms, openings through floors / ceilings, doors and signage, all service ducts / risers and their associated cladding / boxing, finishes to enclosures, etc. to be submitted to and approved in writing by the LPA. Lift systems, etc. shall be installed thereafter only in accordance with the approved details.

Reason: In the interest of architectural and/or historic merit

21. Where formerly external masonry or other walls become internal walls, they are not to be plastered, rendered, painted or otherwise coated irreversibly. If the walls are to be lined they shall be battened out and the lining affixed to this system [may be metal, timber or other appropriate battens].

Reason: In the interest of architectural and/or historic merit

22. Prior to the commencement of development full details of all fixtures to roofs including lantern lights, cupolas, spires, crockets, finials, turrets etc. are to be submitted to and approved in writing by the LPA. Thereafter the development shall be undertaken in accordance with the agreed details unless the LPA agrees to any variation in writing.

Reason: To avoid harm to the special interest of the Listed Building (Cambridge Local Plan 2006, policy 4/10).

23. Prior to the installation of any panelling, full details of the use, installation and finishing of new/salvaged/recycled/historic or reproduction panelling [timber or otherwise] shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

24. No new, replacement or altered joinery shall be installed, nor existing historic joinery removed, until drawings at a scale of 1:10 of all such joinery (doors and surrounds, windows and frames, sills, skirtings, dado rails, staircases and balustrades, etc.) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

25. No metal-clad or other non-traditional roofs shall be erected until full details of such roofs including materials, colours, surface finishes and relationships to rooflights or other rooftop features have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the listed building (Cambridge Local Plan 2006, policy 4/10)

INFORMATIVE: Discharge of Conditions

Discharge of the foregoing Conditions cannot be made by the unaccompanied submission of Working Drawings. Each submission shall be cross-referenced to the appropriate part of the appropriate drawing or sample and related to the numbered Condition as described in the Notice of Decision.

INFORMATIVE: The eaves design element of Condition 8 relates specifically to replicating the slate-clad eaves of the existing historic design.

INFORMATIVE: The details required in Condition 21 relate, in particular but not exclusively, to the changes to staircases, landings and changes in level of floors.

INFORMATIVE: Non approved drawings (informative)

This permission does not include for the additional development indicated on Drg NMLA-1402-P1-00-012 "Site Plan - Future Phases".

2. Unless prior agreement has been obtained from the Head of Planning, in consultation with the Chair and Spokesperson of this Committee to extend the period for completion of the Planning Obligation required in connection with this development, if the Obligation has not been completed by #, or if Committee determine that the application be refused against officer recommendation of approval, it is recommended that the application be refused for the following reason(s):

The proposed development does not make appropriate provision for transport mitigation measures in accordance with Cambridge Local Plan 2006 policies 8/3 and 10/1 and the Eastern Corridor Area Transport Plan 2002.

3. In the event that the application is refused, and an Appeal is lodged against the decision to refuse this application, delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development

This page is intentionally left blank

PLANNING COMMITTEE

Date: 4th March 2015

Application Number	14/1618/FUL	Agenda Item	
Date Received	15th October 2014	Officer	Mr Sav Patel
Target Date	10th December 2014		
Ward	Cherry Hinton		
Site	265 Queen Ediths Way Cambridge CB1 9NH		
Proposal	Proposed HMO change of use from 6 person to 7 person via garage conversion including conservatory		
Applicant	Mr & Mrs Paul Cronin 26 Orchard road Stevenage Herts SG1 3HE United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed change of use would not have a significantly adverse impact on the character of the area;</p> <p>The proposed development would not have a significantly adverse impact on the residential amenity of the adjoining neighbours;</p> <p>The site is located within close proximity to public transport links and local shops and services.</p>
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site consists of a two storey, hipped roof, end of terrace dwelling which is set back from the road and on the corner of Greystoke Road and Queen Edith's Way. The dwelling has a box dormer above the existing integral garage facing Queen Edith's Way. The side boundary (south) is defined

by a boundary vegetation which screens views into the site from the highway.

- 1.2 The dwelling benefits from a rear, side and front garden area and is the largest plot within the terrace. There is an existing shed located on the eastern boundary with no.267. There are also several trees within the plot.
- 1.3 The application site is not located within an area of development constraint or a controlled parking zone.

2.0 THE PROPOSAL

- 2.1 The proposal is to change the use of the existing 6 person HMO dwelling to a 7 person HMO, which is in Sui-Generis use. The proposal includes to the conversion of the existing garage to create an additional bedroom.
- 2.2 The proposal includes a conservatory on the rear elevation of the dwelling, which measures 3.5 metres in depth, 3.8 metres wide and 2.5 metres in height.

3.0 SITE HISTORY

Reference	Description	Outcome
C/75/0792	Erection of first floor extension to existing dwelling house	APPROVED
C/82/0176	Erection of single-storey extension to existing dwelling house	APPROVED

4.0 PUBLICITY

4.1	Advertisement:	No
	Adjoining Owners:	Yes
	Site Notice Displayed:	No

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010

5.2 Cambridge Local Plan 2006

- 3/4 Responding to context
- 3/7 Creating successful places
- 3/11 The design of external spaces
- 3/14 Extending buildings
- 5/1 Housing
- 5/7 Supported housing/Housing in multiple occupation
- 8/6 Cycle parking

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

- 6.1 Car parking arrangement is impractical for an HMO as vehicles cannot access the site independently. No additional provision is made for the additional accommodation. The proposal may impose additional parking demands on the surrounding streets. Otherwise the proposal unlikely to result in any significant adverse highway safety issues.

Head of Refuse and Environment

- 6.2 No objection in principle subject to conditions and informative on housing standards, health and safety and construction hours.
- 6.3 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 The owner/occupier of the following address has made representations:
- 263 Queen Edith's Way
- 7.2 The representations can be summarised as follows:
- The proposal would exacerbate existing drainage problems;

- Residents would not have a communal living space;
- The proposed use is not appropriate for the character of the area;
- The alterations would do nothing for the visual conformity of the terrace;
- The proposal would increase traffic and cause parking problems;
- The proposal would increase noise from slamming doors, shift worker entering at all times and switching on lights;

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

8.0 ASSESSMENT

Principle of Development

8.1 Policy 5/7 states that HMOs will be permitted subject to the following criteria:

- a) Impact on the residential amenity of the local area;
- b) The suitability of the building or site; and
- c) Proximity of bus stops and pedestrian and cycle routes, shops and other local services.

8.2 I have considered these issues below and reached the conclusion that the proposed change of use is acceptable in principle.

a) Impact on the residential amenity of the local area;

8.3 The proposal includes a single storey conservatory on the rear elevation and the replacement of the garage doors on the front elevation. Neither of these would have any adverse impact on the residential amenity of the adjacent residents. The proposed conservatory would be single storey and set off the boundary with no.263 by 2.4 metres. The conservatory would therefore not appear overbearing or create any overlooking issues.

8.4 In terms of noise disturbance, whilst I accept that there is likely to be some level of increased noise as a result of increased activity, I am of the view that the level of increase that would arise from one new tenant would not be significant enough to

have material impact on the neighbour such that it would warrant the application to be refused. The applicant has advised that neither himself nor the letting agent have ever been notified of any anti-social behaviour and if any such disturbances occurred it would be promptly dealt with. I am therefore satisfied that the proposal of one additional tenant to the existing 6 person HMO (which is why planning permission is required) would not result in a significantly increased level of noise disturbance over and above that which already exists.

b) Suitability of the building

- 8.5 The only external alteration relates to the replacement of the garage door with a window and rear conservatory. Therefore in terms of the visual impact on the character of the area and terrace, the proposal would not have any detrimental impact such that it would warrant refusal.
- 8.6 All the rooms within the property are double rooms with en-suites. The property also provides a generous kitchen/dining area and the conservatory will add to the communal space. There are no space standards in the current Local Plan. Therefore an assessment needs to be made based upon the information provided. The additional room would provide 11sqm of space including the en-suite. The applicant has also advised that he will continue to liaise with the Council's Housing Standards department to ensure the additional room complies with the relevant fire safety and amenity standard requirements. In terms of outdoor space, there is sufficient amenity space to the rear to provide a private communal area. I am satisfied that the additional room and communal facilities would provide a future tenant with a good level of living accommodation and outdoor space.

c) Proximity of bus stops and pedestrian and cycle routes, shops and other local services.

- 8.7 The site is located within close proximity to bus stops which are located approximately 70 metres from the property. There are regular services to the city centre and railway station. Also the site is located approximately 600 metres from the local centre in Cherry Hinton which has a variety shops and services. I am therefore satisfied that the property is located within sustainable distance of public transport links and local shops and services.

8.8 The site has sufficient provision to accommodate the additional demand on cycle parking and bins storage. The existing bin storage is located on the rear of the property and the cycle parking is provided within the existing shed on the north-eastern boundary.

8.9 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1 and 5/7 of the adopted Local Plan.

Highway safety

8.10 The proposal does not include any alterations that would affect highway safety.

8.11 The proposal would result in the loss of a parking space; the garage. This would result in the site having two car parking spaces. There also appears to be land in front of the dwelling that could accommodate additional car parking. However, I am satisfied that as the site is within a sustainable location in terms of proximity to public transport and local shops and services, the proposed car parking provision is acceptable.

8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

8.13 I have addressed most of the concerns raised above. However, I set my response to the outstanding concerns as follows:

Drainage

8.14 The change of use and proposed development would result in one additional tenant living at the site. This is unlikely to put undue pressure on existing drainage within this area.

9.0 RECOMMENDATION

APPROVE subject to the following conditions:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. 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. (Cambridge Local Plan 2006 policy 4/13)

INFORMATIVE: The Housing Act 2004 introduces the Housing Health & Safety Rating System as a way to ensure that all residential premises provide a safe and healthy environment to any future occupiers or visitors.

Each of the dwellings must be built to ensure that there are no unacceptable hazards for example ensuring adequate fire precautions are installed; all habitable rooms have adequate lighting and floor area etc.

The applicant/agent is advised to contact housing standards at Mandela House, 4 Regent Street, Cambridge and Building Control concerning fire precautions, means of escape and the HHSRS

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning
TO: Planning Committee
WARD: Coleridge Ward

REPORT OF THE INDEPENDENT REVIEW OF ‘THE MARQUE’ SCHEME, CHERRY HINTON ROAD/HILLS ROAD JUNCTION CAMBRIDGE

1. INTRODUCTION

- 1.1 The Leader of the Council asked the Head of Planning Services to commission an independent review of the Marque development at the junction of Hills Road and Cherry Hinton Road.
- 1.2 On 3rd September 2014 Planning Committee resolved to approve the draft brief for the independent review presented to them at that meeting, and to ask officers to procure the services of an appropriate consultant to undertake this work as soon as practicable.
- 1.3 Officers appointed Barry Shaw MBE, an independent advisor on town planning and urban design, to carry out the review, which has now been completed. His report is attached to this agenda.

2. RECOMMENDATIONS

- 2.1 That Committee receive the report of the independent review of the Marque development carried out by Barry Shaw, note its conclusions, and consider its recommendations.

3.0 BACKGROUND

- 3.1 Outline planning permission was granted in 2006 for a mixed-use development on the site of the former Tim Brinton car sales and repair premises at the corner of Hills Road and Cherry Hinton Road. Subsequently, reserved matters were approved.
- 3.2 The approved scheme consists of an apex block of ten storeys at the junction of Hills Road and Cherry Hinton Road, with wings at five-storey level along the two road frontages. A further residential block of three storeys extends down Cherry Hinton Road with a four storey block in the centre of the site. The Apex block is enclosed in a screen of stone cladding panels. The wings and additional blocks are finished in brick. Retail/business space occupies the ground floor on the Hills Road frontage and at the apex end of the Cherry Hinton Road frontage.
- 3.3 The scheme, now named The Marque (it was previously known by a number of provisional or ‘working’ names including Living Screens, Artisan Apartments, and

Mosaic) involved a number of novel design and construction aspects. Over time, responsibility for the delivery of the scheme has passed through a number of contractors. The scheme has had a complex planning history, with requests for changes and development of the original design concepts spanning a number of years. The development is now complete and occupied.

3.4 The completed Marque scheme has had very mixed reviews of its success as a prominent new development in Cambridge. The review process has been used to provide an objective understanding of the circumstances surrounding the delivery of this development, and, importantly whether there are lessons that might be learned from the process that was followed in this case. The reviewer was asked specifically to focus on:

- 1) What can be learnt from the processes and decisions that led to the final design and construction of The Marque development;
- 2) Have processes changed since the first Marque application in 2005 and how would they now deal with:
 - (i) delivery of comparable major development particularly tall buildings in prominent locations; and
 - (ii) How such processes will continue to support the delivery of new development after Local Plan adoption.
- 3) Are the circumstances of this case unique (in comparison to other similar schemes in the city) or are further measures needed to assist the council in delivering successful major developments and tall buildings in future?

3.5 The review contains a number of conclusions and two recommendations. They are summarised as follows:

- The final design drawings, and the as-built details, match the approved Scheme 2 Living Screens drawings.
- The Design and Conservation Panel initially acted in a way that potentially blurred the boundary between championing good design and critical review. Subsequently the Panel delivered helpful and critically correct advice to members including questioning the use and extent of delegated authority and on the detailed development of the scheme. The operation and working of the Design and Conservation Panel was reviewed in 2014 and the recommendations have been put in place and acted upon.
- Initial handling of the Living Screens planning application failed to secure a fully detailed scheme, however, it is the nature of outline consents that the detail should follow, and what was submitted was comparable with similar schemes going through the planning process at the time.
- Disappointment with the outcome of this scheme does not mean that there is a lack of dedicated and knowledgeable work being undertaken in the planning service. The Review evidence does not indicate that major changes are required to the way that major planning applications are managed by the planning service.

- Managing innovative, technically complex or high rise design sometimes requires the support of additional independent technical specialist inputs such as quantity surveyors or structural engineers or environmental engineers with wide ranging understanding of the building industry and able to take a holistic view of technical issues. This helps to de-risk untried or novel architectural solutions for the local planning authority.
- Appropriate action was taken by the Council to review the management of planning decisions taken under delegated powers.
- The public art work as delivered does not match the ambition contained in the initial Design and Access Statement to provide large scale public art integrated into the design of the screen. However, the council's processes were followed correctly in relation to the public art solution that emerged.
- From time to time the processes for managing long running projects need to be reviewed to ensure the delivery of good design outcomes.
- This was an unusual and difficult application and many of the planning conditions that applied at the time of the first applications have changed or been amended.

Recommendations

- The extent of technical support information required to support innovative, technical or high rise planning applications should be reviewed. Large scale technical drawings (1:20 or 1:5) should be required, with such supportive technical reports as are necessary, as part of the set of approved drawings. The Committee report should include a section on design quality that articulated the design evidence used to support the application.
- The Planning Committee should consider imposing a design quality section as part of S106 agreements or similar measures to protecting design quality through changes to the lead architects.

3.6 The overall findings of the independent review are that the council largely followed correct procedures in the assessment, determination and post-application procedures for The Marque. However the as-built development is disappointing and is not considered to have lived up to expectations. This is in part a consequence of the relatively undefined 'conceptual' nature of the scheme approved at the outset and the challenge in realising the original architectural vision by subsequent multiple parties involved over time, sometimes against a backdrop of fixed deadlines.

3.7 The conclusions of the review are helpful in analysing the critical issues, decisions and factors that have contributed to the outcome in this case. The review has provided an understanding of how specific risks can be managed and undesirable or unintended outcomes avoided, should these particular circumstances repeat themselves in future. The review is clear that this is a one-off outcome and there are no underlying problems with the handling of major planning applications by the local planning authority that the council needs to be concerned about.

4.0 CONSULTATIONS

- 4.1 The reviewer has consulted a number of parties, including Council officers, previous Chairs of Design and Conservation Panel, the Leader of the Council, the applicant's agent, and residents from the surrounding area. The parties are listed in an appendix to the review report.

5.0 OPTIONS

- 5.1 To receive the review report
To decline to receive the review report

6.0 IMPLICATIONS

- (a) **Financial Implications** – The review report recommends additional technical support information be required for large/complex proposals, and the drafting of appropriate design quality protection clauses in Section 106 agreements and the engaging, at developers' expense, of independent technical advice on design, for innovative, technical, or high-rise applications. Each of these processes involves an input of additional time from urban design, development management and legal officers. The precise financial requirements are likely to vary significantly between different cases, and are difficult to quantify in general terms.
- (b) **Staffing Implications** – additional officer time required, as indicated above.
- (c) **Equal Opportunities Implications** – None
- (d) **Environmental Implications** – Officers' view is that adoption of the review recommendations would assist the Council in its efforts to ensure high design standards in the city's built environment in the future.
- Climate Change Impact: Nil
- (e) **Procurement** – The procurement of independent technical advice would be required in the future and will need to follow council procurement procedures.
- (f) **Consultation and Communication** - None
- (g) **Community Safety** - None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

1. Planning Committee minutes of 3rd September 2014
2. Brief for The Marque Review, attached to Planning Committee agenda of 3rd September 2014
3. Report of the Independent Review of the Marque Development

Items 2 and 3 above are attached to this agenda.

The author and contact officer for queries on the report is Tony Collins on extension 7157.

Report file: Date originated: 20 February 2015

Date of last revision: 20 February 2015

This page is intentionally left blank

BRIEF FOR THE INDEPENDENT REVIEW OF THE MARQUE SCHEME, HILLS ROAD CHERRY HINTON ROAD JUNCTION, CAMBRIDGE

1. Objectives for the review:

That the review of the final construction of the Marque scheme identifies learning and lessons and addresses the following questions:

- a - What can be learnt from the processes and decisions that led to the final design and construction of the Marque
- b - How have improved processes implemented since the first Marque application in 2005 addressed (i) improved delivery on major development particularly tall buildings, and (ii) how will such improved processes support delivery after Local Plan adoption
- c - Are the circumstances of this case unique (in comparison to other similar schemes in the city) or are further measures needed to assist the council in delivering successful major developments and tall buildings in future.

2. Content of the review:

The review will need to address these key questions:

- the processes that led in between 2005 and 2008 to the original approval for the screen and building design, and what was actually agreed, including given the different views about whether the final building is consistent to that approval
- the role of the Conservation and Design Panel, the planning case officer and the Urban Design Team in such applications
- technical advice on innovative construction options, in this case the screen design and planned material and support
- management of multi-year applications including when developers undertake major renegotiation and value engineering, and where sites with planning applications are sold on
- delegation and delivery on 'non material amendments', including in this case the Judicial Review and the impact of multiple NMAs eg on the east facing side of the building
- impact of the design on future residents of the Marque including those with restricted views, and future screen upkeep costs
- s106 delivery of public art to ensure value for money public benefit

from developer-controlled 1% schemes

- difficulties in delivering 'Management Agreement' conditions including public access
- Member involvement transparency and scrutiny from 2005 to 2014.

3. Outcomes from the review

The Council is looking for a final written report structured to address the review objectives set out in 1 above, covering the investigation of the issues set out in 2 above. The reviewer will be asked to present the review findings to the Planning Committee and answer questions from Members on their conclusions.

4. Schedule of the review

The review shall be completed within 3 months of the commission being accepted.

INDEPENDENT REVIEW OF 'THE MARQUE' SCHEME, CHERRY HINTON ROAD/HILLS ROAD JUNCTION CAMBRIDGE



**Barry Shaw Associates
February 2015**

INDEPENDENT REVIEW OF ‘THE MARQUE’ SCHEME, CHERRY HINTON ROAD/HILLS ROAD JUNCTION CAMBRIDGE BY BARRY SHAW ASSOCIATES

1.0	Introduction	3
1.1	The Planning Context	5
1.2	Policy background	7
2.0	Development Timeline.....	8
2.1	Scheme 1: Highland Trilatera	9
2.2	Architectural Competition.....	11
2.3	Scheme 2: Living Screens	12
2.4	Design Review of Scheme 2 Living Screens.....	14
2.5	Scheme 2 Living Screens: second application	16
2.6	Detailed development of the Living Screens approved scheme.....	16
2.7	Scheme 3: Artisan Apartments	17
2.9	Judicial Review	18
2.10	Report and Review of Delegations.....	19
2.11	Internal Audit Review	20
2.12	Implementation of the approved scheme commenced	21
2.13	Review of non-material amendments	22
2.14	Final approvals	24
3.0	What can be learned from the process?	25
	Issue 1: What was agreed between 2005 and 2008, and is the final building consistent to that approval?	25
	Issue 2: The role of the Conservation and Design Panel.....	31
	Issue 3: The role of the planning and urban design teams	34
	Issue 4: Securing design quality: Technical advice on innovative construction options and support management of multi-year applications.	36
	Issue 5: Delegation and delivery on 'non material amendments' including the Judicial Review.	38
	Issue 6: S106 delivery of public art to ensure value-for-money public benefit from developer-controlled 1% schemes.....	39
4.0	General conclusions and recommendations	42
	Appendices.....	46

Appendix A: Development Timeline	46
Appendix B: Key documents consulted.....	55
Appendix C: List of those consulted in the course of this study.	57
Appendix D: The author	57

1.0 Introduction

1. Cambridge is going through a period of unprecedented growth and this is putting great pressure on the planning services. The development management section alone processes 1400 planning applications per year. Building higher and more densely in the inner suburbs is one aspect of the pressure being experienced. There is pressure from the private sector on development teams to get decisions taken quickly and for guidance on what is acceptable. Major projects like The Marque development are extremely time consuming, requiring professional judgement at all stages of the process, including pre-application, post-submission, and post decision amendments. Rising land values and an articulate local community add to the pressure on the planning function.
2. In September 2014 Cambridge City Council Planning Committee agreed that an independent review should be carried out into the planning processes that led to the approval and completion of The Marque scheme. The Marque is a prominent new development on a very visible road junction to the south of the City.
3. The Review has focused on what might be learned from the process in order to help officers and councillors have a better understanding of future complex proposals, especially where there are key issues about design. The focus is on:
 - 1) What can be learnt from the processes and decisions that led to the final design and construction of The Marque.
 - 2) How have improved processes been implemented since the first Marque application in 2005 and how would they deal with
 - (i) Improved delivery on major development particularly tall buildings; and
 - (ii) How such improved processes will support delivery after Local Plan adoption.
 - 3) Are the circumstances of this case unique (in comparison to other similar schemes in the city) or are further measures needed to assist the council in delivering successful major developments and tall buildings in future?
4. Following a site visit and initial discussion a timeline was established to identify the key stages in the decision making process. It sets out the dates of the various planning applications and helps focus relevant related issues such as changes to the local plan. I

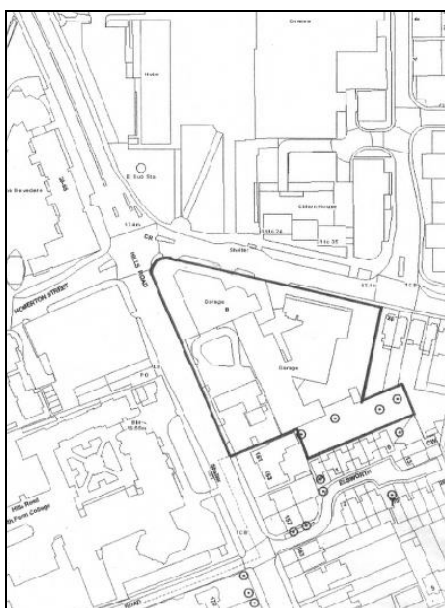
have also carried out additional targeted research and interviews to provide a view of differing perceptions of the process.

5. The Review has been informed by the help and cooperation from a range of interested parties including members, staff, members of the Design and Conservation Panel and representatives of local residents and the developers. The Review has also drawn on best practice advice from government and its agencies as it operates now and as it applied at the various points in the decision making process.
6. It is important to point out that this Review was not charged with performing the role of a planning inspector whose job it is to determine whether an application should be approved or refused. It also needs to be noted that two matters were outside the scope of the Review:
 - 1) The purpose of this report is to consider the effectiveness of the planning processes and it does not evaluate any organisations or individuals.
 - 2) The Review is not an Inquiry as undertaken by the Planning Inspectorate. It does not therefor alter the decision to approve the application by Cambridge City Council.
7. I am grateful to all those who made time available to speak to me to discuss this Review. I hope that I have recorded fairly what I have heard and what I have read. If I have not, the fault is mine and I am sure readers of this report will be quick to correct any factual errors and misunderstandings. A list of those I have interviewed is included in the appendices. I would particularly like to acknowledge the support given by Glen Richardson (Urban Design and Conservation Manager) and Tony Collins (Principal Planning Officer).
8. The Marque scheme is a 10 storey, mixed use development consisting of 132 residential units, retail and business space. The scheme has a long, complex planning history and the quality of its final form and construction has been subject to criticism locally and nationally.
9. The scheme (previously known as Living Screens) involved a number of novel design and construction aspects. Over time, responsibility for the delivery of the scheme has passed through a number of consultants. The scheme has had a complex planning history, with requests for changes and development of the original design concepts spanning a number of years.
10. While the local planning authority is not aware of any breach of planning control, local residents and others have raised sustained concerns about the quality of the final scheme. The scheme has been delivered over a number of years and many of the individual members and officers involved at various stages have now changed.

11. The Review addresses a series of key questions:

- The processes that led in between 2005 and 2008 to the original approval for the screen and building design, and what was actually agreed, including given the different views about whether the final building is consistent to that approval;
- The role of the Conservation and Design Panel, the planning case officer and the Urban Design Team in such applications;
- Technical advice on innovative construction options, in this case the screen design and planned material and support management of multi-year applications including when developers undertake major renegotiation and value engineering, and where sites with planning applications are sold on;
- Delegation and delivery on 'non material amendments', including in this case the Judicial Review and the impact of multiple NMAs e.g. on the east facing side of the building;
- Impact of the design on future residents of The Marque including those with restricted views, and future screen upkeep costs;
- S106 delivery of public art to ensure value for money public benefit from developer-controlled 1% schemes;
- Difficulties in delivering 'Management Agreement' conditions including public access; and
- Member involvement transparency and scrutiny from 2005 to 2014.

1.1 The Planning Context



-
12. The Marque Scheme is located on a 0.81 hectare triangular site at the junction of Hills Road and Cherry Hinton Road just beyond the Hills Road railway bridge. It is situated at the edge of one of Cambridge's key regeneration zones centred on the mainline train station seven minutes' walk away. It was formerly a small industrial estate occupied by a Ford and then a Peugeot and Chrysler dealerships, with associated workshops and a petrol filling station. It is now at the interface between a mostly two-storey late nineteenth century residential area and the newly emerging inner ring of city scale development forming around the historic core. It is outside the central conservation area.
 13. Part of the north side of the site forms the southern edge of the city's largest purpose-built leisure area, the Cambridge Leisure Park, which incorporates a cinema, Travelodge, retail, residential and food uses around a central square. To the south is 151 Hills Road, in bed and breakfast use, two-storey houses on Elsworth Place and a bungalow on land to the rear. To the west are the Hills Road Sixth Form College and a predominantly residential development on the Homerton Triangle site. To the east is The Belvedere. The area is seen as one of the gateways to the city.



Aerial view of the site at the beginning of the planning process

14. A series of planning applications have been made for the site. The first detailed application for 150 flats, (referred to as Scheme 1) was refused consent at the same time that an outline application for residential development, from the same applicant, was approved by March 2006. The next set of applications were made against the outline consent and went forward as a series of reserved matters applications, and consequently triggering a timetable for approval of reserved matters. A reserved matters application for 113 flats and retail space was approved later in 2006 (referred to as Scheme 2 Living Screens); a reserved matters submission for 113 flats incorporating extensive changes was refused in 2007 (referred to as scheme 3). A revised reserved matters application for 113 flats was approved with reserved matters in 2008 (referred to as scheme 4). A start was made on site in 2010; a 'decoupled' application whereby changes to the elevation including balconies and screen were removed from an application for approval of details and treated separately; with revised details of the elevations finally approved in 2013.

-
15. The planning process raised concerns about building height and overlooking; about the quality of detailing and materials; about the quality of the public realm; and about the effectiveness of planning in dealing with the development. In particular issues were raised internally within the planning authority about the use of delegated powers to approve significant amendments without recourse to Planning Committee, leading to an application for a judicial review.
 16. More general questions emerged about the way design in planning was managed by the local planning authority. In particular questions arose about the role of specialist advisers and of the Design and Conservation Panel; the effectiveness or otherwise of 1996 and 2006 Local Plans in providing development guidelines, especially for tall buildings; and the use and extent of conditions attached to schemes approved by Planning Committee.

1.2 Policy background

17. The various planning applications were assessed against changing background circumstances in the planning policy context from one local plan to its replacement, specifically relating to the affordable housing requirement. A critical change in the context of the Marque concerned the requirement for affordable homes, rising from 30% in the 1996 Local Plan to 40% in the 2006 Local Plan. There was a fundamental issue in the timeline for the final scheme as built, triggered by the deadline for commencement on site; otherwise the relevant approval would lapse. This was the key to a number of actions that needed to be taken by the developer and decisions such as the discharge of conditions made by the local planning authority.
18. The context for decision standards was influenced particularly by the introduction of national policy changes with the introduction of Planning Policy Statements (PPSs) and Guidance in 1997; and later by the National Planning Policy Framework (NPPF) in 2012. Guidance on tall building was introduced by CABI and English Heritage in 2007, with revised guidance currently being consulted upon by the Design Council and English Heritage in the light of the introduction of the NPPF.
19. PPS1 *Delivering Sustainable Development* (2005) set out the policy for the effective management of planning linking national policies to regional and local development plans (regional spatial strategies and local development frameworks). Where the local development plan contains relevant policies, applications should be determined in line with the Local Plan, unless material considerations indicate otherwise.¹ PPS1 also

¹ PPS1 (2005) *Delivering Sustainable Development*, paras. 7 and 8

stated that ‘good design was indivisible from good planning’. PPS1 emphasised positive planning – designs that do not make a place better should be refused.²

20. In achieving high quality design planning authorities were to have regard to good practice set out in *By Design – Urban Design in the Planning System: towards better practice*; and *By Design – better places to live*. Additional good practice guidance on design relevant to The Marque planning process included the CABI publication *Design Review*, setting out CABI’s method of evaluating design³ and *Guidance on tall buildings* published in 2007 by English Heritage and CABI.⁴
21. The 1996 Cambridge Local Plan included a percent for art policy (RL26). A separate Public Art Supplementary Planning Document was published in 2004. The guidance provided practical information on how to meet the City’s ‘Percent for Art Policy’ and set out the criteria against which the Council reviewed contributions put forward by developers in association with their planning applications.

2.0 Development Timeline

22. The building we see is the result of a process going back at least 10 years to 2005 when the first application was received for the site. The site has changed hands a number of times; there have been four major applications and a large number of revisions and amendments; four sets of architects have worked on schemes for the site. None of this is particularly unusual for a major development but it is a factor in understanding the development process.
23. The information I have been given has been assembled in a detailed timeline (Appendix A) that tracks the planning process leading to the finished building we see today. It is based on committee reports provided by Cambridge City Council Planning Services and includes reference to the proceedings of the Cambridge City Council Design and Conservation Panel. The following extracts provide a summary of the main stages to highlight critical points in the process, which are then reviewed in part three to see what lessons can be learned.
24. Four firms of architects worked on the various phases of the development. The first phase, known as the Highland Trilatera development (Scheme 1), designed by architects John Thompson & Partners, resulted in detailed consent for 113 flats and ground floor retail space. A separate outline application for residential development, for the same site, was granted consent at the same meeting of the Planning

² Ibid. para 34

³ CABI: *Design Review: How CABI evaluates quality in architecture and urban design*. July 2006

⁴ English Heritage and CABI: *Guidance on Tall Buildings*. July 2007

Committee. Following an architectural completion organised by the applicant, a new architect, Gort Scott Architecture and Urban Design, produced a new set of proposals, known as The Living Screens (Scheme 2) that secured reserved matters consent for 133 flats. A third architect, Corporate Architecture Ltd., developed the detailed design of the scheme and secured consent for the elevations (Scheme 3). A fourth architect, Frank Shaw Associates Limited, was appointed when the project became a design and build contract (Scheme 4). It is understood that the developer and site ownership also changed during the development.

2.1 Scheme 1: Highland Trilatera

Date of Application	Planning Reference	Activity	Comment
23 Dec 2005	05/1359/FUL	First scheme for 150 flats and retail space submitted for planning consent. Known as 'Highland Trilatera'. Officer recommendation for refusal. Refused following Planning Committee decision on 30 March 2006. Appeal lodged but later withdrawn.	Not allocated for development in 1996 Local Plan but was mostly zoned for housing in Local Plan Redeposit Draft (2004)

25. The first proposal for 150 flats and ground floor commercial uses was received at the end of 2005. The development was known as the 'Highland Trilatera' (Scheme 1). It was submitted by a special purpose vehicle formed, it is understood, by Highland Homes and Marshalls of Cambridge, who was the landowner of the site occupied by the Marshall Motor Group Ltd and Tim Brinton Cars Ltd. It was designed by John Thompson & Partners, the architect of the Belvedere, another taller building on this junction sitting opposite The Marque and closer to the rail line and Hills Road Bridge. It had an 8 storey tower marking the corner of the junction. The site fell within a 'skyline cone' set out in the 1996 Local Plan.
26. Objections were received from local residents, which were summarised in the report as covering too high density, out of character, out of scale, too high, and an uninspiring design. The site was not allocated for development in the 1996 Cambridge Local Plan, but the Local Plan Redeposit Draft (2004) allocated 0.77 Ha of the site for housing. The new local plan was a material consideration. Reference was also made in the Redeposit Draft to the provision of Public Art as part of new development

schemes.⁵ This scheme was refused consent in March 2006. (An appeal was lodged following the initial refusal but later withdrawn.)

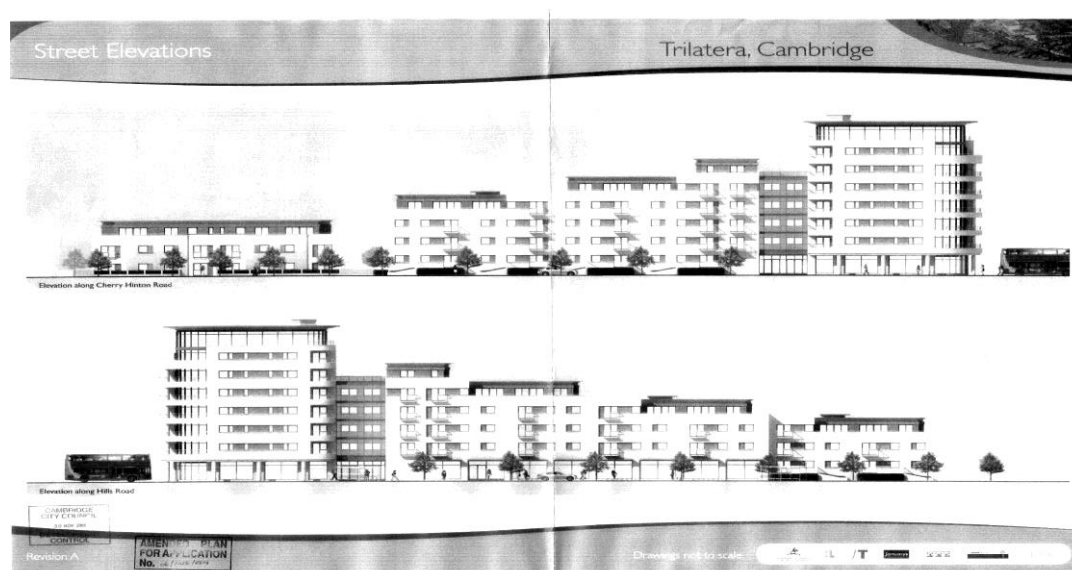
27. The scheme was redesigned and the number of units reduced to 113 with retail space on the ground floor. It was submitted to the Design and Conservation Panel and received an amber response. That is to say the Panel had concerns with the proposal such that it required improvement before being acceptable. Their reservations were reported to Planning Committee in a paper which carried a recommendation for approval.

Date of Application	Planning Reference	Activity	Comment
3 Jan 2006	06/007/OUT	Outline application received for second scheme, consisting of residential development, ground floor commercial uses and related ancillary elements. Approved by Committee on 30 March 2006	Applicant: Highland Trilatera Ltd., Marshall Motor Group Ltd., and Tim Brinton Cars Ltd.

28. The detailed application was accompanied in January 2006 by an outline application for the site made by the same group and the same architects. One reason for two almost simultaneous applications was that the 1996 Local Plan was about to be superseded by a new plan that would see the affordable housing requirement increase from 30% to 40%.
29. Both applications were presented to the same March 2006 Planning Committee. The full application was refused while the outline approved. An appeal was lodged but later withdrawn.
30. The outline application established the land use and extent of the development, including the affordable housing allocation, while making time to develop the detailed design. In accordance with the requirements of the Planning and Compulsory Purchase Act 2004, application for the approval of reserved matters, including the elevations, had to be made within three years of the consent notice. The development had to start on site within two years of the approval of the last of the reserved matters. The critical start on site date required to keep the consent 'alive' was 24 June 2010.

⁵ Cambridge City Council (2002) – Provision of Public art as Part of New Development Schemes.

31. The outline consent was accompanied by a S106 agreement, such that any reserved matters approved in respect of the application, including numbers of units and design details were still governed by the same timetable. The S106 also set out the formula by which other planning obligations, such as affordable housing, public open space and public art, would be settled.
32. The rejected design (Scheme 1) was revised and presented to the Design and Conservation Panel where it received an amber response.⁶ A revised Highland Trilatera (Scheme1) finally received consent for 113 flats in September 2006 and established the general building mass and disposition of the subsequent development, including the placing of an eight storey residential block on the corner.



Highland Trilatera elevations as approved

2.2 Architectural Competition

33. The developer could have simply got on with the detailed design of Scheme 1 but chose to respond to the criticism, and demonstrate commitment on behalf of the owners to leave behind a legacy scheme, by seeking a bolder design. A limited architectural competition was organised. The developer selected as winner a design which became known as 'Living Screens' in recognition of the lively and contemporary qualities of the external 'skin' of the building, and which then formed the basis of the second set of proposals for the site (Scheme 2).

⁶ The Panel use a traffic light system when commenting on schemes. Green for approval, amber indicated in need of significant improvement and red serious concerns.

-
34. I have not seen details of the competition, or of who was invited to enter. Architectural competitions are a recognised way of developing innovative designs and it is a traditional way for talented young architects to build their portfolio. I would note, however, that large scale housing developments are difficult projects to deliver and in this case it was not only a high profile site but there were also additional time constraints. High quality schemes require time to achieve the bespoke detailing required within the budget of the project.
35. The appointment of the architect was a matter for the developer and landowner. The architectural competition is an issue for this Report because of the involvement of the Design and Conservation Panel, and the Panel's subsequent support for the scheme. The competition winning scheme was developed into a planning application (Scheme 2) and submitted in pursuant of the conditions attached to the 2006 outline approval.

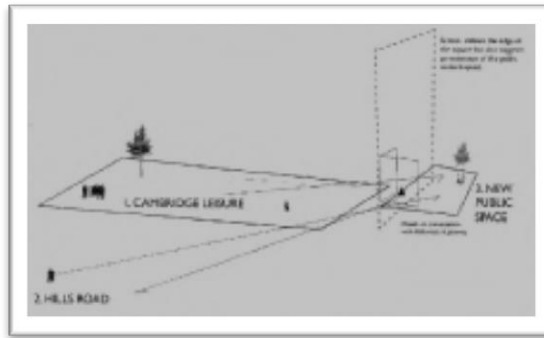
2.3 Scheme 2: Living Screens

Date of Application	Planning Reference	Activity
2 May 2007		Living Screens reviewed by Design and Conservation Panel. Described as 'inspiring' and given unanimous green verdict.
14 Sept 2007	07/1075/REM	'Living Screens' first version reserved matters submission for 133 flats and retail space.
5 Dec 2007	07/1075/REM	Refusal of Planning consent following officer recommendation for refusal. Decision notice issued 05.12.2007
30 April 2008	08/0505/REM	Revised 'Living Screens' proposal reviewed by Design and Conservation Panel. Panel repeated 'Green' verdict.
25 June 2008	08/0505/REM	Planning Committee approval of 'Living Screens'.



Computer generated image of Living Screens

36. The architectural expression of Living Screens was derived from the concept of animated balconies, with planter boxes, roof terraces and other devices that brought life to the elevations by expressing the activity behind the façade. It was a bold approach to masking the repetitive nature of mass housing design by celebrating aerial living combined with a sophisticated handling of the geometry of the facade.
37. The change of name from Highland Trilatera to Living Screens is believed to have reflected a change of ownership. There was considerable enthusiasm for the new concept. The developer accepted the winning design in preference to the existing scheme that had received detailed consent. Pre-application discussions were commenced and I understand that a pre-application presentation was made to Planning Committee. To my knowledge members' comments have not been recorded.
38. The new design was higher than the previous proposals and centred on a reshaped 10 storey (31m) tower at the corner of Hills Road and Cherry Hinton Road, ('celebrating' the corner) and made a point of addressing the separate identity of each main street. They also proposed a lower section aligning with Hills Road, to complete the public space opposite. Shops were to be provided on the ground floor frontage and a two-level café was proposed at the base of the tower, facing the public space. The upper level would open on to a sheltered terrace. A gym was also proposed that would open on to the same space.



Urban design diagram showing design approach to Cambridge Leisure

2.4 Design Review of Scheme 2 Living Screens

39. The proposal was presented to the Design and Conservation Panel in May 2007. One member of the Panel was involved in organising the architectural competition. He did so in his own professional capacity as a teacher and without the knowledge of the chair. The Panel Report correctly recorded the declarations of interest, and the Panel member responsible for organising the competition declared his interest and left the room, not taking part in the discussion. A second Panel member, who happened to employ the winning designer in his architectural practice, also declared an interest and left the room. The Chair of the Panel at the time, who had retired from his teaching role at the Cambridge School of Architecture, declared that he had not taught the architects responsible for the design, or been involved in any way with the competition. He was not aware that the competition had been organised.
40. The Panel welcomed the winning scheme with a good degree of enthusiasm. They championed the scheme for its innovative design qualities. They also pointed out critical areas that could go wrong such as the detailing of the screen.

*'This is an inspiring proposal. In contrast to the approved scheme ... this one faces up to the challenge posed by the disastrously unambitious Cambridge Leisure public square. If built it could transform this part of Cambridge from a 'non-place' into a public space of real quality. Although higher and larger than the previous scheme it appears, because of the clarity of its design, far less obtrusive. No other scheme considered by the reconstituted Design and Conservation Panel has been received as warmly as this one. Nor, it should be remembered, has any scheme been presented at such an early stage of development'*⁷

⁷ D and C Panel Report 2nd May 2007

-
41. The encouragement was matched by critical comments referring to the need for detailed development. The Panel warned of the problems to be faced with the design, as the extract below shows. The conclusion was ‘Green – continue development.’

• *A tall building could have a positive effect, but the designers need to prove that the wider landscape has been considered, and that they can justify the height in this context. (This new scheme is 2 storeys higher than that already approved.)*

• *The relationship of the tower to the bridge, Hills Road and Cherry Hinton Road approaches needs exploration. There were varying views from the Panel on this.*

• *Design of the screen is critical. It is an appropriate proposal. We accept that it is still at a very early stage of the development in terms of its material construction and relation to the flats behind.*

42. The proposal was submitted to Planning Committee as a ‘reserved matters’ submission based on the original outline consent. The Planning Committee report made specific reference to comments made by the Design and Conservation Panel, to the effect that a tall building could have a positive effect, but the designers needed to prove that the wider landscape has been considered, and that they could justify the 5m increase in height in this context. It also included the Panel’s comments that access to the first floor terrace with gym and café needed to be made easier for the public.⁸ It was refused permission in December 2007 by the Planning Committee.

43. The reasons for refusal focused on design weaknesses for a building of the combined height, mass and orientation in that context.

‘As a result of the combination of its height, mass and orientation, and the blankness of the end elevation facing west, the upper part of Block A responds poorly to the context of Hills Road, presenting a ‘rear view’ to the street to the south, and a flank elevation lacking visual interest or liveliness to the street corner at a key intersection and to neighbouring occupiers on the opposite side of Hills Road. These elements of the proposal ignore the characteristics of the locality and would have a negative impact on the townscape in a prominent position on a main route into the city.’

Further comments focused on the weak fenestration, materials and prominence against the skyline; the east elevation of the highest part of the scheme presenting a blank elevation lacking balance and definition to the street on a key vista into the city; and the combination of height at the southern end, mass and continuous length meant the southern part of the scheme responded poorly to its context.

⁸ 07/1075/REM: Planning Committee Report 5th December 2007

-
44. Reconstructing, from the minutes, the presentation and discussion that went on in Planning Committee can give less than the full picture, particularly of design discussions. Architects' drawings would have been pinned up and design issues were presented by the case officer who would report the comments made by the Design and Conservation Panel. (They were later attached to the Committee minutes, but that was not always the case at this point.) In this case there were sufficient reservations to refuse consent.

2.5 Scheme 2 Living Screens: second application

45. The scheme was revised and presented for a second time to the Design and Conservation Panel. The architects made six principal changes to address the six grounds for refusal. The Panel once again welcomed the scheme in principal

'It (and in particular, the imaginative screen) provides an appropriate closure to the southern end of the Leisure Park, it places a high building where one should logically have been placed, it provides a 'stop' to the unresolved axis of the Travelodge and makes the best of the situation in which the Belvedere tower already exists.'

46. The Panel concluded that in terms of height, the apex was lower than the Belvedere and not much higher than proposals coming forward for the station site to the north. They welcomed the permeability of the scheme in contrast to the gated nature of the earlier approved (Highland Trilatera) scheme and considered that in general the grounds for refusal had been addressed.

The panel encourages officers to consider the recommendation of planning conditions which would clearly signal to the developer the importance placed on material and detail quality in the delivery of this scheme.

47. The Chair of the Design and Conservation Panel spoke to the Planning Committee in favour of the applications, something that was unusual at that time. The report to Planning Committee recommended approval and included a copy of the Design and Conservation Panel's report. The second Living Screens proposal was granted planning permission in June 2008. Around this time the development climate changed dramatically with the onset of the recession.

2.6 Detailed development of the Living Screens approved scheme

Date	Planning	
------	----------	--

	Reference	
2 March 2009		<p>Letter issued under delegated powers responding to request for post-decision amendments.</p> <ul style="list-style-type: none"> • Formally approved: screen plinth details, glazed screen to rear of 1st floor viewing deck, window types. • Informally supported: changes to balconies on inner face of apex building (numbered drawings requested), screen material (further details required before approval). • Rejected: suggestion to use different bricks on affordable blocks, all three brick types offered, elimination of top east corner of screen, revised balconies on affordable blocks • Confirmed new application required: for plant room and transformers

48. The next period (broadly from June 2008 – to August 2009) saw the preparation of working drawings leading to detailed discussion with the planning department over post-decision amendments. The economic climate was now hostile to the sort of development costs required to deliver the quality and ambition of the Gort Scott proposal. The detailed development of the screen façade for the Living Screens proposal proved difficult. A further team of architects, Corporate Architecture, was assisting with the detailed design and production of working drawings, something that is not unusual at this stage in a project.
49. Everyone involved was now under pressure to resolve the outstanding details before the outline consent lapsed. It was decided to take the project forward under a design and build contract, whereby the contractor is responsible for the working drawings. Around this time Gort Scott ceased their involvement with project and the design was taken forward for a time on the client side by Corporate Architecture. A fourth architectural practice, Frank Shaw Associates,⁹ was appointed later in the process.

.....

2.7 Scheme 3: Artisan Apartments

50. Serious issues emerged concerning the detailed development of Living Screens (scheme 2) arising from the design of core services, the depth of roof structure and most importantly surrounding the suitability of materials chosen for the screen. The detailing of the screen became the focus of a lot of discussions and consultation with

⁹ No relation to the author.

the Chair and Spokesperson for the Planning Committee and the Design and Conservation Panel.

51. Around August 2009 a revised set of drawings were submitted with a view to agreeing changes to the design (Scheme 3 Artisan Apartments). Subsequent negotiations initiated by the developers resulted in a number of proposed design changes to the building being approved as 'non-material' (i.e. not being significant enough to require formal planning permission) by planning officers, using officer delegated powers, by letter dated 4 September 2009. Officers made the decision in good faith. A number of other changes proposed by the developers were determined as being 'material'.

2.8 Concerns over delegated authority

Date of Application	Planning Reference	Activity
20 Nov 2009		Discussion between the chair of DCP and leader on changes to the scheme.

52. In November 2009 the chair of the Design and Conservation Panel was asked by the leader of the Council to review some of the revised drawings and the changes that had been agreed as non-material, and the chair presented details of a long list of changes. It was his considered opinion that the alterations completely altered the character of the scheme. The logic of the screen had been lost.

2.9 Judicial Review

Date of Application	Planning Reference	Activity	Comment
Feb 2010		Application for Judicial Review.	

53. The report on the extent of the changes was sufficiently concerning to generate a formal review. Following an internal investigation it became clear that officers had exceeded their authority in coming to the view that the changes were 'non-material', when assessed against their own guidance/protocols that existed at the time; instead, they should have been determined to be 'material' and that if the developers wished to pursue them, they would have needed to submit a fresh planning application for them.¹⁰

¹⁰ CCC Press Release

-
54. In the light of concern by senior Councillors and the Chair of the Design and Conservation Panel, the officer approved 'non-material' changes were likely to have a serious detrimental impact on the original design vision for the building, the then Leader of the Council decided that the only effective way of preventing the changes going ahead was to seek approval through the Courts, by way of Judicial Review, for that decision to be quashed.
55. The application for Judicial Review was made in February 2010. By this time, the developers had also accepted that the changes should not have been accepted as 'non-material' and conceded, as an interested party to the Judicial Review claim, that the decision should not be allowed to stand. The Consent Order quashing the decision was dated 28 October 2010. The developers agreed to carry out the development as originally designed. All relevant planning conditions were discharged and the scheme was able to go ahead as soon as the developers were ready.¹¹

2.10 Report and Review of Delegations

Date	Planning Reference	Activity
February 2010		Independent review of delegated procedures

56. The Council then carried out three actions in relation to the mistake that occurred:
- Conducted its own review to understand what could be learned from what happened;
 - Revised its procedures and protocol for determining applications for 'non-material' amendments; and
 - Introduced additional safeguards with regard to applications for non-material variations, where the original decision was made by Committee.
57. A report and review of delegations was approved by Planning Committee on 10 February 2010. The report pointed out that there was, and is, no statutory definition of 'non-material'. The guidance states that this is because it is so dependent on the context of the overall scheme – what may be material in one context may not be material in another. The local planning authority had to be satisfied that an amendment was non material in order to grant an application.¹² Cambridge had in

¹¹ *ibid*

¹² Section 96A of the 1990 Town and Country Planning Act deals with non-material changes to planning permission.

place an officer protocol that distinguished between non-material changes as being “minor changes to approved plans not requiring the submission of a fresh planning application. ‘Material’ amendments are more major changes requiring a new planning application”.¹³

58. Officers recommended the then existing delegated scheme for planning be amended to include a further ‘exception’ category in relation to the determination of applications for ‘non-material’ amendments to developments approved by Planning Committee. This meant that all future applications under S96A for ‘non-material’ amendments to developments previously approved by Planning Committee, could only be determined in consultation with, and with the agreement of the Chair, Vice-Chair and Spokesperson for Planning Committee. It was estimated that there would be around 20 such applications in any one year.

2.11 Internal Audit Review

59. In March 2010 the Internal Audit team at the City Council conducted a review into the development control processes carried out on the “Living Screens” development.¹⁴ The review covered the following areas:

1. The processes and procedures in place to guide officers in the use of delegated powers in relation to amendments made post-decision and whether they were appropriate.
 2. Examining the documentary evidence held on the case file for “Living screens”.
 3. Were the appropriate processes and procedures followed in this case, including relevant checks, escalation and/or authorisation obtained?
 4. Areas for improvement in the processes and procedures.
 5. Acknowledgement that a report had been submitted to the Planning Committee on 10th February 2010, outlining changes to process.
60. The review made the following very detailed recommendations for improvement in the internal processing of and determination of non-material amendments and related design issues. As they are relevant to this paper they are set out in full below:
1. A new system to be set up for recording applications for post-decision non-material changes to previously approved plans, including recording Member

¹³ Report by Head of Development Services *Review of Delegation*, 10.2.10; Planning Committee Agenda Item 5. <http://democracy.cambridge.gov.uk/CeListDocuments.aspx?CommitteeId=181&MeetingId=2118&DF=10%2f02%2f2010&Ver=2>

¹⁴ Internal Audit Review Planning-Officer use of delegated powers, March 2010, Cambridge City Council

- response and response to applicant.
2. The new procedures approved by Planning Committee on 10 February 2010 should be subject to review after 12 months, once a reasonable number of cases had been reviewed under this method. The review was to look to see if the process was obtaining the desired out come and whether it was working in practice.
 3. Management should remind relevant officers of the need to keep sufficient details on the case file to provide a good audit trail of activities. In particular the need to:
 - Keep documents which have been signed off by senior management.
 - Note on file copy of letters of the date and participants in discussions to agree the content of the letter.
 - Record key meetings and telephone conversations held with external and internal parties (particularly internal meetings where key decisions are being taken).
 4. The Joint Urban Design team should be asked to comment on applications for post-decision changes to previously approved plans, where they have commented previously or where the design circumstances of the site or development concept involves significant or sensitive development.
 5. In giving pre-application advice to applicants on potential applications for post-decision non-material amendments, and on receipt of such applications, officers should consider the need for any supporting display material to be submitted to assess the materiality of the proposed changes (for example in the form of an artist's impression or street scene perspective). Officers should take and seek senior management advice and support where needed.
 6. Officers should consider the need to request supporting documentation where a developer is proposing changes based on alleged construction difficulties of that element of a scheme (such as structural engineer's report).
 7. Preparation of a set of management actions to ensure more active supervision of staff and their casework, particularly to ensure that their work is regularly reviewed and appropriate support given.
 8. The need to review the design skills of staff which should also include training so that these skills are combined with a stronger ability to maximise the benefits of representations from the Design and conservation panel, public and members on design issues and how would they deal with:
 - (i) Improved delivery on major development particularly tall buildings, and
 - (ii) how will such improved processes support delivery after Local Plan adoption
61. It is understood that these recommendations have been acted upon by the Planning Services at the Council.

2.12 Implementation of the approved scheme commenced

Date of	Planning	Activity
---------	----------	----------

Application	Reference	
22 June 2010		Implementation of the approved scheme commenced.

62. The Judicial Review and Internal Audit did not prevent progress continuing on the development of the design. This was a period of intense pressure for the development control team, with a large volume of work required during April, May and June 2010 to discharge the conditions on the reserved matters scheme. Both the urban design team and the Urban Design and Conservation Panel were involved in reviewing and commenting on detail including choice of bricks, pointing, windows, materials and most particularly the Fibre-C panels forming part of the 'screen'.
63. The pre-development conditions were discharged three days before the 24th June deadline when the initial outline consent was due to expire. There would have been serious financial implications arising from the amount of affordable housing required. The changing policy context encompassed in the 2006 Local Plan raised the affordable housing requirement from 30% to 40%.

2.13 Review of non-material amendments

Date of Application	Planning Reference	Activity
13 Feb 2013		Revised proposal submitted to Panel. (No 'traffic light' vote taken). Further revisions circulated to Panel members and responses were summarised by Chair.

64. The scheme was now called Artisan Apartments (Scheme 3). A number of changes deemed non-material were presented to the Design and Conservation Panel in February 2011 by Corporate Architecture, who appears at this time to have been working on the development at the same time as Frank Shaw Associates, who were acting for the contractor.¹⁵ These changes were also referred to the chair and spokesperson for Planning Committee in accordance with the new regulations. The changes included alterations to window positions, staircases and other elements, including details of some elements of the screen. The Design and Conservation Panel welcomed the decision by the applicant to base their proposals on the April 2008 scheme (Scheme 2) and recalled the enthusiasm that greeted the original concept. The Panel recognised that modifications to the design of the screen were necessary, but

¹⁵ Design and Conservation Panel Minutes 16 February 2011.

expected that the resolution of the technical issues should result in non-material changes which did not undermine the quality of the design.¹⁶ The Panel also agreed unanimously that the proposed amendments were non-material, but awaited further clarification on the detailed design.

65. Following the Panel's comments, and comments from the urban design team, further changes were made. Officers were not able to support these changes as non-material and they were removed from the Planning Committee agenda, where they were due to be ratified under the new procedures. (Feb 2011)
66. Further Revisions continued as conditions were discharged and the detailed design completed. A report went to Planning Committee in April 2011 seeking a number of amendments distributed throughout the proposed development. The changes were agreed as non-material. At the suggestion of officers changes proposed to the screen and balconies were 'decoupled' from the application for amendment of details, meaning that negotiation could continue on these critical issues while details deemed less contentious were approved. It was agreed that any proposed changes to the screen and balconies would be taken to the Design and Conservation Panel.
67. A further presentation on the detail of the cladding system was made to the Design and Conservation Panel in December 2012. The detailing of the upper floors along Cherry Hinton Road as seen from the highway and the first floor courtyard, together with the handling of the balconies, remained a concern. The Panel advised that more work was necessary. Details went again to the Panel in February 2013. The Panel were concerned that the technical and value engineering considerations involved in the delivery of the scheme were undermining the realisation of the quality of the architectural design.¹⁷



¹⁶ ibid

¹⁷ Report to Planning Committee 7 August 2013.

Computer generated image of the revised scheme submitted in August 2013.

68. The revisions to the screen details, essentially choice of cladding material, were again submitted to Planning Committee in August 2013 for consideration as a non-material amendment. (The preferred and agreed material had ceased production.) The replacement material was reviewed by the chair and spokesperson for Planning Committee and chair of the Panel, as well as officers. Further revisions had been circulated to Design and Review Panel members and their responses were summarised by the chair of the Panel, who made a number of very detailed suggestions.

*'Ideally, the Panel would have wished to have sight of the CGI's of the internally and externally clad option before being able to reach a definitive view.'*¹⁸

69. The Urban Design and Conservation Team also provided comments on the detail of the cladding material. Planning Committee was asked to assess three separate issues:
- The proposed change of screen material;
 - Proposed changes to the dimensions and positions of the panels which make up the screen; and
 - The erection of the proposed supporting framework.

The details were approved by Planning Committee as a non-material amendment.

2.14 Final approvals

70. A management plan covering the control of the public and communal spaces, refuse collection, cleaning and security was submitted in August 2013 and finally accepted as discharging conditions under delegated powers, following agreement of the chair, spokesperson and ward members, in April 2014. A further minor non material amendment to the brick wall enclosure of a sub-station and relocation of a maintenance entrance is, at the time of writing, still awaiting a decision. The installation of a public art scheme at first floor podium level was approved in November 2013.
71. Turning the screen concept into something that was faithful to the concept proved difficult. Building Control was involved on a number of occasions. There were difficulties with the construction overall including wind loading, bulkiness of the structural frame, pointing of the panel, the visibility of the galvanised frame and windows partially blocked by the screen.

¹⁸ Report to Planning Committee 7 August 2013.

3.0 What can be learned from the process?

72. The management of the planning process in connection with the development of The Marque has highlighted a number of issues and areas for improvement. They are set out below.

Issue 1: What was agreed between 2005 and 2008, and is the final building consistent to that approval?

73. The permission letter detailing the consent given to the first outline application, (06/0007/OUT) for Highland Trilatera (Scheme 1), established the land use of residential development with ground floor retail and triggering a timetable for approval of reserved matters. Reserved matters included the siting, design and external appearance of the buildings, the final number of dwellings to be accommodated on the development (no approval had been given to a specific density) and samples of materials to be used in the construction of external surfaces.
74. A revised Highland Trilatera full application (Scheme 1, 106/1026/REM) secured approval for 113 flats and 533sq.m of retail accommodation, subject to conditions, including details of the basement parking' but did not go ahead. The second scheme to be approved for the Marque site in June 2008 was the Living Screens (Scheme 2, 08/0505/REM). This secured approval for 133 flats, with ground floor retail space. It also secured approval to the overall appearance, height and mass of the development.



2008 diagram showing massing and relative heights.

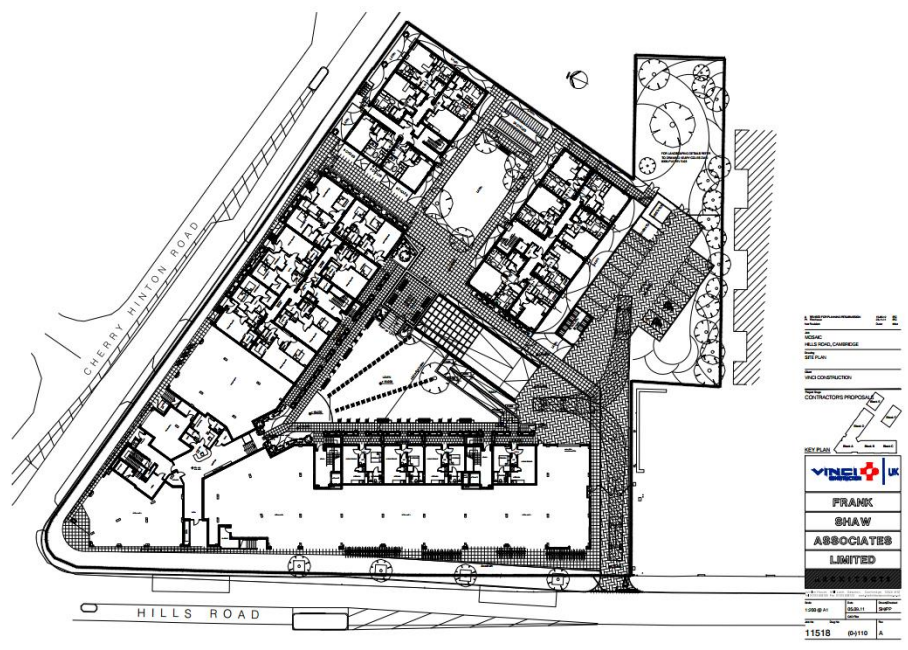
Visual impact and design quality

75. The complex and detailed work that went on between 2008 and 2012 has been set out in part 2.0. An overall visual comparison between what was initially approved in 2008 and what was finally approved in 2012 is set out below. The selection of drawings indicate that the elevations of the final scheme, approved by committee in 2012, are very nearly identical in appearance to the original set of Living Screens drawings approved in 2008. There are three main areas of difference: internal planning; overall elevational treatment; and detail of the external screen.
76. The internal planning changes were deemed not to have constituted development within the meaning of the Town and Country Planning Act 1990 (As amended). They covered changes to the internal planning of the flats, in particular the repositioning of bathrooms and kitchens to simplify vertical plumbing arrangements. Alterations to the external appearance were deemed changes whose materiality the Council had to decide. The list put before Planning Committee in April 2011 included the position of windows on the Hills Road elevation, the gradient to the staircase on the viewing deck, as well as the repositioning of a viewing deck access lift. A third set of changes, which were deemed to be material, and was approved by Planning Committee, concerned the detailing of the screen following the need to change the screen material as the approved material was no longer available.¹⁹



2008 ground floor plan as approved.

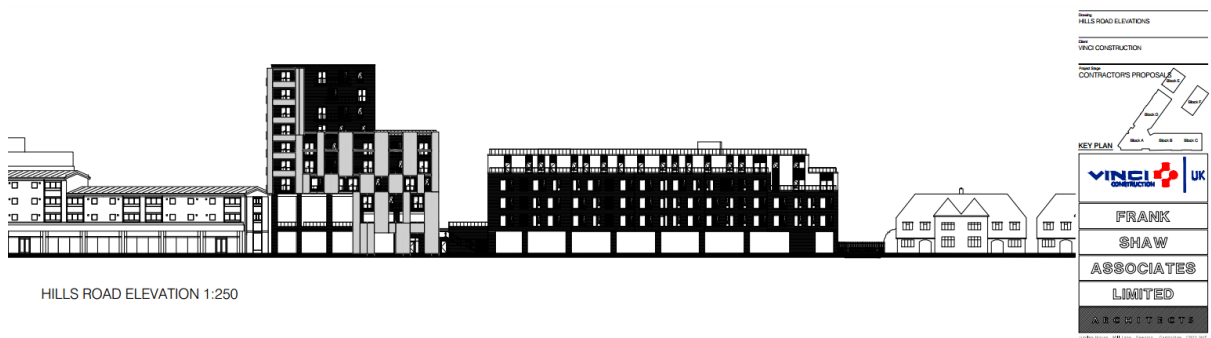
¹⁹ Planning application 13/0789/NMA



2012 ground floor plan as amended and as built.



2008 Cherry Hinton Road elevation (top) compared to 2012 elevation (bottom).



2008 Hills Road elevation (top) compared to 2012 elevation (bottom).



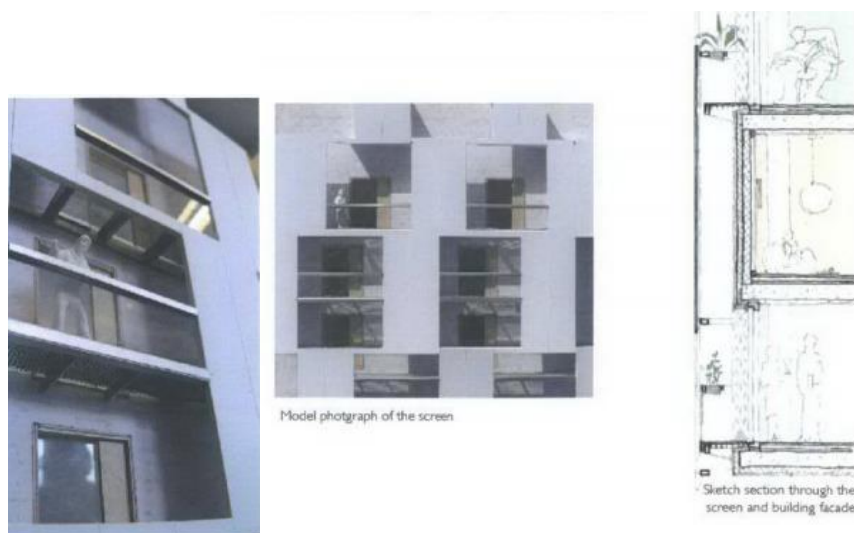
2008 computer generated image of the Marque (Scheme 2), taken from Design and Access statement (left) compared to 2014 photograph of the completed Marque (Scheme 4).

-
77. The elevations to the central, tall, block have been resolved in a way very close to the 2008 approved scheme. There are differences in the articulation of the corner tower with some of the original detail being lost. There is a more marked difference with the elevations of the lower brick-clad elements, where changes to the rhythm of the fenestration. The five storey, brick clad, flanking blocks have a different elevational treatment to the screen, where a more conventional approach is taken to window detailing.
78. By way of comparison, one of the best examples of a high quality façade to medium rise brick clad housing is the Accordia development, an earlier Cambridge housing scheme. The award winning quality of the architecture of Accordia is expressed at all levels of detail, with the fine proportions of the openings being matched, in the early phases most clearly, by great attention to detail including the depth of reveal, choice of window frame, choice of brick, pointing and overall build quality. The quality of the architecture comes from the totality of the treatment as well as from the initial concept.
79. It is more difficult to do a before and after comparison of the structural detail of the screen, due to the unresolved nature of the details at the commencement of the process. It is not clear to me what was agreed. The drawing below, taken from the 2008 Design and Access statement that accompanied the full application, shows what appears to be a lightweight panel attached to the structural frame of the building. The final screen drawings²⁰ produced after a change of material show structural supports for the cladding panels that appear to be markedly heavier, and particularly visible on the internal face seen by residents of The Marque.
80. What were the design intentions of the approved scheme? (Scheme 2: 08/0505/REM). The problem for this assessment, and for the management of design changes, is the lack of clarity at the start. The illustrations below, taken from the Design and Access statement, (which are only one indication of the eventual treatment) show the window frame positioned close to the external surface of the brick façade.

²⁰ 13/0789/NMA



Indicative illustrations taken from the Design and Access Statement showing the original intentions for the detailed handling of the lower sections of the building.



Indicative illustrations taken from the Design and Access Statement showing the original intentions for the detailed handling of the Living Screen.

81. The detail of screen as built has been criticised as lacking the quality that was expected at the start of the process. While that criticism can be understood in critical and architectural terms it is harder to substantiate in terms of the initial Scheme 2 planning drawings approved in 2008. The quality of the detailing of the finished screen is disappointing, particularly at ground level and the local authority's building

control services have been involved in ensuring the finished details match those that received consent.

82. It is common for detailed working drawings to follow on from the approval of elevations. In this case the level of detail provided at the initial approval stage for Scheme 2 did not secure the detailed specification of the building at the outset. In particular, the lack of large scale details of the screen meant that there was not a specific benchmark against which to review change. Whilst the architects were working with engineers and confident that the screen and support could be delivered as indicated, the level of detail provided appears insufficient for an innovative scheme of this type.
83. Overall there are variations, as noted above, between the approved (Scheme 2) drawings and the finished building. The Design and Conservation Panel commented on all the changes and Planning Committee gave their approval at all the critical stages. The Panel recognised that non-material modifications to the original scheme would be necessary and one set of material changes were challenged successfully (Scheme 3). While the ambition of the original scheme has, arguably, not been met it would have been very difficult to sustain that argument against the approved drawings.²¹
84. **Conclusion:** The experience of The Marque highlights the expectations for high design standards in Cambridge and the challenges in delivering them. The final design drawings, and the as-built details, are very close in both intention and detail to those of the first Living Screens approved design. Where there are material differences they have been approved by Planning Committee. It is reasonable to say that the finished building is consistent with the design intention of the 2008 approval but does not match the ambition of the initial design concept.

Issue 2: The role of the Conservation and Design Panel

85. Extensive use was made of the Design and Conservation Panel in looking at the various proposals for The Marque site. The Panel is and was made up of a group of highly experienced, well regarded, local experts in design and conservation. It is one of a number of mechanisms by which the City Council supports the achievement of high quality design. It is advisory and non-statutory.

The Panel has three specific roles:

²¹ 08/0505/REM

- 1) To provide a forum for pre-application presentation of, briefing for, and expert advice on, major or otherwise significant development proposals;
- 2) To provide formal comments on submitted applications;
- 3) To contribute to Conservation Area Designations and Appraisals, and the development of other policies and guidance related to Design and Conservation.

86. The Panel typically sees three schemes per session. In other words, whilst papers are available prior to the meeting, it is ultimately a quick review utilising the extensive skill and experience of its members. The Panel's work is intended to complement and support in-house officer expertise and bring to bear additional specialist knowledge of design and building construction in a focused and timely way. The findings of the Panel are summarised in a report. This report is now attached in full to the Planning Committee report, but in the early stages of this process the Panel's comments were sometimes summarised in print or by the case officer. The Panel Report completes its comments with a 'traffic lights' indicator: Green for fully supports, Amber is in need of significant improvement to make it acceptable, and Red for does not support. The various reviews carried out on proposals for The Marque site are set out below.

Date	Reference	Comment
11.2006	Highland Trilatera	First Highland Trilatera proposal (Scheme 1) given amber verdict.
02.05.07	Highland Trilatera	Revised Highland Trilatera proposal (Scheme 1) given amber verdict.
14.09.2007	Living Screens	First Living Screens proposal (Scheme 2) given green verdict
14.04.2008	Living Screens	Revised Living Screens (Scheme 2) given green verdict
26.05.2010	Living Screens Highland Homes	Revised Living Screens (Scheme 3) proposal reviewed following extensive changes. Consultation with Chair of Panel
16.02.2011	Artisan Apartments	Scheme 4 seen by Panel following extensive amendments. Panel requested more information. Agreed proposed amendments appeared to be non-material.
12.12.2012	Artisan Apartments	Scheme 4 alternative screen material put to DCP. (1 green and 6 amber)
13.02.2013	The Marque	Revised scheme 4 to panel (no vote)
16.04.2013	The Marque	Further design revisions to scheme 4 circulated to panel members. Summarised by Chair.

87. The Design and Conservation Panel saw all the various schemes the Marque site and had a major involvement in the project. Three issues stand out from the standard type of review conducted by the Panel: the involvement with the architectural competition

that brought forward the Living Screens project; the subsequent advice by the then chair of the Panel to the Leader of the Council following changes to the designs agreed by Planning Committee; and the continued involvement with the design of the screen wall.

88. **The architectural competition:** The owners of the site were no doubt congratulated on setting up an architectural competition for this site that produced a commendable design. However competition schemes are notoriously difficult to deliver and it is, sadly, quite common for them to not produce the desired outcome. The management of architectural completions in general is not a matter for the local planning authority. Guidance on running competitions is available from the Royal Institute of British Architects (RIBA).
89. The Design and Conservation Panel championed the scheme for its innovative design qualities. In the context of the time, when nationally the Commission for Architecture and the Built Environment was supporting design in planning, this could have been in the context of championing good design. A review of the Panel papers in this case, presented to the Planning Committee, show that besides offering encouragement they also pointed out critical areas that could go wrong such as the detailing of the screen. It was an experienced Planning Committee and the Panel advice was only advisory. Overall, however, such forceful support runs the risk of unbalancing the presentation given by planning officers to committee members. I have no way of knowing whether that was the case here.
90. **Conclusion:** The Design and Conservation Panel should continue to review future architecture competition schemes if requested at pre-application stage but should not be involved in pre-application presentations to Planning Committee. I understand changes have been made and this is already the case.
91. **Advice to the Leader:** In 2010 the Chair of the Panel was asked to provide advice to the Leader as to the extent of the changes that had been made to the Living Screens scheme following agreement made under delegated powers. The revised scheme (Scheme 3, Artisan Apartments) was criticised in detail by the Chair as not being of the same quality as the second Living Screens project. This clearly expressed view led ultimately to the Judicial Review of the use of delegated powers in approving the amendments. The changes agreed under delegated powers were such that they should have been seen by Planning Committee.
92. **Advice on the detail of the Screen:** The most critical part of the long design management process was the design of the screen. This was both a technical issue of structure, materials and internal planning, as well as a design and planning issue. The focus on the Panel's role arises in part from the fact that they left a record of their

deliberations. It should not distract from the fact that the decisions and judgements are taken by the executive and their officers, and that from time to time they require specialist support to reach their conclusions

93. Although the Panel was involved at all stages, the time spent was very small, typically one hour per session. It would be fair to acknowledge that ultimately the chosen scheme turned out to be a disappointment. A more circumspect and critical review of the first Scheme 2 Living Screens proposal might have avoided later problems.
94. **Review of Design and Conservation Panel:** Changes were made to the way the Panel operates following the internal review of The Marque project. A deputy chair role was introduced and Panel minutes were moderated by the deputy chair before they went out. A full review of the working of the Design and Conservation Panel was carried out for the City Council in 2013.²² It looked at its role of supporting the delivery of sustainable and well-designed developments in Cambridge, and the quality and consistency of the reports and letters. The report made 21 recommendations for the Panel's future development. These included:
- A regular bulletin on schemes that have been reviewed should be presented to the panel so that they could assess the impact of their work and advise whether further intervention might be useful.
 - Consideration to be given to some joint training of the Planning Committee and Panel members.
 - An annual report should be produced for discussion with Planning Committee.
 - The panel chair to meet with the Planning Committee and senior officers on at least an annual basis to discuss the quality of the advice and impact it has had.
95. **Conclusion:** The Design and Conservation Panel acted in a way that potentially blurred the boundary between championing good design and critical review. The Panel now operates differently. The operation and working of the Design and Conservation Panel was reviewed in 2014 and the recommendations have been put in place and acted upon.

Issue 3: The role of the planning and urban design teams

96. **Design management:** The practice of accepting outline applications that are then developed into detailed designs no longer applies. It created critical difficulties for the planning and urban design managers, and the outcome was disappointing. What was different in this case, when other schemes did not experience the same degree of

²² *A review of the Cambridge City Council Design and Conservation Panel.* Barry Shaw, October 2013.

difficulty? One major issue was the successive changes made to the applicants design team. This accentuated the difficulties in delivering the original Living Screens development.

97. Was the planning team sophisticated enough in its approach to managing the design at the time? The management of high profile schemes, particularly competition schemes, can require a great deal of flexibility in the approach to design management. The design details often need to change in order to capture the spirit of the concept and deliver a high quality finished scheme. It is the main reason why it is advisable to retain the original architect. One of the issues with The Marque is, perhaps, that the design did not change enough.
98. The difficulty for the planning team in adopting a more flexible approach was that such an approach requires understanding and good communication between the parties. This was disrupted in this case with not one change of architect but three, with other related changes to key professionals such as the structural engineer. There was also the question of change of ownership as well as the length of time spent on the designs and the cost of professional services. All of these issues militated against a more flexible approach.
99. **Public consultation:** Consultation was undertaken on the first full Trilatera included holding a Development Control Forum. The responses set out in the committee report suggest that the community were not clear in their understanding of the differences between an outline and a full application. The main areas of concern raised by local residents to both applications included: ²³
- Density too high;
 - Overpowering and excessive height in comparison with neighbouring properties;
 - The design is uninspiring and off the shelf; and
 - The proposal should be set back from the road to respect the existing building line.
100. A consultation meeting was hosted by Januarys on the revised Scheme 2 at which the Living Screen architects presented new proposals that addressed the ground for refusal. Far fewer residents objected to this proposal than had objected previously. Areas of concern raised by local residents and reported to Planning Committee included:
- Conditions needed on materials especially the surface of the screen; and
 - Pedestrian design

²³ Planning Committee 29th March 2006, application 06/0007/OUT

An email from a local councillor was also included the following clear warning: “There is insufficient detail in the application on the material quality and finish. Given its exposure to high winds etc. it is questionable whether the proposed finish will be sufficiently durable.”

101. One of the residents representatives interviewed said the planning process at the time was seen as unresponsive to local concerns. Another resident, while equally critical of the finished scheme, specifically praised the Development Control Forum and the work put in by senior members of the planning service. The current perception might be summarised along the lines that the project as built seems to bear only a superficial resemblance to the original Living Screens concept as it was sold locally. Even though this concept was flawed it seemed, as presented, to be a light and airy structure rather than the imposing mass that was eventually built.
102. **Conclusion:** Residents’ concerns were brought to the notice of Planning Committee and clearly set out in the Committee reports at all the critical stages.

Issue 4: Securing design quality: Technical advice on innovative construction options and support management of multi-year applications.

103. **Securing design quality:** Securing a high quality outcome through the planning system requires a high level of detail at the planning stage, commensurate with the project. The difficulty with managing the later changes to the Marque was that the starting point was not sufficiently clearly detailed at the committee stage. The issue is not to prevent design development where that is necessary, but to provide a clear starting point so that the degree of variation can be measured and, in those cases where refusal of changes is the only way forward, the position at appeal is also clear.
104. **Conclusion:** With an innovative, tall, or in some other way special building, it is reasonable to require working drawings of key elements to be detailed to 1:20 or 1:5 as part of the approved set. Details of elevations, for example, should show the depth of the reveal and material specification. It would be good practice to include within the Committee report a section on design quality that summarised and focused the design evidence used to support the application.
105. **Recommendation:** The extent of technical support information required to support major planning applications should be reviewed. Technical drawings, with such supportive technical reports as are necessary, should form part of the set of approved drawings. The Committee report should include a section on design quality that focused the design evidence used to support the application.

-
106. **Technical Advice:** Technical advice was required throughout the development of this project. Two sorts of technical advisor were required: someone to provide an overview of the initial risks involved and someone to provide a detailed independent review of the detailed development of the screen. The Design and Conservation Panel could provide an initial warning but would need to have a specialist on the Panel, or on call to join the Panel when required. However technical assessments need to be given greater weight and this might be better achieved from an independent specialist who was brought in by the urban design team to report directly to Planning Committee when required. The Planning Service would have benefited from a specialist report on the development at the point where the architects who followed the Living Screen architects questioned the build-ability of key aspects of the building as approved in 2008.
107. **Conclusion:** As buildings get more complex technical assessment needs to be given greater weight. Managing innovative design requires from time to time access to independent specialists. The Marque would have benefited from a specialist report being presented to Planning Committee at the initial stage, and particularly at the point of detailed consideration of changes to the cladding details.
108. **Recommendation:** A condition forming part of the S106 agreement should be drawn up to the effect that, in the event of a dispute over technical details, the developer would cooperate with an independent consultant to produce a report on the technical aspects of the design. Such a condition would have to relate to the permission, and the detail contained in the permission, and be commensurate with the scale and complexity of the project. It would be reasonable to ask the developer to pay for such a report.
109. **Design quality and the change of lead architect:** It is not unusual for architect and design teams to be changed mid-way through the development process. There are many practical reasons for making such changes. Some architectural practices specialise in design while others specialise in building construction. It is beyond the scope of this report to look into the specific cause of the changes of architect in the case of The Marque site. The fact that the design team that had convinced the Design and Conservation Panel of the merits of their concept did not appear to continue with the project was a matter for regret.
110. The planning system does not require the architect who obtained planning consent be retained throughout the development of the working drawings. In the case of innovative and high profile design it is therefore essential that the initial concept is articulated with sufficient technical detail for key working drawings to form part of the planning consent. This can help ensure all the costs, particularly the cost need to deliver innovative features, have been fully considered as part of the approved design.

-
111. The Royal Institute of British Architects (RIBA) prepared a model S106 agreement in 2010 that sought to address one aspect of the problem.²⁴ The introduction is set out below.

The reputation of well-known or good quality architects is in some cases an important factor in securing a planning consent. In such cases, however, it is common that once a consent is gained, the services of the design architect are dispensed with, and others are engaged for the technical drawings and site inspections, degrading the original design in the process. This is of concern to both local authorities and the architects engaged only for the original design. Local authorities are keen to raise design standards and understand that designs submitted at large scale with, at best, selected additional details depend on the continuity of the design through to completion. Local authorities may have neither the expertise nor the resources to assess subsequent amendments or police the detail during construction. Architects are similarly interested in the correct completion of their designs and the protection of their reputations.

Under UK law it is not possible to make a developer engage the original architect for the remainder of the work. It is, however, possible through a Section 106 Agreement to make a developer pay a 'Design Monitoring Contribution' for the assessment of details required under a condition of a consent, and for the inspection of the work on site to ensure compliance. It is also possible to demand an 'Additional Monitoring Contribution' for the additional work and expertise required if the original architect is no longer engaged on the process. This introduces a financial penalty on the developer if they dispense with the services of the original architect and gives the local authority the additional funding to engage suitable expertise to control the detail and inspect the construction. (In theory, the local authority could engage the original architect.

112. **Conclusion:** From time to time the processes for managing long running projects need to be reviewed, as do the projects themselves. However it should be acknowledged that the planning department has successfully delivered two Stirling Prize winners, and many other award winning schemes, that the basic system is working well.

Issue 5: Delegation and delivery on 'non material amendments' including the Judicial Review.

²⁴ Herbert Smith LLP Ref: 2461/30874556: *Protecting Design Quality: The retention of the design architect after the granting of planning consent – model drafting for Section 106 Agreements*. RIBA 12 April 2010

-
113. As far as I can see I am not aware of any member transgression. The reporting system for delegated authority was changed as a result of issues arising from the handling of The Marque. The evidence from the later applications was that it worked as intended.

Issue 6: S106 delivery of public art to ensure value-for-money public benefit from developer-controlled 1% schemes.

114. The Marque proposals included a contribution to public art in accordance with part (I) of policy 3/7 and the Public Art SPD. The architects for scheme 2 Living Screens aimed to integrate the public art with the screens, as well as focus it on the first floor podium. The Design and Access statement put forward the idea that the concept of the Screen had been to integrate public art into the architectural language of the scheme. The screen was to be treated as a work of art in itself.²⁵ From an early stage the Screen had been designed in close collaboration with two artists. The intentions were elaborated in a Public Art strategy document.²⁶ The original intention had been to etch a design into the surface of the Fibre-C panels originally approved. There does not appear to be any record of a formal application to implement the idea. In the end the more expansive proposal to decorate the screens did not go ahead for complex reasons including changes to the Petrarch cladding system.
115. The initial reserved matters submission on this site made clear references to the incorporation of public art into the 'screen' attached to the development's most prominent building. This location for public art was not formalised in the permission, but it did receive considerable attention at the time the application was approved. A public art and place making agency, Futurecity, was engaged and later in the process developed a more limited proposal for works of art. One proposal was for lighting on the faces of the apex building. They developed the brief and established a local stakeholder group which led to the appointment of an artist. The stakeholder group evolved into a local steering group to manage the development of the art work. There was also an active art project with Hills Road students. The finished designs emerged from this collaborative approach and from collaboration with the nearby Cambridge University Botanic Garden.
116. In October 2012 the Chair of Planning Committee and the Chair of the Public Art Panel were brought up to date on the public art position by the planning officer dealing with The Marque. It was made clear that the applicant's artists brief put forward integration

²⁵ 08/0505/REM: p100.

²⁶ Design and Access Statement, Appendix 1.

of the art on the screen as only one possible option for artists to consider, leaving a significant possibility that the screen will not eventually be used in this way.

*'Given the sensitivity of this site, and the significance of the screen surface to the appearance of the scheme in the townscape, I am of the view that the decision as to whether the artists' brief refers to the screen as one option for public art, or the only option, is a matter of comparable significance to non-material amendment applications, and I have therefore followed the framework prescribed by the delegation scheme.'*²⁷

117. The detailed proposal to place art works on the first floor podium went initially to the Public Art Panel.²⁸ These proposals were then set before the Planning Committee in a brief paper that included comments from the public art officer to the effect that the proposal complied with the Council's public art policy. Objections were received from a local councillor and from the Rustat Road Neighbourhood Association after the completion of the Committee report and were then the subject of a Planning amendment sheet²⁹ to Planning Committee. The objections were to the effect that the proposal failed to meet the original intentions of the role of public art in making the building exceptional; that art in the podium space would have limited visibility; and that it was an inadequate, rushed, suddenly revised proposal that failed to deliver the long promised public realm addition promised by the developer.
118. The Committee paper was clear: *'The decision to be made with respect to this application is whether the artefact proposed here is, as a development in its own right, in accordance with development plan policy. This decision is not about whether this submission fulfils the requirements of the relevant Planning Obligation Agreement entered into in connection with the outline planning permission on this site 06/0007/OUT.*

Accepting this, it is my view however, as an aside to the assessment of this application as a proposal for development, that, as a public art submission, the proposal is in accordance with the provisions of the Public Art SPD, and, subject to acceptance of the costs submitted by the applicants, will fulfil the public art requirements of the Section 106 agreement associated with the outline permission 06/0007/OUT.

The proposal is clearly both art and public as defined in Section 5 of the Public Art SPD, which states: 'Artwork provided within the private boundary of a site, but fully visible and can be enjoyed by the public, is also considered 'public' - it is important that the art interacts with the space.' In my view the proposal fulfils this rider.

²⁷ Member Consultation, 15 October 2012.

²⁸ 13/1435/FUL

²⁹ 13/1435/FUL: 11 Nov 2013

-
119. The approval notice refers only to the application and not the S106 agreement. It is important to make clear that when public art is put forward as ‘development’ and needs planning permission in its own right, the decision on that planning application cannot be made by comparison to some other proposal or ambition. It must be considered in its own right, and to do otherwise would be to invite an appeal. The applicant was not obliged to say why the strategy put forward in the Design and Access Statement was changed.
- 120 The public art work as delivered does not match the ambition of the early thinking to provide large scale public art integrated into the design of the screen. The original concept, although referenced very briefly in the Design and Access Statement, did not form part of the planning proposal. It does not appear on the application drawings, nor on the CGI images used at the time of the determination. There was some expectation that the illustration in the Design and Access Statement would be implemented, but this was not universal, and was not stated in the application documents, or specified by the approval.

Conclusions.

121. The Planning Service followed processes correctly in relation to the public art. Members were kept informed of the possibility of a non-screen solution and there is an auditable set of documents showing engagement with the applicant, public art officer and Chairs of the Planning and Public Art Committees.
122. It is acknowledged that the owner of The Marque has fulfilled the planning obligation in relation to public art. It is also acknowledged that the podium space was an integral part of the original approval. However the use and accessibility of the podium space do not yet appear to be fully resolved and the art work suffers from being in a space that needs more thought as to how it can become a successful place.

4.0 General conclusions and recommendations

123. The long planning and development process that led to the final scheme can be broken down into three phases. The first phase starting in 2005, saw two parallel planning applications for the same site both presented at the same meeting of the Planning Committee; one a full application the other an outline application. The initial full application was refused; a later iteration received reserved matters consent but was not pursued in favour of a second scheme, Living Screens, the result of an architectural competition organised by the landowner. The Living Screens proposal was taken forward as reserved matters to the outline consent, with the associated defined timescale. A new application would have triggered a substantial increase in the percentage of affordable housing to be provided following changes introduced in the 2006 Local Plan. The second phase focused on changes to the consented scheme and to the design team, concluding with the Judicial Review and clarification of powers of delegation. A third phase focused on detailed delivery and quality of outcome.
124. The later phases hinge on the initial granting of full consent for the Living Screens concept in 2008 with insufficient information being provided as to how the innovative Living Screen concept would be detailed. The Design and Conservation Panel at the time saw part of their role as championing good design, and may have gone further than would be considered wise today in supporting an innovative concept from a relatively new practice. Local residents made a strong and perceptive argument about lack of detail supporting the application that was proved to be correct. It is not possible to reconstruct the debate that went on as to the merits of the scheme, but the decision taken by the Planning Committee meant the project was vulnerable to changes to the design team. The risk was heightened by the time scale arising from the initial outline consent.
125. As things turned out the various design teams were not in the end able to fully deliver on the ambition expressed in the architectural competition winning scheme. The build-ability of the screen was strongly questioned by architects later tasked with detailing the building for the purposes of construction. Having accepted an incompletely articulated design, the planning management of the subsequent development of the screen details proved difficult.
126. Cambridge has an exceptionally strong record of delivering high quality projects, and this project did not meet the highest expectations. However that is not the same as saying the planning team failed significantly with this project. In many other local planning authorities The Marque would be seen as a good project. Setting aside the issues arising from the exercise of powers of delegation, which have been fully addressed, the planning team have shown great dedication to making the best of a project where their powers of design management were undermined by the initial

consent.

127. **Conclusion 1:** The final design drawings, and the as-built details, match the approved Scheme 2 Living Screens drawings. Modifications, where they occur, such as changes to the window layouts, upper floor roof profile and internal planning of flats, were agreed to be non-material by Design Panel and approved by Planning Committee. It is reasonable to say that the finished building is consistent with the 2008 approval. However the level of detail provided at the initial approval stage for Scheme 2 Living Screens was insufficient for an innovative scheme, and the approved set of drawings did not fully capture, or ultimately deliver, the architectural promise of the concept.
128. **Conclusion 2:** The Design and Conservation Panel initially acted in a way that potentially blurred the boundary between championing good design and critical review. Subsequently the Panel delivered helpful and critically correct advice to members at the point of questioning delegated authority and on the detailed development of the scheme. Since these events the operation and working of the Design and Conservation Panel was reviewed in 2014 and the recommendations have been put in place and acted upon.
129. **Conclusion 3:** Initial planning management of the Living Screens application failed to secure a fully detailed scheme. However, it is the nature of outline consents that the detail should follow, and what was submitted was comparable with similar schemes going through the planning process at the time. Following the resolution of issues arising from the use of delegated powers, the subsequent planning management of the project, and the role of the planning and urban design teams, were both sound. Disappointment with the outcome should not obscure dedicated and knowledgeable work by the planning service over time and under pressure. The Review does not indicate that major changes are required to the way projects are managed arising from this project.
130. **Conclusion 4:** Managing innovative, technical or high rise design requires access from time to time to independent technical specialists such as a senior quantity surveyor or structural engineer or environmental engineer with wide ranging understanding of the building industry and able to take a holistic view of technical issues. When the architects who followed the Living Screen architects questioned the build-ability of complex and engineering aspects of the building as approved in 2008 the Planning Service would have benefited from a specialist report on the development. In similar circumstances, applicants should be expected to produce such reports on comparable, landmark buildings in the future.
131. **Conclusion 5:** Appropriate action was taken by the Council to review the management of planning decisions taken under delegated powers. The reporting system for

delegated authority has been changed as a result of issues arising from the handling of The Marque. The evidence from the later applications and amendments is that the system is working well, is transparent and subject to scrutiny.

132. **Conclusions 6:** The public art work as delivered does not match the ambition contained in the initial Design and Access Statement to provide large scale public art integrated into the design of the screen. The public art on the screen was not part of the approval and not indicated on the approved drawings. The Planning Service followed processes correctly in relation to the public art. Members were kept informed of the possibility of a non-screen solution and there is an auditable record showing engagement with the applicant, public art officer and Chairs of the Planning and Public Art Committees. It is acknowledged that the owner of The Marque has fulfilled the planning obligation in relation to public art. It is also acknowledged that the podium space was an integral part of the original approval. However the use and accessibility of the podium space do not yet appear to be fully resolved and the art work suffers from being in a space that needs more thought as to how it can become a successful place. The council and building owners need to achieve a better use for the podium including access to the public art.

133. **Conclusion 7:** *Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*³⁰

From time to time the processes for managing long running projects need to be reviewed to ensure the delivery of good design. Management of The Marque would have benefitted from a clear written reference at the outset setting out what made the building 'special', enabling subsequent managers and committees to focus on the qualities of the design prior to engaging in the detail. This might have been linked to a requirement that the developer pay a 'Design Monitoring Contribution' for the assessment of details required under a condition of any consent, and for the inspection of the work on site to ensure compliance with any permission that may be granted. Such a management review needs to include appropriate formal and informal methodologies for dealing with problems as part of a positive approach to planning for high quality design.

134. **Conclusion 8:** This was an unusual and difficult application and many of the conditions that applied at the time of the first applications have changed or been amended. It should be acknowledged that two Stirling prize winning schemes have passed through the same planning service, as well as many other award winning schemes. Many of the

³⁰ NPPF and PPG.

difficulties experienced with managing the planning processes on the Marque are avoidable if the lessons learnt are applied to comparable developments.

135. **Recommendation 1:** The extent of technical support information required to support innovative, technical or high rise planning applications should be reviewed. Large scale technical drawings (1:20 or 1:5) should be required, with such supportive technical reports as are necessary, as part of the set of approved drawings. The Committee report should include a section on design quality that articulated the design evidence used to support the application.
136. **Recommendation 2:** The Planning Committee should consider imposing a design quality section as part of S106 agreements. Issues that might be covered should include protecting design quality through changes to the lead architects and the requirement in some circumstances for independent technical support to be paid for by the developer.

Appendices

Appendix A: Development Timeline

Date	Ref	Activity	Comments
23 Dec 2005	05/1359/FUL	First scheme for 150 flats and retail space submitted for planning consent. Known as 'Highland Trilatera'. Officer recommendation for refusal. Refused following Planning Committee decision 30.03.2006 Refused following Planning Committee decision on 30 March 2006. Appeal lodged but later withdrawn.	Not allocated for development in 1996 Local Plan but was mostly zoned for housing in Local Plan Redeposit Draft (2004)
3 Jan 2006	06/007/OUT	Outline application received for second scheme, consisting of residential development, ground floor commercial uses and related ancillary elements. Officer recommendation for approval. Approved by Committee on 30 March 2006	Applicant: Highland Trilatera Ltd., Marshall Motor Group Ltd., and Tim Brinton Cars Ltd.
30 March 2006		'Highland Trilatera' refused planning consent. Appeal lodged but later withdrawn.	
Nov 2006	06/007/OUT	Design Review of revised scheme 1 by John Thompson and Partners.	
27 Sept 2006	06/1026/REM	Revised Highland Trilatera scheme for 113 flats and retail space approved. Officer recommendation for approval accepted by Planning Committee Decision Notice 12.12.2006.	
May 2007		First Design Review 'Living Screens' Described as 'inspiring' and given unanimous green verdict.	
14 Sept 2007	07/1075/REM	'Living Screens' first version reserved matters submission for 133 flats and retail space.	
5 Dec 2007	07/1075/REM	Refusal of Planning consent following officer recommendation for refusal. Decision notice issued 05.12.2007	
30 April 2008	08/0505/REM	Second Design Review of 'Living Screens'. Unanimous 'Green' verdict.	
25 June 2008	08/0505/REM	Planning Committee approval of 'Living Screens'.	

2 March 2009		<p>Letter issued under delegated powers responding to request for post-decision amendments.</p> <ul style="list-style-type: none"> Formally approved: screen plinth details, glazed screen to rear of 1st floor viewing deck, window types. Informally supported: changes to balconies on inner face of apex building (numbered drawings requested), screen material (further details required before approval). Rejected: suggestion to use different bricks on affordable blocks, all three brick types offered, elimination of top east corner of screen, revised balconies on affordable blocks Confirmed new application required: for plant room and transformers 	
27 April 2009		<p>Informal advice letter under delegated powers:</p> <ul style="list-style-type: none"> Supported in principle: proposals for public art on the surface public art. Possible support indicated for: replacement of separate screen by deeply articulated surface with similar visual effect. Rejected: removal of Cherry Hinton Rd stairway; insertion of cycle storage in through access route. Concern expressed: that plan for restaurant at first floor would limit public access. New application requirement reiterated for: plant room, transformers and retail bin store. Brick submission: Bradgate Light Buff seen as improvement on previous brick suggestions. To be consulted on with colleagues. 	
18 May 2009	Discharge of	Response indicated:	

27 July 2009	conditions requests	<p>Materials – more information required</p> <p>Landscape – advice sought from landscape team</p> <p>Response sent 03.08.2009</p> <p>Second response sent 07.08.2009 rejecting Ibstock Bradgate Light Buff brick, seeking more information about Trespa cladding for upper storeys of wing blocks and indicating support for proposed balustrade and handrail details.</p> <p>Third response sent on 28.08.2009 indicates considerably more work required on landscape design.</p>	
17 July 2009	09/0653/FUL	<p>Full application for external freestanding plant room for affordable flats and external freestanding refuse store for retail units.</p> <p>Approved under delegated powers, 08.09.2009</p>	17 July 2009
5 Aug 2009	Formal request for amendments	<p>Response to formal request for extensive amendments issued under delegated powers. Response divides these into three groups:</p> <ul style="list-style-type: none"> a) Already identified as requiring a new application, b) Potentially acceptable as NMA, c) Not acceptable as NMA. <p>Formal response rejects these amendments collectively.</p>	
28 Aug 2009		Conditions discharge request. Materials not yet approved.	
4 Sept 2009		<p>Response to revised formal request for amendments. Only those grouped as (b) in letter of 05.08.2009 are now sought. These amendments are approved:</p> <ul style="list-style-type: none"> • courtyard balcony reductions, • recycling space altered, • screen replaced by integral cladding, • reductions in external balconies, • window designs altered, • fenestration pattern altered <p>changes to roof garden,</p> <ul style="list-style-type: none"> • roof plant enclosure, • solar panels, 	4 Sept 2009

		<ul style="list-style-type: none"> • Insertion of gym. <p>This letter, particularly the replacement of the screen by integral cladding, resulted in concerns being expressed by members about the changes, a decision to seek judicial review, and the establishment that officers did not have the power to approve these amendments and that the approval was therefore not valid.</p>	
20 Nov 2009		Discussion between the chair of DCP and leader on changes to the scheme.	.
21 Nov 2009		Informal review of third scheme (Artisan Apartments) by chair of DCP. Email from the chair of DCP to leader of the council with attached review. The email pointed out significant differences between the two sets of drawings.	
28 Jan 2010		Report (comments) on the Artisan Apartments proposal by chair of DCP	
Feb 2010		Application for Judicial Review.	
Feb 2010		Independent review of delegated procedures	
March 2010		Internal Audit Review of planning officer use of delegated powers on the Living Screens development	
25 May 2010	Email regarding conditions	Response sent 26.05.2010 indicating that Tony Collins had visited Coventry to assess the screen material then proposed, and would be discussing the material with colleagues.	
26 May 2010	Non-material amendment application	Changes to position, gradient, length and cross-section of car park ramp approved after consultation with urban design team, chair of Design Panel, and Chair and Spokes of Planning Committee. Letter of approval sent 21.06.2010	
2 June 2010		<p>Second response sent 02.06.2010 following discussion with urban design team and Design Panel members:</p> <ul style="list-style-type: none"> • approving Ibstock Leicester Multi Cream Stock as the brick to be used, subject to batch mixing and approval of mortar and pointing details on the sample panel, • approving Rationel windows and 	

		<p>RAL Beige Grey colour subject to large-scale drawings providing details of recesses and sills,</p> <ul style="list-style-type: none"> indicating that Fibre-C as the panel material cannot yet be confirmed and seeking further information on panel sizes and shapes, weathering, sandwiching of materials, hydrophobic coating, construction damage, fixings, graffiti control and possibilities for public art, approving the handrail hardwood but seeking more details on balustrades and handrails 	
12 June 2010	Request for discharge of conditions	Response sent 22.06.2010 following discussion with urban design team approving mortar colour and pointing style, and details of window frames	
22 June 2010		Third response (ref. 25 May email above) sent 22.06.2010 following further consultation with Urban Design team and Chair of Design Panel, approving use of Fibre-C Cladding subject to a weathering study.	
22 June 2010		Following discussion with urban design team approval of mortar colour and pointing style, and details of window frames (ref. 12 June above)	
22 June 2010		Implementation of the approved scheme commenced.	
23 Dec 2010	Non-material amendment application	<p>Extensive list of proposed changes submitted. Officers referred this to Chair and Spokes who agreed it should go to Planning Committee.</p> <ul style="list-style-type: none"> Urban Design comments received 10.02.2011. Application brought before Design and Conservation Panel 16.02.2011. (Panel sought further information) Revisions submitted 23.02.2011. Removed from February Planning Committee agenda – officers not able to support 	
16 Feb 2011		Presentation to DCP on proposed amendments to 'Living Screens'(ref 23 December 2010 above) Panel sought	

		further information	
23 Feb 2011		Revisions submitted (ref 23 December 2010 above)	
23 Feb 2011	Non-material amendment application	<p>'Decoupled' application; changes to screen and internal balconies sought in application of 23.12.2010 removed from this application. 34 groups of changes remained, including internal layouts, changes to staircases, altered lift position adjustments to window positions, and altered roof profiles. The changes included the deletion of the windows from the two uppermost floors on the Cherry Hinton Road flank elevation, a change which was connected with the relocating of the lift and stairs in the apex block.</p> <p>Amendment considered by Design and Conservation Panel 16.02.2011. Panel agreed that the proposed amendments appeared to be non-material.</p> <p>Amendment supported by Urban Design and Conservation team.</p> <p>Officer recommendation for approval.</p> <p>Application approved at Planning Committee on 06.04.2011</p>	
6 June 2012		Report on review by Public Art Panel	
30 Aug 2012	Request to redischarge conditions relating to materials	<p>Meeting held 13.09.2012 at request of developer to discuss screen material and bricks.</p> <p>Planning and urban design officers involved including Urban Design and Conservation Manager. Officer support informally given to:</p> <ul style="list-style-type: none"> • 'Petrach' as replacement screen material • 012 limestone colour for screen panels • alteration of timber balustrades on courtyard balconies to an 'in-and-out' design • fixed coloured glazing panels to replace original vents • Officer support not given for: • Hanson Atherstone Buff as an alternative brick (too pink and 	

		<p>too uniform)</p> <ul style="list-style-type: none"> • mortar colour proposed (too dark and too similar to brick colour) • riveted fixings for panels (detract from uniform and uninterrupted appearance of screen as originally proposed) • smooth finish to panels • Additional information sought on panel material. 	
3 Oct 2012	Non-material amendment application 12/1264/NMA	<p>Non material amendment application for various items:</p> <ol style="list-style-type: none"> 1. Adjustment to external walls to main entrance to flats from Hills Road 2. Addition of an air intake ventilation shaft with high level louvre to the main entrance to the flats 3. Adjustment to external walls to final escape exit from the flats to Cherry Hinton Road 4. Addition of an air intake ventilation shaft with high level louvre to the basement fireman's lobby 5. Sliding security gates to the podium access stairs, to be on a time controlled access system 6. Additional ventilation shafts to blocks B, C, D and F for ventilation to the protected lobbies to the fire escape stairs 7. Platform lift added in courtyard 8. An external accessible and naturally ventilated incoming gas meter room, located under the podium access stairs on Hills Road 9. Use of a standard UK Power Networks GRP enclosure in a screened enclosure for the sub-station 10. Realignment of the car park kerb <p>Officer recommendation referred to Chair and Spokes. GRP enclosure for substation refused 03.01.2013. All the other amendments approved same date.</p>	
21.Nov 2012	12/1491/NMA	Non-material amendment to create a triplex apartment on 7th-9th floors,	

		resulting in minor alterations to window positions. Supported by Urban Design team. Referred to Chair and Spokes. Approved under delegated powers 13.02.2013	
12 Dec 2012		Review by DCP including a presentation on the proposed cladding panel material.	
6 Feb 2013	13/0162/NMA	<p>Non material amendment application for changes to windows:</p> <ul style="list-style-type: none"> • insertion of coloured glass to replace louvres (no changes to window positions or glazing bar positions) • insertion of fritted glass to windows over internal walls • Small changes to window positions on Cherry Hinton Road front elevation at floors 7, 8 and 9. <p>Supported by Urban Design and Conservation team. Approved under delegated powers following reference to Chair and Spokes, 13.06.2013</p>	
13 Feb 2013		Revised proposal submitted to Panel (No 'traffic light' vote taken). Further revisions circulated to Panel members and responses summarised by Chair. Panel calls for CGI illustrations	
6 March 2013	13/0325/NMA	<p>Non material amendment application for the provision of a brick wall enclosure with timber gates to surround the electricity sub-station.</p> <p>Supported by Urban Design and Conservation team. Approved under delegated powers following reference to Chair and Spokes, 30.05.2013</p>	
10 April 2013		DCP AOB item. Panel members invited to feedback comments on the CGIs	
13 May 2013	13/0648/S73	Section 73 application for the substitution of a Combined Heat and Power (CHP) system for the originally approved solar panels. Supported by the Senior Sustainability Officer. Approved under delegated powers 12.08.2013	
6 June 2013	13/0789/NMA	Additional steel framework and	

		alternative screen material (Petrach). <i>Proposal submitted to Design Panel 12.12.2012 (Green 1 Amber 6). Revised proposal submitted to Panel 13.02.2013 (No 'traffic light' vote taken). Further revisions circulated to Panel members and responses summarised by Chair 16.04.2013.</i>	
21 June 2013	13/0855/FUL	Proposed Change of Use of part of the Ground Floor retail space (Unit 2) from the consented A1 Retail Use to A1 and/or A2 (Financial and Professional Services) in the Alternative. Officer recommendation of approval. (Approved by Planning Committee 07.08.2013. Decision issued 09.08.2013.see below)	
22 July 2013	13/1075/FUL	Proposed change of use of part of the ground floor retail space (Unit 3) from the consented A1 retail use to a residents' only gymnasium. Approved under delegated powers 27 August 2013 (see below)	
07 Aug 2013	13/0789/NMA	Officer recommendation of approval of revised screen materials and framework application. Supported by Urban Design and Conservation team. Approved by Planning Committee	
27 Aug 2013		13/1075/FUL Approved under delegated powers	
29 Aug 2013	Public Art Delivery Plan	Delivery Plan submitted	29.08.2013
30 Aug 2013	Discharge of Conditions request	Submission of Management Plan. Case officer identified a series of shortcomings, including blocking of the public route through the development, and absence of public access to mailboxes. Consultation with Chair, Spokes and ward members resulted in a series of amended versions. Final version of management plan accepted as discharging condition under delegated powers, following assent of Chair, Spokes and ward members 15.04.2014 (see below)	
30 Sept 2013	13/1435/FUL	Installation of a Public Art Scheme within the first floor podium level.	

		Officer recommendation for approval. Supported by Public Art co-ordinator. Approved by Planning Committee 06.11.2013	
5 Oct 2013		Concerns about erratic alignment of screen panels, marks on panels, and size of transverse diagonal strut raised by Councillor Herbert. Issues raised with applicants and visits made to site, culminating in site visit on 28.01.2014 to view correction of misaligned panels. Officers agreed that the rectification work done on the screen had brought it to an acceptable standard.	
8 Jan 2014	14/0019/NMA	Non material amendment on applications 06/0007/OUT and 08/0505/REM for a minor revision to the brick wall enclosure surrounding the electricity sub-station and relocation of the maintenance entrance to the garden area. Supported by urban design following amendments to original version. Awaiting decision.	
24 Jan 2014	14/0094/FUL and 14/0095/ADV	Application for shop front, fascia and hanging signage for estate agents. Amended to reduce size of hanging sign following discussion with case officer. Approved under delegated powers 03.03.2014.	
12 Mar 2014	14/0376/FUL	Proposed Change of Use of part of the ground floor retail space (Unit 3) from the consented A1 Retail Use to A1, A2 (Financial and Professional Services) and/or D1 (Non-residential Institutions) in the alternative. No objection from Planning Policy team. Approved under delegated powers 07.05.2014	
8 May	201414/0595/ADV	Application for hanging sign. Approved under delegated powers 03.07.2014	

Appendix B: Key documents consulted

1. Details of Chairs of Planning Committee and Design and Conservation Panel

-
2. Committee report for outline application 06/0007/OUT
 3. Decision notice for outline 06/0007
 4. Drawings for 06/1026
 5. Committee report for approved John Thompson application 06/1026
 6. Drawings for first 'living Screens' application 07/1075
 7. Design and Conservation Panel minutes for first 'living Screens' application 07/1075
 8. Committee report for first 'living Screens' application 07/1075
 9. Decision notice for first 'living Screens' application 07/1075
 10. Drawings for approved scheme 08/0505
 11. Design and access Statement for approved scheme 08/0505
 12. Committee report for approved scheme 08/0505 (includes Design and Conservation Panel minutes)
 13. Drawings for proposed amendment by Corporate Architecture 2009
 14. Chair of Design Panel's comments on proposed CA amendment
 15. Judicial Review decision
 16. Design and Conservation Panel minutes on non-material amendments Feb 2011
 17. Drawings for the March 2011 'decoupled' amendment request
 18. Report to Planning Committee 06.04.2011 on the 'decoupled' amendment request
 19. Drawings for the October 2011 amendments 12/1264/NMA
 20. Drawings for screen framework and panel material NMA application
 21. Design and Conservation Panel minutes on screen framework and revised panel material
 22. Evidence of consultation between planning officers and urban design team on revised screen material
 23. Committee report on the screen material and framework application 13/0789/NMA
 24. Final approved version of management plan

Reference has also been made to drawings and documents available on the Cambridge Planning Portal.

Other documents referred to:

1. Guidance on tall buildings (English Heritage/CABE July 2007)
2. *By Design*, DETR/CABE 2000.
3. Cambridge Local Plan 2014: July 2013: *APPENDIX F: TALL BUILDINGS AND THE SKYLINE*, Cambridge City Council,

Appendix C: List of those consulted in the course of this study.

Jonathan Brookes	Principal Urban Design Officer, Cambridge City Council
Colin Brown	Managing Director, Januarys
Dr. Nick Bullock	University of Cambridge, Dept. of Architecture Previous chair, D & C Panel
Prof. Peter Carolin	Previous chair, D & C Panel
Tony Collins	Principal Planning Officer, Cambridge City Council
Roger Crabtree	Chairman of RUSTAT
Paul Davidson	Member of RUSTAT
Patsy Dell	Head of Planning, Cambridge City Council
Lewis Herbert	Leader of Cambridge City Council
Glen Richardson	Urban Design and Conservation Manager, Cambridge City Council
Andy Robinson	Director, Futurecity, Cambridge

Appendix D: The author

Barry Shaw, MBE, B. ARCH, RIBA, MRTPI, FRSA

Barry Shaw has over 40 years of experience working across the public and private sectors in the UK, Europe and USA. He has particular understanding of promoting good quality design in planning as well as managing change in historic areas.

As the founding chief executive of the Kent Architecture Centre and former Director of the Essex Design Initiative he has led on a range of quality initiatives across south east England. As a former Head of Urban Design for the London Docklands Development Corporation he has worked on the planning and development of some of the tallest buildings in the UK. His international work has included advising the cities of Berlin, Hamburg and Amsterdam on development, and assessing international architecture competitions in Hamburg and Paris. He has combined teaching with his professional work including acting as a visiting critic at Harvard University's Unit for Housing and Urbanisation and visiting professor at the Graduate School of Design.

He is currently a Built Environment Expert at Cabe at the Design Council, Chair of the Hertfordshire County Council Design Review Panel and leads on design review training for the RIBA. He was formerly a member of the English Heritage Advisory Panel and London Advisory Panel, and joint chair of the South East Design Review Panel. He was awarded the MBE for services to architecture in 2000.

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee DATE: 04/03/15

WARD: Trumpington

PLANNING ENFORCEMENT CONTROL ENFORCEMENT NOTICE REPORT

26 Bishops Road, Cambridge Non-compliance with condition requiring outbuilding to remain ancillary to main property.

SUMMARY	<p>A planning enforcement investigation has identified the non-compliance with a planning condition that specifically required an outbuilding to remain used in connection with 26 Bishops Road, Cambridge. The outbuilding and land where it is situated has been bought by the owner of Flat 1, 24 Bishops Road, Cambridge and the outbuilding and the outbuilding (which lawful use is ancillary to number 26) is now being used as a separate residential unit.</p> <p>Recently a planning application was made to assess the current separate residential use of the outbuilding and this was refused.</p> <p>Planning enforcement officers believe that the outbuilding continues to be used as a separate residential unit and in breach of condition 3 of planning permission 13/1654/FUL.</p>
RECOMMENDATION	<p>That enforcement action is authorised in respect of the breaches of planning control to serve two enforcement notices to remedy (a) the unlawful material change of use of the outbuilding and (b) the breach of condition 3.</p>

1 INTRODUCTION

This report seeks delegated authority to serve two enforcement notices; one to address the failure to comply with condition 3 of planning permission reference 13/1654/FUL (which required a self-contained studio to be used solely in conjunction with and ancillary to 26 Bishops Road, Cambridge and not separately used, occupied or let), and the other to remedy the material change of use to use as a separate residential unit.

Planning permission was granted to erect a studio at 26 Bishops Road, subject to conditions, one of which stated:

“3. The development hereby permitted shall be used solely in conjunction with and ancillary to 26 Bishops Road and shall not be separately used, occupied or let.”

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)”

The self-contained studio and the land immediately surrounding it used to form part of the property at 26 Bishops Road, however it has recently been sold to the owner of Flat 1, 24 Bishops Road and is registered at the land registry under a separate title number to that for 26 Bishops Road. Planning enforcement officers have visited the site and believe that the studio is being used separately from 26 Bishops Road which contravenes the planning condition 3, as detailed above. The first enforcement notice proposed would require compliance with the above condition.

To use the studio as a separate unit is considered to be a material change of use of the building from ancillary to a separate planning unit. This material change of use would be the subject of the second enforcement notice proposed.

2 PLANNING HISTORY

As the site in question is directly connected through a change in ownership details to a neighbouring property, both planning histories have been included for reference.

2.1 PLANNING HISTORY for 26 Bishops Road

Reference	Description	Outcome
C/95/0383	Two storey side and rear extension to existing house (C3),,	RC
C/95/0684	Two storey side and rear extensions to existing house (C3) - Resubmission of C/0383/95	Allowed at appeal
C/00/0407	Erection of a single storey rear conservatory to existing dwelling	APC
13/1654/FUL	Construction of a self contained studio in the rear garden	PERM

2.2 PLANNING HISTORY for 24 Bishops Road

Reference	Description	Outcome
C/03/0660	Erection of 2 storey side extension, single storey rear extension and front porch.,	APC
08/0439/FUL	Conversion of existing house into two self contained flats and erection of two storey side and rear extension, single storey rear extension and front porch.	WDN
08/0966/FUL	Conversion of existing house into two self contained flats and erection of two storey side and rear extension, single storey rear extension and front porch.,	PERM
12/1449/FUL	Erection of a lean-to conservatory to the rear of the property	PERM
14/1771/FUL	Retrospective application for a self contained studio in the rear garden (application previously approved under planning reference 13/1654/FUL),	REF

3 BACKGROUND / TIMELINE OF ENFORCEMENT INVESTIGATION

3.1 In August 2014 officers received a report that a planning condition had been breached. The condition in question was condition 3 of planning permission 13/1654/FUL which stated:

“3.The development hereby permitted shall be used solely in conjunction with and ancillary to 26 Bishops Road and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)”

3.2 Officers left a card at the property on 28/08/14 requesting contact from the owner. On 29/08/14 a telephone call was received from the owner’s son who advised officers that the outbuilding was occupied by a family friend who also used the main house. Officers advised the owner’s son during their telephone conversation of 29/08/14 that condition 3 on planning permission 13/1654/FUL remained in place and must be complied with.

3.3 The investigation was closed as a result of the above information, but was subsequently re-opened at the end of August 2014 when a further complaint was received.

3.4 A telephone call was made a member of the public reporting that 26 Bishops Road was for sale excluding the studio at the rear. Enquiries of the estate agent selling number 26, confirmed that the rear garden area had been subdivided in ownership and the studio had been officially separated in title and linked to a neighbouring flat owned by the previous owner’s son.

3.5 Officers contacted the owner of Flat 1, 24 Bishops Road, who submitted a planning application for consideration to see if the studio would be acceptable as a separate residential unit. The planning application 14/ 1771/FUL was refused under delegated powers on 02.01.2015. The reasons for the refusal are detailed in paragraph 4.3 below. The applicant may appeal this decision if he wishes to.

3.6 The breach of planning control continues to the present day.

4 ASSESSMENT AGAINST PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

4.1 The National Planning Policy Framework states:

‘Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

4.2 National Planning Policy Guidance states:

Para 17b-003: ‘There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control’.

4.3 Assessment against Cambridge Local Plan 2006:

In order to issue enforcement notices there must be sound planning reasons to justify taking such action. A planning application 14/1771/FUL to link the studio to Flat 1, 24 Bishops Road, was considered and refused for the following reasons:

1. Due to the poor positioning of the studio, which locates the entrance to behind a fence in the back corner of the plot, it means that it will provide little surveillance and puts users at risk from crime and disorder as there are no additional means for escape for residents. In doing so, the development constitutes poor design and fails to respond positively to the site context and its constraints. The development is contrary to policies 3/4, 3/7 and 3/14 of the Cambridge Local Plan 2006 and guidance in the National Planning Policy Framework (2012).

2. The development fails to make adequate provision for the storage of waste. In so doing, the development fails to provide a satisfactory level of amenity for the future occupiers of the studio and has the potential to have an adverse impact on the amenity of occupiers of neighbouring dwellings. The development is contrary to policy 3/14 of the Cambridge Local Plan 2006 and guidance in the National Planning Policy Framework (2012).

3. The creation of a separate residential unit on this constrained backland site served by a long narrow access, is unacceptable in that it introduces a development form that is not in harmony with the residential garden character of the immediate area. The proposed dwelling by virtue of its position on the plot would result in an unacceptable invasion of privacy currently enjoyed by adjacent occupiers and future occupants and would therefore have a significantly detrimental impact on the residential amenity of the adjoining neighbour such that it would be contrary to Policies 3/4, 3/7 and 3/12 of the Local Plan.

- 4.4 Enforcement is a discretionary power and the Planning Committee should take into account the planning history, the details of the breaches of planning control and the other relevant facts set out in this report.
- 4.5 Officers investigating the breach of planning control and setting out their recommendations have been mindful of, and complied with the Planning Enforcement Policy and the City Council's Enforcement Concordat.
- 4.6 Consideration should be given to the Human Rights Act 2000 and to the Equality Act 2010. In terms of human rights, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination) as being relevant considerations. The Council must also have regard to its public sector equality duty (PSED) under S.149 of the Equality Act. The duty is to have due regard to the need (in discharging its functions) to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing, minimising disadvantages suffered by

persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

- Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion or belief, sex and sexual orientation.

Officers do not consider that the recommendation in this report would have a disproportionate impact on any protected characteristic.

- 4.7 Officers consider that the service of two enforcement notices referred to above, with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the public interest to achieve the objective of upholding national and local planning policies.
- 4.8 Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that taking necessary and appropriate action would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding local planning policies.
- 4.9 If Members choose not to authorise the service of the enforcement notices the unauthorised operational development would become immune from enforcement action after a period of four years and the enforcement case would be closed. This would allow a new planning unit which officers consider to be unacceptable and contrary to the Cambridge Local Plan (2006).

5 RECOMMENDATION

Officers consider Option 1 below is the most appropriate, proportionate and expedient option in order to regularise the breaches of planning control.

Option 1:

Enforcement Notices

- 5.1 (i) To authorise the service of enforcement notices under S172 of the Town and Country Planning Act 1990 (as amended) in respect of the breaches of planning control, namely the failure to comply with planning condition 3 of planning permission reference 13/1654/FUL, and the material change of use of the ancillary studio to a separate unit, at 26 Bishops Road, Cambridge, specifying the steps to comply and the period for compliance set out in paragraphs 5.2 and 5.3, for the reasons contained in paragraph 5.4.
- (ii) to authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notices.
- (iii) to delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of non-compliance with the enforcement notices.

5.2 Steps to Comply

Cease the breach of condition 3 on planning permission 13/1654/FUL;

Cease the unauthorised material change of use of the studio as a separate unit from 26 Bishops Road, Cambridge.

5.3 Period for Compliance:

6 months from the date the notice comes into effect.

5.4 Statement of Reasons:

It appears to the Council that the breach of planning control has occurred within the last four years. The applicant has undertaken development without the benefit of planning permission.

The development, due to the poor positioning of the studio, which locates the entrance to behind a fence in the back corner of the plot, means that it provides little surveillance and puts users at risk from crime and disorder as there are no additional means for escape for residents. In doing so, the development constitutes poor design and fails to respond positively to the site context and its constraints. The development is contrary to policies 3/4, 3/7 and 3/14 of the Cambridge Local Plan 2006 and guidance in the National Planning Policy Framework (2012).

The development fails to provide sufficient waste storage space in accordance with standards on site for residential use. In so doing, the development fails to provide a satisfactory level of amenity for the future occupiers of the studio and has the potential to have an adverse impact on the amenity of occupiers of neighbouring dwellings. The development is contrary to policy 3/14 of the Cambridge Local Plan 2006 and guidance in the National Planning Policy Framework (2012).

The creation of a separate residential unit on this constrained backland site served by a long narrow access, is unacceptable in that it introduces a development form that is not in harmony with the residential garden character of the immediate area. The proposed dwelling by virtue of its position on the plot would result in an unacceptable invasion of privacy currently enjoyed by adjacent occupiers and future occupants and would therefore have a significantly detrimental impact on the residential amenity of the adjoining neighbour such that it would be contrary to Policies 3/4, 3/7 and 3/12 of the Local Plan.

Mindful of the NPPF, Development Plan policy and other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control.

Consideration has been given to the Human Rights of the current tenants of the building, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a

reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). The Council has also had regard to its public sector equality duty (PSED) under S.149 of the Equality Act.

Officers consider that the service of an enforcement notice with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies, which seek to restrict such forms or new residential development.

OPTION 2:

5.5 Take no further action

To authorise the Head of Planning Services to instruct officers to close the current enforcement investigation and take no further action regarding this matter.

BACKGROUND PAPERS

EN/0382/14- Investigation papers

APPENDICES

- | | |
|-------------------|---|
| Appendix A | Site plan of the properties concerned. |
| Appendix B | Planning decision notice for planning permission
13/1654/FUL |
| Appendix C | A drawing showing the new land ownership details. |

The contact officer for queries on the report is Alison Twyford on extension 7326.

Report file: N:\Development Control\Planning\Enforcement\ Committee Reports\ 26 Bishops Road EN report March 2015

CAMBRIDGE CITY COUNCIL
The Guildhall, Cambridge, CB2 3QJ

TOWN AND COUNTRY PLANNING ACTS 1990

FULL PLANNING PERMISSION

SUBJECT TO CONDITIONS

Ref: **13/1654/FUL**



Mr Ashley Hanspall
Flat 1
24 Bishops Road
Cambridge
CB2 9NH

The Council hereby grant full planning permission for

Construction of a self contained studio in the rear garden.

at

26 Bishops Road Cambridge Cambridgeshire CB2 9NH

in accordance with your application received 3rd December 2013 and the plans, drawings and documents which form part of the application, subject to the conditions set out below:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2.The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3.The development hereby permitted shall be used solely in conjunction with and ancillary to 26 Bishops Road and shall not be separately used, occupied or let.

Reason: To protect the amenity of the adjoining residential properties and to avoid the creation of a separate planning unit. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

4.**INFORMATIVE:** The applicant if they wish to and would like to upgrade the ecological environment then its advisable to contact the Nature Conservation Officer to get help and advice on 01223 457 000.

This decision notice relates to the following drawings: **SITE PLAN , BRP.01 , BRP.02 , BRP.03 ,**

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed

to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

It is important that all conditions particularly pre-commencement conditions are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Your attention is specifically drawn to the requirements of the Chronically Sick and Disabled Persons Act 1970, the Disabled Persons Act 1981, to the British Standards Institution Code of Practice for Access for the Disabled to Buildings (BS 5810 1979), to Part M of the Building Regulations 1991, and to BS 5588 Part 8 1988 (Code of Practice for means of escape for disabled persons). The development should comply with these requirements.

Please note: On-street parking controls, including residents' parking schemes, are in operation in several parts of the City of Cambridge. There are restrictions on eligibility for residents' parking permits, even for residents within the areas covered by schemes. Implementing a planning consent can remove eligibility for a permit. The County Council can advise whether or not properties qualify for a Residents' Parking Permit. If in doubt, please contact Cambridgeshire County Council, Cambridgeshire Parking Services by telephoning (01223) 727920 or by e-mailing parkingpermits@cambridgeshire.gov.uk, mentioning this planning consent. Please also be aware that the criteria for granting parking permits may change from time to time.

For further information please go to www.cambridge.gov.uk/planning.

Dated: 28 January 2014



Guildhall, Cambridge, CB2 3QJ
Head of Planning Services

SEE NOTES ATTACHED

PLANNING PERMISSION

1. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development' or to grant permission subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town & Country Planning Act 1990.

If you want to appeal then you must do so within 6 months of the date of this notice or within 12 weeks of the date of the decision notice against a refusal of any householder or minor commercial planning application, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or from www.planningportal.gov.uk/pcs

The Secretary of State can allow for a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, he does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

2. Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be permitted. In these circumstances, the owner may serve a purchase notice on the council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

LISTED BUILDING CONSENT, CONSERVATION AREA CONSENT

3. Notification of Demolition

If listed building consent has been granted and any demolition is to take place, you must in accordance with Section 8(2)(b) of the Planning (Listed Building and Conservation Areas) Act 1990 complete a Final Notice of Demolition Form and send it to English Heritage at least one month before demolition occurs.

4. Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse listed building or conservation area consent, or to grant either subject to conditions then you may appeal to the Secretary of State for the Environment in accordance with sections 20 and 21 of the Planning (Listed Building and Conservation Areas) Act 1990. Appeals must be made within 6 months of the date of the decision (see notes under 1 above).

5. Purchase Notice

If listed building or conservation area consent is refused, or if either is granted subject to conditions, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the District Council in which the land is situated a purchase notice requiring the council to purchase his interest in the land in accordance with section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

6. Compensation

In certain circumstances a claim may be made against the local planning authority for compensation as provided for under Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

CONSENT TO DISPLAY AN ADVERTISEMENT

7. Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse consent to display an advertisement, or to grant consent subject to conditions then you may appeal to the Secretary of State for the Environment under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. Appeals must be made within 8 weeks of the date of the decision (see notes under 1 above)

This page is intentionally left blank

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Main Planning Committee DATE: 04/03/15

WARD: All

PLANNING ENFORCEMENT CONTROL PROSECUTION REPORT

49 Woodlark Road, Cambridge
Non-compliance with Section 215 notice issued for condition of
land
(Enforcement reference: EN/0047/14)

SUMMARY	A Section 215 (S215) notice requiring improvements to be made to the condition of the land and property at 49 Woodlark Road, Cambridge was served on 19 November 2014. This report is brought before committee to consider what course of action could be taken in light of the notice not being complied with.
RECOMMENDATION	That prosecution proceedings be authorised to for failure to comply with the notice served.

INTRODUCTION

- 1.1 This case relates to a property which is considered to have an adverse effect on the local area as a result of its detrimental impact on visual amenity. The property is considered to be in an extremely poor state of repair and requires improvements. Attempts were made to regularise the situation informally but the owner unfortunately did not make any improvements. This remains to situation to date, despite the service of a formal notice requiring

the improvements. A copy of the notice served under Section 215 of the Town and Country Planning Act 1990 (as amended) has been attached as Appendix A.

- 1.4 There have been no improvements or engagement with the local authority to explain possible reasons for not complying with the notice. The local planning authority consider the current situation is unacceptable for residents of the local area and the Council needs to take appropriate action to ensure the situation is improved and the notice complied with.

2 PLANNING HISTORY

- 2.1 No planning history.

3 BACKGROUND / TIMELINE OF ENFORCEMENT INVESTIGATION

3.1 SITE HISTORY AND CONTEXT

The site is located in an established residential area. The general character of the road is semi-detached properties. A plan detailing to location of the property concerned is attached as Appendix B.

3.2 ENFORCEMENT INVESTIGATION

In February 2014 Officers received a report of a property that was affecting the appearance of the local area.

- 3.3 A site inspection was made in which officers considered that the property and its garden were detrimental to the visual amenity of the local area and as such warranted action by the local planning authority.
- 3.4 A letter was sent to the owner on 01/08/14 requesting for improvements to be made to the property and the garden. Suggestions were made to remove any unrequired vehicles from the property and to cut back overgrown vegetation at the property.
- 3.5 A joint site visit with officers from the environmental health team was made at the end of August in which officers were advised that the owner may not have received the letter that had been sent to

him. It was advised that the letterbox to the property may not be accessible and the owner uses a side door.

- 3.6 The environmental health team have considered the condition of the inside of the property and have also considered the prevention of damage by pests under the environmental protection act legislation. Officers have informally engaged with the owner/ occupier including informing him of potential Grant Funding available via the Home Aid Agency. Written correspondence has generally been pinned to the external door to the left hand side of the property owing to confirmation that the owner occupier enters and exits the property via this route. Environmental Health have been unable to take any formal action to date owing to lack of substantiated evidence.
- 3.7 In line with best guidance two further letters requesting improvements be made were hand served and attached to the side door of the property on 05/09/2014 and 20/10/2014.
- 3.8 A site inspection made on 04/11/2014 noted that no improvements had been made, and further complaints continued to be received which advised that the rear garden was also in a poor overgrown condition.
- 3.9 Officers arranged to visit a neighbouring property to photograph the rear of the site.
- 3.10 A notice was hand served under Section 215 of the Town and Country Planning Act 1990 (as amended) on 19/11/2014. A copy of the notice is attached as Appendix A.
- 3.11 The notice had a right of appeal, but this was not exercised by the owner of the property. The notice therefore came into effect on 17 December 2014.

The notice required:

- “-Remove any unrequired vehicles from the land
- Repair all broken windows on the property
- Repair and replace any damaged guttering and fascia boards on the property
- Cut back and remove all overgrown vegetation from the front side and rear gardens

-Cut back and remove overgrown vegetation from the front of the property.”

The notice required compliance by 14.01.2014.

- 3.12 A site inspection made on 27/01/15 showed that no works had been carried out.
- 3.13 The owner has failed to respond to any requests from the local planning authority and has also failed to engage with officers.
- 3.14 Officers from both the planning and environmental health department have assessed the issues on site and have tried to encourage improvements to be made. Unfortunately the owner has not engaged with the City Council.
- 3.15 This issue has previously been looked at by the planning enforcement section in 2009. At the time of this investigation the condition of the land was not considered to be significantly adverse to the visual amenity of the local area.

4 ASSESSMENT AGAINST PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

- 4.1 The National Planning Policy Framework states:

‘Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

- 4.2 National Planning Policy Guidance states:

Para 17b-003: ‘There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning

authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

- 4.3 Enforcement is a discretionary power and the Committee should take into account the planning history, the details of the breaches of planning control and the other relevant facts set out in this report.
- 4.4 Officers investigating the breach of planning control and setting out their recommendations have been mindful of, and complied with the Planning Enforcement Policy and the City Council's Enforcement Concordat.
- 4.5 Consideration should be given to the Human Rights Act 2000 and to the Equalities Act 2010. In terms of human rights, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination) as being relevant considerations. The Council must also have regard to its public sector equality duty (PSED) under S.149 of the Equalities Act. The duty is to have due regard to the need (in discharging its functions) to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing, minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
 - Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Officers do not consider that the recommendation in this report would have a disproportionate impact on any protected characteristic.

- 4.6 Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that taking necessary and appropriate action would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding local planning policies.

5 RECOMMENDATIONS/OPTIONS

- 5.1 Enforcement is a discretionary power and Members of Committee need to consider an appropriate way forward given the planning history, the impact of the development upon the neighbouring properties, and what weight should be given to the personal circumstances of the owner.

The key range of enforcement powers available to the Council following a failure to comply with a Section 215 notice are as follows:

- Take no further action
- Prosecution
- Simple Caution (in place of prosecution)
- Injunction
- Entry on to the site by the Council to carry out the works required and recovery of the costs of doing so from the owners.

Officers have set out below the main options that the Committee needs to consider.

- 5.2 In considering the options officers have considered which option is most expedient, proportionate and the option which will maintain the integrity of the planning system.

6 CONCLUSIONS

- 6.1 Officers have spent a long period of time trying to negotiate with the owner to try and improve the situation. This was not successful and a formal notice was therefore served. Failure to comply with the notice is a criminal offence.

7 RECOMMENDATIONS

- 7.1 To give delegated authority to the Head of Planning and the Head of legal services jointly, to take prosecution action on behalf of the Council for failure to comply with the requirements of the Section 215 Notice.

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

APPENDICES

Appendix A- A copy of the Section 215 Notice served by the planning department

Appendix B- Site plan

Appendix C- Photographs denoting the enforcement issues on the site.

EN/0047/14 – 49 Woodlark Road, Cambridge

To inspect these documents contact Alison Twyford on extension (45)7326

The author and contact officer for queries on the report is Alison Twyford on extension 7326.

Report file: N:\Development Control\Planning\Enforcement\ Committee Reports\49 Woodlark Road Prosecution Report

Date originated: 03 February 2015

Date of last revision: 03 February 2015

This page is intentionally left blank



Cambridge City Council

NOTICE UNDER SECTION 215 AS TO LAND ADVERSLEY AFFECTING THE AMENITY OF THE AREA

The Town and Country Planning Act 1990, Section 215 (as amended)

IMPORTANT NOTICE – THIS AFFECTS YOUR LAND

Land at: **49 Woodlark Road, Cambridge, Cambridgeshire, CB3 0HT**

To: Mr P Hensman

1. THE NOTICE

This is a formal notice served by the Council under section 215 of the TCPA 1990 because it appears (to them) that the amenity of a part of their area is adversely affected by the condition of the Land.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at 49 Woodlark Road, Cambridge, Cambridgeshire, CB3 0HT shown edged red on the attached plan (the Land).

3. WHAT YOU ARE REQUIRED TO DO

The Council requires you to take the following steps to remedy condition of the Land:

1. Remove any unrequired vehicles from the land
2. Repair all broken windows on the property
3. Repair and replace any damaged guttering and fascia boards on the property
4. Cut back and remove all overgrown vegetation from the front, side and rear gardens.
5. Cut back and remove overgrown vegetation attached to the front of the property.

4. WHEN YOU MUST COMPLY

You must comply with the steps above by the end of the period of 21 days following the date that notice takes effect.

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17th December 2014, unless an appeal is made against it beforehand.

Date of issue:

Signed:

P. Dell

(Authorised Officer)

On behalf of: Cambridge City Council

Date: 19 Nov 2014

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES WHICH EXPLAIN YOUR RIGHT OF APPEAL AGAINST THIS NOTICE.

NOTES

Attached to this notice are copies of sections 215 to 219 (inclusive) of the TCPA 1990 which sets out the law applicable to this notice.

YOUR RIGHT OF APPEAL

You can appeal against this notice to the Magistrates' Court provided you do so before the notice takes effect on 17th December 2014.

Section 217 of the TCPA 1990 sets out the grounds on which you can appeal. If you wish to appeal you should do so in writing addressed to the Clerk to the Magistrates' Court at Cambridge Magistrates' Court, 12 St Andrews Street, Cambridge, CB2 3AX. A fee may be payable.

If you do not appeal against this notice it will take effect on 17th December 2014 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period specified in the notice.

Failure to comply with the notice can result in prosecution or remedial action by the Council to give effect to its requirements, in which case the Council may recover their costs from you as the owner of the land.

DO NOT LEAVE YOUR RESPONSE TO THE LAST MINUTE

CAMBRIDGE CITY COUNCIL

REPORT OF: Head of Planning Services

TO: Planning Committee DATE: 04/03/15

WARD: Abbey

PLANNING ENFORCEMENT CONTROL ENFORCEMENT NOTICE REPORT

45 Elfleda Road, Cambridge Unauthorised operational development relating to the erection of a roof dormer

SUMMARY	<p>A planning enforcement investigation has identified unauthorised development at the above address, namely the erection of a roof dormer without planning permission.</p> <p>The development is not acceptable because it is considered to be out of keeping with the property and local area.</p>
RECOMMENDATION	<p>That enforcement action is authorised in respect of the breach of planning control to serve an enforcement notice.</p>

1 INTRODUCTION

This report seeks delegated authority to serve an Enforcement Notice to address the unauthorised development at 45 Elfleda Road, Cambridge, namely, "Without planning permission the erection of a roof dormer." See appendix A for site plan.

2 PLANNING HISTORY

Reference	Description	Outcome
13/0265/FUL	First floor side extension	Perm
14/1998/FUL	Loft conversion	Application invalid at time

3 BACKGROUND / TIMELINE OF ENFORCEMENT INVESTIGATION

- 3.1 Officers received a complaint in October 2014 advising that a roof dormer was under construction that may require planning permission.
- 3.2 A site inspection was made in which it was confirmed that the works undertaken failed to benefit from permitted development by virtue of its size and also the materials used which significantly alter the external appearance of the dwelling, and as such requires formal planning permission.
- 3.3 Officers considered that the works as built would be unlikely to be supported if an application were to be submitted. A letter was sent inviting an application for an amended scheme/proposal.
- 3.4 No application was received within the period originally requested and officers therefore contacted the owners to advise that formal action was being considered.
- 3.5 Contact was received from the owners in which they stated that the works had been constructed under permitted development. Advice was given as to why the works failed to benefit from the provisions and an extension was given to allow an application to be made.
- 3.6 An application was received on 13.12.2014 but required further information to validate it. Two letters have been sent chasing the outstanding information.
- 3.7 To date the application remains invalid and the drawings that have been submitted show the dormer as built, which officers have already advised is unlikely to be supported and therefore refused.
- 3.8 Officers have tried to resolve the breach of planning control informally. A number of months have passed and the dormer is substantially complete.
- 3.9 Officers have advised the owner of 45 Elfleda Road that this report has been prepared for members to consider the service of an Enforcement Notice for the unauthorised operational development.
- 3.10 Particular consideration has been given to the steps to comply. The steps require the full removal of the dormer as, by virtue of the

materials used not matching the existing dwelling, it cannot be reduced to comply with permitted development allowances.

4 ASSESSMENT AGAINST PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

4.1 The National Planning Policy Framework states:

‘Para 207 Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.’

4.2 National Planning Policy Guidance states:

Para 17b-003: ‘There is a clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control’.

4.3 Assessment against Cambridge Local Plan 2006:

In order to issue an Enforcement Notice there must be sound planning reasons to justify taking such action. The opinion of planning officers loft dormer by reason of its size, protrusion over the building line and materials is out of keeping with the main dwelling and the locality. The development would therefore be contrary to policies 3/4 of the Cambridge Local Plan 2006 and to guidance provided by the NPPF 2012.

4.4 Enforcement is a discretionary power and the Committee should take into account the planning history, the details of the breaches of planning control and the other relevant facts set out in this report.

4.5 Officers investigating the breach of planning control and setting out their recommendations have been mindful of, and complied with the Planning Investigation Service Policy and the City Council’s Enforcement Concordat.

4.6 Consideration should be given to the Human Rights Act 2000 and to the Equalities Act 2010. In terms of human rights, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination) as being relevant considerations. The Council must also have regard to its public sector equality duty (PSED) under S.149 of the Equalities Act. The duty is to have due regard to the need (in discharging its functions) to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing, minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
- Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnerships, race, religion or belief, sex and sexual orientation.

Officers do not consider that the recommendation in this report would have a disproportionate impact on any protected characteristic.

4.7 Officers consider that the service of an enforcement notice with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the public interest to achieve the objective of upholding national and local planning policies.

4.8 Consideration has been given to Human Rights including Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). It is considered that taking necessary and appropriate action would be lawful, fair, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding local planning policies.

- 4.9 If members choose not to authorise the service of an Enforcement Notice the unauthorised operational development would become immune from enforcement action after a period of four years and the enforcement case would be closed.

5 RECOMMENDATION

Enforcement Notice

- 5.1 (i) To authorise an enforcement notice under S172 of the Town and Country Planning Act 1990 (as amended) in respect of a breach of planning control, namely the unauthorised operational development consisting of the erection of a roof dormer at 45 Elfleda Road specifying the steps to comply and the period for compliance set out in paragraphs 5.2 and 5.3, for the reasons contained in paragraph 5.4.
- (ii) to authorise the Head of Planning Services (after consultation with the Head of Legal Services) to draft and issue the enforcement notice.
- (iii) to delegate authority to the Head of Planning Services (after consultation with the Head of Legal Services) to exercise the Council's powers to take further action in the event of non-compliance with the enforcement notice.

5.2 Steps to Comply

Remove the roof dormer constructed and return the roof to its original condition.

5.3 Period for Compliance:

6 months from the date the notice comes into effect.

5.4 Statement of Reasons:

It appears to the Council that the breach of planning control has occurred within the last four years. The applicant has undertaken development without the benefit of planning permission.

Planning officers consider that if an application for the operational development was submitted it would not be supported because of its size, protrusion over the building line and materials which are considered to be out of keeping with the main dwelling and the locality. The development would therefore be contrary to policies 3/4 of the Cambridge Local Plan 2006 and to guidance provided by the NPPF 2012.

Mindful of the NPPF, Development Plan policy and other material considerations, the Council consider it expedient to serve an enforcement notice in order to remedy the breach of planning control.

Consideration has been given to the Human Rights of the current tenants of the building, officers have noted Article 1 Protocol 1 (protection of property), Article 6 (a right to a fair hearing within a reasonable time), Article 8 (right to respect for private family life) and Article 14 (prohibition of discrimination). The Council has also had regard to its public sector equality duty (PSED) under S.149 of the Equalities Act.

Officers consider that the service of an enforcement notice with a reasonable period for compliance would be lawful, fair, proportionate, non-discriminatory, and necessary in the general public interest to achieve the objective of upholding national and local planning policies, which seek to restrict such forms or new residential development.

BACKGROUND PAPERS

EN/0311/14- Investigation papers

APPENDICES

- Appendix A** Site plan of the property
Appendix B Photographs of the structure as built.

The contact officer for queries on the report is Alison Twyford on extension 7326.

Report file: N:\Development Control\Planning\Enforcement\ Committee Reports\ 45 Elfleda Road EN report March 2015

CAMBRIDGE CITY COUNCIL

REPORT OF: Arboricultural Officer
TO: Planning Committee
WARD: New

4th March 2015

TREE WORKS APPLICATION 14/571/TTPO APPLICATION TO PRUNE BEECH AT 19 CHAMPNEYS WALK

1.0 INTRODUCTION

- 1.1 An application has been received to crown reduce the Beech in the rear garden of 19 Champneys Walk by 3 to 4 metres and raise the crown to 4m.
- 1.2 The item is brought before Members as objections have been received to the proposed works.
- 1.3 The Local Planning Authority can deal with this Application in one of three ways:
 - (1) Refuse Consent
 - (2) Grant Consent
 - (3) Grant consent subject to condition

2.0 RECOMMENDATION

- 2.1 The Council grant consent subject to condition.

3.0 BACKGROUND

- 3.1 Concerned about the condition of the tree in their rear garden the owners of 19 Champneys Walk commissioned an assessment of its structural integrity. An assessment of decay in the trees stem using a tomograph revealed decay at an acceptable level. VTA (visual tree assessment) found a tight union between the tree's co-dominant stems at 2-3m and the likelihood of included bark. For this reason it was proposed to crown reduce the tree and install a non-invasive brace. In addition work was recommended to crown lift the tree to allow more light to filter to the garden under the tree's crown and to avoid harm to users of the adjacent footpath, over which the tree hangs.
- 3.2 The tree officer had concerns regarding the extent of works proposed and the impact this work would have tree health and amenity value.

4.0 CONSULTATIONS

- 4.1 Ward Councillors and residents of St Marks Court and Champney's Walk were consulted on all applications and a Site Notice was issued for display.
- 4.2 Objections to the works were received from residents of St Marks Court.

5.0 CONSIDERATIONS

- 5.1. Is the TPO still appropriate.

Amenity

Do the trees still make a significant contribution to the character and appearance of the area.

Condition/Nuisance

Are the trees in sufficiently poor condition to make them or works to them exempt from the TPO or are the trees causing unreasonable nuisance.

Justification for Remedial works

Are there sound practical or arboricultural reasons to carry out tree works.

- What is the justification
- Is there a financial consideration
- Is there a health and safety consideration
- Does the nuisance out way the benefit of refusing works

5.2 The Arboricultural Officer's assessment of the tree.

Amenity

The tree is in a prominent position and contributes significantly to the character and appearance of the area.

Condition/Nuisance

The tree is showing normal vigour and there is no indication of any defect likely to cause structural failure imminently. The angle of bifurcation of the co-dominant stems is however acute and there is evidence of included bark. There is a number of additional trees in the garden, trees in the rear garden of 18 Champneys Walk and a 3 storey building to the south of the garden. Combined, these significantly reduce light to the garden. Low branches, when in leaf are beginning to impede use of the footpath.

Justification for Remedial Works

- What is the justification
Structural defects within the crown that can be alleviated by considered remedial works.
Improve light to the garden
Remove potential hazard
- Is there a financial consideration
No
- Is there a health and safety consideration
Potentially
- Does the risk/nuisance out way the benefit of not carrying out any works
For the reasons detailed above the Tree Officer considers the risk of failure to out way any negative impact, considered, tree works will have on overall health and amenity contribution. However at this time there is insufficient justification for the 3-4m reduction proposed.

5.3 Applicants reasons for wishing to carry out the works

Safety and to improve light to the garden.

5.4 Objections with Officer Comments

- The works proposed are excessive and unjustified.
- *It was agreed that the proposed crown reduction by 3-4m is excessive however a crown reduction back to previous reduction points is justified. The applicant has agreed to the reduced works but the objectors wished to maintain their objections.*

6.0. OPTIONS

6.1 Members may

- Refuse Consent
- Grant Consent
- Grant Consent subject to condition

7.0 CONCLUSIONS

7.1 While the originally proposed works are excessive, the risk associated with not carrying out remedial works is considered to outweigh any negative impact pruning back to previous reduction points could have on tree health and amenity contribution. A crown lift to 4m is reasonable to remove the conflict with the footpath and allow more light under the tree's canopy. This work will have no material impact on tree health or amenity contribution. It is recommended therefore that members vote to Grant Consent subject to condition limiting the extent of crown reduction.

8.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	Potential

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 14/571/TTPO – Pollard

Tree Preservation Orders: a guide to the law and good practice

Comments received from residents

To inspect these documents please either view Public Access or contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Report file: March PC Champneys Walk
 Date originated: 18 February 2015
 Date of last revision: 18 February 2015

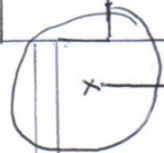
Appendix Image and Plan



Subject tree is the bottom centre.

BARTON ROAD

ST MARKS
COURT.



BEECH
TREE

19.

FOOTPATH

CHAMPNEYS
WALK.

This page is intentionally left blank

CAMBRIDGE CITY COUNCIL

REPORT OF: **Arboricultural Officer**

TO: **Planning Committee**

4th March 2015

WARD: **ECH**

**TREE WORKS, 211 NOTICE, 5, 6 and 7 Capstan Close
TO Fell, pollard, coppice Willows.**

1.0 INTRODUCTION

- 1.1 A 211 Notice was received to carry out works to willow trees on the eastern side of the Island, to the rear of 5, 6 and 7 Capstan Close
- 1.2 Objections to the proposed works were received and the tree officer had concerns that the extent of work would be detrimental to public amenity.
- 1.3 Following consultation with the owners of Capstan Close an amended description of works was put forward.
- 1.4 As some objections to the proposed works were maintained, a TPO was put on the trees to allow the proposal to be brought before members. The applicant has re-applied for the amended works under the TPO.
- 1.5 Members are asked to decide to
 - (1) Confirm the TPO or
 - (2) Allow the TPO to lapse
 - and
 - (3) Allow tree works, subject to condition or
 - (4) Refuse tree works

2.0 RECOMMENDATION

- 2.1 The TPO be confirmed

and

Tree works are allowed subject to condition limiting extent.

3.0 BACKGROUND

- 3.1 The 211 Notice was made by Mr Sharp of 5 Capstan Close on behalf of himself and his neighbours at 6 and 7

Proposed Works

T1 and T7 - Willow - Cut down to ground level

T2, T3 and T6 - Willow - Pollard to approx. 12ft - 15ft

T4 - Willow - Low branch growing towards river. Cut back to main trunk

T5 - Willow - Cut down to 2ft, coppice

T8 - Willow - Remove 1 low branch leaning towards backwater to balance

T9 - Willow - Coppice to retain root structure on bank

T10 and T11 - Pollard to 10ft

T12 - Remove low branch growing towards houses

- 3.2 Following discussion within the applicant regarding officer concerns the works was amended as follows.

Revised Tree Works

Tree 1: Coppice – small stem leaning over opening to basin

Tree 2: Pollard 0.5 to 1m above first main bifurcation – Approximately 4m-5m

Tree 3: Pollard 0.5 to 1m above first main bifurcation - Approximately 6m -7m

Tree 4 Pollard 0.5 to 1m above first main bifurcation - Approximately 5m -6m

Tree (small) between tree 4 & 5: Coppice, leggy specimen

Tree 5: Pollard 0.5 to 1m above first main bifurcation - Approximately 4m-5m

Tree 6: Pollard 0.5 to 1m above first main bifurcation Approximately 5m-6m

Tree 7: Removal, coppice or pollard – small stem growing from inlet

Tree 8: 20% crown reduction- tree will be opened up to increased wind loading, works proposed to redress balance

Tree 9 Pollard 0.5 to 1m above first main bifurcation - Approximately 5m-6m

Trees T10, T11 and T12 are on a part of the island owned by number 7. The owner of this property has decided not to carry out any works at this time.

4.0 CONSULTATIONS

- 4.1 It is Council policy to consult Ward Councillors and residents of proposed works in Conservation Areas and allow the opportunity for people to comment/object.
- 4.2 Following such consultation objections have been received from residents on Riverside, in Garden Walk and Victoria Road. The objections which can be viewed in full through idox or public access have been made on the following grounds.
 - 4.2.1 The work will affect the character of the area
 - 4.2.2 The trees are a high amenity in themselves as well as shielding the view to a row of modern houses
 - 4.2.3 The trees are not dangerous as claimed and the land is not unstable.
 - 4.2.4 The trees should be TPOd
 - 4.2.5 The applicants' only consideration seems to be a legal duty of care.
 - 4.2.6 The negative impact on birds

5.0 CONSIDERATIONS

- 5.1 Is there sound arboricultural or practical justification for the works to the tree(s) in the manner proposed.
 - 5.1.1 The Applicants' reasons for proposing the works are as follow. The trees are getting too large and may pose a risk by falling into the river or on the adjacent boathouse. This area of the Cam has significant traffic.
 - 5.1.2 There is no evidence presented to support a claim that the trees are a current danger and that the works are therefore required to mitigate such danger.
 - 5.1.3 When defects are apparent less drastic remedial works can redress the balance between stability and wind resistance.
 - 5.1.4 Notwithstanding the above pollarding is an acceptable way of managing willows. As these trees move in maturity and over-maturity the potential for failure will increase. Pollarding trees significantly reduces wind loading and allows the safe retention of trees for considerably longer than if they were allowed to grow naturally.

Proactive management by bringing trees in to a pollarding regime when they are healthy is more likely to be successful than if brought in to manage decline.

5.2 Is a TPO appropriate/expedient.

If it appears to a local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make trees, groups of trees or woodlands the subject of TPO.

5.2.1 Expedience

If there is a risk of trees being cut down or pruned in ways which would have a significant impact on their contribution to amenity it may be expedient to serve a Tree Preservation Order. In some cases the Local Planning Authority may believe trees to be at risk generally from development pressure and therefore consider it expedient to protect trees without known, immediate threat. Where trees are clearly in good arboricultural management it may not be considered appropriate or necessary to serve a TPO.

5.2.2 Amenity

While amenity is not defined in the Town and Country Planning Act, government guidance suggests that trees suitable for TPO should be visible to the public, at the time of making the TPO or in future. Trees may be worthy of preservation for their intrinsic beauty or for their contribution to the landscape or because they serve to screen an eyesore. Consideration should also be given to environmental benefits and historic/commemorative significance.

5.2.3 Suitability

The impact of trees on their local surroundings should also be assessed, taking into account how suitable they are to their particular setting, the presence of other trees in the vicinity and the significance of any detrimental impact trees may have on their immediate surroundings.

5.3 The Arboricultural Officer's assessment of the proposed.

5.3.1 Expedience

In this instance A TPO was necessary to provide protection for the trees during the time between the end of the 6-week notice and bringing the proposal before Committee. Confirming the TPO will not

only allow this continued protection but will also allow the applicant the right to appeal any refusal/condition of consent.

5.3.2 Amenity

The trees are a prominent feature of the Riverside walk, from where they are most easily viewed. They are a key feature of the character of the area, they screen the Capstan Way properties and they contribute to the island's habitat. Remedial works in the form of selective pollarding/coppicing is currently carried out to the Willows on the west side of the island to the rear of 8 to 11 Capstan Close. These trees still provide a significant amenity contribution and habitat and continue to screen the Capstan Close properties. Bringing the trees to the rear of 5 and 6 Capstan Close in to similar management will not have a material impact on the overall contribution the island trees make to the character of the area.

5.3.2 Suitability

The Willows are entirely suited to their riverside, island location. Managing this resource by introducing pollards to the east side of island is also appropriate.

6.0 CONCLUSIONS

- 6.1 A TPO is considered appropriate to maintain the necessary level of protection for the Willows. However although not required to abate immediate risk pro-active management of the Willows by introducing pollarding is appropriate for this site and, with consideration of pollard heights and staggering repeat works, will have no material impact on the island character and amenity contribution. Members are therefore respectfully requested to confirm the TPO and allow works to trees T1 to T9, subject to condition

7.0 IMPLICATIONS

(a)	Financial Implications	None
(b)	Staffing Implications	None
(c)	Equal Opportunities Implications	None
(d)	Environmental Implications	None
(e)	Community Safety	None

BACKGROUND PAPERS: The following are the background papers that were used in the preparation of this report:

TWA 14/605/TTCA

Tree Preservation Orders: a guide to the law and good practice

Comments received from residents

To inspect these documents please either view Public Access or contact Joanna Davies on extension 8522

The author and contact officer for queries on the report is Joanna Davies on extension 8522

Report file: March PC Capstan Close
Date originated: 18 February 2015
Date of last revision: 18 February 2015

Appendix 1 Plans

Image showing all trees on Capstan Close Island



Map of Island with subject trees numbered.

