



## Planning

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

**Alternates:** Councillors Bird, Holt and Holland

*Published & Despatched: Monday, 24 August 2015*

**Date:** Wednesday, 2 September 2015  
**Time:** 10.00 am  
**Venue:** Committee Room 1 & 2 - Guildhall  
**Contact:** Toni Birkin

## 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: 10am
  
- **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 05 August 2015 (attached separately).

### **Appendix 1 for Full Details of Central Government Planning Guidance**

<b>Part 1: Major Planning Applications (10am)</b>
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**5 15/0906/FUL - 32-38 STATION ROAD** *(Pages 19 - 140)*

**6 15/0893/FUL - LAND WEST OF ARM 1, PETERHOUSE TECHNOLOGY PARK** *(Pages 141 - 224)*

**7 15/0777/FUL - NEW MUSEUMS SITE, NORTH RANGE** *(Pages 225 - 270)*

**8 15/0779/LBC - NEW MUSEUMS SITE, NORTH RANGE** *(Pages 271 - 282)*

**9 15/1970/FUL - LAND AT FORMER ROSEMARY BRANCH** *(Pages 283 - 324)*

**10 15/1141/REM - CIRCUS, CAMBRIDGE BIOMEDICAL CAMPUS** Planning *(Pages 325 - 364)*

**11 15/1171/FUL - HIGH STREET, CAMBRIDGE BIOMEDICAL CAMPUS** *(Pages 365 - 390)*

<b>Part 2: Minor/Other Planning Applications 1.00pm</b>
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- 12      **15/0225/FUL - 2 BARROW ROAD** (*Pages 391 - 418*)
- 13      **15/1123/S73 - PERSE SCHOOL** (*Pages 419 - 436*)
- 14      **15/0787/FUL - ST MARYS SCHOOL, BATEMAN STREET** (*Pages 437 - 446*)
- 15      **15/0567/FUL - 63 THODAY STREET** (*Pages 447 - 460*)
- 16      **15/0400/FUL - 23 GARDEN WALK** (*Pages 461 - 474*)
- 17      **15/0999/FUL - 161 GWYDIR STREET** (*Pages 475 - 486*)
- 18      **15/0134/FUL - 44 QUEEN EDITHS WAY** (*Pages 487 - 502*)
- 19      **15/0287/FUL - CANTABRIGIAN RUGBY CLUB, SEDLEY TAYLOR ROAD**  
(*Pages 503 - 532*)
- 20      **15/1038/FUL - 92 QUEEN EDITHS WAY** (*Pages 533 - 550*)
- 21      **15/1085/FUL - 253 CHESTERTON ROAD** (*Pages 551 - 564*)
- 22      **15/1014/FUL - 74 ST CATHARINE STREET** (*Pages 565 - 572*)
- 23      **15/0611/FUL - 3 ASCHAM ROAD** (*Pages 573 - 586*)
- 24      **15/0729/FUL - LAND REAR OF 15 COLERIDGE ROAD** (*Pages 587 - 600*)
- 25      **15/1021/FUL - 15 WHITEHILL ROAD** (*Pages 601 - 616*)
- 26      **15/0945/FUL - 23-25 HILLS ROAD** (*Pages 617 - 648*)

<b>Part 3: General and Enforcement Items</b>
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- 27      **GENERAL ITEM: 14/1740/FUL: DOUBLE TREE BY HILTON, GRANTA PLACE** (*Pages 649 - 650*)

## 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](mailto: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](mailto: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](mailto: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](mailto:democratic.services@cambridge.gov.uk).

**General  
Information**

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## **APPENDIX 1 – DEVELOPMENT PLAN POLICY, PLANNING GUIDANCE AND MATERIAL CONSIDERATIONS**

(updated August 2015)

### **1.0 Central Government Advice**

**1.1 National Planning Policy Framework (March 2012)** – sets out the Government’s economic, environmental and social planning policies for England. These policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

### **1.2 Planning Practice Guidance (March 2014)**

The guidance complements the National Planning Policy Framework and provides advice on how to deliver its policies.

Guidance is provided in relation to the following:

- Advertisements
- Air quality
- Appeals
- Before submitting an application
- Climate change
- Conserving and enhancing the historic environment
- Consultation and pre-decision matters
- Crown Development
- Design
- Determining a planning application
- Duty to cooperate
- Ensuring effective enforcement
- Ensuring the vitality of town centres
- Environmental Impact Assessment
- Flexible options for planning permissions
- Flood Risk and Coastal Change
- Hazardous Substances
- Health and wellbeing
- Housing and economic development needs assessments
- Land affected by contamination
- Land stability
- Lawful development certificates
- Light pollution
- Local Plans
- Making an application
- Minerals
- Natural Environment
- Neighbourhood Planning
- Noise

Open space, sports and recreational facilities, public rights of way and local green space  
Planning obligations  
Renewable and low carbon energy  
Rural housing  
Strategic environmental assessment and sustainability appraisal  
Travel plans, transport assessments and statements in decision-taking  
Tree Preservation Orders and trees in conservation areas  
Use of Planning Conditions  
Viability  
Water supply, wastewater and water quality  
When is permission required?

1.3 **Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A only):** Model conditions.

1.4 **Community Infrastructure Levy Regulations 2010**

Paragraph 122 Places a statutory requirement on the local authority that where planning permission is dependent upon a planning obligation the obligation must pass the following tests:

- (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.

Paragraph 123 Other than through requiring a highway agreement to be entered into, a planning obligation (“obligation A”) may not constitute a reason for granting planning permission to the extent that

- (a) obligation A provides for the funding or provision of an infrastructure project or provides for the funding or provision of a type of infrastructure; and
- (b) five or more separate planning obligations that—
  - (i) relate to planning permissions granted for development within the area of the charging authority; and
  - (ii) which provide for the funding or provision of that project, or provide for the funding or provision of that type of infrastructure

have been entered on or after 6th April 2010

**Development Plan policy**

2.0 **The Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011**

**Minerals and Waste Core Strategy** : this sets out the Councils' strategic vision and objectives for future development and management of minerals and waste within Cambridgeshire and Peterborough, including strategic site allocations over the Plan period to 2026. The document also contains a suite of development control policies to guide minerals and waste development.

**Minerals and Waste Site Specific Proposals Plan** : this sets out the Councils' allocations for site specific proposals for future development and management of minerals and waste within Cambridgeshire and Peterborough. It identifies site specific land allocations for future minerals and waste management development and other supporting site specific policies.

**Proposals Maps**: Map A: shows minerals and transport proposals; Map B: shows waste management proposals; Map C: shows Mineral Safeguarding Areas.

### 3.0 **Cambridge Local Plan 2006**

- 3/1 Sustainable development
- 3/3 Setting of the City
- 3/4 Responding to context
- 3/6 Ensuring coordinated development
- 3/7 Creating successful places
- 3/9 Watercourses and other bodies of water
- 3/10 Subdivision of existing plots
- 3/11 The design of external spaces
- 3/12 The design of new buildings
- 3/13 Tall buildings and the skyline
- 3/14 Extending buildings
- 3/15 Shopfronts and signage

- 4/1 Green Belt
- 4/2 Protection of open space
- 4/3 Safeguarding features of amenity or nature conservation value
- 4/4 Trees
- 4/6 Protection of sites of local nature conservation importance
- 4/8 Local Biodiversity Action Plans
- 4/9 Scheduled Ancient Monuments/Archaeological Areas
- 4/10 Listed Buildings
- 4/11 Conservation Areas
- 4/12 Buildings of Local Interest
- 4/13 Pollution and amenity
- 4/14 Air Quality Management Areas
- 4/15 Lighting

- 5/1 Housing provision
- 5/2 Conversion of large properties
- 5/3 Housing lost to other uses
- 5/4 Loss of housing
- 5/5 Meeting housing needs

5/7 Supported housing/Housing in multiple occupation

5/8 Travellers

5/9 Housing for people with disabilities

5/10 Dwelling mix

5/11 Protection of community facilities

5/12 New community facilities

5/15 Addenbrookes

6/1 Protection of leisure facilities

6/2 New leisure facilities

6/3 Tourist accommodation

6/4 Visitor attractions

6/6 Change of use in the City Centre

6/7 Shopping development and change of use in the District and Local Centres

6/8 Convenience shopping

6/9 Retail warehouses

6/10 Food and drink outlets.

7/1 Employment provision

7/2 Selective management of the Economy

7/3 Protection of Industrial and Storage Space

7/4 Promotion of cluster development

7/5 Faculty development in the Central Area, University of Cambridge

7/6 West Cambridge, South of Madingley Road

7/7 College and University of Cambridge Staff and Student Housing

7/8 Anglia Ruskin University East Road Campus

7/9 Student hostels for Anglia Ruskin University

7/10 Speculative Student Hostel Accommodation

7/11 Language Schools

8/1 Spatial location of development

8/2 Transport impact

8/4 Walking and Cycling accessibility

8/6 Cycle parking

8/8 Land for Public Transport

8/9 Commercial vehicles and servicing

8/10 Off-street car parking

8/11 New roads

8/12 Cambridge Airport

8/13 Cambridge Airport Safety Zone

8/14 Telecommunications development

8/15 Mullard Radio Astronomy Observatory, Lords Bridge

8/16 Renewable energy in major new developments

8/17 Renewable energy

8/18 Water, sewerage and drainage infrastructure

9/1 Further policy guidance for the Development of Areas of Major Change

9/2 Phasing of Areas of Major Change

9/3 Development in Urban Extensions

9/5 Southern Fringe  
9/6 Northern Fringe  
9/7 Land between Madingley Road and Huntingdon Road  
9/8 Land between Huntingdon Road and Histon Road  
9/9 Station Area

10/1 Infrastructure improvements

#### Planning Obligation Related Policies

3/7 Creating successful places  
3/8 Open space and recreation provision through new development  
3/12 The Design of New Buildings (*waste and recycling*)  
4/2 Protection of open space  
5/13 Community facilities in Areas of Major Change  
5/14 Provision of community facilities through new development  
6/2 New leisure facilities  
8/3 Mitigating measures (*transport*)  
8/5 Pedestrian and cycle network  
8/7 Public transport accessibility  
9/2 Phasing of Areas of Major Change  
9/3 Development in Urban Extensions  
9/5 Southern Fringe  
9/6 Northern Fringe  
9/8 Land between Huntingdon Road and Histon Road  
9/9 Station Area  
10/1 Infrastructure improvements (*transport, public open space, recreational and community facilities, waste recycling, public realm, public art, environmental aspects*)

#### 4.0 Supplementary Planning Documents

- 4.1 **Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.
- 4.2 **Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012):** The Design Guide provides advice on the requirements for internal and external waste storage, collection and recycling in new residential

and commercial developments. It provides advice on assessing planning applications and developer contributions.

4.3 **Cambridge City Council (January 2008) - Affordable Housing:** Gives advice on what is involved in providing affordable housing in Cambridge. Its objectives are to facilitate the delivery of affordable housing to meet housing needs and to assist the creation and maintenance of sustainable, inclusive and mixed communities.

4.4 **Cambridge City Council (March 2010) – Planning Obligation Strategy:** provides a framework for securing the provision of new and/or improvements to existing infrastructure generated by the demands of new development. It also seeks to mitigate the adverse impacts of development and addresses the needs identified to accommodate the projected growth of Cambridge. The SPD addresses issues including transport, open space and recreation, education and life-long learning, community facilities, waste and other potential development-specific requirements.

4.5 **Cambridge City Council (January 2010) - Public Art:** This SPD aims to guide the City Council in creating and providing public art in Cambridge by setting out clear objectives on public art, a clarification of policies, and the means of implementation. It covers public art delivered through the planning process, principally Section 106 Agreements (S106), the commissioning of public art using the S106 Public Art Initiative, and outlines public art policy guidance.

4.6 **Old Press/Mill Lane Supplementary Planning Document (January 2010)** Guidance on the redevelopment of the Old Press/Mill Lane site.

4.7 **Eastern Gate Supplementary Planning Document (October 2011)** Guidance on the redevelopment of the Eastern Gate site. The purpose of this development framework (SPD) is threefold:

- To articulate a clear vision about the future of the Eastern Gate area;
- To establish a development framework to co-ordinate redevelopment within
- the area and guide decisions (by the Council and others); and
- To identify a series of key projects, to attract and guide investment (by the Council and others) within the area.

5.0 **Material Considerations**

5.1 **City Wide Guidance**

**Arboricultural Strategy (2004)** - City-wide arboricultural strategy.

**Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001)** - This document aims to aid strategic and development control planners when considering biodiversity in both policy development and dealing with planning proposals.

**Cambridge Landscape and Character Assessment (2003)** – An analysis of the landscape and character of Cambridge.

**Cambridge City Nature Conservation Strategy (2006)** – Guidance on habitats should be conserved and enhanced, how this should be carried out and how this relates to Biodiversity Action Plans.

**Criteria for the Designation of Wildlife Sites (2005)** – Sets out the criteria for the designation of Wildlife Sites.

**Cambridge City Wildlife Sites Register (2005)** – Details of the City and County Wildlife Sites.

**Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)** - a tool for planning authorities to identify and evaluate the extent and nature of flood risk in their area and its implications for land use planning.

**Strategic Flood Risk Assessment (2005)** – Study assessing the risk of flooding in Cambridge.

**Cambridge and Milton Surface Water Management Plan (2011)** – A SWMP outlines the preferred long term strategy for the management of surface water. Alongside the SFRA they are the starting point for local flood risk management.

**Cambridge City Council (2011) - Open Space and Recreation Strategy:** Gives guidance on the provision of open space and recreation facilities through development. It sets out to ensure that open space in Cambridge meets the needs of all who live, work, study in or visit the city and provides a satisfactory environment for nature and enhances the local townscape, complementing the built environment.

The strategy:

- sets out the protection of existing open spaces;
- promotes the improvement of and creation of new facilities on existing open spaces;
- sets out the standards for open space and sports provision in and through new development;
- supports the implementation of Section 106 monies and future Community Infrastructure Levy monies

As this strategy suggests new standards, the Cambridge Local Plan 2006 standards will stand as the adopted standards for the time-being. However, the strategy's new standards will form part of the evidence base for the review of the Local Plan

**Balanced and Mixed Communities – A Good Practice Guide (2006) –**  
Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

**Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006)**  
- Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change and as a material consideration in the determination of planning applications and appeals.

**A Major Sports Facilities Strategy for the Cambridge Sub-Region (2006) -**  
Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

**Cambridge Sub-Region Culture and Arts Strategy (2006) -** Produced by Cambridgeshire Horizons to assist the implementation of the Areas of Major Change.

**Cambridgeshire Quality Charter for Growth (2008) –** Sets out the core principles of the level of quality to be expected in new developments in the Cambridge Sub-Region

**Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012) -** sets out in more detail how existing council policy can be applied to proposals for tall buildings or those of significant massing in the city.

**Cambridge Walking and Cycling Strategy (2002) –** A walking and cycling strategy for Cambridge.

**Protection and Funding of Routes for the Future Expansion of the City Cycle Network (2004) –** Guidance on how development can help achieve the implementation of the cycle network.

**Cambridgeshire Design Guide For Streets and Public Realm (2007):** The purpose of the Design Guide is to set out the key principles and aspirations that should underpin the detailed discussions about the design of streets and public spaces that will be taking place on a site-by-site basis.

**Cycle Parking Guide for New Residential Developments (2010) –** Gives guidance on the nature and layout of cycle parking, and other security measures, to be provided as a consequence of new residential development.

**Air Quality in Cambridge – Developers Guide (2008) -** Provides information on the way in which air quality and air pollution issues will be dealt with through the development control system in Cambridge City. It compliments the Sustainable Design and Construction Supplementary Planning Document.

**The Cambridge Shopfront Design Guide (1997) –** Guidance on new shopfronts.

**Roof Extensions Design Guide (2003)** – Guidance on roof extensions.

**Modelling the Costs of Affordable Housing (2006)** – Toolkit to enable negotiations on affordable housing provision through planning proposals.

**Buildings of Local Interest (2005)** – A schedule of buildings of local interest and associated guidance.

**Interim Planning Policy Guidance on the Protection of Public Houses in the City of Cambridge (2012)** - This interim guidance will provide a policy framework prior to adoption of the new Local Plan to clarify the circumstances when it is acceptable for a public house to be lost to alternative uses and when it is not acceptable. The guidance will also be used to help determine planning applications relating to the loss of a current or former public house to alternative uses.

## 5.2 Area Guidelines

**Cambridge City Council (2003)–Northern Corridor Area Transport Plan:  
Cambridge City Council (2002)–Southern Corridor Area Transport Plan:  
Cambridge City Council (2002)–Eastern Corridor Area Transport Plan:  
Cambridge City Council (2003)–Western Corridor Area Transport Plan:**

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

**Brooklands Avenue Conservation Area Appraisal (2013)  
Cambridge Historic Core Conservation Area Appraisal (2006)  
Castle and Victoria Road Conservation Area Appraisal (2012)  
Chesterton and Ferry Lane Conservation Area Appraisal (2009)  
Conduit Head Road Conservation Area Appraisal (2009)  
De Freville Conservation Area Appraisal (2009)  
Kite Area Conservation Area Appraisal (1996)  
Mill Road Area Conservation Area Appraisal (2011)  
Newnham Croft Conservation Area Appraisal (2013)  
New Town and Glisson Road Conservation Area Appraisal (2012)  
Riverside and Stourbridge Common Conservation Area Appraisal (2012)  
Southacre Conservation Area Appraisal (2013)  
Storeys Way Conservation Area Appraisal (2008)  
Trumpington Conservation Area Appraisal (2010)  
West Cambridge Conservation Area Appraisal (2011)**

Guidance relating to development and the Conservation Area including a review of the boundaries.

**Jesus Green Conservation Plan (1998)  
Parkers Piece Conservation Plan (2001)  
Sheeps Green/Coe Fen Conservation Plan (2001)**

**Christs Pieces/New Square Conservation Plan (2001)**

Historic open space guidance.

**Hills Road Suburbs and Approaches Study (March 2012)**

**Long Road Suburbs and Approaches Study (March 2012)**

**Barton Road Suburbs and Approaches Study (March 2009)**

**Huntingdon Road Suburbs and Approaches Study (March 2009)**

**Madingley Road Suburbs and Approaches Study (March 2009)**

**Newmarket Road Suburbs and Approaches Study (October 2011)**

Provide assessments of local distinctiveness which can be used as a basis when considering planning proposals

**Station Area Development Framework (2004)** – Sets out a vision and Planning Framework for the development of a high density mixed use area including new transport interchange and includes the **Station Area Conservation Appraisal**.

**Southern Fringe Area Development Framework (2006)** – Guidance which will help to direct the future planning of development in the Southern Fringe.

**West Cambridge Masterplan Design Guidelines and Legal Agreement (1999)** – Sets out how the West Cambridge site should be developed.

**Mitcham's Corner Area Strategic Planning and Development Brief (2003)** – Guidance on the development and improvement of Mitcham's Corner.

**Mill Road Development Brief (Robert Sayle Warehouse and Co-Op site) (2007)** – Development Brief for Proposals Site 7.12 in the Cambridge Local Plan (2006)

<b>Application Number</b>	15/0906/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	5th June 2015	<b>Officer</b>	Mrs Sarah Dyer
<b>Target Date</b>	4th September 2015		
<b>Ward</b>	Trumpington		
<b>Site</b>	32 - 38 Station Road And Adjacent Land Cambridge Cambridgeshire CB1 2JH		
<b>Proposal</b>	The demolition of 32-38 Station Road and the construction of a new office building comprising 16,937sqm (GIA) of office floorspace (Class B1) and 614 sqm (GIA) of retail/ cafe and restaurant (Class A1/A3), including ancillary accommodation/facilities with an additional double level basement and up to 124 car parking spaces, with associated plant, up to 626 internal and external cycle parking spaces, and hard and soft landscaping.		
<b>Applicant</b>	C/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposed building is of a scale, massing and design which are appropriate to its setting within an Area of Major Change and of a sufficiently high quality to justify the removal of Buildings of Local Interest.</p> <p>The Outline consent for the Station Area development is a very significant material consideration and the development accords with that consent in all regards with the exception of site area.</p> <p>The application includes mitigation measures to ensure that all of the impacts of the development are dealt with both</p>
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	<p>independently and as part of the wider Masterplan</p> <p>The decision of the Inspector to allow the appeals against the refusals of planning permission/Conservation Area Consent under references:</p> <p>12/0496/CAC, 12/0502/FUL, 12/1553/CAC and 12/1556/FUL is a material consideration.</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site forms part of a larger area, which is the subject of the CB1 Station Area Redevelopment proposals for which outline planning permission was granted in April 2010. The site lies on the south side of Station Road and to the east of the access serving the Warren Close development. The western half of the site is occupied by 32-38 Station Road (Wilton Terrace) part of which accommodates Brookgate's Offices (the applicants). The eastern half of the site was previously occupied by offices serving the Rank Hovis site that have been demolished as part of the CB1 development. This part of the site is currently in use as a contractor's compound and as a temporary space for hot food wagons.
- 1.2 To the south of the site are the Warren Close housing development and the Ceres housing development which also formed part of the CB1 development. There is an art workshop currently occupying the ground floor commercial unit in the Ceres complex. A six storey block of flats at Warren Close sits behind the western half of the site and a public square and a seven storey block of flats sits behind the eastern half. To the west the site is bounded by the access road serving Warren Close beyond which are office buildings. To the east is Murdoch House a three storey office block with undercroft which fronts the Station. To the north the site is bounded by Station Road beyond which are the former Red House site that has planning permission for a hotel and a site which is currently under development as an office building.

1.3 The site is within the Station Area Redevelopment Framework Boundary and within the Central Conservation Area No.1. 32-38 Station Road is Buildings of Local Interest (BLIs) as is the Mill and Silo (part demolished) that sit to the southeast. The Station is a listed building. The site falls within the controlled parking zone.

## **2.0 THE PROPOSAL**

2.1 Full planning permission is sought for the demolition of 32-38 Station Road and an office development comprising two linked office blocks that will be known as 50 and 60 Station Road. 50 Station Road is to occupy the western part of the site and 60 the eastern part. A reserved matters application could not be submitted because the layout of the block does not conform to the approved Parameter Plans.

2.2 Although the application is not constrained by the Outline permission, the approved Parameter Plans which represent the approved Masterplan are a significant material consideration in the assessment of the application. I will make reference to the Masterplan throughout my Assessment.

2.3 In total the two office buildings will deliver 16,492 sq m of office floor space compared with 16,473 sq.m, 16,427 sq. m and 15,900 sq m in the earlier schemes. The key difference between this scheme and the two previous schemes is that single floorplate will be delivered in contrast to two separate buildings. In addition to this floorspace 547.5 sq. m of retail floorspace is proposed compared with 225 sq. m of retail space in the previous schemes. This will be provided in the south east corner of 60 Station Road where it fronts the public square and in a 'pod' on the Station Road frontage.

2.4 Car and cycle parking is provided within the blocks with further cycle parking within the landscaped areas around the buildings. Another key change is that access to the car park is proposed via Warren Close. The application also includes detailed proposals for the northern end of the Southern Access Road (Mill Park).

2.5 The key differences between this scheme and the previous schemes are as follows:

- Connection of the floorplates to 50 and 60 across the central gap from ground to seventh floor
- Substitution of two separate entrance lobbies on Station Road with a single primary lobby serving the whole building and a secondary entrance serving the ground floor only of no. 50
- Rearrangement of internal cores so that combined office floors 1 to 6 can be used in any configuration from a single large tenancy to three smaller ones
- Removal of core to North West Corner
- Removal of stair cores to South East and South West of both 50 and 60
- Alterations to the façade
- Relocation of the car park ramp parallel to the southern boundary
- Re-location of car park entrance gates to face Warren Close
- Provision of a double basement with lower and upper basement levels.
- Revisions to cycle parking to provide 620 spaces (232 Sheffield stands/388 double stackers)
- Revisions to car parking to provide 119 car parking spaces (1 space per 147 sq m)

2.6 The application is accompanied by the following supporting information:

1. Covering letter from Savills
2. Planning Application Forms
3. Plans and elevations – Drawing list by Grimshaw
4. Design and Access Statement by Grimshaw(with input from Bidwells, Robert Myers Associates and Beacon Planning)
5. Heritage Statement by Beacon Planning
6. Planning Statement (including Statement of Community Involvement) by Bidwells
7. Acoustic Report by Hilson Moran
8. Air Quality Report by Hilson Moran
9. Archaeological Statement by Cambridge Archaeological Unit
10. BREEAM Pre-assessment report by Hilson Moran
11. Car Park Ventilation Strategy by Hilson Moran
12. Daylight Report on Overshadowing by Mott Macdonald
13. Ecology Report by RPS

14. Energy and Sustainability Statement by Hilson Moran
15. Estate Management Strategy by Bidwells
16. Surface/foul water strategy by Mott Macdonald
17. Ground Contamination report by Mott Macdonald
18. Landscape Proposals by Robert Myers
19. Landscape Management Plan by Robert Myers
20. Transport Assessment and Travel Plan by Mott Macdonald
21. Waste Management Strategy by Mott Macdonald

2.7 The following additional information has been submitted to address issues raised by consultees as follows:

Clarification of cycle parking numbers, distribution and access arrangements (62 spaces for retail use/564 for office use – total 626 spaces (6 additional spaces))

Revised air quality statement to ensure consistency with the Transport Assessment

Response to comments from Waste Officer

Response to comments from Senior Sustainable Construction Officer

Increase in retail floorspace to 614 sq m (from 547.5 sq m) and reduction in office floorspace from 16,942 to 16,937.

2.8 Amended plans are also to be submitted and will be referred to on the amendment sheet. These will address:

Allocation of seven blue badge parking spaces for disabled people in the basement parking area

Clarification of upper and lower basement and access arrangements

Provision of four charging points for electric vehicles

Response to comments made by the Urban Design and Conservation team.

### **3.0 SITE HISTORY**

3.1 Site History

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
05/1166	Conservation Area Consent for demolition buildings on the Rank Hovis site	A/C

06/0266/OUT	CB1 Station Area Redevelopment	A/C
09/0031	Conservation Area Consent for demolition buildings on the Rank Hovis site	A/C
11/1303/FUL	Demolition of 32 – 38 Station Road and erection of two office buildings	Withdrawn
11/1351/CAC	Conservation Area Consent for demolition of 32-38 Station Road	Withdrawn
12/0496/CAC	Conservation Area Consent for demolition of 32-38 Station Road	Refused Appeal Allowed
12/0502/FUL	Demolition of 32 – 38 Station Road and erection of two office buildings	Refused Appeal Allowed
	Non Material Amendment for Realignment of SAR	Approved
12/1553/CAC	Conservation Area Consent for demolition of 32-38 Station Road	Refused Appeal Allowed
12/1556/FUL	Demolition of 32 – 38 Station Road and erection of two office buildings	Refused Appeal Allowed
13/0978/CAC	Conservation Area Consent for demolition of 32-38 Station Road	Refused

13/0997/FUL Demolition of 32 – 38 Station Road and erection of two office buildings Refused

3.2 This application follows on from the refusals of planning permission and CAC by the Planning Committee in July 2012, March 2013 and September 2013. The July 2012 and March 2013 decisions were the subject of appeals to the Planning Inspectorate which is to be held by Public Inquiry in October 2013.

3.3 The reasons for refusal of the July 2012 planning application (ref. 12/0502/FUL) were as follows:

1. The proposed building by virtue of its overall scale and massing would have an overly dominant impact on the Station Road frontage to the detriment of the streetscene and the Conservation Area contrary to policies 3/4, 3/7, 3/12 and 4/11 of the Cambridge local Plan 2006.

2. The development fails to make adequate provision for car parking which would be likely to result in overspill parking into nearby residential areas, which would have a detrimental impact on the amenity of residents of those areas. The development is therefore contrary to policy 8/10 of the Cambridge Local Plan 2006.

3. The public benefit arising from the development fails to provide sufficient justification for the demolition of Buildings of Local Interest, which are recognised as heritage assets. The development is therefore contrary to policy 4/12 of the Cambridge Local Plan 2006 and to guidance provided by the National Planning Policy Framework.

4. The proposed development does not make appropriate provision for transport mitigation measures/infrastructure provision, mitigation of potential for overspill parking, the funding and agreement of the Travel Plan Co-ordinator, public art, relocation of a community facility, restriction on occupation of offices and monitoring in accordance with Cambridge Local Plan 2006 policies 3/7, 5/11, 7/2, 8/3, 9/9 and 10/1. Cambridgeshire and Peterborough Structure Plan 2003 policies P6/1, P9/8 and P9/9 and as detailed in the Planning Obligation

Strategy 2010, the Public Art Supplementary Planning Document 2010 and the Southern Corridor Area Transport Plan 2002.

3.4 The associated Conservation Area consent (CAC) application (Ref. 12/0496/CAC) was also refused for the following reasons:

1. The proposed demolition is contrary to policies 4/11 and 4/12 of the Cambridge Local Plan (2006) and paragraph 136 of the National Planning Policy Framework 2012 in that in the absence of an approved redevelopment scheme that has a contract for redevelopment and which preserves and enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a contrast with it, the demolition of the buildings would result in the loss of a heritage asset in the form of Buildings of Local Interest which contribute positively to the character and appearance of the Conservation Area.

2. The public benefit from the development fails to provide sufficient justification for the demolition of Buildings of Local Interest, which are recognised as heritage assets. The development is therefore contrary to policy 4/12 of the Cambridge Local Plan 2006 and to guidance provided by the National Planning Policy Framework.

3.5 The reasons for refusal of the March 2013 planning application (ref. 12/1556/FUL) were identical to those for the July 2012 planning application with the exception of reason for refusal one which was revised as follows:

1 The proposed building by virtue of its overall scale and massing would have an unacceptably dominant impact on the Station Road frontage to the detriment of the streetscene and the Conservation Area contrary to policies 3/4, 3/7, 3/12 and 4/11 of the Cambridge Local Plan 2006.

The reasons for refusal of the March 2013 application for Conservation Area Consent (ref. 12/1553/CAC) were identical to those for the July 2012 application for Conservation Area Consent.

3.6 The September 2013 applications for planning permission and Conservation Area Consent (13/0997/FUL and 13/0978/CAC)

were refused for the same reasons as the March 2013 applications with the exception of the lack of car parking reason for refusal. These decisions were not the subject of a planning appeal.

- 3.7 Both the decisions made in July 2012 and March 2013 were the subject of a planning appeal. A Public Inquiry was held on 16-18 October 2013 and the Inspector issued his decision on 26 November 2013. The appeals were allowed and a costs award was made against the Council. A copy of the Inspectors Decision letter is attached at Appendix 2.

#### 4.0 **PUBLICITY**

- |                           |                 |
|---------------------------|-----------------|
| 4.1 Advertisement:        | Yes             |
| Adjoining Owners:         | Yes             |
| Site Notice Displayed:    | Yes             |
| Public Meeting/Exhibition | Yes (see below) |
| DC Forum                  | No              |

- 4.2 The applicant's organised a public consultation event on Thursday 26 March 2015 from 3.30pm to 7.30pm. Invitations to the public consultation event were sent to approximately 2,000 homes in Cambridge, including a designated area surrounding the applications site, and the CB1 Masterplan area as a whole. Invitations were also sent directly to those who objected to the consented appeal schemes that fell outside of this area. In excess of 30 people attended the consultation event and 10 Comment Forms were completed. The comments are summarised in the Planning Statement.

#### 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 3/11 3/12 3/13 4/4 4/11 4/12 4/13 4/14 4/15 5/11 7/2 8/2 8/4 8/6 8/9 8/10 8/16 8/18 9/1 9/9 10/1

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

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

<p>Material Considerations</p>	<p><u>Citywide:</u></p> <p>Biodiversity Checklist</p> <p>Cambridge City Nature Conservation Strategy</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan</p> <p>Cambridgeshire Quality Charter for Growth</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</p> <p>Cambridgeshire Design Guide For Streets and Public Realm</p> <p>Air Quality in Cambridge – Developers Guide</p> <p>Cambridge Shopfront Design Guide</p>
	<p><u>Area Guidelines:</u></p> <p>Southern Corridor Area Transport Plan</p> <p>Buildings of Local Interest</p> <p>Station Area Development Framework/Station Area Conservation Appraisal</p>

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Engineering and Growth and Economy)**

*Application as submitted*

#### 6.1 Executive Summary

The sustainable transport contribution referred to in the TA will need to be discussed and agreed with CCC and secured through S106 in order to mitigate the development impacts. However, at this stage the impacts of the development need to be fully understood and therefore further information is required as detailed in the below response.

#### 6.2 Overview of the Proposed Development

The development site is referred to as block I2 as part of the CB1 masterplan and 50-60 Station Road in the current application. However this application is a new full application which will be separate to the masterplan and therefore require all mitigation measures identified for this land parcel as part of the outline permission to be secured against this application.

##### Site Accessibility Audit

The audit of the local highway network including pedestrian, cyclists and public transport is acceptable to CCC, however consideration should be given to whether there are any limitations or inadequacies with the network which the development should mitigate.

##### Highway Safety

The accident data presented is up to September 2014 although more recent data is available, although this is not expected to impact greatly on the analysis presented.

##### 32 Station Road Existing Trip Generation

The existing trip generation has been based on the CB1 trip rates agreed as part of the masterplan which are acceptable to CCC for the purpose of this assessment.

## 6.3 Proposed Development

### Likely Staff Numbers

The proposed staffing levels are considered robust for the purpose of this application.

### Site access

The site access is satisfactory. The potential for significant conflict is very small, given that the CB1 scheme overall prevents general vehicular access beyond the Southern Access Road, and flows will be relatively low compared to those currently experienced. Vehicles turning left out of Tenison Road will be restricted to those accessing the Southern Access Road or other parts of CB1 from Mill Road. It is only traffic from the bus interchange and southern access road that would prevent the right turn into Warren Close and so the chances of a tailback to Tenison Road are considered low.

### Car Parking

The car parking provision is below maximum car parking standards. Details have been provided concerning the securing of car parking monitoring surveys on local streets, which is welcomed by CCC.

### Cycle Parking

The cycle parking provision complies with minimum cycle parking standards. It should be made clear to staff how to get hold of a fob/ access card to be able to access the secure cycle parking proposed.

The details of the visitor parking management should be detailed and secured as part of a cycle management strategy as part of the Travel Plan for the site.

A cycle accumulation analysis should be provided for the site to demonstrate that the level of cycle parking provision is adequate for expected demand.

## Trip Generation

### Office Trips

The trip rates presented are consistent with those presented in the CB1 Revised Transport Assessment. It is not made clear how the accumulation profile for the site has been identified for the car parking accumulation analysis and therefore further details are required.

### Retail Trips

Further evidence and justification is required concerning the assumption that all trips to the development will be linked trips.

### Traffic Impact and Mitigation

The above concerns raised need to be addressed prior to CCC being in a position to comment on the impacts of the development, and potential mitigation measures, and therefore further information is required.

## 6.4 Active Travel Mitigation measures

The Travel Plan will need to be secured through Section 106 Agreement.

CCC do not agree that no further walking, cycling and public transport mitigation measures are required within CB1 to support the development, and request that the applicant identify limitations in the network and where improvements can be made.

The Hills Road/ Station Road and Tenison Road/ Station Road junction assessments were undertaken as part of the CB1 masterplan and subsequent applications which brought about improvements to each of the junctions. The development proposed results in relatively minor increases in vehicular trips compared to these analyses. In addition, the background flow is shown to have reduced overtime. Therefore the vehicular impact of the development is considered to be no worse than previously predicted.

Ordinarily CCC would require rerun of junction models however in this situation given the low increase in vehicular trip generation this is not required in this instance.

## 6.5 Basement Car Park Access

The applicant should confirm the stacking capacity within the site for those waiting to access the basement car park, in order for CCC to understand whether there is a potential impact on the public highway.

## 6.6 Travel Plan

The Travel Plan (TP) will need to be updated to reflect any changes to the TA and agreed with CCC prior to occupation. The TA should be secured through S106 agreement.

The pedestrian and cycle accessibility should be extended to incorporate all areas described, including access from the Carter Bridge.

The TP includes a cycle parking and management strategy which will need to be agreed prior to occupation.

### Baseline Staff Surveys

The timing of the baseline staff surveys should be agreed with CCC.

It is not clear when the final travel plan will be provided to and agreed with CCC. This needs to be revisited.

### Baseline Visitors Surveys

It is recommended that the staff and visitor surveys be undertaken at the same time.

### Monitoring Surveys

A commitment should be included to provide to annual monitoring report to CCC for comment.

### Interim Target Mode Split

The target for Car Drivers is 11% however on the basis of the estimated 1,389 staff and 124 car parking spaces this works out at only 8% of staff.

#### Active Travel - Walking and cycling

Recommend that free cycle training (including maintenance training) is provided to achieve best possible cycling figures.

Recommend provision of lockers for cyclists/runners/walkers and a drying room facility to allow all year cycling/walking.

#### Public Transport

Clarification is needed that TfC season and period ticket discounts are available on the train services into Cambridge [not on buses]. It is recommended that the developer provide bus services incentives.

#### Servicing & Delivery trips

It is not made clear what the mechanism will be for coordinating services and deliveries, will the occupier be encouraged to do so and if so when?

#### Management

Other than the commitment to provide a Travel Plan Coordinator it is not clear as to managements role and who the TPC will report to.

#### Travel Plan Coordinator

It is important the occupier(s) are engaged with prior to arrival on site. For their business and for their staff it is important that as much preparation for the move takes place as possible.

#### Review

This section should also state that if targets have been met that they should be adjusted to make them stretching. It is important to recognise that TPs that should be reviewed and adjusted accordingly.

It is recommended that the TP review should compare the results for One the Square with the best results in the TfC survey from the CB1 area in this way best practice can be disseminated and the best possible modal split achieved.

#### General comments

This TP does not make clear how its content will be delivered and how the new occupier will sign up to the measures and targets of this TP.

Related to the above point, this TP makes assertions that measures will happen (see 7.2). Some of these, for example provision of a Cycle to Work scheme and car park management will remain in the gift of the occupier. This relationship should be clarified.

#### 6.7 Conclusions

The above issues need to be addressed before the transport implications of the development can be fully assessed. Accordingly CCC submits a holding objection.

*Response in the light of additional information*

#### 6.8 Background

A Technical Note dated 16th July was provided to the County Council Executive Summary

The sustainable transport contribution referred to in the TA will need to be discussed and agreed with CCC and secured through S106 in order to mitigate the development impacts. There have been ongoing discussions with the applicant in order to agree a proportionate contribution.

#### Proposed Development Cycle Parking

The details of the visitor parking management should be detailed and secured as part of a cycle management strategy as part of the Travel Plan for the site. Details have been provided concerning the level of cycle parking demand compared to the cycle parking provision. This is considered to be acceptable to the County Council.

### Trip Generation Office Trips

Details have been provided concerning the accumulation profile use for the site car parking accumulation analysis, which is acceptable to the County Council.

### Trip Generation Retail Trips

The County Council consider that the assessment of the retail units is in line with previous applications for the development and therefore considered acceptable for the purpose of this application.

### Traffic Impact and Mitigation

The County Council require a contribution be secured for wider off-site mitigation measures. There have been on-going discussions with applicant in order to agree a proportionate contribution.

### Basement Car Park Access

The applicant has confirmed the stacking capacity available to the basement car park, which is considered acceptable to the County Council.

### Conclusions

The County Council consider that the additional information provided addresses the outstanding issues raised in our previous response, therefore the development is acceptable subject to the following being secured: -

- A contribution will need to be secured with the applicant for wider off-site mitigation measures. There have been ongoing discussions with the applicant in order to agree a proportionate contribution.
- A Travel Plan prior to occupation
- A contribution towards the costs incurred in implementing a residential controlled parking scheme.

## Head of Refuse and Environment

- 6.9 The development proposed is acceptable subject to the imposition of the condition(s)/informative(s) relating to construction/delivery hours, noise/vibration/piling, dust suppression, noise insulation, odour control, contaminated land and waste as standard conditions. Bespoke conditions are required to address plant noise insulation, odour filtration ductwork, opening hours and delivery hours.
- 6.10 Background information/additional comments:

### Environmental Quality

#### Construction/demolition pollution

Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, EHO recommends the standard construction/demolition/delivery noise/hours and dust conditions.

#### Acoustic report

An acoustic report carried out by Hilson Moran. The report was undertaken to determine prevailing noise levels affecting the site and to propose plant noise boundary levels associated with the development.

#### *Traffic noise*

Hilson Moran's acoustic report concurs with previous assessments carried out on Station road for the CB1 masterplan that Station Road has a high level of traffic noise. Appropriate internal noise levels would not be achieved with open windows so alternative ventilation will be required. A full ventilation and glazing scheme is required. EHO therefore recommends a noise insulation scheme condition.

#### *Plant*

The details of plant will not be known until the development is occupied, therefore the standard plant noise condition is recommended to be discharged prior to occupation.

### *Substation*

The ground floor plan indicates a substation. This will require assessment as part of the plant noise insulation condition with particular consideration of the low frequency noise. Health implications concerning the electromagnetic fields are outside EHO expertise and the applicant should take note of the recommended informative.

### Café/Restaurant

#### *Odour & Plant*

The proposed café has the potential to harm the local amenity by means of odour and noise generated on site depending on the proposed establishment and type of cooking. EHO recommend the standard odour condition and informative. Noise from plant onsite associated with the café/restaurant is recommended to be conditioned via the standard plant noise condition.

It is strongly recommended that odour is discharged at roof height to aid in dispersal. This would require the design of the building to incorporate ducting at the design stage to avoid the difficulties of retrofitting. EHO recommend a condition to request this.

### Opening hours

The use of the retail / café / restaurant and particularly night time deliveries risks serious harm to the amenity of the neighbouring residents of Warren Close and the residential blocks of CB1. EHO advises that the opening hours be restricted to 07:00-23:00hrs by a condition. EHO also recommend the food safety informative.

### Retail/Catering

In addition to the proposed café pod located between 50 and 60 Station Road, the Design and Access Statement refers to the possibility of retail or catering at ground level with the possible use classes A1/A3/A4/A5. This requires clarification as the

application form only states A1/A3 use. The proposed ground floor plan only indicates A3 and office space.

The A1 and A3 use class proposals as per the application form are supported and further information would be required at the planning application stage if A4 and A5 were proposed. (Note – the agent has clarified that only A1 and A3 uses are proposed.

### Contaminated Land

The full set of the contaminated land conditions is required.

### Air Quality

- 6.11 This is a new application similar to two previous full applications (12/0502/FUL and 12/1556/FUL). It represents a significant intensification of use within the AQMA when compared not only with the existing use of the site but also with these earlier applications and also that agreed in the CB1 Masterplan.

This application proposes the provision of 124 car parking spaces and meets the criteria of Condition 57 of the CB1 outline planning permission (Car parking provision must not exceed 1 space per 125m<sup>2</sup>).

The Air Quality Statement (produced by Hilson Moran, dated May 2015) submitted with this application forms the basis of its assumptions on a figure of 225 car parking spaces associated with the current use when compared with the 124 car parking spaces proposed with this application. The statement concludes that the development represents a reduction of car parking spaces of 44% compared with current provision and that this development will not have an adverse impact on air quality.

This figure of 225 conflicts with information submitted in both the previous planning applications (12/0502/FUL and 12/1556/FUL); which identifies 119 car parking spaces associated with the site (76 with the Rank House Flour Mill Office and 43 for 32-38 Station Road). In addition no reference to the figure of 225 is contained within the Transport Assessment (produced by Mott MacDonald and dated May 2015) submitted with this current application; which recognises

that this development will generate additional two-way vehicle movements when compared with both previous applications.

6.12 EHO welcome the mitigation measures recommended in the Transport Assessment which include:

- Office Travel Plan – This should be implemented fully within the recommended timescales
- 620 cycle parking spaces
- Sustainable transport improvement contribution - we would welcome further clarification on this contribution and what it will support

EHO would like to see further commitment in recognition of the degree of intensification this application represents. This should include but is not limited to:

- Electric charging vehicle points
- Car club space
- Shared bike scheme (pool)

### Waste

6.13 Office waste requirements are difficult to quantify. The RECAP guidance is correctly quoted in the Operational Waste Strategy document but the Waste Officer is concerned as they highlight that the overall quantities are too high for such a big block. The Waste Officer therefore concurs with the developers that 2000 litres per 1000m<sup>2</sup> is sufficient.

Similarly the Waste Officer is also concerned that the food waste provision is too high. The City Council does provide a separate food waste collection and it's a recommended material to separate out, but 1100 litre bins are too big for food waste as it's a very heavy material. The Council uses 140 litre bins or 240 litre bins if absolutely necessary.

Cambridge City Council offers a mixed dry recycling collection that includes paper, plastic, cardboard, glass and cans. This is common to other providers and means that space can be saved by mixing materials together. The council starts its commercial waste collections at 6 am. Refuse bins also need to be provided as not everything can be recycled.

Cambridge City Council's Commercial waste service would not recommend the use of compactors although recognise that they

will save space and in certain situations may be necessary. However, more frequent than weekly collections would also save space.

The waste and recycling for the café should be kept separate from the office waste unless the intention is to have a facilities management contract for the whole site with the cost of waste and recycling services included in this.

EHO recommend a waste condition.

*Response in the light of additional information*

- 6.14 Further comments are awaited in response to the revised Air Quality report and response to Waste Officers comments which will be reported on the Amendment Sheet.

### **Urban Design and Conservation Team**

- 6.15 *Application as submitted*

#### **SUMMARY OF CONCLUSION:**

A number of clarifications and amendments are required before the application can be supported in design and conservation terms

Existing

- 6.16 The existing terraced houses (32-38 Station Road) are Buildings of Local Interest (BLI), in some ways, are pretty typical of their type and era and common enough in many larger towns and cities across Britain. These examples are slightly more decorative than is usual in Cambridge, with the 'crow-stepped' gables and red brick banding, quoins and so on. This may result from the locally well-known architect, Richard Reynolds Rowe, who did use such details and operated in the area and, if this could be indisputably proved, would give rather more weight to the history of the terrace.

Nonetheless, these houses are not particularly rare architecturally and have lost some of their residential character through changes-of-use, particularly by the unfortunate and visually prominent ramp occupying the front garden space of

the former surgery. The other item of interest is the 'no fines'-type concrete boundary wall that also occurs in front of the villas further down Station Road and again in Warkworth Street & Terrace nearby. This is believed to be a very early use of concrete but not enough research has been done to establish the rarity or historic value of these examples.

## Proposed

- 6.17 The most significant change is the linking of the floorplates in 50 and 60 through the infilling of the gap between the two blocks. A number of other changes have also been introduced that are considered below.

## Building Heights

The maximum building height, including rooftop plant and lift overruns, remains unaltered when compared to the approved schemes with 60 measuring 9 storeys (ground plus eight above) and 50 measuring 8 storeys (ground plus seven above) in height. The overall height of 34.1m identified in the CB1 height parameter plans is not exceeded by these proposals.

## Connection of floorplates

A clear difference between these proposals and the previous schemes is the connection of the floorplates of 50 and 60 across where the central gap was located in the previous schemes, from ground floor up to and including the sixth floor.

These connecting elements will introduce landscape planters to both the north and south elevations at each of these floors and are recessed back from the main building lines (8.75m) to maintain a more broken massing and well-articulated elevations. The overall building form remains separated at the seventh and eighth floors creating articulation of the roofscape.

## Visual impact

- 6.18 Whilst the height of the proposals remains at under the 34.1m parameter plan height, the linking the blocks and the other design changes mean that the impact of the scheme from a series of viewpoints was considered to be important in terms of assessing the overall acceptability of the revised scheme.

Section 4 of the submitted D&A Statement contains these views and allows an assessment to be made between the approved scheme and these proposals.

The views reveal that the overall changes to the massing of the building, through the introduction of the linking elements, is relatively minor and in many cases will not result in any change over the approach in the approved scheme.

Views 9, 10 and 11

The main impact of the changes is from the park looking north. In these views, the connecting floors are visible but are not considered to be detrimental. The massing of the previous scheme meant that the gap between the two blocks was effectively 'closed' in these views. The introduction of the linking floors results in south facing planted elevations being visible that improves the view from the park. The articulated upper floors remain maintaining the varied skyline.

View 12

The proposals remain visible above the massing of other consented buildings in the CB1 masterplan but remain visually separated from the retained and restored Mill building.

Sunlight and daylight impact

- 6.19 The applicant has submitted a sunlight and daylight assessment prepared in accordance with BRE "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2011) that assesses the impact of the proposals on adjacent buildings and assesses the daylighting within the building itself. The assessment reveals that the proposals meet or exceed the guidelines and are therefore acceptable in design terms.

Relocation of the basement access

- 6.20 In the approved scheme the basement car park was accessed to the east of the site and then via a ramp to the basement. The revised proposals have relocated the car park ramp parallel to the southern boundary which has allowed for the relocation of car park entrance gates to face Warren Close. This change

removes the access point from the 'ante-chamber' and so goes some way to improving the overall amenity value of this space.

#### Electricity sub-station

- 6.21 The location of the electricity sub-station rather compromises the gain achieved through the relocation of the basement car park access. Given the scale of the building and the desire to create a better address to the antechamber, the sub-station should be relocated within the envelope of the building. As proposed it creates a poor edge to the space and emphasises the back/service function to the southern elevation.

#### Elevations and materials

- 6.22 The proposed elevations are similar to those on the approved scheme but have been refined and are acceptable in design terms. The north-west corner of No.60 is improved over that in the approved scheme and creates a more articulated and pronounced form. This is important when looking west along Station Road and the Station itself as well as looking along the route created to the west of 'One The Square'. Materials will need to be conditioned if the application is approved.

#### Building Entrance

- 6.23 The scheme proposes the substitution of the previous two separate entrance lobbies onto Station Road with a single primary lobby serving the whole building and a secondary entrance just serving the ground floor of 50. Whilst understanding that the applicant wants to maximise the flexibility and therefore ability to let and divide the building to single or multiple occupiers, we are concerned that this second entrance into '50' will reduce the legibility of the building, in this case at ground floor level facing Station Road. The issues that the creation of a second reception space will have in terms of potentially reducing the transparency of the Station Road ground floor are a concern.

The signage strategy for the building needs to be carefully considered to avoid a proliferation of logos and signage that will undermine the crispness of the elevations.

## A3 café pod

- 6.24 The submitted first floor plan does not show a partition between the A3 use and the office behind. The idea of the café 'pod' was to create additional activity and surveillance along this side of Station Road and therefore needs to be capable of being accessed independently of the main office building.

### Conclusion:

- 6.25 Overall the proposals are supported in design and conservation terms but there are two issues raised herein that need to be resolved and/r clarified. The principal change of linking the two blocks has been assessed and the difference in the visual impact is minimal when compared with the approved scheme.

The approach to elevations and materials is supported and has the potential to create a crisply detailed and high quality building on a prominent site within CB1.

The lack of definition of the first floor café/restaurant space needs to be clarified on the submitted drawings.

The introduction of the electricity sub-station to the southern elevation adjacent to the ante-chamber is a retrograde step and undermines the benefits of relocating the vehicle access on to Warren Close. Given the prominence of the building and the need to create a good address to the antechamber, we consider that the sub-station should be relocated into the envelope of the building.

- 6.26 Conditions are recommended to address the following:

- Salvage condition
- Photographic record
- LB4 stonework details
- Coping to walls
- Non-masonry walling systems
- Glass types
- External joinery
- Low-pitched roof details
- Roof glazing
- Design and installation of the renewable energy source
- Rooftop plant screening

- Sample panel
- Samples
- Window cleaning gantry
- Signage Strategy
- Hard & soft landscaping scheme

*Response to additional information*

6.27 Further comments on the amended plans will be addressed on Amendment Sheet.

**Senior Sustainability Officer (Design and Construction)**

6.28 The development proposed is acceptable subject to the imposition of the same condition as condition 18 of the Outline Planning approval amended to take account of BREEAM Prediction Report submitted with the application.

6.29 Background information/additional comments

General approach to sustainable design and construction

The outline permission for the CB1 development set a requirement for all non-residential elements to achieve a minimum of BREEAM 'excellent'. While it is noted that this full application is not bounded by the conditions linked to the outline permission, the scheme being put forward has still been designed to achieve BREEAM 'excellent'. To demonstrate how this will be achieved, a BREEAM 2014 New Construction Report has been prepared. This demonstrates that the scheme is capable of achieving a BREEAM score of 78.36%, which provides a good margin above the minimum score required to achieve an 'excellent' rating. This approach is supported as is the overall approach to achieving BREEAM 'excellent'. The SSO (D and C) particularly welcomes the targeting of credits related to adaptability for projected climate change scenarios and structural and fabric resilience.

The Design and Access Statement and other documents including the Landscape Strategy and Drainage Strategy also highlights a number of sustainable design and construction measures that are to be implemented. The SSO (D and C) particularly supports the inclusion of green roofs on the cycle shelter, car park ramp roof and a green link between 50 and 60

Station Road, as well as the use of brown roofs. Given the multiple benefits that green and brown roofs offer, from surface water attenuation, biodiversity enhancement and reduction of internal cooling loads, this approach is fully supported. With this in mind the SSO (D and C) queries why no credits are being shown in relation to BREEAM credit Pol 03 credit 4 (minimising watercourse pollution) given that it is possible to ensure no discharge for rainfall events up to 5mm through the use of green roofs and other sustainable drainage measures.

### Renewable Energy Provision

- 6.30 The masterplan for the site contains the ambition for all development to exceed Part L of the Building Regulations by 10%, and for office developments to utilise PV and Ground Source Heat Pumps to achieve a 15% abatement of carbon emissions from renewable energy systems. It is noted that since the outline permission was granted, changes to Part L of Building Regulations have included more stringent carbon reduction targets for non-residential development, with a focus on encouraging a hierarchical approach to the reduction of carbon emissions.

The submitted Energy Strategy, prepared by Hilson Moran, sets out that by taking a hierarchical approach (fabric improvements, energy efficiency and then the use of renewable energy), carbon reduction of 16.7% compared to a Part L 2013 compliant baseline for regulated emissions is predicted to be achieved. This approach is fully supported. In terms of renewable energy, the approach being taken utilises both passive solar design and a 100 m<sup>2</sup> photovoltaic array, split across the roofs of 50 and 60 Station Road. Together these are predicted to result in a 48.4 tonne reduction in CO<sub>2</sub> emissions per annum (43 tonnes from the passive solar design and 5.4 tonnes from the photovoltaic panels), which equates to an 11.29% reduction in regulated emissions. This approach is fully supported.

### Access Officer

#### *Application as submitted*

- 6.31 There needs to be 7 blue badge disabled parking spaces as close to the lift as possible. The current layout is not acceptable.

The glazing needs manifestation and there needs to be good colour contrast throughout.

Reception needs a dropped height counter, hearing loop and seating of various heights with arms and without.

#### *Response to amended plans*

6.32 Further comments on the amended plans will be addressed on Amendment Sheet.

#### **Head of Streets and Open Spaces (Tree Team)**

6.33 No comments received.

#### **Head of Streets and Open Spaces (Landscape Team)**

6.34 The Landscape Team support the scheme in principle. The following issues remain to be resolved:

- Review of approved construction methods and relationship with tree planting methodology.
- Selection of consistent species of lime trees.
- Details of planting over the pergola above the car park ramp.
- Removal of hessian wrappings from tree trunks post planting.
- Relationship between surface water drainage crates and tree planting
- Revised species in planting beds.

6.35 Fundamental discussions regarding the tree planting design need to occur and remaining details can be dealt with under condition.

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

*Application as submitted*

- 6.36 The Sheffield stands to the south and west of the building should be covered. Detail is needed regarding the proposed gradient of the stairs to the basement which should be no more than 1 in 4.

There appears to be space for one or two more Sheffield stands in the basement. This should be provided with a reduction in double decker stands if necessary as many users have problems with double decker stands due to large baskets, child seats etc.

## **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.37 The foul and surface water drainage proposes to use a combination of green and brown roofs and is in accordance with the strategic surface water and foul drainage scheme for the site. The development proposed is acceptable subject to the imposition of a condition to ensure that the development is carried out in accordance with the submitted Surface Water Drainage Strategy.

## **Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.38 No comments received

## **Historic England**

- 6.39 HE does not want to comment in detail but offers general observations. HE considers that the impact of the development on the character and appearance of the Conservation Area and the setting of the listed Station is broadly similar to the approved appeal scheme. HE considers that it is important to ensure that the colour and texture of the materials palette for the building and landscaping complement or are consistent with other elements of the CB1 development.

## **Natural England**

- 6.40 The development is unlikely to affect any statutorily protected sites. Standing advice is referred to in respect of protected species. The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure (GI) provision.

## **Environment Agency**

- 6.41 No objection in principle. Conditions recommended to address contaminated land, risk to groundwater and pollution control. Informatives are requested regarding surface and foul water drainage, pollution control and other legislation. Advice is also provided for the applicant.

## **Anglian Water**

- 6.42 No comments received.

## **Ministry of Defence (Air Safeguarding)**

- 6.43 No objections.

## **Cambridgeshire Constabulary (Architectural Liaison Officer)**

- 6.44 In terms of crime risk, security is such that crime against or within offices is low but there is a high incidence of crimes involving stolen cycles and some drug issues across some of the new developments within CB1.

It will be necessary for the car park to be secured out of normal office hours to prevent unlawful entry and rough sleeping.

The pedal cycle entry to the 1st basement level is shown from the west door with a slope/stairs down. Card/fob entry is needed.

In term of access to the pedestrian areas of the building at ground floor, this is controlled via turnstiles off reception. The door leading to the west office space off the ground floor would need a separate reception.

All stair cores/lifts leading off the basement parking area should be on card/fob access with override via reception in terms of visitor access.

There are a large number of Sheffield style stands, these racks will be a crime generator. There will also need to be a rigid management strategy to deal with abandoned cycles.

The underground car park and cycle storage should be covered by CCTV. The basement cycle parking could be gated and accessed via card/fob for added security. In view of the high risk of cycle crime in Station Road, the ALO requires that the external cycle racks be covered by CCTV; this is particularly important with the cycle racks to the rear which will be out of view out of offices hours and any CCTV would act as a deterrent.

### **Cambridgeshire County Council (Archaeology)**

- 6.45 Taking into consideration the results of the previous archaeological investigations in the vicinity, and the impacts of previous land use, it is unlikely that the proposals would have a significant impact on heritage assets with archaeological interest. The demolition of Wilton Terrace will however result in the loss of significant undesignated built heritage assets and we would recommend that this is subject to a programme of historic building recording, to be secured by the inclusion of a suitable condition of planning permission.

### **Network Rail**

- 6.46 No objection/observations.

### **CCTV team**

- 6.47 No issues for CCTV.

### **Design and Conservation Panel**

The revised proposals were presented to Cambridge City Council's Design and Conservation Panel (CB1) Sub-Panel at pre-app stage on Wednesday 11 February 2015

## **Design and Conservation Panel (Meeting of 11 February 2015)**

### 6.48 1. Presentation – 50/60 Station Road and Blocks I1 & K1

The Panel were invited to comment on revisions made to the consented scheme for 50/60 Station Road.

50/60 have now been fused together to provide larger, more flexible units of space. Other changes include a single primary double height entrance on Station Road and access to car parking secured at the SW corner down Warren Close to improve pedestrian amenity in the 'antechamber square'. Stair cores to the SE and SW corners of both 50 and 60 have been removed, as well as the NW corner. Parapet heights remain unchanged.

The Panel's comments are as follows:

#### *Massing*

The lightening of the architectural language is appreciated. As the stair cores now gravitate towards the centre of the building, valuable pavement space has been gained which has resulted in an improved relationship with Station Road.

#### *Colonnade*

The architectural expression of the colonnade and the side elevations are both improved, providing a better experience at ground level.

#### *Occupancy*

The Panel were informed that market demand for large single floor plate offices of 30,000 sq ft were driving the current design changes. As 50 and 60 are to be built as a single building with continuous office floors at each level, the Panel highlighted the difference in the perception of access to the building depending on whether there is a single corporate occupant or a number of different tenancies.

### *Window planters (north facing)*

The Panel expressed some scepticism as to the likely success of the north facing window boxes in such a gloomy space between two large blocks. They may be large enough to be sustainable in terms of irrigation and drainage, but with no access to direct sunlight, might struggle to be successful. As this planting is important to the look of the linking block, it will need a robust specification to achieve the bold concept outlined. A formal response is needed.

### *Amenity spaces*

Cambridge station area has not yet begun to respond to the high volume of workforce expected to move onto this site over the coming years. There should be sufficient amenity space provided for employees within this major office building, with café areas and planted roof terraces seen as important and enjoyable spaces for relaxation.

### *Public art*

The Panel would welcome some carefully selected form of artistic intervention on the stair tower as part of the site-wide Public Art Strategy.

### *Conclusion*

This is a much improved proposal that will relate more effectively to the streetscape of Station Road.

VERDICT – GREEN (unanimous)

### **The Victorian Society**

6.49 Object to the application on the following grounds:

- o Wilton Terrace contributes to the Conservation Area.
- o Wilton Terrace is a non-designated heritage asset recognised by the Council as a Building of Local Interest
- o Wilton Terrace may have been designed by Richards Reynolds Rowe
- o Buildings of this type are become more rare

- o The poor state of the frontage to Wilton Terrace and the ramp could be easily resolved
- o The present day Station Road is an example of how not to treat historic streets
- o There are other sites in the vicinity which could be developed for office use and Wilton Terrace retained
- o The Council has a duty to ensure that proposed development either preserves or enhances the Conservation Area.

Refusal is recommended.

6.50 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 about either or both of the applications:

22 Albert Street  
 67 Argyle Street  
 122 Argyle Street  
 95 Burnside  
 43 Carisbrooke Road  
 12a Cavendish Avenue  
 17 Clarendon Road (2 comments from 2 people)  
 130 Coleridge Road  
 11 De Freville Avenue  
 61 De Freville Avenue  
 18 Devonshire Road  
 58 Eltisley Avenue  
 39a George Pateman Court  
 35 Glenmore Close  
 33 Glisson Road  
 41 Glisson Road  
 44 Glisson Road  
 61 Glisson Road  
 24 Grantchester Road  
 10 Gwydir Street  
 74 Hartington Grove (2 comments from 2 people)  
 77 Hartington Grove  
 26 Herbert Street

2 Highsett  
33 Highsett  
61 Highsett  
82 Highsett  
190 Huntingdon Road  
55 Kingston Street  
30 Lyndewode Road  
35 Madingley Road  
61 Maids Causeway  
106 Mawson Road  
112 Mawson Road  
119 Mawson Road  
5 Merton Street  
3 Neville Road  
9 Norwich Street  
57 Norwich Street  
19 Pakenham Close  
21 Panton Street  
11 Perry Court  
2 Petersfield  
26 Portugal Place  
5 Rexbury Court, Sturton Street  
16 Russell Court  
45 St Barnabas Road  
17 St Mark's Court  
5 St Eligius Street  
2 Saxon Street  
27 Silverwood Close  
30 Station Road  
64 Sturton Street  
6 Tenison Avenue  
9 Tenison Avenue  
25 Tenison Avenue  
36 Tenison Road  
116 Tenison Road  
Holland House, 4 Upper Gwydir Street  
19 Water Street  
9 Wilberforce Road  
9 Willow Walk

2 The Rookery, Balsham  
20 Hinton Way, Great Shelford  
24 Mill Lane, Impington  
24a King Street, Over

7.2 The representations can be summarised as follows:

### Loss of Existing Buildings

Existing buildings are an asset.

Design and Access Statement does not include a picture of Wilton Terrace in the site context section.

A detailed visual record of Wilton Terrace should be provided in the Heritage Statement.

The demolition of the buildings will remove the heritage context of the Station and schools/Wilton Terrace should be retained. (40)

The building/façade could be retained and development carried out behind to provide a transition from ancient to modern. (3)

The existing buildings could be converted to family homes.

Wilton Terrace should be converted into restaurants/cultural space and the gardens developed. (3)

Other options should be considered for instance a mixed use residential scheme. (2)

The Council should be fighting for a historic building designed by one of Cambridge's most notable Victorian architects. (2)  
The Mill building barely visible in a 'canyon of development' and this more obvious landmark should be retained.

We need to keep our heritage if we are to avoid becoming just another new town. That is the impression one gets from the station now.

The properties are beautiful examples of the work of the architect who helped shape Victorian Cambridge. If these properties are demolished station road will look devoid of character.

There will be no public benefit – the developers will benefit (4)

The public benefit arising from the developments is not credible.  
(2)

### The New Buildings

New buildings are not appropriate in a Conservation Area (7)

The new buildings do not respect the site context/not high quality design (10)

Height and massing of building

Too many large ugly buildings are going up/new CB1 development not appropriate for Cambridge. (10)

Support for CB1 development but knocking down Wilton Terrace is a step too far.

The scale of new buildings dwarfs the Station and is made of materials which conflict with its materials and traditional design

Design and construction are mediocre/banal/brutal (3)

The design is brutal and overbearing and reminiscent of the Marke.

The new development will make Station Road bland.

The new buildings are excessive in height and will dominate the Station. (2)

The design is inappropriate at the entrance to the City (7)

Design does not compensate for loss of Wilton Terrace

The only building in the area which has been praised is the low-rise building in the Botanic Gardens.

Scale of building is larger than previously outlined/significant increase in size by 792 sq m (14)

Increase in size by 42% compared with Outline scheme (11,506 compared to 16,942sq m) (2)

The space between the two buildings as previously proposed should be retained/the proposed building is too massive. (24)

If a link is needed, it should have more 'drama' e.g. a ziggurat design.

The internal arrangement of the approved building should be modified as opposed to scaling up.

The buildings will appear dominant in the skyline/negative impact on the historic city skyline. (2)

Cambridge skyline guidance relevant – immediate and wider impacts, adverse impacts arising from groups of inappropriately designed tall buildings, tall buildings as landmark buildings (2)

Query whether the Council has a policy on building heights – moderate height would be better.

The Shadow Study does not make reference to impacts on the street/public realm. (3)

Views study concentrates on Hills Road Bridge and does not address other views in the Conservation Area. (3)

#### Impact on residential amenity

Overshadowing of Warren Close

#### Other Issues including Trees, Amenity and Parking

There will be an increase in traffic, noise and disturbance. (7)

Reference to reduction of traffic in Station Road since 2011 is questioned/traffic impact should be based on peak time flows/traffic survey is out of date (2)

Increased car parking will result in increased traffic (3)

How will improvements to deal with additional traffic be funded?

The amount of car parking (124 spaces) should be reduced to reduce traffic to the development (2)

Commuters may use car park

Additional problems resulting from traffic queuing to enter car park off Warren Close blocking traffic and affecting use of Station Road by cyclists.

The green space provided as part of CB1 has been blocked off for over a year.

Adverse impact of large scale buildings on the wellbeing of people who live and work in the area

There less need for offices than residential development for families. Working patterns are changing. (3)

Loss of trees

Commerce should not be the Council's priority

Commercial tenancy is not a planning matter.

Development is not in the public interest.

No further development should be permitted until the current 'disgraceful mess' around the Station is resolved.

### Procedural Issues

The process of dealing with previous applications was poorly managed by official parties.

The D and C Panel were never asked to look at the destruction of many buildings of local interest/listed buildings.

The Heritage Statement was produced by people who used to work for the Council.

Documents are referred to which were produced by Beacon Planning at council tax payers expense raising the question of conflict of interest.

7.3 Councillor Gillespie objects to the application on the following grounds:

1. Large increase in floorspace of the proposed development  
The latest proposal is 17,490 sqm (16,943 is office space, the remaining 547 sqm is retail). The proposed development is 792 sqm larger than the previous proposal. The footprint of the buildings is already too large and high for the size of the site.

2. Height of the building (9 and 10 storeys)

The Cambridge Local Plan (2006) Policy 3/13 (Tall Buildings and the Skyline) states that 'New buildings which are significantly taller than their neighbours and/or rooftop plant or other features on existing buildings, will only be permitted if it can be demonstrated that they will not detract from Local visual amenity; ... Conservation areas and their settings; Listed buildings and their settings; Historic landscapes and their settings and; Key vistas, the skyline and views within over and from outside the city.'

The demolition of a Victorian terrace (listed as a Building of Local Interest by the City Council) near the Grade 2 listed station in the Cambridge Central Conservation Area, and replacing it with two tower blocks, linked together, will negatively impact the historic city skyline.

3. Linking the two separate towers so they become a single block

The new 'link', which would contain office space, is 6 storeys high and increases the massing, so it effectively becomes one building rather than two.

7.4 The following residents associations made comments about the previous applications but no comments have been received from them about this application:

Brooklands Avenue Area Residents Association

Newtown Residents Association

Rustat Neighbourhood Association

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. Environmental Assessment
3. Context of site, design and external spaces
4. Impact on Heritage Assets
5. Public Art
6. Renewable energy and sustainability
7. Disabled access
8. Residential amenity
9. Refuse arrangements
10. Other environmental impacts
11. Transport Impact
12. Highway safety
13. Car and cycle parking
14. Third party representations
15. Planning Obligation Strategy

### **Principle of Development**

8.2 In my view the principle of the development has been established by the outcome of the planning appeal. The Inspector took the view in his Decision Letter that

‘Paragraph 35 Wilton Terrace makes a positive contribution to the character and appearance of the Central Conservation Area but not one so great that consent for demolition should be withheld in the face of an acceptable redevelopment scheme. That was also the conclusion when outline planning permission was granted for the CB1 development in 2010. The outline permission assumed demolition of Wilton Terrace but, wholly understandably, it was thought more appropriate for a conservation area consent application to accompany a detailed redevelopment proposal. There has been no material change of circumstances since the outline permission was granted that could warrant a full reappraisal of how development of the

appeal site and Block 12 of the CB1 scheme should be undertaken. Retention of the terrace would tend to be out of keeping with the evolving character and appearance of Station Road. And, lastly, the design quality of the proposed development would enhance the character and appearance of the Conservation Area'

- 8.3 The Inspector's Decision is a very strong material consideration and in my view establishes that the principle of demolition of Wilton Terrace and redevelopment is acceptable.

The Secretary of State has advised that he has received a request to consider the call-in of the application against the Government's Call-in Policy as set out in the Ministerial Written Statement dated 26 October 2012. I have attached the Call-In Policy at Appendix 2. The Secretary of State will only consider the application against the call-in policy once the Council is minded to approve the application. Should the council refuse the application then the Secretary of State will have no further interest in the call-in request. The Secretary of State asked that the decision notice not be issued until he has had time to consider the call-in request.

#### Restriction on occupation of office development

- 8.4 Policy 7/2 of the Local Plan permits new office development for occupation by a business that can demonstrate that it provides an essential service for Cambridge as a local or sub-regional centre or exceptionally where there is a proven need for a regional function only. This is sometimes known as a 'local user condition'. The s106 Agreement for the outline application secures such control over the future occupation of office development within the scheme and it is necessary to secure the same arrangement for this proposal. This can be achieved through the s106 Agreement.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with policies 3/1 and 9/9 of the Cambridge Local Plan 2006.

#### **Context of site, design and external spaces**

- 8.6 In my view the following issues are of relevance to this part of my Assessment, where appropriate I have highlighted the

differences between the current scheme and the earlier schemes:

The Masterplan, Parameter Plans and the Design and Access Statement for the Outline application

Building Design – Layout

Building Design – Height

Building Design – Elevations and Materials

Building Design – Phasing

External Space – Design and Materials

External Space – Tree removal and planting

Nature Conservation

The Masterplan, Parameter Plans and the Design and Access Statement for the Outline application

- 8.7 The development is not constrained by the approved Parameter Plans in the same way as applications for reserved matters. However in assessing whether or not the design of the building is appropriate for its context it is useful to consider the Parameter Plans and the assumptions that underpin them. The parameter plans 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 buildings of such height and mass would be acceptable in the context of the site. The approved schemes for the site which were allowed at appeal are also a very strong material consideration.
- 8.8 The key Parameter Plans that relate to the design of buildings and spaces are:
- PP3 Building Layout (+ maximum balcony/canopy overhang 1.5m)
  - PP4 Building and Ground Conditions (building height (maximum height of occupied floorspace + maximum plant/lift

motor rooms 2 m), building height above proposed ground level, proposed ground level (+/- 0.5m tolerance), existing ground level and proposed ground floor setback)

□ PP6 Public Realm and Open Space

These Parameter Plans were informed by the Design and Access Statement that was submitted to support the Outline application.

8.9 Block I2 that is approved for this part of the Masterplan was always intended to be the largest new block in the scheme. In the report that was considered by Planning Committee in October 2008 the following comment is made about Block I2:

‘Part of the argument in favour of a tall building on Block I2 is that in order to fulfil the key aim of providing for a high quality transport interchange a certain level of development will need to be brought forward to fund such a facility. Insurmountable constraints in terms of the setting of the listed Station buildings, the Mill and Silo, the desire to create a civic space in front of the Station surrounded by buildings of an appropriate scale to the space with fixed parapet height and the proximity of development of a domestic scale at the edges of the site lead to the only conclusion that if a tall building is to go anywhere it can only be accommodated on the site of Block I2.’

8.10 At the time of the Outline consent concerns were expressed about the impact that a building that extended to the maximum parameter plan envelope could have on the site context. For this reason the maximum floor area of the block was set at 75% of the block as a whole. The Design and Access Statement set out how such a volume may be brought forward for example by providing two linked blocks with a full height atrium.

8.11 The building that is now proposed, although of a single floorplate continues to reflect the two linked buildings massing option that was set out the Design and Access Statement. The rhythm of building volumes and open spaces along Station Road is also respected and the pair of buildings is set forward in the street that was another key requirement of the original Design and Access Statement.

8.12 The 60 Station Road element of the building is one storey higher than 50 Station Road. This supports the principle established by the Masterplan that building height should increase along Station Road and culminate in this location. The assumption that Block I2 would only be built out to 75% of its potential development envelope also means that the building needs to be strongly articulated to reduce its mass. The proposed buildings have achieved this level of articulation in my view and I explain this in more detail below. However, this scheme is not bound by the 75% build out restriction of the Outline consent which defined a floorspace for the building which equated to 75% of the maximum parameter plan block.

8.13 The applicants have clearly considered the key elements of the original Design and Access Statement for this part of the Station Area Development. In general the principles of the Design and Access Statement have been respected. The main difference between the approved Parameter Plans and the development that is being brought forward is the extent of the footprint of the block. However this has already been established as acceptable in principle by the approved schemes.

#### Building Design – Layout

8.14 The building presents a frontage to Station Road 56 m wide. The 9 metre wide gap between number 60 and number 50 is retained but the two parts of the building are connected from ground floor up to seventh floor. The following table sets out the set back of the link from the north and south elevations.

Floor level	Set back north (Station Road)	Set back south (Public Square)	Depth of link
Ground	5m	6m	32m
First	1.5m ([pod projects forward)	10m	26m
Second to Sixth	9m	10m	25m
Seventh	21m	21m	3.5m
Eighth	No link (floor 8 in 60 Station Road only)	No link (floor 8 in 60 Station Road only)	No link

- 8.15 Both buildings incorporate a colonnade at ground and first floor to Station Road and the upper floors of the buildings project over the colonnade to 6 metres from the edge of the carriageway on Station Road.
- 8.16 Within the colonnade to no. 60 there is a double height glazed projection that serves as a reception area. In contrast to the earlier schemes there is no double height entrance feature on no. 50 where the entrance to the ground floor only will be low key. This is appropriate given the single footprint nature of the building in my view but the UDC team has raised some anxiety about the legibility of the building and whether this 'second' reception will reduce the transparency at ground floor level. I can understand their anxiety but it is not a matter that can be easily controlled as internal fit outs do not constitute development. Between the two buildings at ground floor level is a separate shop/café unit and at first floor a projecting 'pod' which is accessible from within the building. The UDC team has suggested that the first floor pod should also be accessible from the ground floor i.e. independently from the offices. I have asked the applicant to consider this and expect amended plans to be submitted to address this point. I will report further on the Amendment Sheet.
- 8.17 A further change to the layout of the building is that the stair core serving 60 Station Road no longer projects from the Northeast corner of the building at the Station Road/SAR junction. The main stair core is now in the middle of the building with a secondary core on the west (Warren Close) elevation.
- 8.18 Retail space is also accommodated in the Southeast corner of 60 Station Road. It is also set back under a colonnade by approximately 3.5m facing the SAR and 3m to the rear facing the public square. The south eastern corner of the building is no longer chamfered under this double height colonnade and the southern elevation at ground and first floor level not set at an angle.
- 8.19 The access arrangements have been revised and car access is now provided off Warren Close directly into car park. This has the capacity to greatly improve the space to the South of the building which accommodates cycle parking, a substation and

service space. I share the view of the UDC team that incorporating the substation into the building would optimise the improvement that can be achieved. The applicants have been asked to consider relocation of the sub-station and I will report further on the Amendment Sheet.

### Building Design – Height

- 8.20 The overall height of the building is not constrained by the Outline Planning Consent in this case. However it is useful to compare the proposed scheme with the approved Parameter Plans. This will enable a consideration to be made about how well the building will sit in the overall Masterplan.

Table – Comparison between approved Parameter Plans and Proposed Development		
	60 Station Road	50 Station Road
<u>Parameter Plan Height</u> occupied floorspace	34.1m	34.1m
<u>Parameter Plan Height</u> including Plant/Lift Overrun	36.1m	36.1m
Proposed Height occupied floorspace	32.2 m	28.5 m
Proposed Height including Plant/Lift Overrun	36.1 m	32.4 m
Proposed Top Floor Set Back North elevation/Station Road	4.6m	4.6m

Proposed Top Floor Set Back South elevation/Public Square	4 m	4.6m
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8.21 The table demonstrates that both buildings sit within the parameters for the maximum height of Block I2. 60 Station Road is proposed to be one storey taller than 50 Station Road at 9 storeys plus roof plant. This is the same arrangement as the approved scheme and the proposed heights are very similar.

8.22 The stair tower on the north eastern corner of number 60 which was a feature of the approved scheme has been removed and this corner of the building is set back against the projecting colonnade and upper floors of the building. This change is supported by the UDC team and the D and C Sub Panel which notes that this result in increased pavement space.

8.23 To the south the height differential also works well. The taller number 60 will sit opposite the tallest block in the Blue Phase at 22.5m forming the south and north sides of a new public space. Number 50, at its lower height will sit more comfortably with the existing block on Warren Close.

8.24 I have no objections to the approach that has been adopted to building height. Both buildings will sit well with other building in this part of the Masterplan.

Building Design – Elevations and Materials

8.25 The treatment of the elevations and the material are very similar for the two buildings. The predominant material is reconstituted stone which is used to set up a grid which wraps around both buildings. Glazing is set back behind the reconstituted stone grid and at roof level where the building is set back metal panels and glazing is used.

### *Station Road*

- 8.26 The Station Road elevation is crucial in marking the arrival point for the building and addressing what is the most important street in the Masterplan Area. The colonnade allows the buildings to be set back from the street at ground and first floor level but the solidity is maintained internally so that the buildings 'meet the street' and an appropriate base is provided.
- 8.27 The first floor pod that projects out from between the two buildings sits on a concrete slab and is fully glazed; it has a 'green' roof. The glazed upper floors behind the stone grid provide an appropriate 'middle' section for the building and are reminiscent of the Deity buildings to the west. The double height grid on the upper floors below parapet level invigorates the façade and helps to reduce the mass and bulk to the buildings.
- 8.28 The link between the two parts of the building will be visible when facing the building on Station Road but will not be apparent when the building is viewed from a distance from the east and west because it is significantly set back.

### *Elevations to Public Space/SAR/Warren Close Access Road*

- 8.29 The internal changes to the building result in a much reduced stair core in 50 Station Road which significantly reduces the amount of 'blank' wall to the Warren Close elevation. This helps the treatment of the Station Road elevation to wrap around the building. The D and C Sub Panel supports this change. The linking element will be visible from within the public space and I agree with the UDC team that this will improve the appearance of the building from this location.
- 8.30 In my view the treatment of the elevations and the choice of materials are very successful. The elevation treatment will reduce the scale of what was always to be a significant building in the Masterplan and the materials reflect the need to produce buildings of high quality as part of the redevelopment of this area. The elevation treatment and materials are the same as the previous schemes.

### Building Design – Phasing

- 8.31 The building would not be built as two phases which was part of the previous proposals.

### External Space – Realignment of the SAR

- 8.32 The realignment of the SAR is not significant in itself but it does introduce changes to the external environment around the proposed buildings and the wider Masterplan. The SAR previously had an alignment that formed part of a wider grid of routes through the site to the rear of the blocks fronting the Station Square and the Bus Interchange. The function of this route is unchanged by the realignment but the visual impact is altered. Instead of forming a crossroad with the access running to the North side of Station Road the SAR is off set and the corner to Number 60 closes the vista. The grid of routes through the area was considered to be of importance to the Masterplan but I do not think it was given such a degree of importance that it is sacrosanct. The realignment of the SAR is crucial to the delivery of the development on this site and in my view should be supported.

### External Space – Design and Materials

- 8.33 The development delivers the SAR and completes another part of the public square to the south. The SAR will be surfaced in asphalt with red granite setts to mark the junction and the entry into the public square. The public square and the hard surfaced areas around the building will be finished in paving slabs to match the hard surfacing elsewhere on CB1.
- 8.34 There are five types of planted area in and around the building:

Tree planting to the Station Road and SAR frontages (see below)

A Green Roof on the projecting pod to the Station Road frontage

Planters attached to the linking element facing north and south and on the terrace areas

A pergola over the car park access ramp on the southern boundary

A living roof over the external cycle park.

The details of these planting areas are set out in the Landscape Proposals document. The roof terrace areas are accessible to people occupying the buildings.

On street cycle parking is accommodated on the Station Road, SAR and Warren Close frontages.

#### External Space – Tree removal and planting

- 8.35 There are existing trees in front of and behind 32-38 Station Road, which will all be removed as part of the development. Agreement in principle to the removal of these trees was given as part of the Outline Planning permission.
- 8.36 New trees are to be planted as part of the development in the form of six small leafed lime trees on the Station Road frontage and five pear trees on the SAR (where previously four were proposed). The lime trees have an ultimate height and spread of 10 m by 4.5 m and the pear trees 8 m by 3 m. The Landscape Officer has raised concerns how tree planting will be carried out. In my view the detailed landscaping condition (41) that I have recommended will address this point and other detailed matters raised by the Landscape Officer.

#### Nature Conservation

- 8.37 The Ecology Report that supports the application refers to the wider scheme for ecological mitigation that has already been agreed in relation to the wider development. In common with the approved schemes I have recommended a condition (43) which addresses the need to agree the specification and location of the kestrel box.

#### Conclusion - Context of site, design and external spaces

- 8.38 In my view the changes that have been made to the design of the building and associated external spaces should be supported. The proposed development is very similar to that which already benefits from planning permission and I have recommended the conditions suggested by the UDC team to secure control of the detailed design of the building (25 to 40). In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11 and 3/12.

## **Impact on Heritage Assets**

- 8.39 The application is supported by a Heritage Statement as required by paragraph 128 of the National Planning Policy Framework (NPPF). Officers in the Urban Design and Conservation Team have not raised any concerns about this analysis and support the scheme subject to the imposition of planning conditions to address matters of detail.
- 8.40 The applicants have correctly identified the heritage assets that are affected by the development as 32-38 Station Road which are Buildings of Local Interest (BLIs) and the Conservation Area including the Station and associated buildings, the villas on the north side of Station Road and the Mill. The NPPF includes buildings that are locally listed in the definition of a heritage asset.
- 8.41 The appeal decision has established that the principle of demolition of 32-38 Station Road (Wilton Terrace) is acceptable provided an acceptable redevelopment scheme was agreed. The Inspector considered the proposed scheme before him to be an appropriate replacement. Given the similarity between the approved scheme and the proposed scheme and the support from Heritage England, the D and C Sub Panel and the UDC team I think it would be very difficult to justify refusal of planning permission on the basis that Wilton Terrace should be retained. I have recommended conditions to address the salvage of materials and to secure a photographic record (23 and 24).
- 8.42 In reaching this recommendation I am well aware of the strength of local opposition to the demolition of Wilton Terrace. However this should not outweigh the status of Wilton Terrace which has been clearly established by the Appeal decision.
- 8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/11 and 4/12 and guidance provided by the NPPF.

## **Public Art**

- 8.44 The application does not bring forward any detailed proposals for public art. It is anticipated that this will be secured via the s106 Agreement that will require the submission and approval

of a Public Art Delivery Plan. In my view this is an appropriate way forward. I would normally expect a development of this scale to include public art proposals within the planning application, however in this case I do not think this is essential.

- 8.45 Although the application is a 'freestanding' full planning application in my view public art must be considered in the wider CB1 Masterplan context. The applicants are happy with this approach. A CB1 Public Art Strategy has already been agreed and pre-submission discussions have commenced on a proposal for public art in Station Road. It seems sensible to me that this site should be part of that proposal and this can be secured via Public Art Delivery Plan.
- 8.46 Subject to the submission and approval of a Public Art Delivery Plan, 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**

- 8.47 The application is supported by an Energy and Sustainability Statement and BREEAM Pre-Assessment. A Sustainable Development Checklist has also been completed.
- 8.48 The Energy and Sustainability Statement indicates that the emphasis of their approach has been through passive design such as improved building fabric and external shading. Photovoltaic and solar thermal panels are also incorporated in the revised design. The Senior Sustainability Officer is satisfied with this approach and accepts that the development is not strictly compliant with Policy 8/16. The approach to meeting BREEAM 'excellent' and the overall levels of carbon reduction being achieved are fully supported.
- 8.49 In my opinion the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with the Sustainable Design and Construction SPD 2007. The approach is unchanged in comparison with the previous applications and I have recommended the condition proposed by the Senior Sustainability Officer (46) and another condition to ensure compliance with the approved strategy (47).

## **Disabled access**

- 8.50 The Design and Access Statement does not address the question of disabled access in any great depth. The Access Officer has raised concerns regarding parking provision for disabled people and I have asked the applicants to address this. The Access Officer has also raised issues that can be dealt with by an informative.
- 8.51 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

### *Warren Close*

- 8.52 The closest residential units are the flats on Warren Close development to the south of the site of 50 Station Road. A single block accommodates numbers 130 to 153 Warren Close. This block sits approximately 9 metres off the site boundary at its closest point and will be 21 metres from the main body of the office building. Car parking which serves the flats sits adjacent to the boundary. The flat block is 6 storeys high and therefore not an insubstantial building in itself but 50 Station Road will be two storeys higher plus roof plant. The principle outlook from the flats is toward the open space to the south but there are some secondary windows and the stair core on the north elevation facing the application site.
- 8.53 The new buildings will sit to the north of the existing flat block, which means the flats will overshadow the offices and not the other way around. The key residential impacts therefore arise from overlooking, increased sense of enclosure, loss of privacy and noise and disturbance.

Overlooking and loss of privacy

- 8.54 There is potential for overlooking or interlooking between the offices and the flats but the impact of this is reduced significantly by the size and secondary nature of window on the north side of the flats. The only internal space that will be overlooked is the stair core and externally the car park. I do not

consider that this will be an adverse impact and could be argued as a benefit in terms of natural surveillance.

Increased sense of enclosure

- 8.55 The relative scale of the buildings will lead to an increased feeling of enclosure particularly in the car park area serving the flats. However this is more than compensated for by the larger public space, which will be provided to the northeast.

Noise and disturbance

- 8.56 The location of the access to the car park and the cycle park may generate additional noise to the north of the flats but in my view the level of disturbance unlikely to be significant. The Environmental Health Officer (EHO) has recommended conditions relating to construction activities, opening times, plant noise and odour that I have included in my recommendation (12 to 22).
- 8.57 The other flats within Warren Close will be further away from the development and will not be significantly affected once the buildings are completed. It is worth noting that the previous schemes for the site were considered unlikely to have any impact on residential amenity.

*CB1 Blue Phase*

- 8.58 This phase of the CB1 development has been completed and is occupied. Block L1 will be located 15 metres from the site boundary and there will be a minimum building-to-building distance of 30 metres. The space between Block L1 and 60 Station Road will form the new public space between the Park and the Station Square.
- 8.59 Block L1 is a substantial building at 7 storeys but 60 Station Road will be two storeys higher plus roof plant. The orientation is favourable in terms of overshadowing and the impacts on residential amenity will be similar to those described in relation to the Warren Close flats. The key difference is that some flats in Block L1 have a principal outlook toward the new offices; however the potential overlooking impact is mitigated to some degree by the separation distance of 30 metres. This

arrangement is unchanged in comparison with the previous schemes.

- 8.60 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**

- 8.61 Space for storage of waste produced by the office use is provided in the basement. A lift is provided so that bins can be moved directly to the street so that the refuse vehicle can park in the rear service to service the building. Space for storage of refuse generated by the retail units will be provided within the unit itself at ground floor level. The EHO is content with this arrangement subject to a condition to secure the detailed arrangements. The Waste Management Strategy that has been submitted references the RECAP Waste Management Design Guide.

- 8.62 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12 and conforms to the RECAP Waste Management Design Guide.

### **Other environmental impacts**

- 8.63 The EHO has identified the following issues as of relevance to the consideration of the application. I have set out below my recommendations on how they can be addressed:

Air Quality – although the EHO is concerned about the way in which car parking impacts have been assessed he welcomes the mitigation measures set out in the Transport Assessment/Travel Plan. Any further comments received in relation to the Revised Air Quality report will be reported on the Amendment Sheet.

Contaminated land – the eastern part of the site (60 Station Road) has been adequately assessed but a condition is required to address the western part (50 Station Road).

- 8.64 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/13 and 4/14.

## Transport Impact

- 8.65 The application is supported by a Transport Assessment (TA) that has been carried out under the guidance of the County Council. The TA addresses the existing conditions, the proposed development, trip generation and assignment and junction capacity.
- 8.66 The TA predicts that once fully occupied, 50/60 Station Road is predicted to generate an additional 17 pedestrian, 38 cycle, 32 public transport and 11 two-way vehicle movements during the AM peak hour compared to the most recently consented scheme. During the PM peak hour, the site is predicted to generate an additional 16 pedestrian, 36 cycle, 29 public transport, and 9 two-way car movements.
- 8.67 To mitigate the impact of the 50/60 Station Road development trips during the peak travel periods, the following measures are proposed by the TA:
- Implementation of an Office Travel Plan;
  - Provide car parking at a ratio of 1 space per 141 sqm GIA, below the CB1 maximum standard of 1 space per 125 sqm;
  - Provide 620 cycle parking spaces
  - Pre and Post construction surveys of the level of on-street parking on the local residential streets (a repeat of the surveys conducted in October 2011 ref CB1 Cambridge Parking and Pedestrian Interview Report) and if deemed necessary by Cambridgeshire County Council, fund the implementation of a resident parking scheme (up to a contribution level of £75,000).
- 8.68 The TA states that the developer recognises that the proposed scheme will generate additional trips to and from the CB1 development. It is therefore proposed that a sustainable transport improvement contribution will be provided to assist funding transport schemes that improve the accessibility of the CB1 site from the surrounding local area. This contribution to be discussed and agreed with CCC and will replace the Cambridge Guided Bus (CGB) and Southern Corridor Area Transport Plan (SCATP) contributions provided for the previous 50/60 Station Road applications.

- 8.69 The County Council have reviewed the additional information provided by the applicants and now support the way in which the transport impact has been assessed.
- 8.70 Mitigation measures will be necessary to address the traffic and transport impacts of the development. These are still under discussion by the County Council. I will provide an update on this issue on the Amendment Sheet.

### **Highway Safety**

- 8.71 The application includes the realignment of the Southern Access Road and the detailed access arrangements for the building. The Highway Authority has raised no objection to these details on the grounds of highway safety.
- 8.72 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

#### Car Parking

- 8.73 A total of 124 car parking spaces are provided in the basement including seven spaces that are large enough for use by disabled people (6%), this compares with 83 spaces in the approved scheme. The adopted car parking standards allow for a maximum of one car parking space per 100 m<sup>2</sup> of office floorspace and disabled parking only for retail uses. By application of these standards a maximum of 169 car parking spaces could be provided. The level of car parking provision is lower than this maximum and equates to 1 space per 137 sq m (previously 198 sqm).
- 8.74 The following table sets out the comparative numbers and ratio of car parking in the CB1 development to date.

SITE ADDRESS	NUMBER OF SPACES	CAR PARKING RATIO
50/60 Station Road (first scheme)	60	1 space per 274 sqm
50/60 Station Road (second scheme)	76	1 space per 209 sqm
50/60 Station Road (third scheme)	83	1 space per 198 sq m
50/60 Station Road PROPOSED	124	1 space per 137 sq m
Microsoft (excluding temporary car park)	35	1 space per 280 sqm
Block J2	40	1 space per 186 sqm

8.75 Concerns were previously raised about the potential for overspill car parking to have an adverse impact on residential amenity in those areas where there are no controls on street. This concern has in part been addressed through an increase in provision of car parking to serve the development as described above. Also the applicants have offered up a pre- and post-development parking survey and funding for a Residents Parking Scheme if necessary serves to mitigate such potential adverse impact. This was secured in relation to the approved schemes and is recommended.

#### Cycle Parking

8.76 The updated information submitted in response to comments made by the Walking and Cycling Officer is as follows:

#### Cycle Parking Provision

A combination of ground and basement cycle parking is provided for 50/60 Station Road. The surface level cycle parking will provide spaces for the retail units, office visitors and

staff. The plans provided with the note sets out how the cycle parking will be allocated. The proposed allocation is also summarised below:

- A3 staff/visitor retail spaces:
  - o 42 spaces along Mill Park;
  - o 20 spaces along Station Road; and
  - o Total 62 spaces
  
- Office spaces:
  - o 26 visitor spaces along Station Road;
  - o 48 staff spaces along Station Road;
  - o 44 staff spaces along Warren Close;
  - o 80 staff spaces to the rear of 50/60 Station Road; and
  - o 366 staff spaces in the upper basement.
  - o Total 564 spaces

The 626 cycle parking spaces have been allocated based on proximity to the main building entrances. The retail spaces have been allocated adjacent to and opposite the A3 retail units. The office visitor spaces have been allocated opposite the main reception entrance. The remaining spaces are allocated to 50/60 office staff. Retail staff will also have access to the covered cycle spaces to the rear of 50/60 Station Road.

The surface level bicycle parking is uncovered, except the spaces to the rear of 50/60 Station Road, adjacent to the basement car park access ramp. The bicycle parking adjacent to the basement car park access ramp provides 40 covered double stacking spaces (80 spaces).

### Cycle Parking Access

Cycle access to the basement cycle store is solely via the staircase accessed from Warren Close. Access to stairs will be controlled by key fobs/staff cards to prevent unauthorised use. Cyclists will not access the basement cycle store via the vehicle ramp. This is to ensure cyclists are separated from vehicles entering and exiting the basement levels.

A review of the space required to manoeuvre a bicycle through 90 degrees has been undertaken. To take account of the concerns regarding the amount of space between the top of the steps and door, the landing area has been increased. In total

2.4m is provided which is sufficient space for a bicycle to turn 90 degrees through the door and access to the wheeling ramps. The Cambridge Cycle Parking Guide for new developments recommends a space of 1.8m by 2.4m is available to turn a bicycle through 90 degrees. The revised layout therefore provides sufficient space for a bicycle to be turned and placed on the wheeling ramps.

At the basement level there is 1.8m between the foot of the stairs and the boundary wall which is sufficient space for a bicycle to leave the stairs and be turned through 90 degrees to enter the cycle park.

The proposed staircase for access to the basement cycle store will be 1.9m wide with wheeling channels of 0.3m width on either side. This will provide adequate width for two people to wheel cycles on the stairs from opposite directions. The staircase will have a maximum gradient of 30 degrees (50%) and a total length of 7.5m, including a 1.8m central landing.

8.77 A total of 626 cycle parking spaces are located in and around the building including 366 spaces in the basement accessed via a segregated ramp and 80 in the rear cycle park. Application of the adopted cycle parking standards indicates that up to 63 spaces should be provided for use by the commercial units and 565 spaces for the office employees/visitors. The cycle parking provision accords with planning policy in terms of overall numbers.

8.78 The cycle parking as revised delivers cycle parking in four ways:

- Basement level parking (366)
- Cycle store (80)
- Warren Close frontage (44)
- Station Road frontage (94)
- SAR (Mill Park) frontage (42)
- Total street frontage cycle parking 180 spaces (28%)

This compares with the following arrangement of cycle parking previously approved:

- Ground level cycle parking on Sheffield stands between the office buildings (28 spaces)

- Ground level cycle parking on double stackers between the office buildings (286 spaces)
- External Cycle Store rear of 50 Station Road – Sheffield stands spaces (112 spaces)
- 146 spaces on Sheffield stands adjacent to Station Road, the Southern Access Road and to rear of 60 Station Road.

8.79 I support the concept of a mix of types of cycle parking (70% double stackers/30% Sheffield stands) although it is not as favourable as the 50/50 split previously proposed.

8.80 28% of cycle parking is on street. This has a visual impact and is challenging in terms of availability for use by the occupiers of the development and their visitors. The applicants have confirmed that the CB1 ‘estate’ will be a managed environment and they consider the occupiers of the building and the Management Company will be able to control the use of cycle parking spaces. The Travel Plan indicates how a Cycle Parking Management Plan will work.

8.81 The Cycle Parking Management Plan includes a cycle parking management strategy, which will consist of the following:

- Discreet signage on the stands to deter authorised use
- Allocation of a space on arrival for visitors
- Active surveillance of cycle parking
- Registration of cycles used by staff and the issue of a Bicycle Permit to be displayed on the cycle
- Requests for immediate removal of unauthorised cycle by concierge
- Removal of unauthorised cycles within 24 hours of two written warnings.

8.82 A similar system currently operates at the Mott MacDonald Offices on Station Road. In my view this level of control is acceptable and will ensure that cycle parking space is available for authorised users only. I have recommended a condition to secure submission and approval of the Travel Plan and a Cycle Parking Management Plan (condition 50).

8.83 The details of the Travel Plan and its implementation need to be secured by the s106 Agreement. I have recommended conditions to secure disabled parking provision and to secure safe access to the basement cycle/car park.

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

### **Third Party Representations**

8.85 I have addressed the majority of the issues raised via third party representations above. The following table indicates the relevant sections of my Assessment. The issues raised are generally the same as were raised in relation to the earlier schemes the exception is the comparison that is being drawn with the scale of the approved scheme which I deal with at paragraphs 8.86 and 8.87 below.

Issue	Reference
Loss of Existing Buildings	<p data-bbox="815 1066 1310 1106">Impact on Heritage Assets</p> <p data-bbox="815 1149 1310 1532">Suggestions as to how Wilton Terrace could be retained in whole or part and converted to other uses have been raised before. However we can only make a decision on the basis of the submitted plans.</p> <p data-bbox="815 1574 1310 1861">In reaching his decision on the Appeal the Inspector accepted the developer's argument that the development would help to deliver wider public benefits.</p>

The New Buildings	<p>Context of site, design and external spaces</p> <p>The Council has adopted guidance in the form of Cambridge City Council - Guidance for the application of Policy 3/13 (Tall Buildings and the Skyline) of the Cambridge Local Plan (2006) (2012). This guidance post-dates the Outline planning consent for CB1 but detailed consideration was given to appropriate building heights as part of the determination of the Outline application. The Guidance does not itself rule out the development of tall buildings.</p> <p>The Shadow Study and Views Assessment are sufficient to allow the impact of the development to be fully considered.</p>
Impact on residential amenity	Residential amenity
Other Issues relating to Trees, Amenity and Parking	<p>Introduction</p> <p>Context of site, design and external spaces</p> <p>Residential amenity</p> <p>Car and cycle parking</p>

	Transport impacts
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- 8.86 Third party representations have been made that the scale of the building is larger than previously outlined, that there has been a significant increase in size by 792 sq m and that the increase in size compared with the Outline permission is 42% (11,506 compared to 16,937sq m). It is true to say that the amount of floorspace of the proposed 50/60 Station Road is much greater than indicated for block I2 of the CB1 Masterplan approved under the Outline consent. However the building footprint is much larger and the Inspector accepted that a building 16,171 sq m in size is acceptable. The total size of the proposed building is now 17,551 sq m. The office space has increased by 1037 sq m and the retail by 343 sq m. This represents a 6.5% increase in office space and 126% increase in retail space and an 8.5% increase overall in comparison with the approved scheme (12/1556/FUL). The increased floorspace is derived from the two office buildings being joined together.
- 8.87 Full planning permission is sought which means that the amount floorspace is not limited by the Outline consent. The impacts of the additional floorspace have been fully assessed and in the view of officers there are no reasonable grounds to resist the principle of an increase in floorspace over and above the approved scheme.
- 8.88 Third party representations also raise concerns about procedural issues. I can confirm that the Design and Conservation Panel are routinely asked to consider redevelopment proposals involving the removal of buildings. The issue of potential conflict of interest of the heritage consultants acting for the developers has been raised previously and officers are content that no such conflict of interest arises.

### **Planning Obligations**

#### Community Infrastructure Levy Regulations 2010

- 8.89 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three

tests. Each planning obligation needs to pass three statutory tests to make sure that it is

- (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.

In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

#### S106 Agreement relating to the Outline Planning Consent

8.90 Although this is a full planning application, which would result in the grant of a freestanding planning permission, it is my view that an understanding of the s106 Agreement for the Outline consent remains important. 50/60 Station Road will be constructed on the site of what would have been Block I2 and part of Block I1. Block I2 falls within the Red phase of the development and Block I1 in the Green phase.

8.91 The implementation of development in the Red Phase e.g. Block I2 would trigger the following commuted payments/infrastructure under the Outline consent:

- Submission and approval of the Public Art Delivery Plan for the Red Phase.
- Local User condition restriction
- Relocation Strategy for Woodlands Surgery
- Hills Road/Station Road junction works
- Sub-phase payments towards SCATP and CGB including deferred payments
- Agreement of Travel Plan Co-ordinator and Travel Plan

8.92 The implementation of development in the Green Phase e.g. Block I1 would trigger the following commuted payments/infrastructure under the Outline consent:

- Submission and approval of the Public Art Delivery Plan for the Green Phase
- Local User condition restriction
- Scheme for Station Square including a Management Plan
- Sub-phase payments towards SCATP and CGB
- Submission of details of the Northern Access Road
- Agreement of Travel Plan Co-ordinator and Travel Plan

8.93 The mitigation measures that are identified for the Red Phase are capable of being secured via the section 106 Agreement for 50/60 Station Road for the reasons that I have set out in my Assessment. Only a small part of the Green Phase falls within the application site and development of this site does not preclude development within Block I1. Under these circumstances I think it would be unreasonable to expect this development to comply with the requirements for the Green Phase. Applications have been submitted for other parts of the Green Phase, which are under consideration/determined.

### Transport

8.94 The applicants are of the view that contributions towards the Southern Corridor Area Transport Plan (SCATP) and the Cambridge Guided Bus (CGB) are not appropriate. However they are in discussion with the County Council regarding a range of mitigation measures that should be funded in conjunction with the new development. I will provide an update on this on the Amendment Sheet.

8.95 The development also previously generated the need for improvements to the Hills Road/Station Road junction when considered in conjunction with other development within the CB1 Masterplan area. This work has now been secured against other CB1 development and is about to be implemented.

8.96 Overspill parking from the development has the potential to have an adverse impact on the amenity of residents in the vicinity of the site. A pre-construction and post occupation parking survey is necessary to assess the impact of the

development the outcome of which may be the establishment of a Residents Parking Scheme. The costs of carrying out the survey and setting up the Scheme should be borne by the applicant.

- 8.97 The funding and agreement of a Travel Plan and Travel Plan Co-ordinator is also needed.
- 8.98 Subject to the completion of a S106 planning obligation to secure the payments towards mitigation measures, the car parking survey and mitigation and the Travel Plan/Travel Plan Co-ordinator, I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/2, 8/3, 9/9 and 10/1 and the Planning Obligation Strategy 2010.

#### Public Art

- 8.99 The development is required to make provision for public art and officers have recommended as set out in paragraphs 8.44 to 8.46 above that in this case provision for public art should be made on site via the submission and approval of a Public Art Delivery Plan (PADP). The PADP should be required to relate to the approved CB1 Public Art Strategy and the PADP for the Red Phase.
- 8.100 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, 9/9 and 10/1 and the Public Art SPD 2010.

#### Loss of Community Facility (Doctor's Surgery)

- 8.101A Relocation Strategy for the Surgery is no longer necessary because the surgery had relocated to Bateman Street.

#### Occupation Restriction (Offices)

- 8.102A Local User Condition is needed to ensure that the development is occupied in accordance with Development Plan policy. I have addressed this issue in paragraph 8.4.
- 8.103 Subject to the completion of a S106 planning obligation to secure the restriction on occupation, I am satisfied that the

proposal accords with Cambridge Local Plan (2006) policies 7/2, 9/9 and 10/1

## **9.0 CONCLUSION**

- 9.1 The Inspector's Decision on the appeals lodged against the previous refusals of planning permission and Conservation Area Consent are significant material considerations. The current scheme is not identical to the approved development and differs in two key ways, the two buildings are linked to provide a larger floorplate which the applicants argue will be more appealing to future occupiers and the amount of car parking has been increased.
- 9.2 The changes to the scheme have been fully considered by officers with assistance from experts such as those on the Design and Conservation CB1 Sub Panel. Overall the changes to the building are considered to enhance its contribution to the area and the building will not appear as the overly dominant structure as is feared by the objectors. Additional car parking has the benefit of reducing the likely impact of dispersed car parking into residential streets notwithstanding that this needs to be carefully balanced against impacts on air quality.
- 9.3 In my view the quality of the building reflects its setting in an Area of Major Change and justifies the removal of Buildings of Local Interest in terms of being an appropriate replacement and bringing tangible public benefits in terms of the delivery of the wider Masterplan.

## **10.0 RECOMMENDATION**

1. APPROVE subject to confirmation from the Secretary of State that he does not intend to call the application in and subject to the satisfactory completion of the s106 agreement by 31 January 2016 and subject to the following conditions and reasons for approval:

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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. Piling or any other foundation designs and investigation boreholes using preventative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure protection of groundwater (Cambridge Local Plan policy 4/13)

10. 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 planning authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

Reason: To ensure protection of the water environment (Cambridge Local Plan policy 4/13)

11. 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) Prohibition of the burning of waste on site during demolition/construction.
- d) Site lighting.
- e) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- f) Screening and hoarding details.

- g) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- h) External safety and information signing and notices.
- i) Prior notice and agreement procedures for works outside agreed limits.
- t) Complaints procedures, including complaints response procedures.
- u) Membership of the Considerate Contractors Scheme.

Reason: To protect the amenity of the adjoining properties.  
Cambridge Local Plan 2006 policy 4/13

12. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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)

14. 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 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)

15. No development shall commence 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 policy4/13

16. 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 in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice".

The approved scheme shall be fully implemented and a completion report submitted prior to the occupation of the noise sensitive development and shall thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area (Cambridge Local Plan 2006 policy 4/13)

17. Prior to the occupation/use of the development, details of equipment for the purpose of extraction and filtration of 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 and shall thereafter be retained as such..

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

18. 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

19. 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 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)

20. Before the development hereby permitted is commenced, details of the location of associated duct work, 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 ductwork shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such.

Reason: To protect the amenity of nearby properties and to ensure that the visual impact of the ductwork is acceptable. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/11 and 4/13)

21. The units in A1 and A3 use shall not be open outside the hours of 07:00 and 23:00 hrs.

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

22. Deliveries to both 50 and 60 station road and to the units in A1 and A3 use shall not be made outside the hours of 0700-2300hrs on Monday to Friday, 0800-1300hrs on Saturday or at any time on Sundays or public holidays.

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

23. Prior to demolition a method statement for the controlled demolition of the building, the salvaging of materials of construction [bricks, slates, etc.], architectural details [joinery, flooring, stained glass, carved and/or moulded work, door furniture, chimney pots, decorative metalwork, etc.] and structural timber, etc. and the sustainable recycling of these materials shall be submitted to and approved in writing by the LPA. The local planning authority shall then be supplied with written proof of the successful recycling of the materials.

Reason: In the interest of retention of materials of construction/architectural details (Cambridge Local Plan policy 4/12)

24. No development shall take place until a full photographic record and survey by measured drawing and salvage of samples 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 precise number and nature of the photographs, drawings and samples to be taken is to be agreed in advance with the local planning authority and the format in which they are to be displayed and titled is to be agreed 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 4/12)

25. 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 Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

26. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of all coping to the walls shall be submitted to and approved in writing by the local planning authority. Large-scale cross-sectional drawings may be appropriate for depicting some details. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

27. Prior to the commencement of development, with the exception of below 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. The 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 4/11)

28. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of glass type(s) to be used in curtain walling/windows/doors or other glazed features 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 ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

29. Prior to the commencement of development, with the exception of below ground works, full details of all external joinery [whether of metal, timber or hybrid construction] including frames, thresholds, mullions, transoms, finishes, colours, etc., 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 ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

30. 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 ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

31. Full details of the proprietary roof glazing system including material(s), edge and flashing methods, etc. to be submitted to and approved in writing by

the local planning authority. Large-scale cross-section drawings may be appropriate to show details. 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 4/11)

32. Full details of the design and installation of the renewable energy source(s) including plant, mounting frames/brackets etc., screening systems, etc. to be 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 4/11)

33. No rooftop plant shall be constructed on until such time as full details, to a large scale, of any rooftop plant screening systems to be installed, where relevant, have been submitted to and approved in writing by the local planning authority. This may include the submission of samples of mesh/louver types and the colour(s) of the components. Colour samples should be identified by the RAL or BS systems. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of development are acceptable. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

34. 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, 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 of the Conservation Area 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 3/12 and 4/11)

35. No development with the exception of below ground works 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 in the Conservation Area. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

36. Full details of the cycle store adjacent to the car park ramp shall be submitted to and approved in writing by the local planning authority prior to commencement of works to provide the cycle store. The development shall be implemented and maintained 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 4/11)

37. Prior to the commencement of occupation, a lighting plan including details of the height, type, position and angle of any external lighting shall be submitted to and approved in writing by the local planning authority. The development shall be implemented and maintained in accordance with the approved plan.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

38. Prior to the commencement of the development hereby approved, with the exception of below ground works, full details of the external treatment to the car park ramp 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 ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

39. Prior to the commencement of works to the roof, full details of the gantry window cleaning system 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 ensure that the external appearance of the building is appropriate to its setting. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

40. Prior to commencement of occupation a signage strategy for use in association with the occupation of 50 and 60 Station Road and the units in A1 and A3 use shall be submitted to and approved by the local planning authority in writing. The approved signage strategy shall thereafter be retained and all external signage shall conform to the strategy unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the appearance of the building is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

41. 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)

42. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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)

43. All management and maintenance of ecology shall be carried out in accordance with the approved Ecology Report by RPS dated April 2015. Prior to the commencement of development, with the exception of below ground works, a full specification and details of the proposed location of the kestrel box shall be submitted to and approved by the local planning authority in writing. The kestrel box shall be installed prior to occupation of the block to which it is attached and shall thereafter be retained unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory arrangements are in place to ensure the proper management and maintenance of ecology (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/8, 3/11, 4/2, 4/3, 4/4 and 9/9).

44. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

45. The approved renewable energy technologies to meet the approved carbon emissions shall be fully installed and operational prior to first occupation and shall thereafter be maintained and remain fully operational in accordance with an approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

46. The building shall be constructed to meet the applicable approved BREEAM 'Excellent' rating as a minimum. Prior to the occupation of the building a certificate following a post-construction review, shall be issued by an approved BREEAM Licensed Assessor to the Local Planning Authority, indicating that the relevant BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2006 policy 8/16 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

47. The drainage system shall be implemented in accordance with the Foul and Surface Water Drainage Strategy dated May 2015 revision E and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reason: To ensure satisfactory arrangements are in place to ensure the proper management and maintenance of foul and surface water. (National Planning Policy Framework 2012).

48. 5% of all parking spaces shall be suitable for, and reserved for, people with disabilities.

Reason: To ensure an appropriate level of car parking provision for people with disabilities (Cambridge Local Plan policy 8/10 and appendix C).

49. Prior to the commencement of first occupation full details of the security arrangements to provide for safe use of the basement car and cycle park, shall be submitted to and approved by the local planning authority in writing. The approved provisions for safe use of car/cycle parking facilities shall be provided prior to the first occupation and retained thereafter.

Reason: To provide convenient and safe access to car/cycle parking. (Cambridge Local Plan policy 8/6)

50. Prior to the commencement of development, with the exception of below ground works, a Travel Plan and Cycle Parking Management Plan shall be submitted to and approved by the local planning authority in writing. The approved Travel Plan and Cycle Parking Management shall thereafter be first implemented upon first occupation and shall be maintained and implemented unless otherwise agreed in writing by the local planning authority.

Reason: To ensure satisfactory arrangements are in place to secure work place travel planning and the management of cycle parking.(Cambridge Local Plan 2006 policies 8/2, 8/3 and 8/6).

**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:** To satisfy the plant noise insulation condition, 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 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:** Dust condition 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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**INFORMATIVE:** To satisfy the odour/fume filtration/extraction condition, 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 the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005 available at:<http://www.defra.gov.uk/environment/quality/noise/research/kitchenexhaust/documents/kitchenreport.pdf>

**INFORMATIVE:** 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.

**INFORMATIVE:** A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling

- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email [Licensing@cambridge.gov.uk](mailto:Licensing@cambridge.gov.uk) for further information.

**INFORMATIVE:** The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

**INFORMATIVE:** 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.

**INFORMATIVE:** In some circumstances planning permission will be needed for the erection of ductwork/extract flues. Advice should be sought from the City Council in advance of the submission of details for discharge of condition 20 .

**INFORMATIVE:** Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m<sup>3</sup> or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** To satisfy the backup generator condition the noise level from the 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.

Note: Only in exceptional circumstances where the applicant has shown that the above cannot be achieved and the need is for real emergencies (e.g. hospital operating theatre or emergency services) the following standard may be used

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 10 dB(A) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

**INFORMATIVE:** In submitting information to discharge the condition relating to the Travel Plan the applicant should make reference to the availability of car club spaces and electric charging points and the availability of pool cycles.

**INFORMATIVE:** Highways - 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:** Highways - Buildings footings or basements must not extend out under the public highway except in the case of basements with the express permission of the Highway Authority and under licence. Adopted areas should also exclude areas under balconies except under licence (Section 177 of the Highways Act 1980)

**INFORMATIVE:** Highways - Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer. The developer will not be permitted to drain roof water over the public highway, nor across it in a surface channel, but must make arrangements to install a piped drainage connection. No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.

**INFORMATIVE:** Highways - Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

**INFORMATIVE:** The applicant is encouraged to provide the following to meet the needs of disabled people:

Glazing manifestation and good colour contrast throughout.

Dropped height counter in reception areas/retail units.

Hearing loop

Seating of various heights with arms and without.

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## Appeal Decisions

Inquiry held on 16-18 October 2013

Site visit made on 18 October 2013

**by John L Gray DipArch MSc Registered Architect**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 26 November 2013**

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### **Appeal A1: APP/Q0505/A/13/2191482 50 and 60 Station Road, Cambridge, CB1 2JH**

- 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 Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/0502/FUL, was refused by notice dated 25 July 2012.
  - The development proposed is "the demolition of 32-38 Station Road and the construction of two new office buildings comprising: 7,806 sq.m office floorspace (Class B1) for 50 Station Road and 8,621 sq.m office floorspace (Class B1) and 271 sq.m of retail/café and restaurant floor space (Class A1/A3) for 60 Station Road as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 61 car parking spaces, with associated plant; along with the re-alignment of the northern section of the southern access road; 432 external cycle parking spaces; and hard and soft landscaping (including additional public realm and landscaping over the cycle storage area and basement entrance)".
- 

### **Appeal A2: APP/Q0505/E/13/2191474 32-38 Station Road, Cambridge, CB1 2JH**

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
  - The appeal is made by Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/0496/CAC, was refused by notice dated 25 July 2012.
  - The demolition proposed is of 32-38 Station Road, Cambridge.
- 

### **Appeal B1: APP/Q0505/A/13/2196604 50 and 60 Station Road, Cambridge, CB1 2JH**

- 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 Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/1556/FUL, was refused by notice dated 6 March 2013.
  - The development proposed is "the demolition of 32-38 Station Road and the construction of two new office buildings comprising 7,279 sqm of office floorspace (Class B1) for 50 Station Road and 8,621 sqm of office floorspace (Class B1) and 271sq.m of retail/café and restaurant space (Class A1/A3) for 60 Station Road as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 76 car parking spaces, with associated plant, up to 576 internal and external cycle parking spaces, re-alignment of the northern section of the southern access road, and hard and soft landscaping".
- 

### **Appeal B2: APP/Q0505/E/13/2196639 32-38 Station Road, Cambridge, CB1 2JH**

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
  - The appeal is made by Brookgate CB1 Limited against the decision of Cambridge City Council.
  - The application, ref. 12/1553/CAC, was refused by notice dated 6 March 2013.
  - The demolition proposed is of 32-38 Station Road, Cambridge.
-

## Decisions

1. **Appeal A1 is allowed.** Planning permission is granted for the demolition of 32-38 Station Road and the construction of two new office buildings comprising 7,806 sqm office floorspace (Class B1) for 50 Station Road and 8,621 sqm of office floorspace (Class B1) and 271 sqm of retail, café and restaurant floor space (Class A1/A3) for 60 Station Road, as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 61 car parking spaces, with associated plant, along with the re-alignment of the northern section of the southern access road, 432 external cycle parking spaces and hard and soft landscaping (including additional public realm and landscaping over the cycle storage area and basement entrance), on land at Station Road, Cambridge, CB1 2JH, in accordance with the terms of the application, ref. 12/0502/FUL, subject to the conditions set out in the attached schedule.
2. **Appeal A2 is allowed.** Conservation area consent is granted for the demolition of 32-38 Station Road, Cambridge, CB1 2JH, in accordance with the terms of the application, ref. 12/0496/CAC, subject to the conditions set out in the attached schedule.
3. **Appeal B1 is allowed.** Planning permission is granted for the demolition of 32-38 Station Road and the construction of two new office buildings comprising 7,279 sqm of office floorspace (Class B1) for 50 Station Road and 8,621 sqm of office floorspace (Class B1) and 271 sqm of retail/café and restaurant space (Class A1/A3) for 60 Station Road, as a phased development, including ancillary accommodation/facilities with an additional single level basement to both buildings and up to 76 car parking spaces, with associated plant, up to 576 internal and external cycle parking spaces, re-alignment of the northern section of the southern access road, and hard and soft landscaping, on land at Station Road, Cambridge, CB1 2JH, in accordance with the terms of the application, ref. 12/1556/FUL, subject to the conditions set out in the attached schedule.
4. No action is necessary on Appeal B2, since conservation area consent is granted by virtue of allowing Appeal A2.

## Application for costs

5. At the inquiry, an application for costs was made by Brookgate CB1 Limited against Cambridge City Council. This application is the subject of a separate decision.

## Main Issues

6. There are two main issues in the appeals.
7. The first issue has six overlapping strands to it – whether 32-38 Station Road make a positive contribution to the character and appearance of the Central Conservation Area; whether that contribution was taken into account when outline planning permission was granted for the CB1 development in 2010; what the relationship of the appeal schemes is to the outline permission; whether there has been any material change of policy since the outline permission was granted; whether retention of the terrace would be in keeping with the evolving character and appearance of Station Road; and whether the design quality of the proposed development would preserve or enhance the character and appearance of the Conservation Area.

8. The second issue is whether, or to what extent, the contributions in the section 106 agreements satisfy the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations.

## **Reasons**

### ***First main issue – 32-38 Station Road***

#### Contribution to the Conservation Area

9. Nos. 32-38 Station Road are commonly known as (and hereafter referred to as) Wilton Terrace. The terrace was built in the 1880s and is fairly typical of its time. It originally comprised four houses of three storeys over a semi-basement, constructed of gault brick, with red brick decorative courses and 'quoins', under a slate roof. What can be said to take the terrace a little out of the ordinary are the three-storey (including basement) canted bays at the front with their encaustic tiled panels at ground and first floors; the mullions, sills and lintels, however, are devoid of ornament. There are very plain three-storey bays at the rear and also two-storey rear 'outshuts' with their floors at half-landing level; the arrangement is unusual and leads to a somewhat cluttered architectural composition. The crow-stepped gables may be unusual but do not amount to significant architectural or historic interest. The terrace has also lost the context of whatever rear gardens originally existed, perhaps giving the rear façade a rather starker appearance than originally.
10. Various other aspects of the terrace are identified in the Case for Listing – such as the probability that the design was by Richard Reynolds Rowe, associations with figures of local historical importance, the location close to the station, the carriageway access and egress and the use of concrete. Neither those nor the group value with the station and war memorial were enough to outweigh what English Heritage called the "lack of architectural distinctiveness" and to bring the terrace up to listable standard. It is, nevertheless, designated by the Council as a Building of Local Interest (BLI) and thus subject to saved Local Plan Policy 4/12, which (in short) seeks the conservation of such buildings in beneficial use.
11. Even as a BLI, however, Wilton Terrace's contribution to the character and appearance of the Central Conservation Area, while positive, must be considered very modest. The distance between it and the station diminishes the group value there, as does the very distinct difference in architectural styles (in effect, it is only that both are Victorian that bestows group value). In the opposite direction, the war memorial is hardly prominent from the terrace (or the station). On the other hand, the large villas on the north side of Station Road do afford a visual linkage of buildings of traditional character amongst more recent developments in overtly modern styles. Those villas are also BLIs – and the overall quality of their design, detail and ornament makes them much more attractive than Wilton Terrace. Thus, while those villas provide a link in the visual chain, they also emphasize that Wilton Terrace's architectural interest is somewhat limited.
12. In accordance with Policy 4/12, therefore, the demolition of Wilton Terrace may be permitted if clear public benefits would flow from redevelopment. And that is precisely the conclusion reached by officers when reporting on the outline application in 2008.

### The outline planning permission

13. The *Station Area Development Framework* (SADF) was adopted in 2004 and set out the City Council's aspirations for the redevelopment of the Station Road Area. It envisaged the retention of Wilton Terrace in an area to be redeveloped for housing, affordable housing and business uses around the "key requirement" of an effective transport interchange.
14. The application for outline planning permission for the CB1 development was considered by the Planning Committee on 15 October 2008. It appears that the only reference to Wilton Terrace in the *Design and Access Statement* for the application is the factual one that it is a BLI. The Masterplan shows a landmark building in its place. The parameter plans with the application show clearly that Wilton Terrace would be replaced by Block I2. *Volume 2* of the *Environmental Statement* (Jan 2008) accompanying the application recognises the individual quality of Wilton Terrace but concludes that "its removal offers a significant opportunity to enhance the townscape quality of Station Road ..." (and thus also the character and appearance of the Conservation Area). It describes the site as "the key 'pivot' between the conflicting characters of" the west end of Station Road and the station square; and it says that a conservation area consent application will accompany the planning application for the building to replace it. The *Heritage, townscape character and visual quality* chapter of the *Environmental Statement* (July 2008) acknowledges a "moderate adverse" impact from the loss of Wilton Terrace.
15. An *Additional Conservation Issues Report* was prepared following feedback from the County Council in July 2008. It contains a more comprehensive analysis of Wilton Terrace, as a building and in its context, describing what are seen as its qualities and shortcomings. The conclusion is the same as before – that there is a real opportunity for a comprehensive redevelopment at the east end of Station Road; that the potential sense of drama of redevelopment would be lost if Wilton Terrace was retained; and that the necessary quality of the redevelopment could be ensured at the reserved matters stage.
16. The report to the Planning Committee took into account all that could be expected of it. It reasons why an application for conservation area consent to demolish Wilton Terrace was inappropriate at that time (having argued, in the context of Policy 4/12, that demolition was justified by the aims of the scheme); and also why an outline application in the Conservation Area could be supported, contrary to Local Plan Policy 4/11. And it considers the heights for the various Blocks in the context of the Conservation Area and nearby listed buildings and BLIs. It recommends that outline planning permission be granted subject to the completion of a section 106 obligation and subject to appropriate conditions.
17. The Committee accepted the recommendation. A section 106 obligation was executed on 9 April 2010 and outline planning permission granted that day. There have been representations that Policy 4/12 was not properly addressed and that the deadline for executing the section 106 obligation was not met – but the simple facts are that the outline planning permission was granted, it was not challenged and it remains extant.
18. The 2012 *Conservation Area Appraisal* of the *New Town and Glisson Road Area* of the Central Conservation Area notes that the Wilton Terrace houses

“are pleasant BLIs, but, as part of the Masterplan for the redevelopment of CB1, are to be demolished with an expectation that they will be replaced by a building of quality that will make an equal or enhanced contribution to the character and appearance of the Conservation Area”. That puts in a nutshell the position after the grant of outline planning permission.

#### Relationship of the appeal schemes to the outline planning permission

19. The appeal schemes were the subject of full planning applications rather than reserved matters applications. That represents something of a technicality rather than a radical change of approach. The realignment of part of the southern access road, between Blocks I1 and I2, was approved as a non-material amendment to the outline planning permission. The practical effect of that is to enlarge the site for I2, with a corresponding reduction for I1. The frontage of I2 to Station Road could now be up to about 55.5m, around 10m longer than in the outline permission; and the access road is now at right angles to Station Road instead of at 80° to it, enabling I2 to be designed within a larger and rectangular site. However, the parameters for I1 and I2 in the outline permission remain unaltered and the proposed designs for I2 (the appeal schemes) go beyond those parameters. Hence, applications for full planning permission were necessary.
20. It remains the case that a reserved matters application could be made for a building on Block I2 that fully complied with the parameters in the outline planning permission. Any such application would have to be accompanied by a conservation area consent application for the demolition of Wilton Terrace. However, since the outline permission clearly anticipates the demolition, on the basis of the public benefit arising from the CB1 redevelopment as a whole, conservation area consent could only reasonably be refused if the reserved matters proposal was thought to be of inadequate design quality.
21. That is not the position adopted by the City Council in these appeals. In essence, the first reason for refusal of conservation area consent in both appeals is that there is no approved and contracted redevelopment scheme – which is technically correct, since planning permission for the redevelopments was being refused. The second, however, is that the public benefit from the development does not justify demolition of the BLI – a conclusion that seems to run contrary to what led to the grant of outline planning permission.

#### Changes in circumstances

22. The National Planning Policy Framework (NPPF) was published in March 2012. It superseded Planning Policy Statement 5 *Planning for the Historic Environment* but made no material change to how heritage assets should be considered when making planning decisions. In the terms of the NPPF, Wilton Terrace is an undesignated heritage asset within a designated heritage asset, the Central Conservation Area; in relation to para. 134, the harm to the designated heritage asset would be less than substantial and the harm from the loss of the terrace should be weighed against the public benefits of the proposal.
23. An application was made earlier in 2013 to consider Wilton Terrace for statutory listing. English Heritage’s Initial Assessment Report of 28 August 2013 was to reject the application. The terrace’s status as a Building of Local Interest is therefore no different now to when the application for outline planning permission was being considered.

24. Neither of the above events means that the proposed demolition of Wilton Terrace falls to be considered in a new light. Nor has there been any other change of circumstances which could prompt that.

#### The evolving character of Station Road

25. There is a considerable amount of modern development along Station Road. Kett House, the 'Three Deities' office buildings and Daedalus House, all to the west of Wilton Terrace, and Murdoch House to its east, date from the later decades of the 20<sup>th</sup> century; indeed, Wilton Terrace is the only older building on the south side of Station Road. On the north side, opposite Wilton Terrace, are the recent-built Microsoft offices and the cleared Red House site. In consequence, the visual character and appearance of the street may not be what one might naturally assume from its being within a conservation area.
26. The CB1 Masterplan may be thought more in keeping with the 20<sup>th</sup> century influences than those of the 19<sup>th</sup>. The Microsoft building is Block E1 of the Masterplan. The J Blocks would replace the Three Deities and Daedalus House, using a not dissimilar rhythm of building and space. Block I2 is intended as the focal point along the south side of Station Road, containing the tallest building in the street, before a step-down in height through Block I1 to Station Square. Accordingly, the outline planning permission sets the scene for what is aspired to in Station Road by both the City Council and the developer (then Ashwell, now Brookgate).
27. Lest there should be any doubt about the merit of such substantial new development in the Conservation Area, one needs only to look at English Heritage's recently published *Constructive Conservation: Sustainable Growth for Historic Places*. In it, the Cambridge Station Gateway is commended as "a fitting gateway to a city noted for its historic architecture". English Heritage accepted the demolition of some buildings which contributed to the distinctiveness of the area "as their replacement by buildings of high quality design and materials with significant upgrading of the public realm will improve the setting of the Grade II listed station and enhance the redeveloped conservation area". In other words, the national guardian of built heritage is sufficiently convinced to put into one of its own publications its support for the loss of a particular heritage asset because of the wider benefits for a designated heritage asset.

#### The design quality of the appeal schemes

28. Both appeal schemes satisfy the height parameters of the outline planning permission. Both have longer a frontage to Station Road than Block I2 in the outline permission. They also have a larger footprint than approved Block I2 (and a broadly rectangular one). Both schemes, however, are designed as two clearly separate buildings rising above a single basement and ground floor. That is the key design feature. It reduces, at a stroke, the perceived mass of the appeal schemes compared with a single building on the approved I2 site, even if such a building were to use a device such as a significant setback to reduce or fragment its apparent bulk.
29. There are further advantages from having what are apparently two buildings. Not only is the overall mass or bulk reduced, the proportions of the two buildings are much more satisfactory. The stair tower of the eastern building becomes visually more important and prominent in its own right, less of a design feature seeking to break up the mass of the building to which it

belongs. The difference in the heights of the two buildings enables a smoother gradation from Block J4 through to J1, then no. 50, then no. 60, which was and remains the location of the highest point in the street scene. The recessed frontage of no. 50 compared to no. 60 also contributes a significant improvement to the street scene in Appeal B1. The increased overall frontage may mean that the high point of the development is marginally closer to the station than the outline permission anticipates but the nature of the step down from I2 through I1 to Station Square would not be materially different.

30. Local opposition to the height of the proposed buildings is not sustainable, because the very same height of building could be approved under a reserved matters application. Apart from that, local objection is primarily to a perceived generic office design style.
31. It is true that office requirements, particularly where the occupier is unknown and flexibility is required, tend to prompt a type of floor layout and resultant building design more constrained than the modern buildings referred to at the inquiry – such as the splendid architectural examples at the Sidgwick site. The outline planning permission, however, provides a more specific development context within which the design of the proposed buildings is to be judged.
32. The buildings are designed to have a base (the two-storey arcade on Station Road providing the entrances to the two office buildings), a body (four and five office storeys) and a cap (the two office floors above that expressed as one elevationally). The potentially uniform two-storey arcade on Station Road would be successfully interrupted by the glazed first floor volume above the ground floor café/restaurant; and the essence of the two-storey base would be carried around the other three elevations. The façades of the office floors would comprise tall narrow windows between reconstituted stone mullions, offering a calm arrangement of solid and void, varied spacing of the mullions on different elevations and a play of light and shade created by the depth of the stone mullions and, on some façades, their arrangement at different angles. A dull sense of uniformity in the design would be avoided. The stone is intended to be a buff colour in keeping with the gault brick common in Cambridge. The plant rooms above the office floors would generally not be visible from ground level but their treatment is carefully designed to avoid any sense of appearing as a utilitarian appendage on top of the buildings.
33. All told, and subject to the control of materials and details by way of planning conditions, the proposed designs would make a fitting contribution to the street scene. They would repay English Heritage's confidence that redevelopment would enhance the conservation area and significantly improve the public realm. The Appeal B scheme is definitely to be preferred, because having the façade of no. 50 set back a little behind that of no. 60 would bring extra variation to the benefit of the street scene – overall, however, each scheme is of a quality that is entirely acceptable in the context of both the CB1 Masterplan and the character and appearance of the Conservation Area.

#### The alternative design

34. This is not influential in the first main issue but is logically addressed here. The alternative proposal is a concept design and detailed criticisms of it, while relatively easy to make, are thus inappropriate. It is entirely possible that

further work could lead to an attractive design and a potentially viable scheme. That is little to the point, however. The task in these appeals is to consider whether the proposed schemes are acceptable in planning terms. Comparison of the two schemes cannot lead to allowing one and dismissing the other if both are acceptable on their merits. Similarly, comparisons with the alternative design can carry no weight if either appeal scheme is acceptable on its merits.

### Conclusion

35. Accordingly, the conclusions on the first main issue are these. Wilton Terrace makes a positive contribution to the character and appearance of the Central Conservation Area but not one so great that consent for demolition should be withheld in the face of an acceptable redevelopment scheme. That was also the conclusion when outline planning permission was granted for the CB1 development in 2010. The outline permission assumed demolition of Wilton Terrace but, wholly understandably, it was thought more appropriate for a conservation area consent application to accompany a detailed redevelopment proposal. There has been no material change of circumstances since the outline permission was granted that could warrant a full reappraisal of how development of the appeal site and Block I2 of the CB1 scheme should be undertaken. Retention of the terrace would tend to be out of keeping with the evolving character and appearance of Station Road. And, lastly, the design quality of the proposed development would enhance the character and appearance of the Conservation Area
36. On that basis, there is no conflict with saved Policies 3/4, 3/7, 3/12, 4/11 and 4/12 of the Cambridge Local Plan 2006. Nor is there conflict with Policy 9/9, which broadly defines the land uses for the Station Area. In addition, in that the surgery previously housed in Wilton Terrace is now in new premises, there is no conflict with Policy 5/11 on the protection of existing facilities.

### **Second main issue – section 106 contributions**

37. Preparation of the section 106 obligation with the outline planning permission pre-dated the coming into force of the Community Infrastructure Levy (CIL) Regulations on 6 April 2010. Even so, the obligation is dated 9 April 2010, three days after those Regulations came into force. Given that that obligation was an agreement and that there was no subsequent challenge to it, it must be taken to comply with CIL Regulation 122.
38. The obligations with the appeal schemes are necessary because it is full planning permission that is being sought, not approval of reserved matters. Accordingly, they must themselves satisfy Regulation 122 – that is, they must be “necessary to make the development acceptable in planning terms”, “directly related to the development” and “fairly and reasonably related to it in scale and kind”.
39. The appellant argued at the inquiry that the contributions towards the Cambridgeshire Guided Bus (CGB) and the Southern Corridor Area Transport Plan (SCATP) fail the Regulation 122 tests. There is no dispute between the parties about any of the other provisions, all of which are agreed to satisfy the tests. The particular CGB and SCATP provisions are calculated in accordance with the obligation accompanying the outline permission (ie. *pro rata* to the overall CB1 provisions) but there is a clause in both agreements, which were executed before the close of the inquiry, to the effect that, if the appeal

decision specifically states that any of the obligations do not comply with Regulation 122, then they shall be deemed to be deleted.

#### Cambridgeshire Guided Bus (CGB)

40. In 2007, when the contract for the construction of the CGB was let, the total cost of the scheme was £116.2 million, the Department for Transport allocation was £92.5 million and the funding gap, to be covered by contributions from developments, was thus £23.7 million. The County Council borrowed money in order to be able to construct the CGB, anticipating its recovery as and when development took place. At the time of the inquiry, taking into account what has already been received or is expected to be received from other developments, the funding gap was around £3.3 million. The obligation with the outline permission identifies a total contribution from the CB1 development of £3.016 million. The contribution from the appeal schemes in the respective obligations is calculated *pro rata* to that.
41. Looking only at these figures, the contributions in respect of the two appeal schemes are clearly necessary to make the developments acceptable, directly related to them and fairly and reasonably related in scale and kind.
42. The CGB has now been constructed and is operating. The County Council accepted that it would not cease to operate, or even operate at a reduced frequency, if these contributions were withheld. In other words, there would be no impact on the CGB if the payments were not made.
43. That does not make the contributions unnecessary. The CGB is now running because the County Council took the decision to cover the funding gap and provide the infrastructure before development took place. It is to be praised, not penalised, for so doing. The fact that the CGB exists is not a reason to avoid a contribution when its construction was based upon that contribution being forthcoming (albeit through implementation of the outline permission). The remaining funding gap is now a little higher than what was calculated when the obligation accompanying the outline permission was executed. Accordingly, there can be no doubt that the sums in the two obligations are to be considered necessary to make the developments acceptable, directly related to them and fairly and reasonably related in scale and kind.

#### Southern Corridor Area Transport Plan (SCATP)

44. Consideration of the SCATP is less clear. The starting point is that, in 2002, the SCATP recognised that the transport systems in the southern part of Cambridge were under pressure, that further development had the potential to exacerbate not only transport capacity problems but also attendant congestion, delay, air quality and quality of life issues. It was estimated that, if all of the major sites allocated for development were to come forward, there could be more than 13,000 additional daily trips in the area. The SCATP provides the mechanism whereby contributions from developments could be sought to address the problems that would be caused by the overall level of development. Contributions would be pooled in order to fund transport schemes to provide the necessary additional capacity.
45. The CB1 development is one of those contributing to the additional travel demand in the southern area and a contribution from that development cannot be considered other than necessary. Given the scenario, that all allocated developments would contribute to deteriorating conditions in the

southern area, then a contribution to any improvement scheme providing some sort of transport mitigation in the Southern Area may be considered directly related to any development proposed. That applies to the CB1 development. It must also apply to the two appeal schemes. Although they require full planning permission, they are an integral part of the overall CB1 development. The complex inter-connection between developments that would generate additional traffic movements, where in the Southern Area those movements might occur and what sort of problems they might cause must be extraordinarily complex; indeed, it seems incapable of simple resolution into which major site developments might contribute towards which specific transportation improvement schemes.

46. The appellant argues that one must understand what the contributions would be spent on. One does – and indeed can; in general, the moneys would be spent on transportation schemes in the Southern Area which would help to mitigate the consequences of developments in the area generating additional travel demand with which the existing network cannot cope or will be unable to in the future. It could be argued as inappropriate in the circumstances to have to be more specific. Accordingly, only the question of scale and kind remains to be considered.
47. The obligation contributions towards SCATP are £221,181 and £213,745 respectively for Appeals A1 and B1. Those figures are calculated in accordance with the obligation accompanying the outline permission for the CB1 development. That much is straightforward.
48. The potential problem arises from the schemes to which the contributions might be put – specifically, the multi-storey cycle park beside the railway station and the provision of cycle lanes on Hills Road. Neither project is identified as a SCATP scheme or one shortly to be included in it, although both are said by the County Council to be expected to enter the SCATP process in due course. The SADF affords some support, because it seeks contributions from all developments in the area towards the cycle park; the cycle lanes, however, do not appear to be identified in the SADF.
49. The evidence to the inquiry was that these were the two projects to which the contributions would go and that there were no other projects to which they might be applied. That appears to contradict what is set out in the SCATP itself and to go against the essence of the problem and the potential solutions – that all allocated developments in the area would contribute to worsening conditions and that all should contribute to appropriate measures to mitigate against that. The contributions in the obligations going with these appeals are calculated *pro rata* to the provisions, previously unchallenged, in the obligation accompanying the outline permission. The obligations also provide that any unused part of the contribution should be repaid after ten years. That affords accountability – and also flexibility, in two ways. It could enable implementation of schemes not presently in the SCATP but which may come forward in the near future and would clearly help to ease the problems in the transport network overall; it also ensures that the developer does not suffer the unnecessary or inappropriate loss of any moneys contributed but not spent within a reasonable timescale.
50. At the inquiry, I calculated aloud (and *impromptu*) what a contribution to the cycle park might be that was appropriate in scale and kind. In essence, the additional requirement from the development, if the travel plan was as

successful as is hoped in changing the modal share of car travel towards walking, cycling and public transport, would be no more than 40 spaces; on that basis and in relation to the funding gap for the project, a proportionate contribution would be around £5,000. That is only a very small percentage of what the obligations actually provide for. It may or may not have been correct arithmetic – more importantly, though, it ignores the general context that the allocated developments in the southern area should contribute generally to measures to ease the problems in the transport network. Also, my calculation was potentially flawed because it was made in ignorance of how the funding gap was calculated as what it was said to be. All told, it seems very possible that seeking to apply contributions to specific projects, when the problem to be resolved is a much wider and more general one, might fail to secure adequate funding to achieve the overall improvement that is, or will be, necessary.

51. Since the inquiry closed, and in response to an invitation from the Planning Inspectorate to consider the matter further, Deeds of Variation to the two Agreements have been submitted. They delete the substantive clause that, if any of the obligations relating to the CGB or the SCATP are found by the Secretary of State not to comply with Regulation 122, then they shall be deemed to be deleted. That leaves the contributions towards the SCATP satisfying two of the Regulation 122 tests but potentially not the third – because the amount of the contributions may be argued significantly to exceed what would be fairly and reasonably related in scale and kind.

#### Conclusion

52. The contributions in the obligations towards the CGB and the SCATP are to be considered “necessary to make the development acceptable in planning terms”, “directly related to the development” and “fairly and reasonably related to it in scale and kind”. In short, they comply with CIL Regulation 122. Those towards the SCATP arguably exceed what would be fairly and reasonably related in scale and kind – but some level of contribution is both necessary and directly related to the development. The contributions will allow projects that are so related to be implemented and secure appropriate mitigation of the effects of development. They enable the two appeal proposals to comply with saved Policies 8/2, 8/3 and 10/1 of the Cambridge Local Plan 2006.

#### ***Car parking***

53. Although not a main issue in the appeals, representations were made about there being too few car parking spaces in both appeal schemes and the consequent likelihood of people parking their cars in nearby residential streets. The two locations particularly referred to were: in and around Rustat Road, on the east side of the railway line with access by way of the footbridge; and around Newton Road, off Trumpington Road and with access along Brooklands Avenue.
54. Both section 106 agreements provide for two or, if necessary, three parking surveys to be undertaken – the first before development begins, the second and third once it is occupied and on notification by the County Council. The ‘Defined Area’ for the surveys is actually fairly loosely defined – it names various specific streets but concludes “or such other roads as the County Council may determine acting reasonably”. If, on the basis of the surveys,

the County Council concludes that a residents parking scheme should introduced, then the obligations provide for a contribution of up to £75,000 towards the costs incurred in implementing such a scheme.

55. The expectation is that harmful or troublesome parking will not occur in nearby residential roads as a result of the proposed development. If that were to prove wrong, however, the obligations provide for appropriate measures to overcome any problem.

### **Conditions**

56. The Statement of Common Ground contained a long list of conditions agreed by the appellant and the City Council, were the appeals to be allowed and planning permission and conservation area consent granted. I provided hand-written comments and queries (based on the draft Statement) and the suggested conditions were discussed on the final morning of the inquiry.
57. At first glance, it seemed that there was considerable repetition and a number of separate conditions on matters which might have been combined in one. The benefits of some conditions being repeated separately for nos. 50 and 60 were explained – essentially because the two buildings might be funded separately and the funders would wish to know precisely which conditions applied to which building. Also explained were the benefits to both the appellant and the Council of some matters, primarily external materials and finishes, being identified in individual conditions.
58. Despite the explanation, some of the site-wide conditions seem susceptible to separate treatment and the only difference between the separated sets of conditions is the condition applying to the café/restaurant use in no. 60 (meaning that suggested condition no. 50 is appropriate but no. 37 is not). It is therefore unnecessary to set out conditions separately for nos. 50 and 60 (condition no. 50 can be more precisely framed). Otherwise, the format of the suggested conditions may be retained and modifications or amalgamations in the interests of greater clarity or precision may be made only where it was agreed at the inquiry that that might be done.

### **Overall conclusion**

59. All other matters raised in the representations have been taken into account. There is nothing in those, individually or combined, that can outweigh the following overall conclusion.
60. Both appeal schemes would provide an acceptable form of development in the context of the Central Conservation Area and the approved CB1 Masterplan. Both would comply with the relevant saved policies in the Cambridge Local Plan. The consultation period on the Issues and Options for the emerging Local Plan concluded in September 2013, which means that no effective weight can be given to its provisions. Section 106 agreements have been executed in relation to both appeals. Subject to appropriate conditions, the appeals may be allowed and planning permission and conservation area consent granted.

*John L Gray*

Inspector

## APPEARANCES

### FOR CAMBRIDGE CITY COUNCIL AND CAMBRIDGESHIRE COUNTY COUNCIL

Douglas Edwards QC	instructed by Simon Pugh, Head of Legal Services for the City Council, and Quentin Baker, Director of Law and Governance for the County Council.
He called	
Michael Salter	Transport Assessment Manager, Cambridgeshire County Council.

### FOR BROOKGATE CB1 LIMITED

Christopher Katkowski QC	instructed by Mills & Reeve LLP, Botanic House, 100 Hills Road, Cambridge, CB2 1PH.
He called	
Neven Sidor	Partner, Grimshaw Architects, London.
Dr John Burgess	Director, Beacon Planning, Cambridge.
Andrew Rawlings	Associate Director, Mott MacDonald, Cambridge.
Michael Derbyshire	Planning Director, Savills, London.

### INTERESTED PERSONS

Robin Pellew	}
Frank Gawthrop	} local residents
Margaret Cranmer	}
Noel Cavanagh	County Councillor for Collingwood Ward
Robin Clifton	}
Joseph Saunders	}
Adele MacDonald-Hewson	} local residents
Shirley Smith	}
Clive Wilmer	}
Shapour Metfah	City Councillor for Trumpington Ward
Tom Karen	local resident
Damien Tunnacliffe	City Councillor but speaking in a personal capacity
Sophie Smiley	local resident
Francesca Leadley	local resident
David Campbell Bannerman	MEP

### **DOCUMENTS received at the inquiry**

- 1 Neven Sidor's PowerPoint presentation.
- 2 Robin Pellew's statement.
- 3 Frank Gawthrop's statement.
- 4 Margaret Cranmer's notes.
- 5 Robin Clifton's statement.
- 6 Joseph Saunders' statement and accompanying documents.
- 7 Shirley Smith's statement.
- 8 Clive Wilmer's statement.
- 9 Shapour Metfah's statement, with plans.
- 10 Tom Karen's statement.
- 11 List of schemes currently being progressed under the SCATP.
- 12 Letter to Cambridge evening newspaper by Bruce Stuart, submitted by David Campbell Bannerman.
- 13 Letter from H C Hymas.
- 14 Letter from Ruth Lambert.
- 15 Extract from Planning Statement, June 2013.
- 16 Agreed Statement of Common Ground, dated 16 October 2013.
- 17 Executed Section 106 Agreements.

### **DOCUMENTS submitted (as requested) after the inquiry**

- 18 County Council statement re. Cambridgeshire Guided Bus.
- 19 County Council statement re. Southern Corridor Area Transport Plan.
- 20 Appellant's response to Documents 15 and 16.
- 21 Letters dated 31 October 2013 from the Planning Inspectorate to the appellant and the Council requesting further consideration of the executed obligations (Documents 17.1 and 17.2)
- 22 Letter dated 20 November 2013 from Mills & Reeve to the Inspectorate.
- 23 Deeds of Variation to Documents 17.1 and 17.2.

## **SCHEDULES OF CONDITIONS**

### **APPEAL A1: APP/Q0505/A/13/2191482 Land at Station Road, Cambridge, CB1 2JH Conditions attached to planning permission**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PC-L-100 C, PC-L-101, PC-L-102, PC-L-107, PC-L-108 A, PC-L-109 C, PC-L-110, PC-L-111, PC-L-130 A, PC-L-131 A, PC-L-132 A, PC-L-133 A, PC-A-140, PC-A-141, PC-A-142 A, PC-A-143, PC-A-144, PC-L-160 A, PC-L-161 A, PC-L-162 A.

#### Landscaping and ecology

- 3) Landscaping shall be carried out in accordance with the approved drawings. All management and maintenance of landscaping shall be carried out in accordance with the Landscape Management Plan by Robert Myers Associates dated December 2012. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 4) Ecological management and maintenance shall be carried out in accordance with the Ecology Report by RPS dated January 2013.
- 5) The elevations of the cycle store adjacent to the southern boundary of the site shall incorporate façade greening and climbing plants in accordance with details, including a maintenance plan, first submitted to and approved in writing by the local planning authority. Development shall be carried out and thereafter maintained in accordance with the approved details.

#### Cycle and car parking

- 6) Development shall not begin until a plan for the phased delivery of cycle parking for use in association with both 50 and 60 Station Road has been submitted to and approved in writing by the local planning authority. The approved facilities for each building shall be provided in accordance with the approved delivery plan before first occupation of that building and shall thereafter be retained solely for that purpose.
- 7) Prior to first occupation of either 50 or 60 Station Road, management and security arrangements for the cycle parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.
- 8) Prior to first occupation of either 50 or 60 Station Road, security arrangements for the basement car parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.

- 9) Five per cent (5%) of the car parking spaces provided for both 50 and 60 Station Road shall be suitable for and reserved for people with disabilities.

#### Drainage

- 10) Development shall not begin until a strategy for and details of surface water drainage have been submitted to and approved in writing by the local planning authority. The strategy shall demonstrate its consistency with the approved site-wide surface water strategy for the CB1 development. The details shall include all flow control systems, any infiltration systems to be used and the design, location and capacity of all strategic SUDS features. Details of ownership, adoption, management, maintenance and inspection arrangements shall also be provided. Development shall be carried out in accordance with the approved details before first occupation of any part of either 50 or 60 Station Road.
- 11) Development shall not begin until details of foul water drainage, consistent with site-wide foul drainage arrangements for the CB1 development, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details before first occupation of any part of either 50 or 60 Station Road.

#### Water environment

- 12) Development shall not begin until details of foundations have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 13) Development shall not begin until a scheme for the provision and implementation of measures for the control of potential pollution of the water environment has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

#### Café/restaurant/retail units

- 14) The retail/café/restaurant units shall not be open outside the hours of 07:00-23:00 daily.
- 15) Prior to first occupation of 60 Station Road, details of equipment for the extraction and/or filtration of fumes and/or odours (or, in the absence of known uses/users, for the incorporation of such equipment within the fabric of the building) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

#### Deliveries

- 16) Deliveries to both 50 and 60 Station Road, and to the retail/café/restaurant units, shall not be made outside the hours of 07:00-23:00 on Mondays to Fridays, 08:00-13:00 on Saturdays or at any time on Sundays or Bank or Public Holidays.

#### Materials

- 17) Development, other than demolition, site preparation and foundation work, shall not begin until full details and samples of the materials, fixtures and fittings to be used on the external surfaces of the buildings hereby permitted

have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt, these details shall include:

- a) all real and artificial stonework, including plinths, columns, mullions and transoms, and including sample panels where appropriate to establish details of bonding, coursing, and the colour and type of jointing;
- b) the roof glazing system, including framing materials and edging and flashing methods;
- c) all types of glass to be used in the curtain walling, windows, doors and other glazed features;
- d) non-masonry walling systems;
- e) the colours and finishes of roofing and rooflights;
- f) all external joinery (or comparable, metal, upvc or hybrid construction), including frames, thresholds, mullions, transoms, finishes and colours and location in relation to the surrounding walling, mullions and/or transoms;
- g) colonnade soffits;
- h) copings;
- i) signage;
- j) metalwork, including the fixings, finishes and colours of all stairs, balustrades, railings, grilles, louvers, brackets, meshes and frames;
- k) visible brackets, clamps, restraints or other masonry support systems;
- l) roof-top plant screening systems;
- m) window cleaning gantries;
- n) solar and/or photovoltaic panels;
- o) external lighting.

Development shall be carried out in accordance with the approved details.

#### BREEAM and renewable energy

- 18) Prior to first occupation of either 50 or 60 Station Road, a certificate following a post-construction review of the respective building shall be issued to the local planning authority by a BREEAM Licensed Assessor to show that the building achieves an Excellent or higher BREEAM rating (or any such equivalent rating as may supersede BREEAM as a national measure of the sustainability of a building design).
- 19) The renewable energy technologies for both 50 and 60 Station Road proposed in the Energy Strategy Report by Hilson Moran dated 28 November 2012 shall be installed and operational before first occupation of the respective building and shall be maintained in operational use thereafter in accordance with a maintenance programme first submitted to and approved in writing by the local planning authority.

#### Decontamination

- 20) Development shall not begin on either 50 or 60 Station Road until:
  - a strategy for investigating contamination present on the site for that building has been submitted to and approved in writing by the local planning authority;
  - an investigation has been carried out in accordance with the approved strategy; and

- a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified in the initial investigation but found during construction work shall be carried out in accordance with details submitted to and approved in writing by the local planning authority subsequent to its discovery.

#### Noise control

- 21) Details of noise attenuation and insulation measures to achieve internal noise levels as recommended in BS 8233:1999 *Sound Insulation and Noise Reduction for Buildings* shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented in both 50 and 60 Station Road before first occupation of the respective building.
- 22) Details of an insulation scheme to minimise the noise emanating from the development or its plant shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in both 50 and 60 Station Road before first occupation of the respective building.

#### Waste storage and collection

- 23) Full details of on-site storage facilities for trade waste for 50 and 60 Station Road, including waste for recycling, shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be provided prior to first occupation of the respective building.
- 24) Full details of the means by which waste will be collected from 50 and 60 Station Road, including the means by which refuse containers will be moved to and from specified locations on the street frontage, shall be submitted to and approved in writing by the local planning authority. The approved arrangements shall be operable before first occupation of the respective building and shall be retained thereafter.

#### Construction period

- 25) Demolition or construction works shall not take place outside the hours of 07:30-18:00 Mondays to Fridays and 08:00-13:00 on Saturdays and not at any time on Sundays or Bank or Public Holidays.
- 26) Development, including works of demolition, shall not begin on either 50 or 60 Station Road until a Construction Management Plan for that part of the development has been submitted to and approved in writing by the local planning authority. The Plan shall be adhered to throughout the construction period and shall include consideration of the following:
  - a) the phasing of demolition and construction;
  - b) the location of contractor's offices;
  - c) access and parking for the vehicles of site operatives and visitors;
  - d) loading and unloading of plant and materials, including preferred vehicle routes to and from the site and the hours for deliveries and collections;
  - e) storage of plant and materials used in constructing the development;
  - f) a soil management strategy;

- g) drainage control measures;
- h) a waste management plan;
- i) consideration of sensitive receptors (in relation to water);
- j) maximum noise levels and means of monitoring, recording and mitigation;
- k) maximum vibration levels and means of monitoring, recording and mitigation;
- l) wheel washing facilities;
- m) measures to control the emission of dust and dirt during construction;
- n) the use of concrete crushers;
- o) prohibition of the burning of waste;
- p) site lighting;
- q) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- r) access and protection arrangements around the site for pedestrians, cyclists and other road users;
- s) external safety and information signing and notices;
- t) prior notice and agreement procedures for working outside agreed limits;
- u) complaints procedures;
- v) membership of the Considerate Contractors Scheme.

**APPEAL A2: APP/Q0505/E/13/2191474**  
**32-38 Station Road, Cambridge, CB1 2JH**  
**Conditions attached to conservation area consent**

- 1) The works hereby authorised shall begin not later than three years from the date of this consent.
- 2) The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.
- 3) The works of demolition hereby authorised shall not begin before a record of the building has been made in accordance with a specification first submitted to and approved in writing by the local planning authority and that record has been submitted to and approved in writing by the local planning authority.
- 4) No demolition shall take place until a construction method statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the period of the works and shall provide for:
  - a) a programme of works;
  - b) the location of contractor's offices;
  - c) access and parking for the vehicles of site operatives and visitors;
  - d) loading and unloading of plant and materials;
  - e) storage of plant and materials used in the works;
  - f) the erection and maintenance of security hoardings;
  - g) wheel washing facilities;
  - h) measures to control the emission of dust and dirt during demolition;
  - i) a scheme for recycling/disposing of waste resulting from demolition works.
- 5) No demolition shall take place until a schedule of items to be salvaged for re-use within the approved redevelopment, details of the means of removing them from the existing building and details of their incorporation into the approved redevelopment have been submitted to and approved in writing by the local planning authority. The removal and re-use of the scheduled items shall be carried out as approved.

**APPEAL B1: APP/Q0505/A/13/2196604**  
**Land at Station Road, Cambridge, CB1 2JH**  
**Conditions attached to planning permission**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: GA-L-100 E, GA-L-101 F, GA-L-102 A, GA-L-107 B, GA-L-108 A, GA-L-109 B, GA-L-110 C, PC-L-111 A, GA-L-130 A, GA-L-131, GA-L-132 A, GA-L-133 A, PC-A-140 A, PC-A-141 A, PC-A-142 B, PC-A-143 A, PC-A-144 A, GA-L-160 B, GA-L-161 A and GA-L-162 A.

Landscaping and ecology

- 3) Landscaping shall be carried out in accordance with the approved drawings. All management and maintenance of landscaping shall be carried out in accordance with the Landscape Management Plan by Robert Myers Associates dated December 2012. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
- 4) Ecological management and maintenance shall be carried out in accordance with the Ecology Report by RPS dated January 2013.
- 5) The elevations of the cycle store adjacent to the southern boundary of the site shall incorporate façade greening and climbing plants in accordance with details, including a maintenance plan, first submitted to and approved in writing by the local planning authority. Development shall be carried out and thereafter maintained in accordance with the approved details.

Cycle and car parking

- 6) Development shall not begin until a plan for the phased delivery of cycle parking for use in association with both 50 and 60 Station Road has been submitted to and approved in writing by the local planning authority. The approved facilities for each building shall be provided in accordance with the approved delivery plan before first occupation of that building and shall thereafter be retained solely for that purpose.
- 7) Prior to first occupation of either 50 or 60 Station Road, management and security arrangements for the cycle parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.
- 8) Prior to first occupation of either 50 or 60 Station Road, security arrangements for the basement car parking areas for that building shall be put in place in accordance with details first submitted to and approved in writing by the local planning authority. Those arrangements shall be retained thereafter.

- 9) Five per cent (5%) of the car parking spaces provided for both 50 and 60 Station Road shall be suitable for and reserved for people with disabilities.

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- 10) Development shall not begin until a strategy for and details of surface water drainage have been submitted to and approved in writing by the local planning authority. The strategy shall demonstrate its consistency with the approved site-wide surface water strategy for the CB1 development. The details shall include all flow control systems, any infiltration systems to be used and the design, location and capacity of all strategic SUDS features. Details of ownership, adoption, management, maintenance and inspection arrangements shall also be provided. Development shall be carried out in accordance with the approved details before first occupation of any part of either 50 or 60 Station Road.
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#### Water environment

- 12) Development shall not begin until details of foundations have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
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#### Café/restaurant/retail units

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- 15) Prior to first occupation of 60 Station Road, details of equipment for the extraction and/or filtration of fumes and/or odours (or, in the absence of known uses/users, for the incorporation of such equipment within the fabric of the building) shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

#### Deliveries

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#### Materials

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have been submitted to and approved in writing by the local planning authority. For the avoidance of doubt, these details shall include:

- a) all real and artificial stonework, including plinths, columns, mullions and transoms, and including sample panels where appropriate to establish details of bonding, coursing, and the colour and type of jointing;
- b) the roof glazing system, including framing materials and edging and flashing methods;
- c) all types of glass to be used in the curtain walling, windows doors and other glazed features;
- d) non-masonry walling systems;
- e) the colours and finishes of roofing and rooflights;
- f) all external joinery (or comparable, metal, upvc or hybrid construction), including frames, thresholds, mullions, transoms, finishes and colours and location in relation to the surrounding walling, mullions and/or transoms;
- g) colonnade soffits;
- h) copings;
- i) signage;
- j) metalwork, including the fixings, finishes and colours of all stairs, balustrades, railings, grilles, louvers, brackets, meshes and frames;
- k) visible brackets, clamps, restraints or other masonry support systems;
- l) roof-top plant screening systems;
- m) window cleaning gantries;
- n) solar and/or photovoltaic panels;
- o) external lighting.

Development shall be carried out in accordance with the approved details.

#### BREEAM and renewable energy

- 18) Prior to first occupation of either 50 or 60 Station Road, a certificate following a post-construction review of the respective building shall be issued to the local planning authority by a BREEAM Licensed Assessor to show that the building achieves an Excellent or higher BREEAM rating (or any such equivalent rating as may supersede BREEAM as a national measure of the sustainability of a building design).
- 19) The renewable energy technologies for both 50 and 60 Station Road proposed in the Energy Strategy Report by Hilson Moran dated 28 November 2012 shall be installed and operational before first occupation of the respective building and shall be maintained in operational use thereafter in accordance with a maintenance programme first submitted to and approved in writing by the local planning authority.

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- 20) Development shall not begin on either 50 or 60 Station Road until:
  - a strategy for investigating contamination present on the site for that building has been submitted to and approved in writing by the local planning authority;
  - an investigation has been carried out in accordance with the approved strategy; and

- a written report, detailing the findings of the investigation, assessing the risk posed to receptors by contamination and proposing a remediation scheme, including a programme for implementation, has been submitted to and approved in writing by the local planning authority.

Remediation work shall be carried out in accordance with the approved remediation scheme and programme. Remediation work on contamination not identified in the initial investigation but found during construction work shall be carried out in accordance with details submitted to and approved in writing by the local planning authority subsequent to its discovery.

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- 22) Details of an insulation scheme to minimise the noise emanating from the development or its plant shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in both 50 and 60 Station Road before first occupation of the respective building.

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- 24) Full details of the means by which waste will be collected from 50 and 60 Station Road, including the means by which refuse containers will be moved to and from specified locations on the street frontage, shall be submitted to and approved in writing by the local planning authority. The approved arrangements shall be operable before first occupation of the respective building and shall be retained thereafter.

#### Construction period

- 25) Demolition or construction works shall not take place outside the hours of 07:30-18:00 Mondays to Fridays and 08:00-13:00 on Saturdays and not at any time on Sundays or Bank or Public Holidays.
- 26) Development, including works of demolition, shall not begin on either 50 or 60 Station Road until a Construction Management Plan for that part of the development has been submitted to and approved in writing by the local planning authority. The Plan shall be adhered to throughout the construction period and shall include consideration of the following:
  - a) the phasing of demolition and construction;
  - b) the location of contractor's offices;
  - c) access and parking for the vehicles of site operatives and visitors;
  - d) loading and unloading of plant and materials, including preferred vehicle routes to and from the site and the hours for deliveries and collections;
  - e) storage of plant and materials used in constructing the development;
  - f) a soil management strategy;

- g) drainage control measures;
- h) a waste management plan;
- i) consideration of sensitive receptors (in relation to water);
- j) maximum noise levels and means of monitoring, recording and mitigation;
- k) maximum vibration levels and means of monitoring, recording and mitigation;
- l) wheel washing facilities;
- m) measures to control the emission of dust and dirt during construction;
- n) the use of concrete crushers;
- o) prohibition of the burning of waste;
- p) site lighting;
- q) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- r) access and protection arrangements around the site for pedestrians, cyclists and other road users;
- s) external safety and information signing and notices;
- t) prior notice and agreement procedures for working outside agreed limits;
- u) complaints procedures;
- v) membership of the Considerate Contractors Scheme.

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***Written Ministerial Statement***

***Friday 26 October 2012***

**COMMUNITIES AND LOCAL GOVERNMENT**

**Planning Applications**

**The Parliamentary Under-Secretary of State for Communities and Local Government (Nick Boles):** The Localism Act has put the power to plan back in the hands of communities, but with this power comes responsibility: a responsibility to meet their needs for development and growth, and to deal quickly and effectively with proposals that will deliver homes, jobs and facilities.

The Secretary of State for Communities and Local Government has the power to “call in” planning applications for his own consideration. There will be occasions where he considers it necessary to call in a planning application for determination, rather than leave the determination to the local planning authority.

The policy is to continue to be very selective about calling in planning applications. We consider it only right that as Parliament has entrusted local planning authorities with the responsibility for day-to-day planning control in their areas, they should, in general, be free to carry out their duties responsibly, with the minimum of interference.

In the written ministerial statement of 6 September 2012, *Official Report*, column 29WS, Ministers noted that the recovery criteria already include large residential developments. To align this with the call-in process, we stated we would consider carefully the use of call-in for major new settlements with larger than local impact. Consequently, we have resolved to amend the existing call-in indicators (the “Caborn” principles, 16 June 1999, *Official Report*, column 138W).

The Secretary of State will, in general, only consider the use of his call-in powers if planning issues of more than local importance are involved. Such cases may include, for example, those which in his opinion:

may conflict with national policies on important matters;

may have significant long-term impact on economic growth and meeting housing needs across a wider area than a single local authority;

could have significant effects beyond their immediate locality;

give rise to substantial cross-boundary or national controversy;

raise significant architectural and urban design issues; or

may involve the interests of national security or of foreign Governments.

However, each case will continue to be considered on its individual merits.

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<b>Application Number</b>	15/0893/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st May 2015	<b>Officer</b>	Lisa Lamb
<b>Target Date</b>	21st August 2015		
<b>Ward</b>	Cherry Hinton		
<b>Site</b>	Land West Of ARM 1 Peterhouse Technology Park Fulbourn Road Cambridge CB1 9PT		
<b>Proposal</b>	Detailed planning application consisting of: the demolition of ARM2; the construction of new buildings for B1 use; two multistorey car parking structures; additional temporary car parking spaces; new cycle parking spaces; hard and soft landscaping works; new internal roads, foot and cycle paths; ancillary and associated facilities and site infrastructure		
<b>Applicant</b>	Mr Nick Lee		

SUMMARY	<p>The development accords with the Development Plan and the very special circumstances argument for the development to take place in the Greenbelt is accepted for the following reasons, but the application will need to be referred to the Secretary of State for their consideration:</p> <p>The proposals would not be detrimental to highway safety.</p> <p>The proposals would not be detrimental to residential amenity.</p> <p>The proposed design, scale and bulk of the development is acceptable.</p> <p>The landscaping scheme is acceptable.</p>
RECOMMENDATION	<p>Minded to approve:</p> <p>Subject to referral to Secretary of State as a Departure from the Local Plan (Greenbelt).</p>

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

- 1.1 The existing Peterhouse Technology Park is sited to the southern side of Fulbourn Road in Cherry Hinton. It is characterised by low rise (maximum 2 storey) modern commercial buildings with associated parking. ARM currently occupy 4 of the 5 buildings on site, with the building to the north east of the site occupied by the Medical Research Council. Cambridge Water Company occupy a distinctive building fronting onto Fulbourn Road immediately to the west of the Technology Park. The pedestrian and vehicular access is from Fulbourn Road and there is an access road through the site which is wide and has a planted edge between the road and pavement.
- 1.2 The application site is sited immediately to the west of the existing ARM 1 building. This site is within the greenbelt as allocated in the Cambridge Local Plan 2006.
- 1.3 The north of the sited is bounded by the Cambridge Water Company, which is a distinctive building fronting onto Fulbourn Road and further to the west by residential properties on Limedale Close and Tweedale.
- 1.4 The east of the site is bounded by a strong hedge field boundary and there is farmland beyond this. The eastern boundary of the Peterhouse Technology Park is also the administrative boundary with South Cambridgeshire District Council.
- 1.5 To the west of the site is designated Limekiln Close site of Local Nature Conservation Importance (SNCI) which comprise the Limekiln Close (and West Pit) LNR and the East Pit LNR. To the south west of the site (400m) is the Cherry Hinton Pit Site of Special Scientific Interest (SSSI)
- 1.6 The south of the site currently has no discernible physical boundary and blends into the farmland to the south, which is also designated as greenbelt.
- 1.7 The topography of the site is important and the site is essentially 'bowl' shaped. The land rises up from north to south with its lowest point to the north and reaches its highest point to the south-east adjacent to the existing ARM building.

- 1.8 There are some mature trees within the site, particularly to the west of the ARM building, although none of these are protected by a Tree Preservation Order (TPO) in their own right or the subject of a group TPO.
- 1.9 The site lies outside of the Controlled Parking Zone and the site does not contain any listed buildings or Buildings of Local Importance.
- 1.10 There are no Public Rights of Way that pass through the Site or within close proximity, surrounding land is all in private ownership. The nearest public footpaths are situated off Cherry Hinton High Street and beyond the railway to the north. There is access to the Limekiln Close and West Pit Local Nature Reserve to the west.

## **2.0 THE PROPOSAL**

- 2.1 The proposals seek full planning permission for the demolition of the existing ARM2 building and the construction of new buildings for B1 (office) use, two multi-storey car parks, additional temporary parking spaces, new cycle parking spaces, hard and soft landscaping works, new internal roads, foot and cycle paths, ancillary and associated facilities and site infrastructure.
- 2.2 The application has been the subject of extensive pre-application discussions and has been reviewed by Design Panel at pre-application stage.
- 2.3 The proposed new B1 office building (ARM A&B) is sited immediately to the west of the existing ARM 1 building. This building would front onto the extended access road through the site and would have a maximum height of 13.5m. Each block would have an overall frontage of approximately 80m and this would be punctuated by the recessed main entrance/lobby area, which would be set approximately 18m back from the main elevation. The proposals would provide approximately 20,000 sqm of B1 office space (Gross External Area) and 761 parking spaces.

## 2.4 The proposals comprise:

- Demolition of the existing ARM2 office building and construction of a multi storey car park to the north of the site (3 decks). The Northern Car Park will have footprint dimensions of approximately 112.5m (l), 48.7m (d), 9m(h) and will accommodate 500 car parking spaces (of which 16 will be for disabled access) and 452 cycle parking spaces.
- The construction of a multi storey car park to the east of the site (3 decks). The Eastern Car Park will have footprint dimensions of approximately 65.9m (l), 51m (d), 7.6m(h) and will accommodate 261 car parking spaces and 176 cycle parking spaces
- Construction of 2 linked office blocks ARM A & B to the west of the existing ARM 1 building
- ARM A will be two commercial storeys in height at its main elevations, with a third commercial storey set back (partly for enclosed plant rooms, partly for office-related use). ARM A will have footprint dimensions of approx 85.3m (l), 55.3m (d), 11.7m(h) (14m top of atrium roof).
- ARM B will be two commercial storeys in height at its main elevations, with a third commercial storey set back (partly for enclosed plant rooms, partly for office-related use). ARM B will have footprint dimensions of approx 79.3m (l), 55.3m (d), 11.7m(h).
- Associated landscaping, internal roads and pathways and a cycle/pedestrian link into the site from Limekiln Close.

2.5 The proposed development is one which would require an Environmental Impact Assessment (EIA) and an Environmental Statement has been submitted with the application. The application has also been advertised as EIA Development.

## 2.6 The application is accompanied by the following information:

- Planning Statement
- Environmental Statement
- Environmental Statement – Non-Technical Summary
- Design and Access Statement
- Landscape Strategy
- Tree Survey
- Flood Risk Assessment
- Transport Statement
- Travel Plan

- Energy and Sustainability Report
- Statement of Community Involvement
- Site Waste Management Plan
- Economic Statement
- Public Art Delivery Plan

2.7 Following receipt of the initial responses from the Landscape Officer, Highway's, Drainage Consultant and the Walking and Cycling Officer and following the conclusions of the Design & Conservation Panel the following plans and additional information have been submitted:

- Additional information/appendices to the Transport Assessment and Travel Plan.
- Revised landscaping proposals.
- Response to Design Panel Comments.
- Phasing confirmation.
- Written confirmation in respect of queries raised by Urban Design relating to details of fixings for petrarch panel, colour codes and fixing of public art.
- Additional drainage information (in relation to SuDS)
- Landscape Management Plan
- CGI of northern car park

2.8 Following receipt of an objection from the National Grid due to encroachment over their easement area, the footprint of the northern car park has been amended to 1200mm further north than originally proposed. The residents in Tweedale and Limekiln Close have been notified of this change. At the time of the drafting of the report the revised plans are still out to consultation but Members will be updated by way of late comments if there are any additional representations received from third parties in respect of the re-siting of this building.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/82/0913	The erection of temporary accommodation and provision of temporary car parking facilities,	PERM
C/83/0734	Erection of 2nd floor extension to existing building,	REFU

C/84/0550	OUTLINE APPLICATION FOR THE ERECTION OF RESEARCH AND DEVELOPMENT BUILDINGS, ANCILLARY OFFICES AND CAR PARKING FACILITIES,	APC 25.10.1984
C/87/0819	OUTLINE APPLICATION FOR THE ERECTION OF RESEARCH and DEVELOPMENT BUILDINGS, ANCILLARY OFFICES and CAR PARKING FACILITIES, (EXTENSION OF PERIOD CONSENT),	REF 04.11.1987
C/90/0019	ERECTION OF A RESEARCH AND DEVELOPMENT BUILDING, ANCILLARY OFFICES, CAR PARKING AND LANDSCAPING. (AMENDED BY LETTER and ACCOMPANYING DRAWINGS)	REF 06.07.1990
C/95/0418	VARIATION OF CONDITION 02 OF PLANNING PERMISSION C/1171/91 TO ALLOW FOR APPLICATION OF RESERVED MATTERS TO BE MADE BY 12 OCTOBER 1996.	APC 13.09.1995
C/95/0148	Research and development buildings, ancillary offices and car parking	APC 09.10.1997
05/0940/ADV	Installation of 2No. non-illuminated free standing signs.	PERM 27.10.2005
11/1409/FUL	Construction of Data Hall, switch rooms and associated plant with new access from adjacent car park. New planting and acoustic screening	PERM 13.01.2012

#### 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes
Public Meeting/Exhibition (Pre App):	Yes
DC Forum (meeting of):	No

#### 5.0 POLICY

##### 5.1 Relevant Development Plan policies

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

##### 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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)

	<p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p> <p>Eastern Gate Supplementary Planning Document (October 2011)</p>
	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <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>Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006)</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>LNR's</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
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### 5.3 Status of Proposed Submission – Cambridge Local Plan 2014

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 submitted to the Secretary of State on 28 March 2014 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.

The Examination hearing sessions commenced in November 2014. Following an exchange of letters on 28 July 2015 the Inspectors agreed to formally suspend the Examination into the Local Plan until March 2016 while further work was carried out.

For the application considered in this report, the following Policy in the emerging Local Plan is considered to be of relevance.

Policy 26 Site specific allocations (GB3 & GB4 allocations)

This policy proposes the release of 3.7ha Green Belt land for employment uses.

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Highways)

- 6.1 Application as originally submitted: – **Initial Holding objection** on the basis of lack of information contained in the Transport Assessment and Travel Plan.
- 6.2 Following additional information: - Having reviewed the information provided by the applicant the County Council are satisfied with the information provided by the applicant. On the basis of the above, **the holding objection can be removed**, subject to an agreeable mitigation package being agreed with the applicant based on the above measures and the following requirements being secured, should approval be given. These are:
- Parking management plan to be submitted and agreed.
  - Parking surveys should be completed in surrounding streets every year for a period of 5 years post occupation.
  - The Construction Management Plan should be submitted and agreed prior to commencement of development and should include, inter alia, travel plan measures for construction workers.
  - Section 106 contributions.
  - The Travel Plan targets to be agreed, and a revised travel plan to be submitted and approved and monitored through the S106.
  - A contribution is required to cover the costs associated with consultation, scheme design, and implementation of a managed parking scheme should the surveys demonstrate a problem and there is support among local residents for this. This should be £50K.

### Head of Refuse and Environment

Application as originally submitted: The development proposed is **acceptable** subject to the imposition of the condition(s)/informative(s) and submission of additional information outlined below.

- Details of bin stores and locations.
- Site Waste Management plan deals with construction waste.

## **Environmental Quality**

### Construction/demolition pollution

- 6.3 Pollution from the demolition and construction phases has the potential to affect the amenity of surrounding properties if not controlled. In the interests of amenity, the standard construction/demolition/delivery noise/hours and dust conditions are recommended.

Chapter H of the environmental statement dated April 2015 has been prepared by Brookbanks consultants Ltd. Section H5 discusses predicted construction noise levels. As detailed within the statement, site specific construction activity can be conditioned with a report/assessment to follow. Full details of demolition noise will also be required.

Construction/demolition informative recommended.

### Plant Noise

- 6.4 Section H4.5 of the environmental statement dated April 2015 advises that assessment was made of the existing air handling installation and it was determined not to be of concern. Full details including acoustic calculations and any rating level penalties will be required of any plant associated with this application to ensure local amenity is protected.

Sound levels from plant and equipment associated with the application requires assessment to ensure local amenity is protected. It is required that 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 ( $L_{90}$ ) at the **boundary of the premises** subject to this application and having regard to noise sensitive premises.

The plant noise insulation condition and its informative are recommended.

### Emergency generator

- 6.5 Emergency generators are common within application sites such as this. The emergency generator condition is

recommended. If a generator is not present then the applicant should notify the planning department to prevent an unnecessary condition.

#### Internal sound levels

- 6.6 Section H5.24-5.25 of the environmental statement advises that acceptable noise levels can be achieved in the proposed offices when windows are closed. This is reasonable; however alternative ventilation will be required. Section H6.6 advises that air conditioning will be required to achieve acceptable internal noise levels, due to keeping windows closed. This is satisfactory.

#### Lighting

- 6.7 Hoare Lea have provided an external lighting design note. The design note advises that the lighting design is to be designed in accordance with Cambridgeshire County Council guidance. This will be for the county council to comment on.

It is recommended that full horizontal and vertical Lux contours are provided. A light condition is recommended.

#### Contaminated Land

- 6.8 An intrusive investigation was undertaken at Peterhouse Technology Park. The results of the investigation are reported in the Ground Contamination Interpretative Report (dated October 2014 and produced by Ramboll UK). The report formed part of the application documents. However, we require that the following documents (referenced in the interpretative report) are also submitted before we can provide detailed comments:

-Geo environmental and Environmental Desk Study (dated May 2014)

-Site Investigation Factual Report (dated October 2014)

In the meantime it is confirmed that all issues on the site can be dealt through the contaminated land condition which should be attached to the above application if planning permission for the development is granted.

## Air Quality

- 6.9 This application represents an intensification of use at the site including an additional 538 car parking spaces and up to an additional 73 peak hour vehicle trip movements per day on the local network.

An Air Quality Assessment was completed as part of the EIA for the site. This predicts that if the development is permitted then an increase of up to 0.9 micrograms per cubic meter of nitrogen dioxide and an increase of up to 0.1 micrograms per cubic metre of particulate matter would be observed at selected sensitive receptors around the proposed development as a result of the predicted increase in traffic around the development area.

No increase of nitrogen dioxide or particulate matter is predicted within the AQMA therefore there are no grounds for objection of this planning application. However we would welcome the installation of the sustainable travel infrastructure recommended in the Travel Plan including:

- Additional shuttle bus services
- Additional cycle parking spaces
- Car sharing Bays
- Pool bikes
- Telephone and video conferencing training
- Addition electric charging vehicle points

## **Urban Design and Conservation Team**

- 6.10 Application as originally submitted: This application has been the subject of extensive pre-application discussions with the City Council, commencing in early 2014. Earlier iterations of the proposal were also considered by the Council's Design and Conservation Panel in August, 2014. These discussions considered a wide-ranging number of design issues, including the impact of building forms on the Green Belt, site layout, detailed building elevations, public art, landscape and cycle/car parking, amongst others. We are generally pleased with the outcome of this work as now reflected in the application and have the following comments to make.

- 6.11 We have reviewed the Design and Access Statement (DAS) submitted with the application dated April 2015 and the following comments are based on the information contained in that document.

#### Principle of development

- 6.12 It is our understanding that the argument of “exceptional circumstances” is required in order to enable the development to proceed as set out in the application. This is because the land will not be released from the Green Belt until such time as the new Local Plan has been adopted by the City Council, and the determination of this application will likely happen before the plan is adopted.

#### Design Development – building massing

- 6.13 The submitted site and building design accord with discussions the applicant and their agents have had with the City Council over the past several months. The DAS records the various massing options to deliver 25,000 square metres of required floor space for ARM at section 4.1. These options were discussed in detail with the Council. In further developing the building massing it was agreed there was a need to break down very long elevations into smaller buildings better related to those which already exist on the PTP campus. The submitted building massing accords with what we deem to be an acceptable form of development in this location, taking into account the scale and type of buildings already on the campus and ensuring a legible network of entrances, building edges and alignment of existing and proposed building frontages.

#### Site layout

- 6.14 The site layout has been a response to specific site constraints posed on the designer. More specifically section 3 of the DAS sets out specific constraints including a gas main, a water main, site topography and existing residential properties. All of these have influenced the siting of the two office buildings including the two multi-storey car parks as well as the approach to proposed landscaping, building elevations, materials and critically how the building is experienced from beyond the site (as set out in LVIA photomontages provided as part of the Environmental Statement at Appendix D12, Volume 3).

- 6.15 The entrance location between the proposed buildings ARM A and ARM B, as well as the entrance location and configuration of routes between buildings has evolved from a number of discussions and the assessment of options with the applicant. ARM already work out four buildings on the PTP campus, specifically ARM 1, 2, 3 and 6 and so early on in the development of the site layout a key objective was to ensure a good level of connectivity and “way finding” between buildings for employees and visitors alike. The main office building entrance to the new ARM A and B office buildings will provide for a clear, legible entrance from both the new multi-storey car park opposite and from the wider campus.
- 6.16 The location and design of the two multi-storey car parks, as well as the surface car park west of ARM B, has developed alongside the office buildings and responds well to the positioning of various office buildings (existing and proposed) across the campus. The extension of the main vehicular route and siting of buildings south of this route is directly a function of the need to avoid buildings being positioned above the gas main. Building locations equally respond to the constraint posed by the water main heading underground towards the Cambridge Water building and which runs in a north-south direction approximately bisecting GB3 and BG4 site allocations.

#### Building and elevation design

- 6.17 The design of buildings may be broken down into the two key building types proposed: the first being the two new office blocks (ARM A and ARM B) and the second the two multi-storey car parks.

#### ARM A/B

- 6.18 The building design responds to the working arrangements needed by ARM, the future occupier. The brief for the architect, including the required floor plate and workspace arrangements, is explained in sections 4.3 and 4.4 of the DAS. Required circulation zones, “collaboration zones”, meeting rooms and small and large offices are all key parts of the user requirements for ARM and have driven the building massing, height and detailed form.

- 6.19 The main entrance to the two new buildings will be via a highly glazed, open plan two-storey foyer which is situated directly opposite the northern car park. The buildings are designed such that they enjoy an internal “street” connecting ARM A and ARM B and thereby creating a convivial social space where staff can meet and engage with others outside of their more private office spaces. The buildings are situated directly west of ARM 1 which enables ease of contact with staff working in that building and a small outdoor gathering space is located immediately south of the large reception area and facing the open Green Belt immediately south.
- 6.20 The external building design for both ARM A and ARM B is dominated by one key element: a series of perforated vertical “fins” which are fastened at first floor level. The purpose of the fins is twofold: first to reduce solar gain upon the fabric of the external envelope of the building and so provide comfortable working conditions inside, and the second to create a dynamic quality to the external façade of both buildings. The panels will be perforated based on the pattern of the crystalline structure of silicon which itself is a key element of the science which underlines the technology of integrated circuitry (the key product which ARM designs and patents as a company). Under an electron microscope, silicon produces what are known as “Kikuchi bands” and which help make up a crystal lattice-type structure. It is this lattice structure which is proposed to be cut into the fins being applied to the building facades, themselves made of aluminium and cut at different sized triangular-shaped openings. The fins will surround the entirety (save the entrance foyer between the buildings) of ARM A and ARM B and in so doing will strongly define the character of the entire scheme.
- 6.21 There is reference in the DAS to two different thicknesses of fins, one at 50mm and one at 5mm (sections 5.2.5 and 5.2.6). The drawings on these pages are referred to as “options”; therefore clarification is needed on which of the two thicknesses is proposed. We would assume the 50mm fins would represent two sheets of aluminium, both perforated, such that their total thickness including a void in between is 50mm. The 5mm option is simply one perforated panel only. As we understand it, the support “frame” for the panels will be the same in both cases.

- 6.22 The balance of the building elevations will include a highly glazed curtain wall system at ground floor level and a combination of curtain wall glazing, aluminium spandrel panels and brise soleils at second storey level. The second storey level will be recessed from the first floor level and include an open terraced deck. The easterly end of the second storey of ARM A and westerly end of the second storey of ARM B will include plant screened by dark grey metal louvres. Therefore the entire building height (of both ARM A and ARM B) will be approximately 12 metres tall with a screened, roof light section comprising another 1.5 metres in height for a total overall building height of 13.5 metres. All colours of metal cladding are proposed to be in grey thereby creating a uniformity of appearance but also to ensure views of the buildings from outside the site, especially from the Green Belt, are not jarring and show the buildings blending in with their surroundings.
- 6.23 The design of the office buildings is considered to be appropriate for this location. The perforated fins represent a playful dynamic feature of the building elevations and also have a functional purpose (to help mitigate against over-heating). The scale of the buildings is appropriate in this location and the near and distant photomontages of the scheme demonstrate that the buildings sit comfortably in their surroundings. The “top” of the buildings is appropriate and helps provide screening of roof top plant. The design is considered very much appropriate to the nature of a company whose main business involves design and innovation in the technology sector.
- 6.24 We note however one material which may not have been discussed at pre-application stage, being the GRP duct covers at roof level. We question whether this is an appropriate material to help “finish off” the top of the buildings. We are however content for this covering to be conditioned and note that an alternate should be considered. All materials should be conditioned and the applicant should be requested to construct a sample panel including the perforated fins and all metal products.

#### Multi-storey car parks (including car and cycle parking)

- 6.25 The detailed design of the multi-storey car parks is based on three levels, or decks, of parking in each of the northern and eastern car parks. The buildings are sited to be convenient to

key building entrances, especially to ARM A and ARM B as well as ARM 1. The northern car park is known as Car Park B and the eastern one is known as Car Park A. Car Park A has a total of 261 car parking spaces and Car Park B will have a total of 500 spaces. Both multi-storey car parks will be built as split level decks. It is understood that this quantum of parking has been discussed with Cambridgeshire County Council as Highways Authority and we assume they will be commenting in this regard.

- 6.26 In relation to cycle parking, a total of 176 cycles are to be accommodated in an under-croft arrangement in two-tier stacker systems and 452 cycles are proposed to be accommodated, again in the same arrangement/stacker system. Cycle spaces will be situated in those parts of the car parks which are closest to adjacent building entrances.
- 6.27 The proposed cladding system for both buildings has evolved from discussions with the Council and uses 10mm thick “Petrarch” panels (see <http://www.cep-panels.com/Petrarch/StandardColorsTextures/tabid/926/Default.aspx> for further information on the product and finishes/colours provided). The petrarch product is provided in a series of panels with concealed fixings. Both smooth and riven finishes will be used in a random pattern to help provide a sense of variety to the elevations and from panel to panel. A series of rods and wire trellises will be fastened to the car parks to enable planting to be supported and grow, in time, around and over selected parts of the car parks. Landscape colleagues have provided comments separately on these details.
- 6.28 The car parks are very large in size, however they are a) relatively low in profile and in the case of Car Park A fit comfortably into the higher ground immediately south so won't excessively impact on views from within the Green Belt and b) will be clad in a varied system of panelling and climbers, helping soften their impact and appearance. Residents immediately north and north-west of Car Park B will look directly towards the car park in some cases from their windows and gardens, however the elevations facing these residents will be partly “dug” into the ground levels at this location and these elevations will, in time, be covered in climbers to help them blend in better with existing/retained vegetation and trees in this location. It is our view that the proposed impact on their amenity is

acceptable and we understand the applicant has consulted with residents in this area. Landscape colleagues will also be commenting in greater detail on this aspect of the scheme separately.

### Public art

- 6.29 We have reviewed the Public Art Delivery Plan dated April 2015. The main commission will be by one artist whose work will involve a work, or series of works, in collaboration with the design team which can be integrated on the northern car park (Car Park B) and adjoining boulevard.
- 6.30 At section 4.8 of the DAS, there is a more detailed description of what we understand to be the emerging proposal to deliver the public art contribution. This includes the use of solids taken from imagined cut-out perforations from the metal fins on ARM A and ARM B “...being blown across the site – rather like leaves falling from a tree in autumn and being scattered by the wind – some landing on the ground but the majority affixing themselves to the building opposite” (extract from page 122, section 4.81 Artist’s Proposal, in the DAS).
- 6.31 Precisely how the triangular cut-out elements will be fastened to the petraarch panels on Car Park B needs to be agreed, however in our view this is a very creative idea and one which continues the theme of design being informed by technological “motifs” in an interesting way. We will need to be closely involved in the detailed design and selection of fastening of the triangular elements but are very much encouraged by the idea at this stage.

### Comments of the Design and Conservation Panel

- 6.32 The panel reviewed and early iteration of the scheme at its meeting of August 13, 2014. The scheme was not fully developed at the time of the presentation and the presentation provided was about the more general principles of building massing and elevation as well as landscape car parking.
- 6.33 Given its early stage of development, the panel awarded the scheme an overall AMBER verdict but concluded that they were “...comfortable in general terms with the conceptual master planning....”. They considered that a more thorough

explanation of the impact of the scheme on its wider setting was needed and that the potential for reducing the building height should be explored.

- 6.34 We are comfortable that the panel's comments have been addressed through further more detailed work since the meeting. Further comments from the Panel following its meeting of July 8<sup>th</sup> 2015 are outlined later in the report (paras 106-113).

Conclusions:

- 6.35 As noted previously, this application has been the subject of extensive pre-application discussions and the evolution of the site and building design has featured significantly in those discussions. We are pleased with what is now proposed through this application though would note the need to carefully condition materials to ensure the quality of the proposal as set out and aspired to in the DAS is executed fully. In this regard the use of GRP cladding at roof level is questionable, but an alternate material can be considered and secured via condition. Equally clarification is needed as to the thickness of the aluminium fins.
- 6.36 The scheme represents a significant project for a significant employer in Cambridge and has the potential to be a very exciting addition to the city. We consider that the detailed site and building design, together with the creative use of materials and the emerging public art proposal will deliver a scheme which is appropriate for ARM and the city.
- 6.37 On this basis, the application is considered to accord with relevant Local Plan (2006) policies 3/4, 3/7, 3/12 and emerging Local Plan policies (2014 Proposed Submission) 55, 56, and 57.
- 6.38 Following additional information In our comments of June 1, 2015, we raised concern about the use of GRP (glass reinforced plastic) cladding was proposed to conceal ducts at roof level. We note this has now been amended to aluminium for this location in a blue-grey colour and are content with this amendment which will provide a higher quality, more appropriate fit with the other building materials on ARM A and B.

6.39 In addition, we questioned which of the two options for the thickness of the façade “fins” would be used, as two options were shown in the application submissions (5mm or 50mm, the latter being simply two 5mm panels spaced apart to total 50mm). We understand this is now going to be one 5mm thick panel for the fins and note that this helps avoid the effect of two sets of perforations appearing misaligned when seen from below (how they would be seen from any external view of the building).

6.40 Finally, for the car park elevations we questioned how a) the fastenings for the petrarch panels would be concealed and b) how the art “triangles” would be fixed to the petrarch panels. Revised elevation drawings of the car parks note the following:

*“Petrarch Panel Fixing Strategy: Slatted Petrarch façade slatted panels nearly riveted to fully finished steel frame using colour matched fixings to match Petrarch panels. All other fixing back to subframe to be concealed”*

6.41 With this clarification and the drawings not provided showing further detail on these panels, we are content that the framework to which the car park panels will be attached will be fully concealed and have no further concerns.

6.42 With regards to the public art being fastened to the same panels, we are content that this is conditioned and reviewed together with the approval of the Petrarch panels (sample panel) and accept that the final art installation is subject to further development.

6.43 In conclusion, the amendments and further information as received in July mean that the application, subject to the conditions noted in our earlier comments, is acceptable in design terms.

### **Senior Sustainability Officer (Design and Construction)**

#### Sustainable design and construction

6.44 Policy 3/1 of the Cambridge Local Plan 2006 requires applications for major development to be accompanied by the Council’s Sustainable Development Checklist and a

Sustainability Statement. In order to demonstrate how the principles of sustainable design and construction have been integrated into the design of the proposals, the applicant has submitted an Energy and Sustainability Report, with further information contained in the Design and Access Statement and the Landscape Strategy. These documents outline a range of measures, including:

- Targeting a minimum BREEAM score of 'very good' with an aspiration to achieve BREEAM 'excellent'. The Energy and Sustainability Strategy includes a BREEAM pre-assessment, which indicates that as currently designed, the scheme is capable of achieving a score of 71.06%, which is equivalent to a BREEAM 'excellent' rating, albeit with only a small buffer. This approach is supported as it is the Council's opinion that a score of 'excellent' is entirely in keeping with the design aspirations for this site as well as the innovative nature of the work that ARM themselves undertake. It should also be highlighted that the scheme is also targeting a number of BREEAM innovation credits, notably in relation to sustainable procurement and construction waste management), an approach that is supported. If all possible credits are achieved then a score of 83.38% could be achieved, which is close to a BREEAM 'outstanding' rating.
- The integration of passive design measures into the architectural design of the proposals, notably the innovative approach to passive solar design, which is considered further in the renewable energy section below.
- The specification of brown roofs, which will include a mosaic of grassland seed in order to provide an ecologically enhanced habitat with the aim of mirroring the environment/habitats of the nearby Cherry Hinton Pit SSSI. The brown roofs will provide multiple benefits to the scheme, not only in terms of biodiversity enhancement but also surface water attenuation and the reduction of internal cooling loads.
- The integration of SuDS features into the landscaping design, which will maximise the benefits that SuDS pose beyond just surface water attenuation. Features proposed, in addition to the brown roofs, include a runnel in front of the new building, permeable paving, swales, gravel filter drains, Breedon gravel and geo-cellular storage. While I will leave detailed technical comments to the Council's sustainable drainage engineer, the overall approach to SuDS is supported.
- The proposal to utilise rainwater recycling tanks (or similar) to provide water for irrigation is welcomed. It would be helpful if

the applicant can provide further information as to the location of these tanks. If to be located underground, this will need to be considered in light of the landscape strategy to ensure the tanks do not impact on landscape features.

All of these measures are supported.

### Renewable Energy Provision

- 6.45 In line with the requirements of Policy 8/16 of the Local Plan 2006, applicants of major developments need to demonstrate that their proposal can meet at least 10% of its energy requirements through the use of on-site renewable energy requirements, measured in terms of carbon reduction. The Council's Sustainable Design and Construction Supplementary Planning Document provides further guidance on this policy, including that passive solar design can count towards meeting this requirement, and a number of schemes in Cambridge have utilised a passive solar design approach to meet the requirements of Policy 8/16.
- 6.46 From early pre-application discussions for this scheme it has been apparent that the applicant was keen to take an architectural approach to the reduction of energy use and associated carbon emissions looking to implement innovative ways in which to reduce energy demand in a building where the predominant energy loads will be related to electricity. It was also apparent that the applicant was keen to focus on sustainability strategies that offered multiple benefits not just to building users, but the wider environment in which the Peterhouse Technology Park sits, for example through integrating SuDS into the landscaping design of the scheme. As a result, discussions around renewable energy moved away from the implementation of technologies to looking at innovative ways in which passive solar design could be integrated into the architecture of the scheme so as to become a specific feature, hence the introduction of the external solar screening. Consideration has been given to renewable energy provision, with a focus on the generation of electricity and the potential role that photovoltaic panels could play. These have been ruled out for a number of reasons including:
- Visual impacts given the sensitive location of the development on the edge of the Cambridge Green Belt. This is coupled with

the priority that has been given to the use of brown roofs, which not only will help to reduce the visual impact of the building when viewed from a distance, but also offer multiple benefits as referenced above;

- The relatively limited impact that photovoltaic panels would have on reducing energy related CO<sub>2</sub> emissions; and
- The desire to pursue a more innovative approach to CO<sub>2</sub> reduction and energy demand reduction through the use of the architecturally integrated solar shading, the primary role of which is to reduce energy loads associated with cooling in the summer as well as reducing energy demand related to heating and lighting.

6.47 Carbon calculations have been submitted for the scheme, which have established the 10% requirement for both regulated and unregulated energy as 82,100 Kg/CO<sub>2</sub>/annum. The use of passive solar design measures, i.e. the solar shading, is predicted to lead to reductions of 81,000 Kg/CO<sub>2</sub>/annum, which equates to a 9.8% reduction in emissions. Further carbon emission and energy demand reductions are to be achieved through the use of energy efficient plant, low energy lighting and efficient ventilation, which brings overall carbon reduction to 13.5% compared to a Building Regulations 2013 compliant baseline. This approach is supported.

6.48 While the contribution of the passive solar design is slightly below the 10% requirement, I am supportive of the approach being taken as it demonstrates the extent to which an architectural response can reduce the carbon emissions of a building. While the use of photovoltaic panels could have made a contribution to carbon reduction, the amount needed to make a significant contribution to the energy demand of this building would have had a visual impact in what is a sensitive location. In my view the use of the solar shading, the design of which will be bespoke to this building, taking its inspiration from the silicon crystal that lies at the heart of the integrated circuits designed by ARM, demonstrates a level of innovation that justifies a slightly different approach to the application of Policy 8/16. As such, the approach being taken is supported.

### **Access Officer**

6.49 ARM generally has very good provision for disabled access as shown by the comprehensive D&A statement provided. The

Disability Panel made comments but were generally happy with this proposal after a presentation.

- Hearing loops are needed at reception, meeting rooms, etc
- The wheelchair accessible toilets need reconfiguring so that the transfer space is not across the entrance to the door.
- The accessible shower could be reconfigured to be a shower and 'Changing Places' standard toilet.

6.50 No further comments received following revisions.

### **Head of Streets and Open Spaces (Tree Team)**

6.51 Application as originally submitted: **Objection** – for the following reasons:

- The format of the Arb Implications Assessment (AIA) makes it difficult to compare the impact on trees with the proposed site plans and does not appear to show required removals.
- Notwithstanding the above, the proposal does not appear to consider the importance of trees around the existing field and the planted belt of trees along the west boundary of the existing car park. This is an established and valuable belt of trees the loss of which will have a detrimental impact on amenity. The site is dominated by buildings and hardstanding and therefore needs these tree belts to soften the environment.

6.52 Following additional information: query whether the existing tree belt to the west of the existing car park is to be retained and outline that the Arboricultural Implication Assessment plans is not clear.

6.53 Tree Officer has requested conditions be imposed relating to further information and tree protection measures should the proposals be granted planning permission.

## **Head of Streets and Open Spaces (Landscape Team)**

6.54 Application as originally submitted: Broadly supportive of the scheme which has also been the subject of extensive pre-application advice. Further information was requested to enable the proposals to be fully assessed. Including:

- Groundworks specification/method statement including stripping, stockpiling of soils on site or adjacent and re-spreading.
- Cut and fill details.
- Landscape maintenance and management plan.

### Landscape and Visual Impact Assessment (LVIA)

6.55 The applicant has submitted a Landscape Strategy and an Environmental Statement which provide information relating to the visual impact of the proposals. The Landscape and Visual Impact Assessment (LVIA) is of particular relevance in assessing the local and wider landscape and visual impacts. The Landscape Officer has advised that the findings are generally supported but offer the following detailed comments in respect of this information as follows:

6.56 Concur with the findings that the site is physically and visually contained in the wider landscape by the rolling chalkland ridge to the south and Limekiln Hill to the west. On the southern boundary of Peterhouse Technology Park mature hedging forms a well-defined soft green edge to the City with the roofscape visible above the vegetation. The northern and equally sensitive boundary is formed by residential development at Tweedale.

6.57 The site and proposed development would not be visible in any strategic views towards Cambridge as identified in the Cambridge Skyline Guidelines but would be visible on the edge of the City when approaching along Fulbourn Road to the east. Views from Mill Hill west of Fulbourn are identified as "setting views" in the Cambridge Landscape Character Assessment. There are distant views towards the City skyline in views from Shelford Road to the southeast.

6.58 With regard to the setting of the city and the application site, the intervening topography and publically accessible viewpoints result in views being limited to those obtained from: a portion of Shelford Road to the southeast, approaching Cambridge along

Fulbourn Road, and those from the residential roads and properties of Limedale Close, Tweedale and Ainsdale to the north and northwest and within Peterhouse Technology Park itself.

- 6.59 The proposed buildings would be largely hidden beyond intervening topography, seen in conjunction with existing built form at Peterhouse Technology Park or set amongst trees and hedgerows on the edge of the City at Limekiln Hill, along Fulbourn Road and at Capital Park. In views towards the City Centre, the development would sit below and not intrude on views of the skyline and historic core, with the composition of views and setting of the City remaining largely unaffected.
- 6.60 Significant adverse residual visual effects identified by the LVIA are limited to those obtained from properties of Limedale Close and Tweedale. The proposals incorporate mitigation measures to minimise effects on the visual amenity but there will be some adverse effects remaining.
- 6.61 Chapter M deals with cumulative effects of extending the Peterhouse Technology park westward. It finds that some negative residual effects remain after mitigation measures have been put in place with regard to specific sensitive receptors in relation to landscape and visual impact, i.e. there would be a negative residual effect on the properties on Ainsdale.
- 6.62 The LVIA did not identify any significant adverse residual landscape effects arising from the proposed development apart from the localised loss of agricultural land adjacent to the built edge and contained within the wider landscape.
- 6.63 The incorporation of a landscape buffer strip to the southern boundary with the agricultural land incorporating native hedgerows and tree planting would provide enhancements to the built edge.
- 6.64 The LVIA has also undertaken a subjective assessment of the potential night time effects associated with the proposed development and found that there are unlikely to be any significant night time effects.

6.65 Following additional information: Still require further information relating to planting species, treatment of the southern boundary and maintenance and management plan.

6.66 Following second additional information: All other amendments have been completed. I would like to condition the following:

- Landscape groundworks specification/method statement including stripping, stockpiling of soils on site or adjacent and re-spreading.
- Revisions to the Landscape maintenance and management plan.

#### Suggested Landscape Conditions

- Façade sample materials and colours shown on site.
- 5 year replacement of failed planting.
- Conditions relating to Façade sample materials and colours
- Landscape implementation.
- Implementation of Landscape Management Plan.
- Details of topsoil removal.

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

6.67 Application as originally submitted: **Objection** Access to the site: The applicant highlights some of the inadequacies in the cycling and walking routes to the site but does not indicate what measures will be funded through section 106 to mitigate the increased usage on these routes of staff travelling to work. Paragraph 6.13 in the Environmental Statement is poorly written and does not make clear what is proposed.

6.68 Access within the site: There is no information about existing cycle parking locations and whether or not it is adequate for existing usage. Access to the East car park cycle parking is not acceptable as it is too close to the disabled car parking space.

6.69 It is not clear what purpose the blue section of cycle path serves to the east of the North car park – according to the vehicular access plan no motor vehicles travel north along the eastern side of the car park and so it is not clear why a separate cycle path is needed. (Please note that if any cycle path is indicated with coloured surfacing this colour should be red not blue). The path from Limedale Close to the cycle parking entrance should

be 3m for the entire length – the pinch point created by the gravel path should be removed.

6.70 The path to the east of Cambridge Water is very narrow and not suitable for shared use. Cyclists should be encouraged to use either the main access or the Limedale Close access. The section of blue surfacing encourages cycles onto a narrow footway with what appears to be chicanes - this is not acceptable.

6.71 The cycle route plan in the Design and Access Statement (point 4.9.4) does not show the route to the cycle parking in the East car park.

6.72 Following additional information: **Objection.** Access to the East car park cycle parking is not acceptable as it is too close to the disabled car parking space. It is not clear what purpose the section of cycle path serves to the east of the North car park. According to the vehicular access plan no motor vehicles travel north along the eastern side of the car park and so it is not clear why a separate cycle path is needed. The path from Limedale Close to the cycle parking entrance should be 3m for the entire length. The current proposal is not acceptable.

6.73 The cycle route plan in the Design and Access Statement (point 4.9.4) does not show the route to the cycle parking in the East car park.

6.74 Following further clarification from architect:

- With regard to access to the East Car Park - this is improved.
- The width of the segregated cycle route up past the North car park is acceptable
- There are no Sheffield stands in the East and North car parks - there need to be some in each area so that those with non-standard bikes/ child seats/large baskets have an alternative option.
- Further details needed regarding aisle widths for the two tier racks.

## **Drainage Consultant**

6.75 Application as originally submitted: The proposal as it currently stands only just about achieves a single treatments stage (SuDS). I would suggest that this is looked at again as it is this element that prevents the sustainable drainage scheme from being viewed as an exemplar. I would also suggest that a proprietary water quality improving component could be utilised in this location.

Following additional information: Advise that the SuDS is acceptable, although not exemplary.

## **Head of Streets and Open Spaces (Nature Conservation Officer)**

6.76 Application as originally submitted: Confirm that the survey methodologies are acceptable. Fully support the proposals and would be happy to assist the applicant in sourcing local seed from City Council owned nature reserves. Also request that conditions are imposed in relation to providing a lighting design strategy for biodiversity, details of bat and bird boxes and the sourcing of native local species for planting.

## **Planning Policy Manager**

6.77 Policy 4/1 in the Cambridge Local Plan 2006 states that there is a presumption against inappropriate development in the Green Belt. The policy's supporting text sets out the purposes of the Cambridge Green Belt, which are to:

- Preserve the unique character of Cambridge as a compact, dynamic City with a thriving historic core;
- Maintain and enhance the quality of its setting; and
- Prevent communities in the environs of Cambridge from merging into one another and with the City.

6.78 The NPPF sets out the government's policy on Green Belt. The NPPF attaches great importance to Green Belts and the fundamental aim of Green Belts defined as preventing urban sprawl by keeping land permanently open<sup>1</sup>. Local planning authorities with Green Belts in their area are advised to establish Green Belt boundaries in their Local Plans which set

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<sup>1</sup> NPPF, paragraph 79

the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan<sup>2</sup>. When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development<sup>3</sup>.

6.79 The Council started preparation of a new Local Plan in 2011 and submitted the Cambridge Local Plan 2014: Proposed Submission document for examination in March 2014. Policy 4 in the draft plan sets out the Council's approach to Green Belt. As part of the review of the Local Plan the Council along with South Cambridgeshire District Council have reviewed the inner Green Belt boundary on the edge of the city as part of the development strategy. This review identified a number of small sites that were capable of release from the Cambridge Green Belt without harming the purposes of the Green Belt. Development here would have limited impacts on Green Belt purposes which are capable of mitigation. Furthermore, the site is in a sustainable location on the urban edge of Cambridge and the release of this land would support the Cambridge high tech economy and ARM.

6.80 Policy 26 in the draft Local Plan proposes allocations GB3 & GB4 at this location for employment development. Whilst the Inspector has held hearing sessions in relation to Green Belt and proposed allocations GB3 & GB4 the Inspector has not given any indication or conclusion on these matters.

6.81 As the draft Local Plan has not been adopted this site should be regarded as the Green Belt and hence the proposed development is technically defined as 'inappropriate development in the Green Belt'. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'<sup>4</sup>. It goes on to say that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential

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<sup>2</sup> NPPF, paragraph 83

<sup>3</sup> NPPF, paragraph 84

<sup>4</sup> NPPF, paragraph 87

harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations<sup>5</sup>.

6.82 It is clear therefore, that the test for releasing land from the Green Belt (exceptional circumstances) is different from the test for inappropriate development in the Green Belt (very special circumstances). The applicant is not relying on the release of Green Belt land (sites GB3 and GB4) as proposed in the draft Local Plan and instead are seeking to demonstrate a 'very special circumstances' argument. Without which, the proposals would be unacceptable as a matter of principle and conflict with policy 4/1 of the Cambridge Local Plan 2006.

### Very Special Circumstances Case

6.83 The applicant has argued that the case for very special circumstances is met as there are "very special circumstances" that justify the proposed development. These are associated with the considerable local and national significance of the Cambridge Cluster, and of the important social and economic contribution that ARM makes to it. In particular:

(a) the proposed development needs to be located in Cambridge both to ensure the long term economic health of the City, and to achieve ARM's requirements;

(b) the proposed development needs to be within a single, consolidated site;

(c) there is an immediate requirement for the business to grow with new space to be available by Q4 2016;

(d) there is a lack of suitable alternative sites; and

(e) there would be significant consequences for Cambridge and the wider economy if the Proposed Development is not able to proceed.

6.84 All of these factors together are considered to demonstrate that there are very special circumstances that outweigh any potential harm to the Green Belt by way of inappropriate development.

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<sup>5</sup> NPPF, paragraph 88

6.85 In this case, the very special circumstances have been demonstrated as:

1. development at this site will not substantially harm the purposes of the Cambridge Green Belt<sup>6</sup>;
2. the Council is proposing this land is released from the Green Belt in the new Local Plan<sup>7</sup>;
3. there are substantial benefits to the local and national economy<sup>8</sup>;
4. ARM have conducted an extensive search for alternative sites in the Cambridge area<sup>9</sup>; and
5. this land is in a sustainable location on the edge of Cambridge.

### Employment

6.86 The application is proposing substantial new employment development. ARM A and ARM B are providing 20,677 sqm of new floor space (Gross External Area). The demolition of ARM 2 will result in the loss of 1,231 sqm of floor space (GEA). The Cambridge Local Plan 2014: Proposed Submission proposes that sites GB3 and GB4 (which includes most of the site of this planning application as well as land to the west) will deliver approximately 25,000 sqm of new employment floor space. The site of the planning application covers roughly half of sites GB3 and GB4 as well as extending into land not in GB3 and GB4 and is proposing a large proportion of the floor space envisioned. It appears that the planning application will not prejudice the delivery of the employment floor space envisioned in the Cambridge Local Plan 2014: Proposed Submission.

6.87 Policy 7/2 in the Cambridge Local Plan 2006 requires new employment development proposals to meet one of the four criteria. This is to ensure that the limited supply of employment land in Cambridge is reserved for businesses have an essential need for a Cambridge location. It should be noted that the final sentence of policy 7/2 states that “this policy does not apply to

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<sup>6</sup> As evidenced by the Council’s assessment of this land in the 2012 Green Belt Review and Matter Statement and the applicant’s statement

<sup>7</sup> Cambridge Local Plan 2014: Proposed Submission Policy 26 and Policies Map

<sup>8</sup> As evidenced by the applicants planning statement and the Council’s Matter 6 statement

<sup>9</sup> As evidenced by the applicants planning statement

development by established bodies for their own occupation and use". An established body is defined as a business that has been operating in Cambridge for five years or more. ARM meets the definition of an established body and so is not required to meet the criteria of policy 7/2.

- 6.88 Policy 7/4 in the Cambridge Local Plan 2006 promotes development which supports the Cambridge Cluster. The proposed development clearly fosters innovation and helps reinforce the existing high technology and research cluster in Cambridge. The need to be located in this area is set out in the Planning Statement submitted with the application.

### **Historic England**

- 6.89 Historic England do not wish to offer any comments on this occasion and the application should be determined in accordance with national and local policy guidance, and on the basis of specialist conservation advice.

### **Sport England**

- 6.90 Have no comments to make in respect of the application.

### **Natural England**

- 6.91 No objection. Whilst the proposed development is located, at its closest, within approximately 150m of Cherry Hinton Pit Site of Special Scientific Interest (SSSI), we are satisfied that appropriate mitigation measures have been identified to ensure that development will not have an adverse impact on the special interests for which this site has been notified. The SSSI is primarily notified for the populations of four nationally uncommon plant species which occur on the site. In addition, the site supports areas of herb-rich chalk grassland. Having reviewed the relevant sections of the Environmental Statement, submitted as part of this application, we are satisfied that adverse effects on the natural environment through potential pathways, including emissions to air, are unlikely subject to the implementation of appropriate mitigation measures.

Natural England would expect mitigation measures identified in the Environmental Statement, including drainage/pollution control measures, measures to minimise dust generation and to

secure biodiversity protection and enhancement, to be implemented through appropriately worded planning conditions.

### **Environment Agency**

- 6.92 Application as originally submitted: The agency has no objection in principle to the proposed development subject to conditions relating to contaminated land, and piling being imposed should planning permission be granted.
- 6.93 Following additional information: confirm that there are no additional comments to be made.

### **Lead Local Flood Authority (Cambridgeshire County Council)**

- 6.94 Application as originally submitted: advise that they are unable to comment as insufficient information has been provided.
- 6.95 Following additional information: confirm that no further information has been provided in respect of flooding issues.

### **Anglian Water**

- 6.96 Application as originally submitted: (duplicate comments)

Wastewater Treatment – the foul drainage from this development in in the catchment of Cambridge Water Recycling Centre that will have available capacity for these flows.

Foul Sewerage Network: The sewerage system at present has available capacity for these flows.

Surface Water Disposal: The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.

A condition relating to the construction of hard standing areas has been requested.

Following additional information: No further comments.

## **Cambridgeshire Constabulary (Architectural Liaison Officer)**

- 6.97 Application as originally submitted: The application has been viewed from a crime reduction and/or community safety perspective. Recommend electronic access control for cycle stores. Overall, no objection to the proposals.
- 6.98 Following additional information: No further comments.

## **Cambridgeshire County Council (Archaeology)**

- 6.99 Our records indicate that the site is located in an area of high archaeological potential. Three ring ditch remains of Bronze Age burial mounds were known from aerial photographs and were investigated ahead of the construction of the adjacent technology park in 1997 (HER ECB357). The Iron Age earthwork enclosure War Ditches is located a short distance to the south west (HER 04963), which was also the site of subsequent Roman occupation (HER 04963a). The site has been subject to an archaeological evaluation, the results of which indicate that significant evidence for prehistoric activity survives in the area. These archaeological remains would be severely damaged or destroyed by the proposed development.
- 6.100 We would therefore recommend that the site should be subject to a programme of archaeological investigation, to excavate and record the archaeological evidence ahead of construction. The programme should include provision for archiving and publication of the results of the investigation and should be commissioned and undertaken at the expense of the developer. This programme of work could be secured by condition.

## **Cambridgeshire Fire & Rescue Service**

- 6.101 Request that adequate provision be made for fire hydrants, which may be by way of a Section 106 agreement or a planning condition. The applicants should also note that Cambridgeshire Fire and Rescue Service have non standardised Fire appliance.

## **Highways England**

- 6.102 Offer no objection.

## **Design and Conservation Panel (Meeting(s) of 13 August 2014**

6.103 The panel reviewed an early iteration of the scheme at its meeting of August 13, 2014. The scheme was not fully developed at the time of the presentation and the presentation provided was about the more general principles of building massing and elevation as well as landscape car parking.

6.104 Given its early stage of development, the panel awarded the scheme an overall AMBER verdict but concluded that they were "...comfortable in general terms with the conceptual master planning....". They considered that a more thorough explanation of the impact of the scheme on its wider setting was needed and that the potential for reducing the building height should be explored.

## **Design and Conservation Panel (Meeting(s) of 8 July 2015)**

The minutes of the Panel meeting are below:

6.105 The detailed planning application consisting of: the demolition of ARM2; the construction of new buildings for B1 use; two multi-storey car parking structures; additional temporary car parking spaces; new cycle parking spaces; hard and soft landscaping works; new internal roads, foot and cycle paths; ancillary and associated facilities and site infrastructure. This follows the pre-application presentation in August 2014 (noted above).

Presentation by Ed Hayden of Scott Brownrigg Architects.

The Panel's comments were as follows:

### **Southern landscape boundary treatment and views.**

6.106 As a key concern raised at the last presentation; the Panel felt strongly that with such a long, uninterrupted southern façade, a robust boundary treatment was needed to relieve its stark impact on views from the fields and Gog Magog hills. A native species hedge running the full length of the southern boundary and allowed to grow to a significant height together with a series

of taller trees was therefore regarded as more appropriate than the low hedge proposed.

### **Phasing.**

6.107 The Panel welcomed the intention for early landscape procurement to secure its delivery as a single entity. As ARM are not the exclusive users of the Technology Park, the need for flexible floorspace is also understood.

### **Vertical perforated fins (main building).**

6.108 The Panel were not comfortable with the proposed detailing for the vertical fins for solar control and for minimising light pollution, as they appear dated. Also, the need to deter pigeons would result in the unfortunate inclusion of spikes along the horizontal elements of the fins. Further work on the detailing is recommended.

### **Parking.**

6.109 The Panel understands that the Highways Authority is currently examining the justification for the proposed parking ratio and will look forward to learning the outcome of this work.

### **Petrarch panels (cladding).**

6.110 Some concern was expressed regarding the use of this cladding along such a huge expanse and whether sufficient studies had been carried out as to its impact on the landscape. It is recommended that officers have the opportunity to review large samples of the cladding on site before the final colour and texture is agreed.

### **Public routes through to the Gog Magog Hills.**

6.111 The Panel would like to see future consideration given to the re-opening of historic public access through to the Gog Magog hills. (The designers are reminded that under current policy, the lack of public access to land to the south is not a consideration when evaluating the impact on views.)

## **Conclusion.**

6.112 The Panel appreciated the opportunity to re-visit this scheme at the more developed, submission stage. The eastern boundary has now been continued to the SSSI which is welcomed. Some concerns remain however. These principally focus on the southern boundary as this will become the new long-term Green Belt boundary of the city. The importance of the southern boundary treatment cannot be underestimated, and every measure should be taken to mitigate the impact of the scheme's expansive southern façade as far as possible. As the neighbouring fields are also owned by Peterhouse College, the Panel would encourage any scope for off-site planting to be explored, so as to provide a more robust boundary treatment.

VERDICT – AMBER (5), GREEN (4) based on the treatment of the southern boundary (see conclusion above) and concerns relating to the detailing of the solar control fins and cladding material for the car parks.

## **Disability Consultative Panel (Meeting of 26 May 2015)**

6.113 The Design team are praised for their comprehensive Access Statement. Further information on how a disabled person would navigate the site would have been helpful however, particularly as the scale of the plans was smaller than the recommended 1:100 and made distances difficult to judge.

## **Ministry of Defence**

6.114 Application as originally submitted: The MOD has no safeguarding objections to the proposals.

6.115 Following additional information: The MOD has no safeguarding objections to the proposals.

## **National Grid**

6.116 Application as originally submitted: Comments dated 29.07.15

**Objection:** for the following reasons:

- The building at NG4, on drawing A-01-DR-414-100 is within 3 meters of the high pressure gas pipeline. National Grid Policy

and the guidance given in document IGEM/TD/1 (which is used by HSE and the Gas industry as standard to operate pipelines under) indicates that there should be no building erected within 3 meters of the pipeline.

- The proposed building footprint is within our easement area, this would restrict access to the pipeline should any works to the pipeline be required.
- The building at NG1, on drawing A-01-DR-414-100, appears to show structure or changes to ground over pipeline. This is not acceptable in terms of policy and access as any building on top of the pipeline is not allowed.
- It appears that the ground coverage over the Pipeline may be reduced as part of the Applicant's proposals. National Grid Gas has considerable concerns about this from a health and safety perspective.
- The structures shown at NG3, on drawing A-01-DR-414-100 need agreeing with National Grid as they can endanger the integrity of the pipeline.

#### 6.117 Following additional information: Remove objection

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:

Medical Research 120 Peterhouse Technology Park  
5 Limedale Close (2 letters)  
34 The Orchards  
1 Limedale Close

7.2 The representations can be summarised as follows:

### **Traffic and Parking**

- Concern relating to the impact on traffic on Fulbourn Road.
- Workers may park in Limedale Close which would inconvenience residents, there is also a covenant which prevents residents from parking on the street but this could not be applied to workers for the ARM site.
- Concern relating to safety of access through Limedale Close for cyclists turning onto Fulbourn Road.
- We feel that the proposed extension to the park and the associated enhanced landscaping would be a positive improvement. However we have concerns relating to access to the park and the number of proposed parking spaces.
- The transport survey was conducted in June 2014 and as neighbours on the PTP we were surprised not to be informed of this or consulted.
- The seasonal nature of staff travel has not been addressed in the travel plan and if collated in winter, the level of staff journeys to work is likely to be lower than the 24% given as the June figure.
- From experience parking at Peterhouse Technology Park is far less of an issue during pleasant months (such as June) when employees are more likely to walk or cycle
- The proposed parking level (538) is unrealistic for the 1,000 staff increase and will result in parking issues.
- The results of the transport survey led to the conclusion that no alteration to the access from Fulbourn Road is needed. It is our belief that an extra 1,000 staff will create congestion in peak periods as well as increase pollution. The transport survey does not appear to consider the increase in car traffic both to the site and into Cambridge.
- Changes are needed to the existing access to allow traffic to flow more easily.
- The current access to the site is not safe for cyclists and this may deter employees from cycling into work.
- ARM employees may use the MRC designated spaces and park on the access roads which reduces visibility and affects manoeuvring space for delivery and emergency vehicles.
- Limedale Close is too narrow and the pavement is regularly crossed by private driveways there are major concerns for people leaving their driveways with the number of pedestrians and cyclists present as visibility is poor.

## Neighbour Amenity

- During building work we would like assurance that work on Saturdays will be kept to a minimum and no work will occur on Sundays.
- Concern that security lighting on the site may cause light pollution/disturbance.
- Concern relating to noise from air conditioning and noise from cars using the site.
- Objections to the idea of having access to the site through Limedale Close.
- Concerns relating to construction phase of development, the plans refer to temporary access and parking but does not specify numbers and again depending on the time of year this could exacerbate parking issues at the site.
- Object to the access via Limedale Close as there is already a tendency for people to be dropped off at the top of the close and cars arriving to collect people and parking on the pavement and then turning on private driveways.
- The area immediately behind Limedale close is artificially raised we request that this earth be removed and the level put down to the level of our garden and the street.

7.3 Cambridge Past Present and Future have also made a representation in respect of the application as submitted and advise as follows:

*‘Cambridge Past, Present and Future’s planning committee have reviewed and discussed the application. If the Council is satisfied with ARM’s explanation, and are reassured that approval would not create a precedent for other less deserving applications, then Cambridge PPF would support the application ‘ although the support is heavily caveated.*

7.4 The main concerns raised by Cambridge PPF relate to:

- The timing of this application in the context of the approval process of the 2014 Local Plan. Because the expansion of PTP necessitates the release of the two sites GB3 and GB4 from the Green Belt at a time when the local plan is still in draft form, our main concerns are those of the timing of the application and of the potential precedent this approval could provide.
- Lack of detail to explain the urgency of ARM’s requirements for new space.

- From our reading of the NPPF, land cannot be released from the Green Belt solely because of the weight of the exceptional circumstances, which appears to be the thrust of the applicant's argument, as any release must be through the re-drawing of the boundary in the Local Plan.
- The application does provide a strong justification as to how the exceptional circumstances are satisfied. However it does rely heavily on the 2012 Inner Green Belt Review, which has itself now come under criticism from the Inspectors in their preliminary report.
- The visual impact of the development in such a sensitive area on the Green Belt boundary could be minimised by reducing the mass of the buildings.
- We would urge that the site is levelled between the gas main and the Southern boundary, and that the landscaping of the bank along the site boundary to the South is strengthened with more tree planting.
- Cambridge PPF also has concerns about the adequacy of the proposals to mitigate the traffic congestion generated by the increased number of employees along the already heavily congested Fulbourn Road. The Travel Plan seems to comprise the usual measures such as car sharing and cycle spaces which will have only marginal effect. As always with these developments, the transport and traffic implications are viewed piecemeal on a site-by-site basis when what is needed is a more comprehensive integrated assessment of traffic flows across the whole South-East Cambridge area.
- The landscape assessment for the Local Plan Review and release of the greenbelt is not relevant to the determination of the application and the applicant's should not rely on this assessment, which has been called into question by the Local Plan Inspector.

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. Very special circumstances case
3. Employment
4. Visual Impact
5. Context of the site design and external spaces
6. Residential amenity
7. Public Art
8. Energy and sustainability
9. Disabled access
10. Refuse arrangements
11. Highway safety
12. Car and cycle parking
13. Trees
14. Biodiversity
15. Third party representations
16. Planning Obligation Strategy

### **Principle of Development**

- 8.2 The site is currently allocated in the Cambridge Local Plan as greenbelt land. Therefore, development of this scale is unacceptable as a matter of principle unless 'very special circumstances' can be demonstrated. It is this argument that the applicants are relying on, and the application is not made on the basis of the proposed allocation of GB3 and GB4 as employment land in the review of the Cambridge Local Plan. In this case, the application is not premature in the sense that it will be assessed against the current designation of the site as greenbelt under Policy 4/1 and government guidance in the NPPF.
- 8.3 Concerns have been raised by third parties concerning the status of the Local Plan Review. The fact that the applicants have submitted the application under 'very special circumstances' also means that the current application would not result in any 'pre-judgment' of the outcome of the Local Plan Review and would not set any precedent for other development in the greenbelt. Should any other proposals come forward, a justification under the 'very special circumstances' argument would be needed and each case would be judged on its own merits and on the basis of the relevant Local Plan Policies in force at that time.

## Very Special Circumstances Case

- 8.4 Having reviewed the information submitted as the 'very special circumstances' case put forward, I am of the opinion that the expansion of the ARM facilities at the Peterhouse Technology Park does meet the criteria as set out in the NPPF in line with the comments received from the Planning Policy Manager. I am also of the opinion that the retention of the global headquarters of ARM in Cambridge for the foreseeable future would have clear economic and employment benefits for Cambridge. Given that ARM have very specific recruitment requirements, working practices and products I am minded that the exception being made relates specifically to ARM as a company and it would be reasonable therefore, given this is permanent development to recognise the special circumstances put forward by ARM to restrict the first occupation of the new buildings to ARM. Government guidance is clear that personal permissions should be avoided wherever possible and so to secure ARM's occupation for the mid-term (3 years) will be sought via a clause in the S106 legal agreement. This time period is considered appropriate as it is long enough to show a commitment from ARM but will also cover the period of the Local Plan Review where the site is proposed for release from the Greenbelt. It is not considered that it would be reasonable or appropriate to control occupation for a longer period than this, nor would that meet the guidance on proper use of planning conditions. I note the request from the Highway Authority in their latest consultation response that the occupation of the building is restricted to ARM in perpetuity. The justification set out above have been put to the Highway Authority who have accepted this stance (e-mail dated 03.08.15).
- 8.5 Given the arguments set out above and having considered the advice of the Planning Policy Manager I conclude that very special circumstances have been demonstrated in respect of the requirement for this development as a matter of principle, the impact of the proposals will be assessed separately under the relevant sections of the report below. In the light of this conclusion, should the committee be minded to support the recommendation be for approval, the application will need to be referred to the Secretary of State as a 'departure' from adopted policy 4/1 (Greenbelt). The application has been advertised as a departure from the Local Plan.

## **Visual Impact (on wider landscape)**

- 8.6 I have reviewed the information contained in the LVIA and having visited the site and assessed the wider visibility of the site from public vantage points and looked at the immediate surrounding context, I consider that the topography of the site, the location and form of the buildings, the landscaping (particularly to the southern boundary of the site) and the colour and materials proposed for the building all serve to integrate the proposed buildings as fully as possible within the immediate context and to allow the buildings to 'sit' within the wider landscape. It is the office building which in my view has the greatest impact on the wider landscape due to its position in relation to the southern boundary of the site and the fact that this end of the site is more exposed to wider views than the eastern end of the site, which sits within a deep recess and is largely screened from wider views. Whilst a buildings in this location, and of this scale will have some impacts, I am satisfied that the proposals are acceptable. Overall, I concur with the conclusions of the Landscape Officer with regard to the impacts in the wider landscape and conclude that these are acceptable.
- 8.7 Third party comments have raised concerns about reference to the work undertaken in respect of the LVIA to support the release of GB3 and GB4 in the review of the Local Plan. It is the case that the applicant's submission does reference this work and does point to this in part as justification for the location of the buildings. However, the applicant's assessment of the visual and landscape impact is not restricted to this work and I am satisfied that sufficient evidence has been produced in respect of the visual impact of the proposed building with the current greenbelt designation, the supporting evidence does not rely on the site being released from the greenbelt for the visual impacts to be acceptable.
- 8.8 Third party comments have also stated that the area to the west of the northern car park is artificially raised and should be levelled to the reflect the levels in Limekiln Close. The proposals seek to retain some mature trees to the west of the northern car park and whilst the level is artificially raised, levelling of it would be likely to impact on the retention of the mature trees. I am also of the opinion that the change in ground levels serve to screen the building and help it to 'sit' within the site. To remove the raised

ground would serve to expose the building further in views from the west which I do not consider would be favourable. Finally, the site levels have been designed to reflect the constraints of the site and there is a high pressure gas main immediately to the south of the proposed northern carpark and National Grid have commented that there would be safety concerns with excavations in the vicinity of the gas main as this would reduce the depth of the pipe in relation to the ground level which is undesirable for safety reasons/

- 8.9 I also note that there are visual impacts identified which affect the residential streets immediately adjacent to the site this issue will be addressed in detail in the residential amenity section to the report. I am satisfied though, that the proposals would comply with Policies 3/2, 3/3, 3/4 and 3/12 of the Cambridge Local Plan (2006) in relation to long distances views from outside of the site and impacts of the development in the wider landscape context.

### **Context of site, design and external spaces**

#### Scale and massing

- 8.10 The scale and massing of the buildings has been subject to detailed analysis in the Design and Access Statement (section 4.1) and various options have been explored. The proposals incorporate two multi storey car parks of 3 deck height and two large office buildings ARM A & B which are 3 storey blocks with a recessed upper floor. The scale and massing of the buildings has been reviewed and in detail by the Council's Urban Design and Conservation Manager who has concluded that the overall scale, massing and architectural approach of the buildings is acceptable. I agree with this view.

#### Materials

- 8.11 The northern carpark is a three storey (deck) car park and is sited immediately to the south of the existing Cambridge Water company building which fronts onto Fulbourn Road. The southern elevation of the building, which fronts onto the service road within the Peterhouse Technology Park is clad in a mixture of buff colour Petrarch panels and horizontal panels both of which are to be interspersed with planting to create a 'living wall' effect along the bottom of the building and extending up in vertical panels breaking up the mass of the southern elevation.

- 8.12 The eastern carpark utilises the same materials as the Northern carpark and will also have a living wall system to the southern elevation.
- 8.13 The entire building height of both ARM A and ARM B will be approximately 12 metres with a screened, roof light section comprising another 1.5 metres in height for a total overall building height of 13.5 metres. The office buildings will have a recessed, glazed communal entrance which will serve to 'break up' the mass of the building when viewed at close quarters. The vertical 'fins' will also add detail and relief to the elevations as well as providing a practical purpose of screening from direct sunlight.
- 8.14 The access road within the site extends the existing road within the site to the west and will create a 'boulevard' feel to the technology park. There is also a 'plaza' area to the front of the office buildings and the public art extends through the site. There is a comprehensive landscaping scheme which will ensure that the planting to the buildings is secured and effectively maintained and I am satisfied that this can be controlled via suitably worded conditions. I am satisfied that the buildings create a distinctive character that is appropriate for the context and are well detailed in terms of materials.
- 8.15 With regard to the context of the site, design and external spaces I consider that overall, the buildings and car parks have been well detailed in terms of their visual appearance and specified materials. I note the comments of the Design and Conservation Panel in relation to the use of Petrarch, however the Urban Design Manager has commented in detail on the proposed materials and also on the views of the panel. The application has also been the subject of extensive pre-application discussions. I am satisfied that the current proposals will result in a high quality development and that the detailing of the materials can be controlled via suitably worded conditions.
- 8.16 Amenity space for ARM A and B will be provided to the south of the buildings, as three courtyards, and as roof terraces that wrap around 'brown roofs' on part of ARM A, B and fully across the reception building.

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

### **Residential Amenity**

8.18 The residents most affected by the proposals are those on Limedale Close and Tweedale to the north-west of the application site. The closest building proposed in relation to these properties is the northern car park.

8.19 The car park has been re-sited to overcome the objection from National Grid in relation to its easement requirements for maintenance to the high pressure gas main and the car park is now sited 1200mm further to the north than originally proposed. I have assessed the proposals on the basis of the revised information.

### Visual impact and dominance

8.20 The northern car park is a large building, and does lie within reasonably close proximity to the residential properties on Limedale Close in particular.

8.21 The rear elevation of the northern car park is sited approximately 13m from the closest affected property on Limedale Close. Properties in Tweedale are sited in excess of 30m from the westernmost point of the building. There is already a building in the vicinity of the proposed new car park (ARM 2 which has a smaller footprint and is two storeys in height.) There is some existing mature tree screening which is proposed to be retained to the west of the carpark. The maximum height of the carpark would be approximately 14m metres and the western elevation, fronting towards the residential properties (approx. 13m to the properties on Limedale Close and 30m to the properties on Tweedale), would be clad in horizontal Petrarch panels and planting. I consider that the scale of the building, coupled with the landscaping to the west of the site (which is set at a higher ground level than the car park itself) would significantly soften the visual impact of the building and screen the impacts of the use of the building (such as car headlights, lighting and maneuvering noise). I am also of the opinion that the footprint of the building and the height has been designed as far as possible to mitigate the impacts on the residential properties. In addition to this, I am

mindful of the fact that the site is already occupied by the technology park and that ARM has large scale operational buildings at this site, including an office building with surface car parking in the location of the proposed northern car park (the existing ARM 2 building). The existing ARM2 building is sited immediately to the south of the Cambridge Water Company building and at its closest point is approximately 20m from the closest residential property. I also accept that the building would project further to the west than the existing built form however, this building line is staggered and the closest point of the northern carpark building maintains a separation distance of approximately 20m to the closest property on Limedale Close and in excess of 30m to the closest property on Tweedale.

8.22 The ARM B building would also extend further to the west than the existing office buildings on site but a separation distance of at least 40m is maintained from the closest residential property on Tweedale. I consider that this would not give rise to an overbearing or oppressive form of development. I accept that compared to the existing ARM2 building, which is a 2 storey office building, the northern carpark would represent both an increase in scale and proximity to the affected residential properties. I also accept that the ARM B building would be more visible to the residential properties than the existing buildings on site. The issue though, is whether it would result in an unacceptable degree of visual domination or enclosure. Given the separation distances of ARM B and the northern carpark and the design of the buildings I am of the opinion that the development would be acceptable. I am also of the opinion that the ARM A building and the eastern carpark could not have any detrimental impacts on residential amenity.

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

#### Noise and disturbance

8.24 The key aspect of the proposals in terms of noise and disturbance relates to the northern carpark and the western end of the proposed ARM B building which are closest to the residential properties. The proposed access from Limedale

Close is also an aspect which could have impacts for the residents.

- 8.25 The northern carpark replaces an existing office building with surface car parking at the site. As previously outlined, the closest point of the northern carpark to the residential properties would be approximately 13m. I consider that the impacts of the use of the car park would be compatible with the adjacent residential properties and given the nature of ARMS operating practices as a global headquarters, I consider that parking is preferable in close proximity to residential properties rather than office use. The Council's Environmental Health team have been consulted in respect of the proposals and have recommended conditions relating to plant noise, which I consider reasonable. No concerns have been raised in respect of the proposed car park and the noise that this would generate. The design of the building has been carefully considered, and I am satisfied that the 'living wall' once established would provide screening against light pollution from cars accessing the car park at night and in the winter months. A condition relating to the lighting scheme at the site has been recommended and I consider that this is acceptable.
- 8.26 The western end of the ARM B building would also be in closer proximity to residential buildings than is currently the case. However, this building would be sited approximately 40m from the closest property on Tweedale. I consider that any light or noise and disturbance impacts at this distance would be minimal.
- 8.27 With regard to the proposed access to the site via Limedale Close, third parties have raised concerns about noise and disturbance arising. The proposals indicate that Limedale Close will be extended to the south and will provide alternative pedestrian and cycle access to the site. I note the third party objections to this route and acknowledge that Limekiln Close is currently a cul-de-sac with no through access for cars, pedestrians or cyclists. However, I consider that the use of this pathway by pedestrians and cyclists would not give rise to an undue level of noise or disturbance to occupants of the properties on Limedale Close so as to unacceptably harm their amenity.

8.28 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.

### **Public Art**

8.29 The applicants have submitted a Public Art Delivery Plan dated April 2015. Its aspiration is the delivery of public art throughout the site. The Council's Urban Design Team have commented that the concept is developed fully enough to be supported. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010. Acceptable implementation of public art can be secured by condition.

### **Renewable energy and sustainability**

8.30 The Council's Sustainability Officer is satisfied with the approach proposed to both sustainable development and renewable energy has provided the following detailed comments in respect of the proposals in relation to renewable energy provision.

*'While the contribution of the passive solar design is slightly below the 10% requirement (at 9.8%), I am supportive of the approach being taken as it demonstrates the extent to which an architectural response can reduce the carbon emissions of a building. While the use of photovoltaic panels could have made a contribution to carbon reduction, the amount needed to make a significant contribution to the energy demand of this building would have had a visual impact in what is a sensitive location. In my view the use of the solar shading, the design of which will be bespoke to this building, taking its inspiration from the silicon crystal that lies at the heart of the integrated circuits designed by ARM, demonstrates a level of innovation that justifies a slightly different approach to the application of Policy 8/16. As such, the approach being taken is supported.'*

8.31 In my opinion, subject to the conditions recommended to secure the details and implementation of the renewable technologies and its maintenance, the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan Policy 8/16 and the Sustainable Design and Construction SPD 2007.

## **Sustainable Design & Construction**

8.32 The Council's Senior Sustainability Officer has advised that the suite of measures put forward by the applicant's is acceptable and these measure include:

- Targeting a minimum BREEAM score of 'very good' with an aspiration to achieve BREEAM 'excellent'.
- The integration of passive design measures into the architectural design of the proposals.
- The specification of brown roofs, which will include a mosaic of grassland seed in order to provide an ecologically enhanced habitat with the aim of mirroring the environment/habitats of the nearby Cherry Hinton Pit SSSI. The brown roofs will provide multiple benefits to the scheme, not only in terms of biodiversity enhancement but also surface water attenuation and the reduction of internal cooling loads.
- The integration of SuDS features into the landscaping design, which will maximise the benefits that SuDS pose beyond just surface water attenuation.
- The proposal to utilise rainwater recycling tanks (or similar) to provide water for irrigation

8.33 As these measures are supported by the Council's Sustainability officer and given the specific constraints of the site, I am of the opinion that the applicants have suitably addressed the issue of Sustainable Design and Construction in accordance with Policy 3/1 of the Cambridge Local Plan 2006.

### **Disabled access**

8.34 The Access Officer has not raised any objections to the proposals and the Disability Consultative Panel were also supportive of the proposals. There are a comprehensive suite of measures contained in the Design and Access Statement including disabled car parking, level access to the building, disabled accessible lifts, accessible toilet and shower facilities on all levels, sufficient colour contrast for visually impaired people to orientate themselves together with management and staff training procedures. I am satisfied that the additional comments from the Access Officer can be added by way of a suitably worded informative to the planning permission. In my opinion the proposal is compliant in respect of inclusive access, with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Refuse Arrangements**

- 8.35 The Councils Waste Manager has commented that the proposals are acceptable subject to the submission of further information in relation to the location and capacity of the bin stores. Indicative details of bin storage facilities have been provided and I consider these to be acceptable. I am satisfied that adequate bin storage has been specified in respect of the proposals and that the further information would relate to the detail of appropriately designed store. I am also satisfied that this can be accommodated within the site, and as such that this can be reasonably controlled by condition.
- 8.36 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.37 Following the submission of additional highways data and a revised travel plan, the highway authority has removed its holding objection and have confirmed that the proposals will have an impact on the highway network. As such it is essential that the applicant contributes to schemes to improve the access to the site and to also encourage access to the site by other transport modes and to also ensure that the aspirations of the Travel Plan can be realized. These measures can be secured through a Section 106 agreement and the detailed requirements of the Highway Authority are set out in the S106 section to this report. The highway authority have raised no other concerns regarding highway safety.
- 8.38 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.39 The highway authority have not objected to the level of car parking provided within the scheme. Although it is noted that the parking ratio is higher than would usually be expected for this type of development at 1: 31 sqm the existing parking ratio at the site is actually 1:26sqm. Although the parking ratio is relatively high I am satisfied that it would result in an overall

reduction in overall parking ratios currently provided at the site. ARM have also made a very special case as set out in their Planning Statement in relation to transport modes of their employees and also that an under provision of parking could lead to parking conflict in the surrounding residential streets – particularly Limedale Close and Tweedale. The comments from the Highway Authority have suggested a clause in the S106 agreement to include a parking survey and money set aside to address any problems in the surrounding streets should any issues be identified. I consider that this is also reasonable.

8.40 With regard to cycle parking, the Council's Walking and Cycling Officer has objected to the proposals on the basis of the access to cycle stores and concerns over the width of the access from Limedale Close. The level of parking provision and the type of provision is not questioned and I am therefore satisfied that the detail of the access to the bike stores and the width of the access can be addressed by suitably worded conditions and the concerns do not relate to broad principles of level or type of provision.

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

### **Trees**

8.42 I note that the Council's Tree Officer has raised an objection to the proposals based on lack of clear information submitted in order for her to assess the proposals. However, the scheme has been subject to extensive negotiation with the Council's Landscape Officer and Urban Design Team who have focused particularly, on securing suitable boundary treatments for this sensitive site, which will include new tree planting to the Southern Boundary. As there are no protected trees on or adjacent to, the site and given that the Tree Officer in her representation has requested conditions should planning permission be granted I am satisfied that conditions relating to further information would be appropriate.

8.43 In my opinion the proposals are compliant with Cambridge Local Plan (2006) Policy 4/4

## Biodiversity

- 8.44 The site does lie within an environmentally sensitive area and the LNR designation and adjacent SSSI are relevant considerations in determining this application. Based on the information provided in the Environmental Statement which includes mitigation, measures and based on the comments received from the Environment Agency, Natural England and the Councils Biodiversity Officer I am satisfied that subject to suitably worded condition to secure measures to encourage/sustain biodiversity that the proposals would be acceptable in this regard. In addition to this, the planting within the site, at the boundary and the greening of the car-park buildings themselves together with the selection of local species for the swales via the landscaping scheme will also bolster the success of physical measures suggested in the mitigation strategy (eg bat boxes) and provide suitable foraging areas and movement corridors for species.
- 8.45 In my opinion the proposals are compliant with Cambridge Local Plan (2006) Policies 4/3, 4/5, 4/6 and 4/7.

## Third Party Representations

- 8.46 I have addressed the issues raised in representations listed below in the paragraphs indicated.

Issue	Paragraph
The seasonal nature of staff travel has not been addressed in the travel plan and if collated in winter, the level of staff journeys to work is likely to be lower than the 24% given as the June figure.	8.20
Objections to the idea of having access to the site through Limedale Close.	8.
Concern relating to noise from air conditioning and noise from cars using the site.	Plant noise controlled by condition.
Concerns relating to access to the parking and the number of proposed parking spaces.	8.22

Workers may park in Limedale Close which would inconvenience residents, there is also a covenant which prevents residents from parking on the street but this could not be applied to workers for the ARM site.	S106
Concern relating to the impact on traffic on Fulbourn Road.	S106
Concern relating to safety of access through Limedale Close for cyclists turning onto Fulbourn Road.	S106
The area immediately behind Limedale close is artificially raised we request that this earth be removed and the level put down to the level of our garden and the street.	8.8
Limedale Close is too narrow and the pavement is regularly crossed by private driveways there are major concerns for people leaving their driveways with the number of pedestrians and cyclists present as visibility is poor.	S106
Object to the access via Limedale Close as there is already a tendency for people to be dropped off at the top of the close and cars arriving to collect people and parking on the pavement and then turning on private driveways.	S106
ARM employees may use the MRC designated spaces and park on the access roads which reduces visibility and affects manoeuvring space for delivery and emergency vehicles.	S106

Concerns relating to construction phase of development, the plans refer to temporary access and parking but does not specify numbers and again depending on the time of year this could exacerbate parking issues at the site.	Condition relating to DCEMP recommended
The current access to the site is not safe for cyclists and this may deter employees from cycling into work.	8.22
Changes are needed to the existing access to allow traffic to flow more easily.	S106
The results of the transport survey led to the conclusion that no alteration to the access from Fulbourn Road is needed. It is our belief that an extra 1,000 staff will create congestion in peak periods as well as increase pollution. The transport survey does not appear to consider the increase in car traffic both to the site and into Cambridge.	8.22
The proposed parking level (538) is unrealistic for the 1,000 staff increase and will result in parking issues.	8.22
From experience parking at Peterhouse Technology Park is far less of an issue during pleasant months (such as June) when employees are more likely to walk or cycle	8.22
The transport survey was conducted in June 2014 and as neighbours on the PTP we were surprised not to be informed of this or consulted.	There is no formal requirement for neighbours to be consulted when preparing a travel plan
Concern that security lighting on the site may cause light pollution/disturbance.	8.15, 8.16

During building work we would like assurance that work on Saturdays will be kept to a minimum and no work will occur on Sundays.	Condition controlling construction times recommended.
The timing of the application in relation to the Draft Local Plan	8.1, 8.2
The NPPF makes it clear that the Local Plan is the highest authoritative determinant in spatial planning so approval would undermine the Local Plan process.	8.1, 8.2, 8.3, 8.4.
How urgent is ARM's situation, and what would be the effect of delay for another eighteen months? If a version of the Local Plan is eventually approved, including the release of GB3 and GB4, then it can be assumed that the Council would be inclined to grant planning permission. So what would be the consequences of prejudging the Local Plan approval, and granting planning permission in advance? Our concern is the possibility that other developers will then use this case as a lever for other inappropriate schemes in the Green Belt around the city fringe.	8.1
Green Belt land cannot be solely because of the weight of the exceptional circumstances, it must be through the re-drawing of the Local Plan boundaries.	8.1, 8.2, 8.3, 8.4
The application does provide a strong justification as to how the exceptional circumstances are satisfied. However it does rely heavily on the 2012 Inner Green Belt Review, which has itself now come under criticism from the Inspectors in their preliminary report.	8.1
The visual impact of the development in such a sensitive area on the Green Belt boundary could be minimised by reducing the mass of the buildings.	8.7
We would urge that the site is levelled between the gas main and the Southern boundary, and that the landscaping of the bank along the site boundary to the South is strengthened with more tree planting.	8.8

Cambridge PPF has concerns about the adequacy of the proposals to mitigate the traffic congestion generated by the increased number of employees along the already heavily congested Fulbourn Road. The Travel Plan seems to comprise the usual measures such as car sharing and cycle spaces which will have only marginal effect. The transport and traffic implications are viewed piecemeal on a site-by-site basis when what is needed is a more comprehensive integrated assessment of traffic flows across the whole South-East Cambridge area.	S106
Proposals are premature	8.1
Safety for cyclists using existing access	S106
Proposals rely on LVIA undertaken for release of greenbelt through Local Plan review and should not be relied on for this application	8.7

## **Planning Obligation Strategy**

### **Planning Obligations**

8.47 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:

### Transport

8.48 The following schemes are requested to be funded directly by this development, with a proportionate contribution sought from the development for other works which would assist with mitigating the impact:

<b>Scheme</b>	<b>Requested S106 Contribution</b>
cycling scheme between Robin Hood junction of Fulbourn Road with Cherry Hinton Road to Peterhouse Technology Park	£600,000 (full cost of scheme)
Upgrade and improvements to the Robin Hood junction of Fulbourn Road with Cherry Hinton Road to include additional capacity and improved facilities for pedestrians and cyclists.	£320,000 (partial contribution – total cost of scheme £900,000)
Installation of Microprocessor Optimised Vehicle Actuation and associated works at Long Road / Hills Road junction.	£100,000 (full cost)
Improvements to bus stop infrastructure at the two closest bus stops in the vicinity of PTP.	£25,000 (full cost)
Improvements to cycle provision on Cherry Hinton High Street between Fulbourn Road and Desmond Avenue	£80,000 (partial contribution – total cost of scheme £250,000)
Segregated cycle lanes on both sides of Cherry Hinton Road between Robin Hood junction and Walpole Road.	£200,000 (partial contribution - total cost of scheme £1.3m )

Contribution in reserve for the consultation and implementation of parking controls in surrounding residential streets if required.	£50,000
	Total £1,375,000

### **Justification for financial contributions**

The Highway Authority have set out the following justifications for each of the financial contribution requests:

- 8.49 Cycling scheme between Robin Hood junction of Fulbourn Road with Cherry Hinton Road to Peterhouse Technology Park. This scheme is identified in the emerging City Deal programme specifically to allow for future expansion at PTP. This could potentially also include upgrade of the pelican crossing west of PTP to a Toucan crossing, and the widening of the footway and cycleway between PTP and Yarrow Road. Cost: £600,000. This is the full cost of this scheme as its purpose is to enable safer and improved access to employees of PTP.
- 8.50 Upgrade and improvements to the Robin Hood junction of Fulbourn Road with Cherry Hinton Road. This will include additional capacity and improved facilities for pedestrians and cyclists. Proportionate contribution of: £320,000 is requested. This is a proportional cost of the scheme based on the development related traffic flow (total cost of scheme =£900,000). Employees at PTP will significantly benefit from these improvements, but this scheme will also have benefits for the wider trips on the network, therefore a proportionate cost is sought.
- 8.51 Installation of MOVA and associated works at Long Road / Hills Road junction. The TA shows that the PTP development will have a clear impact at this location; improving operation of the signals will directly contribute to mitigating this impact. This is the full cost of £100,000 is requested as for these works as increased ARM related traffic levels at this junction increase queues and delays and the contribution is required to mitigate this.
- 8.52 The improvements to bus stop infrastructure at the two closest bus stops in the vicinity of PTP. Contribution of £25,000 requested. This is the full cost of these works and would pay for

real time bus information at each bus stop. Increased bus patronage is essential if ARM is to reach their mode share targets and hence reduce off site highway impacts.

8.53 Improvements to cycle provision on Cherry Hinton High Street between Fulbourn Road and Desmond Avenue. Contribution of £80,000 requested. This is a part payment of an overall scheme cost of £250,000 to recognise that this route will be used by ARM employees but will also be of benefits to the wider area.

8.54 Segregated cycle lanes on both sides of Cherry Hinton Road between Robin Hood junction and Walpole Road. Contribution of: £200,000 requested. This is a part payment of an overall scheme cost of £1.3m for segregated cycle lanes that connect Robin Hood junction to the wider quiet road cycle network via Walpole Road. The proportion would make a reasonable contribution towards this scheme and would allow ARM employees to connect to the wider cycle network and hence contribute to achieving the mode split targets necessary to reduce the off- site highway impacts. These provisions are directly related to PTP and are on key desire lines for the increased traffic and increased levels of cycling that will be needed for the mode split targets to be met.

8.55 Contribution in reserve for the consultation and implementation of parking controls in surrounding residential streets if required. £50,000. This could be required if the travel plan does not achieve its targets, and / or there is a demonstrable impact from ARM.

#### Other S106 Requirements

8.56 Parking surveys should be completed in surrounding streets every year for a period of 5 years.

8.57 The first occupation of the buildings shall be restricted to ARM for a period of 3 years.

8.58 The provision of fire hydrants in consultation with Cambridgeshire Fire Service

## Monitoring

8.59 The County Council also requires a monitoring charge to be paid for County obligations in accordance with current County policy

8.60 At their meeting on 25 November 2014 the County Council's Economy and Environment Committee agreed that fees for the monitoring of all financial and non-financial planning obligations required by the County Council will be payable on the following basis:

£100 where the total value of the contributions payable to the County Council is less than £10,000; or

1% of the total value of the contributions payable to the County Council where the total value of those contributions is £10,000 or more up to £2 million; or

where the total value of those contributions exceeds £2 million, 1% of the total value of the contributions for the first £2 million and 0.5% thereafter subject to a cap of £60,000; and

£100 for any non-financial contribution.

8.61 The financial contributions have not been finalised at the time of the committee report being drafted. There will be a contribution required to cover the costs of monitoring of the County Council obligations although the exact figure is yet to be determined.

8.62 Travel Plan monitoring by Travel for Cambridgeshire for five years post completion £12,500. This is required to monitor the travel plan and work with ARM to meet their travel plan targets.

## Planning Obligations Conclusion

8.63 It is my view that the planning obligations requested are 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.

8.64 Subject to the completion of a S106 planning obligation to secure financial contributions towards transport schemes, I am

satisfied that the proposal accords with Cambridge Local Plan (2006) policies 8/3 and 10/1 and the Planning Obligation Strategy 2010.

- 8.65 The applicants have accepted the principle of financial contributions towards transport mitigation but have not formally accepted the figures requested by the Highway Authority. Delegated authority is therefore requested to allow officers to negotiate and agree with the County Council Highways Team in respect of the financial contributions in respect of highways/transport matters is requested.

## **9.0 CONCLUSION**

- 9.1 In the light of the preceding discussion it is concluded overall that a case for 'very special circumstances' has been justified in this instance and that the very clear economic, employment and social benefits of the proposed development on this greenbelt site would outweigh the harm of a departure from the current adopted Local Plan Policy. I am satisfied that the proposals would comply with the provisions of the relevant Development Plan Policies. After looking at the very special circumstances case and assessing the impacts of the development it is considered to be acceptable subject to the imposition of suitably worded conditions, a S106 legal agreement to secure relevant highways contributions and to restrict the occupancy of the buildings to ARM for a period of 3 years and referral to the Secretary of State for review as a Departure from the Local Plan. As such the application is recommended for approval.

## **10.0 RECOMMENDATION**

**Minded to APPROVE** subject to referral to the Secretary of State as a 'Departure' from the Local Plan, the completion of the S106 Agreement by 31 December 2015 and the imposition of conditions.

- 10.1 Delegated authority is sought to allow officers to negotiate and complete the Planning Obligation required in connection with this development
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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

- Detailed history of the site uses and surrounding area (including any use of radioactive materials)
- General environmental setting.
- Site investigation strategy based on the information identified in the desk study.

(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development or (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. 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 and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: to ensure that the noise levels from the plant are acceptable in accordance with Policy 4/13 of the Cambridge Local Plan 2006.

10. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

11. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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)

12. 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 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)

13. No development shall commence 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 policy4/13

14. Before the development/use hereby permitted is occupied, a scheme for the insulation of the emergency generator in order to minimise the level of noise emanating from the said generator 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 and shall thereafter be retained as such. The scheme shall include the following:

(i) Generator - Use

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.

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

15. 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)

16. 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) Soil Management Strategy.

- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
- i) Maximum vibration levels.
- j) Dust management and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition - supplementary planning guidance 2014
- k) Prohibition of the burning of waste on site during demolition/construction.
- l) Site lighting.
- m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- n) 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.

Reason: To protect the amenity of the adjoining properties.  
Cambridge Local Plan 2006 policy 4/13

17. No development shall take place until a scheme of public Art on site has been agreed in writing by the Local Planning Authority. The scheme as agreed shall be fully implemented within three months of the first occupation of the site.

Reason: To ensure appropriate provision of public art on site (Cambridge Local Plan Policy 3/7).

18. The first occupation of the buildings hereby approved shall be by ARM.

Reason: A 'very special circumstances' case has been made for the development in the green belt specifically relating to the business needs of ARM and first occupation by another user would undermine this assessment contrary to Policy 4/1 of the Cambridge Local Plan 2006.

19. Prior to the commencement of the development hereby approved, a parking management plan shall be submitted to, and agreed in writing by the Local Planning Authority, the measures in the parking management plan shall thereafter be fully implemented.

Reason: in the interests of highway safety (Policy 3/3 and 8/10 Cambridge Local PL an 2006)

20. The Construction Management Plan should be submitted and agreed prior to commencement of development and should include, travel plan measures for construction workers.

Reason: In the interests of Highway safety and neighbour amenity (Cambridge Local Plan Policies 3/4, 3/7, 8/3)

21. All non-residential buildings shall be constructed to meet the applicable approved BREEAM rating as a minimum (BREEAM 'very good' or above). Prior to the occupation of any non-residential building, or as soon as practicable following occupation, a certificate following a post-construction review, shall be issued by an approved BREEAM Assessor to the Local Planning Authority, indicating that the relevant BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To secure sustainable construction commitments in accordance with the approved design and in the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2006 policy 8/16 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

22. The landscaping scheme as indicated on the following drawing numbers shall be fully implemented prior to the first occupation or commencement of the use of the buildings hereby approved:

1633 A2 15C Landscape Planting Details  
1633 A2 12F Detailed Planting Proposals 3 of 5,  
1633 A2 13G Detailed Planting Proposals 4 of 5.

Reason: to ensure that the development has a satisfactory visual appearance (Cambridge Local Plan Policies 3/7, 4/2)

23. Prior to the commencement of ARM A\_B, the Northern car park and the Eastern car park 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 for each block. This detail shall include the fixing details of all panels.

Reason: To ensure that the appearance of the external surfaces is appropriate (Cambridge Local Plan Policies 3/4 \_ 3/12).

24. Before the commencement of works to ARM A \_ B a full size Petrarch panel and vertical fin shall be erected at the site for inspection and written approval by the Local Planning Authority. Works shall be carried out in accordance with the details as approved.

Reason: To ensure that the appearance of the external surfaces is appropriate (Cambridge Local Plan Policies 3/4 \_ 3/12).

25. Prior to the first occupation of the site details of the provision of bat and bird boxes to be provided within the site shall be submitted to, and approved in writing. Development shall thereafter be carried out in accordance with the approved provision and shall be provided within 3 months of the first occupation of the site.

Reason: to ensure that adequate provision is made at the site to protect biodiversity (Cambridge Local Plan Policy 4/7)

26. No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the details of the earthworks are acceptable. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

27. 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)

28. 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied 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)

29. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development or any phase of the development whichever is the sooner, for its permitted use. The landscape plan shall be carried out as approved.

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)

30. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

31. 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 safeguard and ensure the protection of those existing trees which are to be retained on or adjacent to the site. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/4)

32. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.

Works shall then be carried out in accordance with the agreed details.

Reason: To safeguard and ensure the protection of those existing trees which are to be retained on or adjacent to the site. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/4)

33. The building shall not be occupied until the area identified on the approved plans for car parking has been drained and surfaced in accordance with details submitted to and approved by the local planning authority in writing and that area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: To avoid obstruction of the surrounding streets and in the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)

34. 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)

35. 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

36. No development shall commence until full details of facilities for the covered, secure parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The agreed 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)

**INFORMATIVE:** To satisfy the plant noise insulation condition, 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 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:** Dust condition 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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

## **INFORMATIVE:** 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 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 3839.

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

**INFORMATIVE:** The site investigation, including relevant soil, soil gas, surface and groundwater sampling should be carried out by a suitably qualified and accredited consultant/contractor in accordance with a quality assured sampling, analysis methodology and relevant guidance. The Council has produced a guidance document to provide information to developers on how to deal with contaminated land. The document, 'Contaminated Land in Cambridge- Developers Guide' can be downloaded from the City Council website on <https://www.cambridge.gov.uk/land-pollution>. Hard copies can also be provided upon request

**INFORMATIVE:** 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.

**INFORMATIVE:** Any material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m<sup>3</sup> or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**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:** 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.

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<b>Application Number</b>	15/0777/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th April 2015	<b>Officer</b>	Mr Tony Collins
<b>Target Date</b>	27th July 2015		
<b>Ward</b>	Market		
<b>Site</b>	North Range Of Buildings New Museums Site Free School Lane Cambridge Cambridgeshire		
<b>Proposal</b>	Creation of new student services centre, including demolition of existing examinations hall, north end of the Austin Building, Mond Building annexe and creation of a cut through the Old Cavendish Laboratory. Refurbishment of Old Cavendish, Rayleigh wing Arts School and Lecture Theatre creation of the landscape areas and associated works		
<b>Applicant</b>	University Of Cambridge C/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The development would enhance the quality of the site and the conservation area, and provide a strong functional and visual link between this University site and the city centre</p> <p style="padding-left: 40px;">The proposals as amended address the significant design concerns raised by Design Panel and the Urban Design and Conservation team</p> <p style="padding-left: 40px;">The harm arising from the loss of the Mond Annexe and the Examination Halls is outweighed by the overall benefits of the scheme</p>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The New Museums Site (NMS) is one of the most prominent faculty sites of the University of Cambridge, lying in the heart of the city. It fills almost the whole of the irregular quadrilateral bounded to the north by Bene't Street and Wheeler Street, to the east by Corn Exchange Street, to the south by Downing Street and Pembroke Street, and to the west by Free School Lane. It has been in the ownership of the University since the eighteenth century, and was originally its Botanic Gardens. From the mid-nineteenth century, the site was developed with buildings for the study of the natural sciences.
- 1.2 The Corn Exchange, and retail premises, including several bars and restaurants fill the small part of this block which is not within the NMS. To the north are the Guildhall, and further retail premises on the north side of Bene't Street. To the east is the Grand Arcade. To the south, across Downing Street and Pembroke Street are the University's Downing site, and Pembroke College. To the west, across Free School Lane, is Corpus Christi College.
- 1.3 This application relates to the North Range of this site, the buildings which run across the northern edge of the NMS, from Free School Lane to the point where the site meets the tiny cul-de-sac of Parson's Court, on the west side of the Corn Exchange. There are three linked buildings in this range, the Old Cavendish Laboratory and its Rayleigh Wing, stretching alongside, and east from, Free School Lane, the Arts School, fronting on to Bene't Yard, a small turning off Bene't Street, and the Examination Halls, in the north-east corner, backing on to Parson's Court. The application also relates to two other buildings which lie immediately to the south of this group, the Mond Annexe, and the Austin Building.
- 1.4 The whole of this site lies within City of Cambridge Conservation Area No.1 (Central). The Old Cavendish Building, the Rayleigh Wing, the Arts School and the Mond Building to the south of the site are all listed Grade II. The Examination Halls, the Austin Building, and the Mond Annexe are unlisted, but the Mond Annexe is a Building of Local Interest.

## 2.0 THE PROPOSAL

- 2.1 The application proposes extensive works to the northern part of the New Museums site, involving the demolition of some buildings, the alteration of others and the construction of a new Student Services Centre on the site of the present Exam Halls.
- 2.2 The principal purposes of the development are:
- to provide new space for Student Services, enabling several different student support functions to be brought together in appropriate accommodation,
  - to create replacement examination halls which are sufficiently flexible to provide space for other uses outside exam seasons
  - to begin the process of creating new, coherent and less overdeveloped urban courtyards, enhancing the quality of the wider site for both regular users and visitors
  - to create a more legible entrance to the New Museums site from the city centre, strengthening the link between this part of the university and the neighbouring streets and spaces.
- 2.3 The proposal forms the second phase of a Masterplan for the new Museums site, which seeks to ensure a coherent and sensitive redevelopment of the site. It aims to achieve:
- A more appealing site, contributing positively to the city's economy and culture
  - The creation of a more sustainable environment
  - Adaptable and flexible space for University use
  - Improved entrances and accessibility
  - Greater restrictions on access by motor vehicles
  - Retention and enhancement of heritage buildings which contribute positively to the site and its surroundings
  - The demolition of buildings of lower quality
  - The creation of clear routes
  - The improvement of the existing complex service networks
- 2.4 This application seeks approval for the construction of the proposed Student Services Centre. The development also involves alterations to three listed buildings, the Old Cavendish Building, the Rayleigh Wing, and the Arts School. Many of these alterations require listed building consent but not planning permission. However, changes are proposed to the exterior of

these buildings, including the insertion of new windows in the Arts School, and most importantly, the creation of a double archway from Bene't Yard through the present ground floor of the Cavendish Building to the interior of the site, and these changes also need planning permission. Internal links at ground, first and second floor levels would be created between the east end of the Arts School and the new Student Service Centre, and the two buildings would be sealed together by a glazed element filling the narrow space between them.

- 2.5 Permission is also sought for the demolition of three buildings: the Exam Halls, the Mond Building Annexe, and the northernmost section of the Austin building. None of these buildings is listed. Two sections of the Exam Halls would be retained: the distinctive ventilation tower which sits in the angle between the building and No.4 Parson's Court would remain in situ and be used in the ventilation strategy of the new Student Service Centre, while the doorway of the Exams Hall would be re-sited to form an entrance to the new examination space. The removal of the northern section of the Austin Building and the Mond Annexe would permit the relevant parts of the new courtyard spaces envisaged in the Masterplan to be created.

### 3.0 SITE HISTORY

- 3.1 There is extensive planning history on the New Museums site, both within the present application site, and beyond it, but the only applications of relevance to this application are those listed below.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
13/1093/FUL	Change of use of Arup Building (now David Attenborough Building) from D1 to B1/D1, with alterations and refurbishment	Approved with conditions
15/0772/FUL	Demolition of Rolls Royce Building	Approved with conditions
15/0779/LBC	Alterations to Arts School and Old Cavendish Building	Under consideration

#### 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 3/6 3/7 3/11 3/12 3/13 4/10 4/11 4/12 4/13 4/16 7/5 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)

	<p>Planning Obligation Strategy (March 2010)</p> <p>Public Art (January 2010)</p>
	<p><u>City Wide Guidance</u></p> <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>Cambridge Walking and Cycling Strategy (2002)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2006)</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 43: University faculty development

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

First Comments (5<sup>th</sup> June 2015)

#### 6.1 Deficiencies in transport submission regarding:

- Reference to NPPG and Cambridge and South Cambridgeshire Transport Strategy,
- Evidence for existing staff, student and visitor numbers in Table 2.1 of the Transport Assessment
- Details of 2012 surveys, absolute numbers involved, and modal splits shown therein,
- Size of proposed buildings compared to existing,
- Proportion of total New Museums site cycle parking to be contained within the North Range
- Usual amounts of staff and students on site at any one time
- Access to basement cycle parking
- Predicted trip generation
- Future use of Lecture Theatre A and types of student attending
- Uses in the Mond Annexe and the north end of the Austin Building
- TRICS outputs
- Peak trips
- Modal split amongst staff to be relocated to New Museums from other sites

#### 6.2 Unable to fully assess transport impact. Refusal recommended unless these issues resolved.

### **Head of Refuse and Environment**

#### 6.3 Unable to comment on waste provision. Otherwise no objection, subject to conditions on construction hours, construction deliveries, construction noise, vibration and piling, dust, plant

noise insulation and contaminated land. Informatives also recommended.

### **Waste Strategy Manager**

6.4 Insufficient information.

### **Urban Design and Conservation Team**

First advice (30<sup>th</sup> June 2015)

#### Proposed Student Services Building

6.5 English Heritage confirmed in 2014 that the Exams Hall was not listed. Nevertheless the building and its façade have heritage value and both the City Council and Historic England were keen to pursue options which involved its integration into a new building approximately in the same location/orientation.

6.6 Notwithstanding the extensive pre-application discussions on the new SSC building, we are of the view that further detailed amendments to the proposal are still necessary, especially in regards to the plant overrun/tank box. Our comments and suggested further work and/or amendments are as follows.

6.7 The roof-mounted lift plant /water tank“box” is prominent especially in verified views provided with the application. This plant box was not discussed in any level of detail at the pre-application stage. Our concern is that the resulting square, aluminium box is too prominent in views from both Peas Hill but also from surrounding elevated positions including the verified view taken from the Grand Arcade car park. This feature is considered to have an adverse impact on the conservation area. The applicant has offered now to review the scale of this box and to change the colour to a much more muted grey colour and tone so it is less intrusive in the surrounding roof scape and we look forward to seeing this further work. The most successful finish to the plant box would be zinc. However, anodized aluminium might also be an option.

6.8 We feel that the re-integration of the original door entrance to the Exams Hall is generally successful. Having seen both options now we are satisfied that a solid, pre-cast panel rather than glazing above the door is acceptable. It needs to be

confirmed that the original door, not only the stone door surround and arch, are re-used.

- 6.9 The use of hardwood timber on the new SSC façade is questionable. In our understanding timber does not feature widely as panelling within the New Museums site and it is our view that alternate materials should be considered for windows and ventilation panels. Equally timber is a far less durable product than masonry or metal hence will require maintenance at regular intervals. We are however supportive of the use of brick work (such as a TBS Mystique) and reconstituted stone is supported, subject to condition and erection/approval of a sample panel.
- 6.10 The building parapet in our view is not well finished. The building takes on a somewhat stunted appearance with no clear “top”, the second and third floors are identical in proportion, and thus the contemporary composition of the building appear more at odds to its neighbours.
- 6.11 The glazed link between the Arts School and the new part of the SSC will allow the gable elevation of the Arts School to be exposed, and create, a “light touch” in this location. While we have no fundamental concerns with this arrangement, the success of the link will be depend on installation, drainage and maintenance. More details are required.
- 6.12 Measures to control of staining and weathering of the façade, particularly window cills, have now been provided, including aluminium capping of pre-cast cills. It is imperative that sills in particular are safeguarded against weathering as much as possible.
- 6.13 There is a need for appropriate surfacing and lighting at the Parson’s Court approach and in the alleyway into the site as part of the works planned with this application – especially given the taller new building proposed.

#### Creation/enhancement of spaces

- 6.14 Three main spaces are affected: landscaping to Bene’t Street Yard; re-forming of the area between the Mond and Cavendish buildings (Court 3); and partial forming of the northern edge of Court 2 (between the David Attenborough and Austin buildings).

Besides creating a better working and pedestrian environment within the site, it is notable that the opening-up of spaces will lead to greater visibility of buildings within the site and improved spatial relationships between them. This represents an enhancement of this part of the conservation area.

#### Demolition of the Examination Schools.

- 6.15 The building is not listed, but Para 138 of the Framework states that the loss of a building that makes a positive contribution to the significance of the Conservation Area should be treated as harm.
- 6.16 The building relates by date, architect and function to other buildings on the site. It has however, less visible presence from outside the site and internally is compromised. The building is of moderate significance to the conservation area and its loss detracts from the conservation area. The main entrance doorway is proposed to be retained in the replacement building, which is positive.

#### Demolition of the Mond Annexe.

- 6.17 The Mond Annexe, which is almost contemporary with the Grade III listed Mond Building (1932), is a BLI. It is considered to be of moderate significance and its loss detracts from the conservation area.

#### Cavendish Labs

- 6.18 The proposed internal alterations are considered under the listed building application. In terms of external appearance, the application proposes the creation of a functional link between Benet's Yard and a new "third court" through the Grade II Listed Cavendish East Wing involving the removal of outer wall with two windows on each elevation. This is a major intervention. The applicant's justification for it is for permeability within the site. The opening would initially be a large one to enable movement for demolition and construction materials. The cut-through would subsequently be reduced to two arches on either side as shown on submitted drawings.
- 6.19 More information is needed on how this large opening in the listed building is intended to be used. It would not be acceptable

for the first floor structure to have to be removed. It is important that central piers are reinstated when the materials moving stages have been carried out. To reflect the different existing width of walling between windows on either elevation, the piers should not be of the same width. Window arch brickwork must be retained. The treatment of the currently internal walls and ceiling exposed by the through link is also important.

#### The Arts School.

- 6.20 The principle of new openings in the upper blank elevation to provide windows is acceptable.
- 6.21 The new SSC building will be a more imposing backdrop for the Arts School due to its greater scale. Bene't Yard is currently a detractor from the setting of the Arts School. The improvements will enhance the setting of the west façade of the Arts School significantly. The setting of the Arts School will be opened up by the removal of the north end of the Austin Building. The Arts School and SSC would be in close juxtaposition here but relieved to some extent by the glazed connection between them.

#### Setting of the Corn Exchange.

- 6.22 At Parsons Court the existing Exams Schools blends in terms of materials with the Corn Exchange and 4 Parsons Court. At present, the new SSC building could be an unsympathetic contrast. However, we have suggested modifications and amendments to the scheme to make it more acceptable in design terms.

#### Conclusions

- 6.23 In our view, the adverse impacts of the loss of the Mond Annexe and the Exams Hall on the settings of the Listed Arts School, Mond Lab, and Cavendish buildings may be said to be offset by enhancements of the settings of the Listed buildings resulting from the new and improved spaces around them, and the weight given to the adverse impacts of the same demolitions on the conservation area must take into account the limited significance of these buildings and the improvement of the interior of the.

6.24 However, the contribution of the proposed SSC building to the appearance of the conservation area remains problematic for reasons referred to above. Therefore on balance, it cannot yet be concluded that the proposed SSC preserves or enhances the conservation area – issues noted above need to be mitigated first

6.25 In our view, for the reasons above, we do not consider that the application currently complies with policies 3/4, 4/10, 4/11 or 4/12. We would however hope that with further work and consideration of the issues identified, we may be in a position to fully support the application.

Second advice (13<sup>th</sup> August 2015), following the revised plans and submissions of 31/07/15.

6.26 Assessment is now as follows:

- SSC plant /water tank roof “box”: reduction in size and material finish change - satisfactory.
- Original Exam Halls door entrance: solid, pre-cast panel above the door is acceptable.
- SSC windows: condition sought to ensure vertical slat option.
- SSC parapet: parapet design as submitted now considered acceptable; avoiding further height to the building is considered to outweigh the parapet depth concern.
- Glazed link: acceptable.
- Measures to control of staining and weathering of the façade: acceptable.
- Parson’s Court alleyway. surfacing requires condition. Security lighting is part of the wider master plan.

6.27 With all these amendments and subject to conditions, we are satisfied that the proposal represents an appropriate design in this context and the design has responded positively to the various comments made by consultees, including ourselves, Historic England and the Design and Conservation Panel. The scheme now complies to the relevant policies cited earlier in our

comments dated 30<sup>th</sup> June, 2015, and we support the application in design and conservation terms.

**Design and Conservation Panel (Meetings of 10<sup>th</sup> December 2014, 11<sup>th</sup> February 2015 and 10<sup>th</sup> June 2015)**

6.28 The conclusions of the Panel meetings were as follows.

10<sup>th</sup> December 2014

6.29 The Panel were provided with the consultants' evaluation of the existing Exams Hall façade, which stated that this heavily altered building was regarded as a heritage asset of only minimal significance. It was argued that the Conservation Area would achieve a net gain by its demolition. This proposal was viewed as inadequate both in its justification and appreciation of its potential.

6.30 The current proposal for façade retention does not impact on the proposed new building and it acts as 'wallpaper' only. The Panel would feel unable to justify demolition for this scheme. Instead it would encourage further work into the impact of a more meaningful retention scheme, which reinstated the central doorway and an informal lobby space. Then it could be assessed whether this would make sense and enrich the place. In the Panel's view, this is not a straightforward issue as matters of integrity and impact are combined with the quality of the response to the public realm.

6.31 The Panel felt that the team had failed to address the complex nature of the site with its many retained buildings. More thorough information was needed to communicate the historic mix of the surrounding buildings and to define the context for the proposed new moves. The issue seems wider than the current single focus on the retained façade.

6.32 Inserting a new building into this mix will remain a complex task, but needs a compelling design logic to enable it to hold its own, yet remain in conversation with its neighbours. The Panel looks forward to seeing fresh thinking around this proposal.

6.33 **VERDICT: RED (unanimous)** The design team are requested to provide more information and greater detail on proposals for integration and conservation, in parallel to enhanced proposals

for a new building that relates more positively to its context.

11<sup>th</sup> February 2015

- 6.34 Exams Hall façade: At this point, the Panel maintains its support for retention of the Exams Hall façade as a memory of the building, but would like to see further work undertaken to create a convincing scenario for this. Although architecturally it includes some pleasing elements, it could be argued that the facade holds greater value in its associations. Should only the doorway be retained, a witty relationship would need to be found between this and the modern building. It could become a focal point for the landscaping of the new south-facing courtyard. The exploration into the relationship between the Arts School and the new building is appreciated.
- 6.35 Wheeler Street: The Panel expressed some concern regarding the considerable impact of the new building on the more domestically-scaled buildings, specifically regarding the overshadowing of the rear spaces. The Panel would like to see evidence that the impact on light levels has been considered.
- 6.36 Mond Annexe: A re-defined Mond Annex within the new public realm could be interesting and should not be dismissed at this stage. The Panel will look forward to further dialogue and to further evolution of the process.
- 6.37 **VERDICT**: (on both the Exams Halls façade and Mond Annex options) **AMBER (unanimous)**

10<sup>th</sup> June 2015

- 6.38 The Panel felt this was a satisfactory conclusion to the first of many chapters in the transformation of the New Museums Site. The architects have brought a degree of sophistication and elegance to upgrading the existing Arts School building and inserting a new development. Providing the landscaping is of a sufficiently high standard, the changes proposed will improve the environment.
- 6.39 **VERDICT: GREEN (6) AMBER (1)**
- 6.40 The relevant sections of the minutes of the panel meetings are attached to this report as Appendices A(December 2014),

B(February 2015), and C(Jun 2015).

### **Historic England**

- 6.41 On balance, no objections to the demolition of the Mond Annexe. Consider any adverse impacts on the setting of the Mond Building would be offset by the enhancement to the settings of nearby listed buildings by the creation of improved public spaces.
- 6.42 No objection to the demolition of the majority of the Examinations Hall. Disappointed that the proposal does not retain the full façade of that building, but welcome the retention and integration of the original doorway.
- 6.43 Advise that the overall impact of the proposal on the conservation area would be neutral, except for the lift and stair overrun on the new Student Services building. It should be reduced in scale and its finish materials made less prominent.
- 6.44 Lack of parapet on Student Services building together with identical dimensions to second and third floors results in 'unfinished' appearance. Urge stronger parapet to complement the elevational character of adjacent buildings.
- 6.45 Satisfied that harm to the significance of the Grade II Cavendish Laboratory caused by creation of ground-level cut-through is outweighed by the benefit of increased permeability of the site. Satisfied that the significance of the Arts School would not be harmed by alterations proposed, and that overall scheme is in accordance with NPPG.
- 6.46 Provided the scheme is amended to include reinstatement of window arch brickwork on the internal side of the cut-through (facing the Mond Building), no objections.

### **Victorian Society**

- 6.47 Object to the substantial demolition and replacement of the Examination Halls. The frontage pavilion is an aesthetically pleasing structure, and the building's most significant external element. The loss of this element would cause harm to the setting of a number of listed buildings and would fail to preserve or enhance the Conservation Area to which it contributes

positively.

- 6.48 The character and appearance, particularly of the interior, of the Examination Halls has been much compromised in the latter part of the twentieth century. It may be therefore that the loss of the majority of the building could be acceptable. However the handsome front pavilion should be retained and incorporated into any new building on the site. Given its structural and visual discreteness, this should not prove too challenging for a skilled and imaginative architect. Should the application be amended in order to retain the pavilion on the front of the Examinations Hall then we would be prepared to withdraw our objection.
- 6.49 No objection to improving access to the site by creating an opening through the New Cavendish Building, or to the alterations proposed to the Arts School building.

### **20<sup>th</sup> Century Society**

- 6.50 Object to the demolition of the Mond Annexe. This would be detrimental to the setting of the listed Mond Building, and would cause harm to the character of the conservation area. The wish to open up the interior space of the site is acknowledged, but the limited mass of the Mond Annexe would not prevent this if retained. An appropriate use for the building could easily be found.

### **Head of Streets and Open Spaces (Landscape Team)**

- 6.51 Support in principle, but concerned about the omission of significant detail on the following matters from the proposal.
- Litter and recycling bins
  - Investigation of underground services
  - Tree planting
  - Roof-top pond
- 6.52 Certain elements of the scheme are not supported, namely:
- Absence of permeable paving
  - Tree species proposed
  - Aquatic planting area in Bene't Street Yard
  - Sliding gate/secure screen

## Senior Sustainable Development Officer

6.53 The bespoke approach to sustainable construction for the New Museums Site is fully supported, and the level of detail within the Sustainable Assessment Matrix (SAM) for this wider site is welcomed. Such an approach will ensure that site specific opportunities can be fully taken into account. The SAM includes targets to reduce onsite CO<sub>2</sub> emissions and on-site water use, to reduce construction waste, to reduce emissions from commuting and to increase use of local labour and apprenticeships. It also includes proposals to achieve acceptable comfort conditions in the future without the need for major air-conditioning plant, to increase soft landscaping and enhance the public realm.

6.54 Specific measures being incorporated into the proposals for the North Range of Buildings include:

- Proposals for the majority of the new building to be naturally ventilated, with the examination halls ventilation tower to be retained and re-used as a ventilation inlet for the air handling plant associated with the new examination halls, which will need mechanical ventilation for periods of high occupancy usage;
- The use of exposed thermal mass coupled with night time purge to help regulate internal temperatures, allowing the building to remain cooler in summer months;
- The use of a green roof in combination with proposed photovoltaic panels. This approach is fully supported as not only will the proposals for the green roof assist with surface water attenuation and help enhance the biodiversity potential of the site, but it will also help to reduce internal cooling loads and will help to maintain a more stable microclimate around the photovoltaic panels;
- Thermal modelling of the building to future climate scenarios to ensure that buildings will remain comfortable even in a warmer climate;
- The use of deep window reveals, opaque ventilation panels and shading blades on relevant elevations to provide solar protection;
- Reference to the use of rainwater recycling to serve central toilet stacks in the new build;
- Building performance/fabric improvements including roof insulation and ground floor insulation above basements in

existing buildings, sensitive to their heritage status.

- 6.55 All of these measures are supported.
- 6.56 The Sustainability and Energy Statement submitted as part of the planning application outlines the hierarchical approach to reducing emissions across both the new build element and refurbishment of existing buildings within the North Range of buildings, an approach that is fully supported. This approach is predicted to reduce carbon emissions by 59,884 Kg/CO<sub>2</sub>/annum, of which 18,900 Kg/CO<sub>2</sub>/annum would be achieved through the use of photovoltaic panels and air source heat (an 11.3% reduction). This approach is fully supported.
- 6.57 Also as part of this phase, pipe runs and space are to be provided to enable a Combined Heat and Power-led district heating network to be developed as part of phase 3 of the redevelopment of the New Museums Site. This should help to lead to further emissions reductions. This approach, futureproofing this stage of the development for connection to the heat network, is also supported.
- 6.58 Proposal supported overall, subject to a condition to ensure installation of the proposed renewable energy technologies.

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

First advice (20<sup>th</sup> May 2015)

- 6.59 The use of green and brown roofs is fully supported. However, the application as a whole, as it stands, is not supported for the following reasons.
- 6.60 Although the foul and surface water has been separated internally the original connection to the foul/combined sewer remains. The applicant has not sufficiently demonstrated that this arrangement will not increase the risk of flooding. Assessments of existing flows into the existing network have been based on an impermeable area method. This can substantially overestimate existing flows due to the fact that the existing infrastructure may not be in place to accommodate these flows and new infrastructure will be much more efficient and can lead to greater amounts of surface water entering the

network than previously. An assessment of existing flows should be based on the capacity of the existing infrastructure, which will give a more realistic view of the existing surface water discharges from the site. The proposal, as it stands, could potentially increase flood risk in an area that has suffered numerous flooding incidents in recent years.

- 6.61 There should be a greater emphasis on making a surface water connection to the surface water network in Bene't Street. Opportunities in the historic core of Cambridge to separate foul and surface water do not arise on a regular basis and should be taken when presented.
- 6.62 The rationale for not using permeable paving is not accepted. There are numerous engineering techniques to ensure that basements will not be impacted by this approach.

Second advice (22<sup>nd</sup> June 2015)

- 6.63 Addendum report does provide further information regarding the discharge from the site, but I still have strong concerns about the proposals as there still appears to be a greater amount of surface water being discharged into the foul network in Bene't Street, where there have been flooding incidents in the past. The foul pipe is a 225mm diameter and from Anglian Water's records, only has a minimal fall from manhole 8304 to 8303 (30mm) and even if it is assumed that this pipe is new and in perfect condition, the discharge proposals (74.49 l/s) considerably exceed the capacity of the pipe which is around 15 l/s. There has also been no consideration that foul will also be discharged from the site in this location. A greater effort should also be made to separate as much surface water from foul water as possible. There has been no effort to achieve this in the proposals.
- 6.64 The proposals could therefore potentially increase flood risk in the area and still cannot be supported.

Third Advice, following amendments (7<sup>th</sup> August 2015)

- 6.65 The revised surface water drainage strategy is acceptable and demonstrates that flood risk will not be increased as a result of the proposals. It has also been demonstrated that there is betterment in terms of peak surface water runoff from the site.

## **Cambridgeshire County Council (Lead Drainage Authority)**

First advice (27<sup>th</sup> May 2015)

- 6.66 Object: surface water drainage strategy not acceptable. The applicant has not demonstrated what the existing surface water runoff rates currently are for the site and therefore the proposed decrease in discharge rates cannot be identified as acceptable. This may increase the flood risk on site and in surrounding areas.

Second advice (22<sup>nd</sup> June 2015)

- 6.67 Agree fully with second advice from the Council's Sustainable Drainage Officer.

Third advice (18<sup>th</sup> August 2015)

- 6.68 Drainage strategy is acceptable.

### **Environment Agency**

- 6.69 No objection in principle, but conditions sought relating to surface and foul water details, open gullies and a percolation test.

### **Anglian Water**

- 6.70 No advice provided at present.

### **Disability Access Panel (Meeting of 26<sup>th</sup> May 2015)**

- 6.71 Stressed need for a hearing induction loop system within the lecture theatre and for consideration to be given to disabled lecturers as well as students.

### **Access Officer**

- 6.72 University provision is generally good. Design and Access Statement is comprehensive. Disability Panel were happy with the proposal. No further comment required.

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

- 6.73 Improved permeability through the site for cyclists and pedestrians is very much welcomed.
- 6.74 Inadequate information about cycle parking. Transport Statement does not make clear how the cycle parking level relates to the proposed student and staff levels.
- 6.75 Inadequate information with regard to the number of cycle racks at ground level. Transport Statement refers to semi-vertical and two-tier racks but there is no further detail of these racks. Semi vertical racks of any kind are not acceptable. More detail needed on double-decker racks and access to basement

### **Cambridgeshire County Council (Archaeology)**

- 6.76 At present, the County Archaeological team has not provided advice on this application. Given the position of the site very close to the historic core of the city, it appears to me that there may be a likelihood of archaeological remains existing in this area. I anticipate that the County Council will seek a condition to require an archaeological investigation. I recommend such a condition, and I will report any comments of the archaeological service on the amendment sheet or at Committee.

### **Cambridgeshire Constabulary (Architectural Liaison Officer)**

- 6.77 Recommend basement cycle parking areas be secured with fob access and covered by CCTV. No objections.

### **Ministry of Defence (Air Safeguarding)**

- 6.78 No safeguarding objections.
- 6.79 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 Cambridge Past Present and Future.

7.2 The representations can be summarised as follows.

7.3 Broadly supported, but concerned about the following elements:

- Proposal to demolish only limited section of the Austin Building could jeopardise successful implementation of the landscaping.
- Brick cladding and precast concrete is unacceptable for new Student Services building. It should be replaced by Clipsham or Stamford limestone, which would be more consistent with the retained Exams Hall entrance and the street elevations of buildings on Free School Lane and Downing and Pembroke Streets.

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. Renewable energy and sustainability
5. Sustainable drainage
6. Disabled access
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Third party representations

### **Principle of Development**

8.2 In my opinion, the principle of the development, which seeks the improvement of facilities, a reduction in car parking, and improvements to external amenity spaces is acceptable and in fully in accordance with policies 3/1, 3/4, 3/7, 3/12, and 7/5 of the Cambridge Local Plan 2006. I deal with the demolitions involved, and their significance with respect to policies 4/11 and 4/12 below.

## **Context of site, design and external spaces**

- 8.3 The proposal is made up broadly of four elements: the demolition of some buildings, the alteration of some of the retained buildings, the erection of a new building - the Student Services Centre, and the creation of new spaces.

### Demolitions

- 8.4 I note the objection of the Twentieth Century Society to the demolition of the Mond Annexe, which is a BLI. I also note the advice of the Urban Design and Conservation team that the loss of this building would detract from the conservation area. However, I agree with Historic England that the impact of the loss of the Mond Annexe is outweighed by the benefits created by opening up the space within the site, creating a better setting for other surrounding buildings, and allowing views from the Free School Lane archway towards the east side of the New Museums Site. I do not accept the view of the Twentieth Century Society that the limited mass of the Mond Annexe would not limit the quality of the new space created. In my opinion, because of the very clear and substantial public benefit arising from its removal, the demolition of the Mond Annexe is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 4/11 and 4/12.
- 8.5 I note the objection of the Victorian Society to the demolition of the Examinations Hall, and the rider in the Society's advice that whilst the loss of the Hall itself could be countenanced, the frontage pavilion should be retained in its entirety. Disappointment that the scheme does not retain the whole of the frontage pavilion here is shared by Historic England. I also note the Urban Design and Conservation team's view that the building is of moderate significance and that its loss detracts from the conservation area.
- 8.6 I also note, however, that the applicant has fully explored a number of alternative proposals to retain the whole of the frontage pavilion of the Exam Hall building. In my view, all of these proposals were unsatisfactory; even the most coherent alternative scheme would not have allowed the use of the original doorway as a functional entrance, and would have caused the building to read very confusingly to users and

detracted from the proper functioning of the new space outside. It would also have compromised the aims of the Student Services Centre element of the project by reducing the space available to the University for examinations, created an uneasy visual relationship between the ground floor of the SSC and the rest of the building, and perpetuated the awkwardness of the juxtaposition between the Exams Hall frontage and the corner of the David Attenborough Building. I am convinced by this exercise that if any part of the Exam Halls is to be retained and integrated into the SSC, the use of the main doorway as proposed here, serving as a functional entrance, is the appropriate solution.

- 8.7 I also note the concerns of Cambridge Past Present and Future that the demolition of the Austin Building in phases could jeopardize the satisfactory completion of the landscaping proposals for the new spaces within the New Museums site. I do not share this concern. In my view, the implementation of appropriate landscaping can be guaranteed by future permissions on the site and conditions attached to them. It would not be reasonable to require the whole of the Austin Building to be demolished at one time.

#### Alterations to the Arts School and the Old Cavendish Building

- 8.8 The majority of the alterations proposed are internal, and do not require planning permission. They are addressed in the report on the associated listed building consent application. The exceptions are the additional windows proposed in the Arts School, and the cut-through in the ground floor of the Cavendish Building to form a link between the internal courtyard and Bene't Yard and Bene't Street.
- 8.9 The City Council's conservation officers, Historic England and the Victorian Society all support the insertion of additional windows in the Arts School, and I accept this advice. These three consultees are also all persuaded that in principle, any harm to the significance of the Old Cavendish building caused by the creation of a cut-through could be outweighed by the benefits of greater permeability. I concur with this view, but I also note the concerns expressed about how the wider form of this opening, needed for construction purposes, will be created, and how the piers, archway brickwork and 'internal' surfaces of

the finished opening will be handled. In my view, these issues can be satisfactorily controlled by appropriate conditions.

### New Student Services Centre building

- 8.10 In my view, the proposed SSC is of appropriate scale and proportions to fill this awkward section of the New Museums site in a successful manner. Its height would closely match that of the Arts School and the Old Cavendish building, and I do not consider that it would unduly dominate or overpower them. Rather, I am of the view that its south elevation would relate well to both the newly refurbished mid-twentieth-century David Attenborough Building to the east, and its historic neighbours to the west. The relationship between the entrance to the SSC and the space in front of it, and between the entrance and the David Attenborough Building would both be considerable improvements over the present situation.
- 8.11 The applicants have submitted amendments to the proposed plant 'box' at roof level, significantly reducing its footprint and its height, and proposing metal cladding of a grey colour, either zinc or aluminium. The proposed changes would greatly reduce its visibility in Peas Hill, to the point where I do not consider it would have any significant impact. In my view this change addresses the concerns about this feature of the building which have been raised in several quarters. The additional submissions also include amended details of the use of timber on the windows, additional cill details to prevent staining from water runoff, and additional details of the glazed link between the SSC and the Arts School. I am satisfied that all these additional details are acceptable and resolve the concerns raised on the respective issues.
- 8.12 The additional submission also includes confirmation that the existing timber doors of the Examinations Hall would be used as the entrance to the SSC from the south, as well as the doorway surrounding them. The submission also indicates that the applicants wish to adhere to the proposed stone panel above the retained doorway, rather than using a glazed panel in this position. I am of the view that the stone panel proposed is more successful in integrating the doorway into the new building, and in my opinion, this solution is acceptable. The additional submission also explores a series of different approaches to the parapet of the building, in response to issues raised by Panel,

the urban design team, and Historic England, but concludes that the design as originally submitted, without additional parapet detail, is the most appropriate solution. I agree with this conclusion. In my opinion, the simplicity of the proposed elevation, and the precise repetition of storey detailing at first, second and third floor level, are two of the strengths of the proposed building; I do not consider that additional parapet detail would add merit to the building, and in my opinion, the design originally submitted for the upper edge of the building is balanced and fully respectful of its context.

### New external spaces

- 8.13 The application proposes, in accordance with the Masterplan for the NMS, the landscaping of Bene't Yard, including a greater limiting of its use by cars, the creation of a new space (Courtyard 3) between the Cavendish Laboratory and the Mond Building, and the formation of the first part of a larger space (Courtyard 2), south of the new SSC and west of the David Attenborough Building, where the Rolls Royce building, whose demolition has already been approved, now stands. All of these changes would enhance the quality of the NMS as a whole. I accept the advice of the landscape team that some aspects of the detailed landscaping proposals need amendment and I recommend conditions accordingly.

### Conclusion

- 8.14 In my view, the overall plan for the North Range, as now amended, would enhance the character of the conservation area, provide a more stimulating and convenient place to study, and protect the setting of the listed buildings on the site, in accordance with policies 3/4, 3/7, 3/11, 3/12, 4/10 and 4/11 of the Cambridge Local Plan 2006.

### **Public Art**

- 8.15 The applicant has submitted a Public Art Strategy in association with this application. The Strategy is set in the context of a Public Art Programme for the whole New Museums site, and includes details of overall vision, site-wide projects, commissioning, public engagement, scheduling, budget, delivery, maintenance and reporting. In my opinion, subject to a condition requiring adherence to the strategy submitted, 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**

- 8.16 Detailed proposals to improve sustainability over the site, reduce carbon emissions, and enable further sustainable improvements in the future through Combined Heat and Power are fully supported by the Sustainable Development Officer. I accept her advice; in my view, the applicants have suitably addressed the issues 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.

### **Sustainable drainage**

- 8.17 Drainage officers at both City and County Councils strongly opposed the application as originally submitted because of the risk that new infrastructure would release surface water into sewers in Bene't Street too rapidly, causing flooding. Following a redesign of the surface water strategy, the City Council's sustainable drainage officer, the County Council's drainage officer, and the Environment Agency are all now content with the scheme. I accept their advice, and in my view, subject to a condition to ensure implementation of the amended surface water drainage proposal, the scheme is acceptable in terms of flood risk, and in accordance with policy 4/16 of the Cambridge Local Plan 2006. The Water Authority has not yet provided advice, but I anticipate it will agree with the other relevant consultees. I will report any comments on the Amendment Sheet or at Committee

### **Disabled access**

- 8.18 The application has given thorough consideration to disabled users. Disability Access Panel and the Access officer are content with the proposal, and I concur with their view. The relatively minor issues raised by Panel can be addressed by an informative. In my opinion the proposal is compliant, with respect to inclusive access, with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Refuse Arrangements**

- 8.19 The Waste Strategy Manager has indicated a lack of necessary information. I accept this advice, but I do not consider that the application should be refused on this basis. I consider it likely that the Waste Strategy team's concerns can be addressed by the provision of additional information which can be secured by condition.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety and transport issues**

- 8.21 The highway authority has raised issues about the impact of the construction process. That impact will be significant, but I concur with the highway authority that it can be addressed by condition.
- 8.22 Issues relating to the Transport Statement remain unresolved; the County Council is not content with several aspects of the information provided. I expect these issues to be resolved by the submission of the necessary information. I will report any such information, and the County Council's response, on the amendment sheet or at Committee.
- 8.23 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.24 Car parking on site will be reduced. This is in accordance with local plan policy which seeks to secure reductions in on-site non-residential car parking.
- 8.25 The cycling officer has indicated concerns about the information on cycle parking provided and the types of cycle storage suggested. In my view these issues can be addressed by condition, which I recommend.
- 8.26 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

8.27 I have addressed the two issues raised.

## **9.0 CONCLUSION**

9.1 Overall the proposals would enhance the site, the conservation area, and the setting of the listed buildings. The loss of the Mond Annexe and the Examination Halls is justified on this basis

## **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 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 pollution and to protect the health of future users of the site. (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/13).

4. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

5. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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. 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 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. No development shall commence 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 policy4/13

8. No development (including demolition), or site preparation, including excavation, delivery of plant or materials, or erection of site fencing or contractors' facilities, shall take place until a traffic management plan (TMP) for the demolition and construction phases has been submitted to, and approved in writing by, the local planning authority. The approved TMP shall be adhered to throughout the implementation of the approved development.

Reason: To protect the amenity of the users of nearby premises, to protect highway safety, and to ensure the efficient operation of the highway network. (Cambridge Local Plan 2006 policies 3/4, 4/13 and 8/2)

9. 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)

10. 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)

11. 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)

12. The proposed Student Services Centre building shall not be brought into use until full details of the repaving of the Parsons Court alleyway have been submitted to and approved in writing by the local planning authority. Implementation shall be in accordance with the approved details, and shall take place within three months of the opening of the SSC.

Reason: To ensure appropriate routes through the site. (Cambridge Local Plan 2006 policy 3/7)

13. No windows, surrounds, or associated joinery shall be installed in the proposed Student Services Centre until full details confirming a vertical slatted format for the timber panels has been submitted to and approved in writing by the local planning authority.

Reason: To ensure the finished elevation responds to its context appropriately (Cambridge Local Plan 2006 policies 3/4 and 3/12)

14. The renewable energy technologies set out in the Renewable Energy Statement submitted in association with the application shall be fully installed and operational prior to the first occupation of the development and shall thereafter be retained as approved and remain fully operational in accordance with the approved maintenance programme.

Reason: In the interests of reducing carbon dioxide emissions and to ensure that the development does not give rise to unacceptable pollution. (Cambridge Local Plan 2006 policies 4/13, 4/14 and 8/16).

15. If any soakaways are proposed as part of any drainage strategy for the application site, no construction shall take place until a percolation test has been undertaken and has demonstrated that soakaways will work adequately in adverse conditions. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals should be submitted. Soakaways will not be permitted to be located in contaminated areas.

Reason: To avoid flooding and pollution (Cambridge Local Plan 2006 policies 4/13 and 4/16)

16. 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)

17. The proposed Student Services Centre building shall not be brought into use until full details of the arrangements for the storage and collection of waste and recycling on this part of the site, both during subsequent phases of the New Museums site, and after its conclusion, have been submitted to and approved in writing by the local planning authority.

Reason: To ensure appropriate waste storage arrangements (Cambridge Local Plan 2006 policy 3/12.)

18. No work connected with the provision of cycle storage shall commence until further details with respect to cycle storage have been submitted to and approved in writing by the local planning authority. The arrangements thus approved shall be implemented in full prior to the first use of the proposed Student Services Centre. The additional details shall cover:

How cycle parking provision relates to total expected numbers of staff and students on site

Exact specifications and locations of cycle racks to be used at ground level and in the basement

Access to the basement cycle parking spaces, including ramp details

The applicant is advised that semi-vertical cycle racks will not be an acceptable component of this submission.

Reason: To ensure appropriate cycle parking (Cambridge Local Plan 2006 policy 8/6).

19. 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)

20. The development hereby approved shall not be occupied until full details of the public art associated with the development, including a timetable for implementation, have been agreed with the local planning authority. Public art shall be provided in accordance with the agreed scheme and the agreed timetable.

Reason: To ensure appropriate provision of public art. (Cambridge Local Plan policy 3/7)

**INFORMATIVE:** The applicant is advised of the following guidance from the Environment Agency regarding drainage.

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. The sewerage undertaker should be consulted regarding the availability of capacity in the surface water sewer. Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the public foul sewer. It is an offence under Section 118 of the Water Industry Act 1991 to discharge trade effluent to a sewer without the prior consent of the statutory undertaker.

Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be reconsulted with alternative methods of disposal.

**INFORMATIVE:** The applicant is advised that in order to satisfy the landscape condition attached to this permission, more precise details of the following features must be supplied: litter and recycling provision, investigation of existing underground services, tree planting, roof-top pond.

The applicant is further advised that the following elements of the original landscaping proposal are regarded as unacceptable, and that any submission to discharge the landscape condition should demonstrate alternative solutions: aquatic planting area in Bene't Yard, sliding gate, tree species proposed, absence of permeable paving.

## **APPENDIX A**

### **Cambridge City Council Design & Conservation Panel**

#### **Notes of item 3 of the meeting Wednesday 10th December 2014**

The proposal to provide a new student building incorporating informal engagement spaces, administrative functions and exam halls following demolition. This forms the basis of a series of proposals for this site initially presented to the Panel as part of the 8<sup>th</sup> September site visit. The Panel are invited to examine two key options for the new building. Both are fundamentally the same but one option will illustrate the retention of the existing single storey façade of the Exams School and the other does not.

The Panel's comments are as follows:

#### **The Monde Annexe (BLI).**

The Panel were informed that its removal would assist the development of the 3<sup>rd</sup> courtyard but as a building of some quality, the Panel felt its value was yet to be determined. While its context has undoubtedly changed over time, the Panel would nevertheless welcome a thorough study of the Annexe in order to be able to evaluate its worth.

This architectural evaluation might be provided within the context of the wider site, as a plan indicating the historical significance of all the existing buildings would be helpful when considering issues of integrity and impact of the new moves.

#### **Refurbishment of the retained Arts School.**

The Panel congratulated the team on their approach to revitalising the old Arts School and retaining key spaces. It seemed less clear exactly how the new proposed building would mesh with the original building and how that interface could be made explicit. In the Panel's view, there is a certain 'completeness' to the Arts School building which should be respected, although enhancements could be made in the refurbishment of its interiors.

#### **Retention of the façade of The Exams School.**

The Panel were not in a position to decide whether or not the façade has significance or whether there might be an overall loss of historic fabric. They were primarily interested in the assessment of what the

integration of this historic element might involve and what the impact of this might be on the new accommodation. The overall benefits and costs can then be looked at.

The Panel felt that this exercise has not yet been undertaken convincingly. Retention of the façade would also probably mean integration of its central doorway and completion of the entrance hallway behind, for it to make sense. The scheme presented made little effort to integrate the façade in a meaningful way. As the façade is currently tucked into the north east corner only visible from Parson's Court, the 'liberation' of the frontage could help the building recover some of its presence on the site.

### **Elevation of Student Services Centre without façade retention.**

The Panel questioned the success of the proposed elevations to the proposed new student services building. Given that this is a south facing elevation, the level of shading required for this highly glazed façade seemed perverse and produced a very closed frontage to the new centre. The glazed link with the front entrance doorway appeared weak, located between two strong elements, and would benefit from further work.

### **Relationship with the Arup tower.**

The Panel questioned whether sufficient consideration had been given to the new building's relationship with the adjacent Arup tower and queried the approach taken. The Arup tower is a vertebrate structure and provides a strong context for the new building, being within very close proximity.

### **Site studies.**

The Panel would have welcomed the provision of site sections to explore the context of the new building relative to its neighbours and the courtyard. They might also be used to highlight to the appropriate architectural language and materials of the proposed new insertions into this very complex site.

### **Landscaping.**

In such a predominantly hard-surfaced area, the Panel would encourage sufficient provision of landscaped spaces. The courtyard landscaping could be used to help define entrances and desire lines – whether to reinforce the existing central doorway or to highlight a new alignment. The possibility of using water within the vertical elements in order to reflect light and further enhance the public realm is to be explored.

### **Route through the site from Benet Street.**

The Panel would encourage greater permeability and public access of the site, so it is supportive of establishing a route from Benet Street. However, the detailing and size of the opening through the Old Cavendish East Wing needs to be further defined and justified.

### **Conclusion**

The Panel were provided with the consultants' evaluation of the existing Exams Hall façade, which stated that this heavily altered building was regarded as a heritage asset of only minimal significance. It was argued that the Conservation Area would achieve a net gain by its demolition. This proposal was viewed as inadequate both in its justification and appreciation of its potential.

The current proposal for façade retention does not impact on the proposed new building and it acts as 'wallpaper' only. The Panel would feel unable to justify demolition for this scheme. Instead it would encourage further work into the impact of a more meaningful retention scheme, which reinstated the central doorway and an informal lobby space. Then it could be assessed whether this would make sense and enrich the place. In the Panel's view, this is not a straightforward issue as matters of integrity and impact are combined with the quality of the response to the public realm.

The Panel felt that the team had failed to address the complex nature of the site with its many retained buildings. More thorough information was needed to communicate the historic mix of the surrounding buildings and to define the context for the proposed new moves. The issue seems wider than the current single focus on the retained façade.

Inserting a new building into this mix will remain a complex task, but needs a compelling design logic to enable it to hold its own, yet remain in conversation with its neighbours. The Panel looks forward to seeing fresh thinking around this proposal.

### **VERDICT – RED (unanimous)**

**The design team are requested to provide more information and greater detail on proposals for integration and conservation, in parallel to enhanced proposals for a new building that relates more positively to its context.**

**Cambridge City Council  
Design & Conservation Panel**

**Notes of item 2 of the meeting Wednesday 11<sup>th</sup> February 2015**

Since the proposals were last presented to the Panel in December (unanimous verdict RED), the University has reviewed the comments raised with their design team and with officers from both the City Council and English Heritage. Following that review, the Panel are invited to comment on an advanced design for the scheme.

The Panel's comments were as follows:

**Retention/removal of the Exam Hall façade.**

The Panel were shown options developed in greater detail since last time. Although the University's preferred option is still the removal of the façade in favour of an entirely new building, the work undertaken to explore alternative options is much appreciated.

**Retention of complete facade**

A scheme was shown for the re-erection of the entire façade on the face of the new building behind the new colonnade. If it is to be retained then there was the general feeling among Panel members that it should be celebrated rather than treated as wallpaper pasted on the elevation of the new building. It was also felt the new entrance would have to work harder located alongside the original doorway.

**Retention of doorway element of facade.**

The retention and relocation of the doorway element of the original façade was discussed. As its significance could be seen to lie in its symbolic association as the University's historic exam hall rather than its architectural merits, the Panel would support an exploration of the central doorway only being retained and re-erected. This could bring additional advantages in reshaping the landscaping proposals for the south-facing courtyard and defining the pedestrians entrance. Perhaps the ground floor exam hall might open into the courtyard through generous doors to provide a more dynamic relationship with the space. It is suggested that the

University develop this proposal to see whether it has further potential.

### **Relocation of facade.**

There was discussion of the entire façade being demolished and relocated to another part of the site. The cost implication of this option is understood and no obvious alternative location was offered.

### **Conclusion.**

At this point, the Panel maintains its support for retention of the Exams Hall façade as a memory of the building, but would like to see further work undertaken to create a convincing scenario for this.

Although architecturally it includes some pleasing elements, it could be argued that the facade holds greater value in its associations.

Should only the doorway be retained, a witty relationship would need to be found between this and the modern building. It could become a focal point for the landscaping of the new south-facing courtyard.

The exploration into the relationship between the Arts School and the new building is appreciated.

Wheeler Street (southern edge of the development) – the Panel expressed some concern regarding the considerable impact of the new building on the more domestically-scaled buildings, specifically regarding the overshadowing of the rear spaces. The Panel would like to see evidence that the impact on light levels has been considered.

### **The Mond Annex.**

- Removal. The Panel are aware that the removal of the Annex was always a part of the masterplan. However, although the Annex may be of a different quality to the Mond Building itself and its removal would free up the area of public realm, the impact of its removal has not yet been explored in depth. Clear and authoritative information is still needed on whether its removal would leave a greater collective quality of architecture.
- Retention. The Panel considered whether the Annex could take on an alternative role within the new public realm, possibly as a visitor centre. In the Panel's view the onus is still on the design team to develop the 'story' of what happens at ground level. The Panel will look forward to further development regarding the Mond Annex and to a thoroughly set-out argument at submission stage.

**Conclusion.**

A re-defined Mond Annex within the new public realm could be interesting and should not be dismissed at this stage. The Panel will look forward to further dialogue and to further evolution of the process.

**VERDICT:** on both the Arts School façade and Mond Annex options – **AMBER** (unanimous)

**Opening through Old Cavendish Building**

Proposals were shown for both making a pair of narrower openings on both sides of the building or a single broader entrance. The Panel felt that the narrower openings would be more appropriate for the existing building, although a more spacious central lobby within would create a space for pedestrians to pause. The brick pier between openings might provide the location for new artwork or a carved plaque.

**Cambridge City Council  
Design & Conservation Panel**

**Notes of item 2 of the meeting Wednesday 10th June 2015**

Creation of new student services centre, including demolition of existing examinations hall, north end of the Austin Building, Mond Building annexe and creation of a cut through the Old Cavendish Laboratory. Refurbishment of Old Cavendish, Rayleigh wing Arts School and Lecture Theatre creation of the landscape areas and associated works. This follows previous presentations to the Panel in December 2014 (unanimous verdict RED) and in February this year (unanimous verdict AMBER on the Arts School façade and Mond Annex options.)

The Panel were informed that since last time, further studies had been undertaken in relation to the Mond Annex but that the option to retain was incompatible with the University's objectives for the site. Further daylight modelling had revealed the impact to be negligible.

The Panel's comments were as follows:

**New Exam Hall façade (with relocated portal entrance).**

The Panel welcome the re-use of the historic doors within the modern surround that effectively ties in with the wider site while embedding some memory into the building. The blank panel above gives the portal a scale it doesn't currently have, although an inscription here could give the new building a pleasing focal point.

**Landscaping foreground.**

High quality landscaping is needed to lead directly to this new entrance. With its generous south-facing doors, the area beyond needs to be able to properly accommodate student spill-out during the warmer months as well as conference delegates.

**Arts School**

- o Visible plant room. The Panel expressed some concern regarding the lift over-run visible above the skyline from Peas Hill. This was regarded as an intrusion in this part of the city

and should be minimised as far as possible. If its height cannot be lowered, the Panel would suggest a lighter grey finish is used for the cladding instead of the proposed bronze colour.

- Window sills and skirting. The Panel would urge that appropriate measures are taken to minimise weathering and rainwater staining.
- Palette of interior colours. There is potential here to find an appropriate palette of colours to bring the interior spaces to life and distinguish between the older building and its refurbished elements.
- The point where the corridors reach the atrium space is not only a source of light but an arrival point that could be celebrated.

#### □ **Mond Annex.**

The Panel appreciates the need to have views through to the David Attenborough Building. They were informed that its removal would also be needed for construction access. The space would be transformed by landscaping as part of the longer term strategy. The Panel felt that views revealing the Mond rotunda would be beneficial.

#### □ **Double archway through the Cavendish Laboratory.**

The Panel were comfortable with this double arched access, although the relationship between the lintels and the brickwork on the inner elevation was regarded as curious.

### **Conclusion**

**The Panel felt this was a satisfactory conclusion to the first of many chapters in the transformation of the New Museums Site. The architects have brought a degree of sophistication and elegance to upgrading the existing Arts School building and inserting a new development. Providing the landscaping is of a sufficiently high standard, the changes proposed will improve the environment.**

**VERDICT – GREEN (6) AMBER (1)**

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<b>Application Number</b>	15/0779/LBC	<b>Agenda Item</b>	
<b>Date Received</b>	27th April 2015	<b>Officer</b>	Mr Tony Collins
<b>Target Date</b>	22nd June 2015		
<b>Ward</b>	Market		
<b>Site</b>	Old Cavendish Laboratory And Arts School Building New Museums Site Pembroke Street Cambridge Cambridgeshire		
<b>Proposal</b>	Internal and external alterations to the Grade II listed Old Cavendish Laboratory and Arts School Buildings, including the creation of a new ground floor cut-through, removal of the non-original walls and links to the proposed new building for the new student services centre.		
<b>Applicant</b>	University Of Cambridge C/o Agent		

<b>SUMMARY</b>	<p>The development accords with the Development Plan for the following reasons:</p> <p style="padding-left: 40px;">The development would enhance the quality of the site and the conservation area, and provide a strong functional and visual link between this University site and the city centre</p> <p style="padding-left: 40px;">The harm arising from the creation of a cut-through on the ground floor of the Old Cavendish Building is outweighed by the overall benefits of the scheme</p> <p style="padding-left: 40px;">No harm would be caused to the special interest of the listed buildings by any of the other changes proposed</p>
<b>RECOMMENDATION</b>	<b>APPROVAL</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The New Museums Site (NMS) is one of the most prominent faculty sites of the University of Cambridge, lying in the heart of the city. It fills almost the whole of the irregular quadrilateral bounded to the north by Bene't Street and Wheeler Street, to the east by Corn Exchange Street, to the south by Downing Street and Pembroke Street, and to the west by Free School Lane. It has been in the ownership of the University since the eighteenth century, and was originally its Botanic Gardens. From the mid-nineteenth century, the site was developed with buildings for the study of the natural sciences.
- 1.2 The Corn Exchange, and retail premises, including several bars and restaurants fill the small part of this block which is not within the NMS. To the north are the Guildhall, and further retail premises on the north side of Bene't Street. To the east is the Grand Arcade. To the south, across Downing Street and Pembroke Street are the University's Downing site, and Pembroke College. To the west, across Free School Lane, is Corpus Christi College.
- 1.3 This application relates to the North Range of this site, the buildings which run across the northern edge of the NMS, from Free School Lane to the point where the site meets the tiny cul-de-sac of Parson's Court, on the west side of the Corn Exchange. There are three linked buildings in this range, the Old Cavendish Laboratory and its Rayleigh Wing, stretching alongside, and east from, Free School Lane, the Arts School, fronting on to Bene't Yard, a small turning off Bene't Street, and the Examination Halls, in the north-east corner, backing on to Parson's Court. The application also relates to two other buildings which lie immediately to the south of this group, the Mond Annexe, and the Austin Building.
- 1.4 The whole of this site lies within City of Cambridge Conservation Area No.1 (Central). The Old Cavendish Building, the Rayleigh Wing, the Arts School and the Mond Building to the south of the site are all listed Grade II. The Examination Halls, the Austin Building, and the Mond Annexe are unlisted, but the Mond Annexe is a Building of Local Interest. To the north of the site, the Corn Exchange, all of the retail premises fronting the south side of Wheeler Street and Bene't Street, and No.4 Parsons Court are also listed Grade II.

1.5 The Conservation Officer has outlined the heritage value of the buildings in their consultation response which I accept

## 2.0 THE PROPOSAL

2.1 The associated development proposal is for extensive works to the northern part of the New Museums site, involving the demolition of some buildings, the alteration of others and the construction of a new Student Services Centre (SSC) on the site of the present Exam Halls.

2.2 The works for which listed building consent is sought are as follows.

### Arts School

- Opening up of recessed notch in east elevation to allow link with new SSC
- Removal of fire escapes
- New windows in second floor of south elevation
- Attachment of glazed link to SSC
- New fire doors at east end
- New basement cycle parking
- New basement showers
- Removal of basement toilets
- Refurbishment of ground floor lecture theatre
- Improvement of disabled access to lecture theatre by creation of moveable seating
- Removal of lift
- Replacement of existing basement stairs
- Removal of ground floor partitions, insertion of new partitions, creation of new openings
- Removal of first floor partitions and creation of new opening
- Conversion of second floor library space for Careers Service use
- Removal of some later bookcases
- Reinstatement of landing columns

### Old Cavendish Building

- Cut-through created from Bene't Yard to the interior of the site
- Door in south elevation converted to window

- Removal of ground floor internal partitions
- Insertion of small windows in the side wall of the cut-through
- New openings, new ramp
- Floor created in former double-height space at east end

2.3 The proposal forms the second phase of a Masterplan for the new Museums site, which seeks to ensure a coherent and sensitive redevelopment of the site.

### 3.0 SITE HISTORY

3.1 There is extensive planning history on the New Museums site, both within the present application site, and beyond it, but the only applications of relevance to this application are those listed below.

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
13/1093/FUL	Change of use of Arup Building (now David Attenborough Building) from D1 to B1/D1, with alterations and refurbishment	Approved with conditions
15/0772/FUL	Demolition of Rolls Royce Building	Approved with conditions
15/0777/FUL	New Student Services Centre, alterations to Arts School and Old Cavendish Building. Demolition of Mond Annexe and northsection of Austin Building	Under consideration

### 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 4/10 4/11 4/12

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)
	<u>Area Guidelines</u> Cambridge Historic Core Conservation Area Appraisal (2006)

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, no policies in the emerging Local Plan are of relevance:

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No objection. Condition sought to ensure a traffic management plan for the construction period.

### **Urban Design and Conservation Team**

- 6.2 In general, it is acknowledged that much of what is proposed comprises removal of non-original partitions which are not of significance. In some rooms, the re-establishment of the room's proportions resultant on removal of non-original partitions will be a considerable benefit to the character of the listed buildings.

### **Cavendish Labs**

- 6.3 Proposed creation of a cut through between Benet's Yard and a new "third court" is a major intervention which in isolation, is harmful. The applicant's justification for it is for permeability within the site and to open access the area of open space enclosed by the East Wing.
- 6.4 The opening would initially be large one to enable movement for demolition/construction materials to/from the site. The cut-through would subsequently be "reduced" to two arches on either side as shown on submitted drawings.
- 6.5 Removal of first floor structure over the opening would not be acceptable. It is important that central piers are reinstated when the materials moving stages of this project have been carried out and that window arch brickwork is retained. The treatment

of the walls and ceiling exposed by the through link is also important. Provided the cut-through is detailed satisfactorily its impact on the building may be balanced against the benefits of the proposed re-establishment of ground floor layouts by removal of later partitions. At present though, the detailing is not considered satisfactory and would need to be the subject of a condition.

#### Arts School

- 6.6 Comment on the proposed glazed link between the Arts School and the new part of the SSC is made on the planning application response. The “entry” points at which this links into the Arts School take advantage of the existing layout and are considered satisfactory.
- 6.7 Opening-up of North elevation roundel windows is acceptable in principle. New openings for SSC reception off the Arts School main corridor are acceptable subject to treatment of openings and existing wall panelling.
- 6.8 The principle of new openings in the South upper blank elevation to provide windows into the current library is acceptable in principle and provided they can be integrated with retention of a substantial number of the book cases on the wall through altering the configuration/size of the proposed windows.

#### Conclusion

- 6.9 Subject to the conditions below to ensure appropriate detailing and the re-instatement of the piers in the proposed Cavendish cut-through, the proposals are considered consistent with Cambridge Local Plan Policy 4/10 (Listed Buildings).

#### **Design and Conservation Panel (Meetings of 10<sup>th</sup> December 2014, 11<sup>th</sup> February 2015 and 10<sup>th</sup> June 2015)**

- 6.10 The conclusions of the Panel meetings did not touch in any detail on the aspects of the proposal which require listed building consent, but following the meeting on 10<sup>th</sup> June 2015, the minutes stated that the Panel felt this was a satisfactory conclusion to the first of many chapters in the transformation of the New Museums Site, and that the architects have brought a degree of sophistication and elegance to upgrading the existing

Arts School building and inserting a new development. Panel concluded that providing the landscaping is of a sufficiently high standard, the changes proposed will improve the environment and gave a verdict of: **GREEN (6) AMBER (1)**

- 6.11 The full relevant sections of the minutes of the panel meetings are attached to the report on 15/0777/FUL as Appendices A(December 2014), B(February 2015), and C(Jun 2015).

### **Historic England**

- 6.12 Advise that the overall impact of the proposal on the conservation area would be neutral.
- 6.13 Satisfied that harm to the significance of the Grade II Cavendish Laboratory caused by creation of ground-level cut-through is outweighed by the benefit of increased permeability of the site. Satisfied that the significance of the Arts School would not be harmed by alterations proposed, and that overall scheme is in accordance with NPPG.
- 6.14 Provided the scheme is amended to include reinstatement of window arch brickwork on the internal side of the cut-through (facing the Mond Building), no objections.

### **Victorian Society**

- 6.15 No objection to improving access to the site by creating an opening through the New Cavendish Building, or to the alterations proposed to the Arts School building.

### **20<sup>th</sup> Century Society**

- 6.16 Comments refer only to the Mond Annexe, which is not the subject of this application
- 6.17 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 Cambridge Past Present and Future. The representations relate only to matters

which do not require listed building consent. I have addressed them in my report on the related planning application.

- 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 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. Impact on the listed buildings
2. Impact on the conservation area
3. Highway safety

### **Impact on the listed buildings**

- 8.2 It is acknowledged that the creation of a cut-through in the ground floor of the Old Cavendish Building would result in loss of historic fabric, and taken in isolation, would cause harm to the listed building. However, the Council's own conservation team, Historic England, and the Victorian Society are all agreed that the benefits of creating this new link into the site and enhancing the spaces on either side (Bene't Yard and the new Courtyard 3) are considerable, and clearly outweigh the harm. It is essential that the fabric of the rest of the building is protected during the works, and that the reinstatement of the piers, the inner courtyard elevation and the 'inside' surfaces of the cut-through are carried out in an appropriate manner. I recommend conditions to ensure this.
- 8.3 I do not consider that any of the other alterations to the Cavendish or the Arts School: the insertion of new windows, the linking to the SSC by a glazed section, or the alteration of internal partitions, would have any harmful impact on the listed buildings. In fact, I am of the view that many of these changes would enhance the character of the listed buildings, and enable their special qualities to be more readily and more fully appreciated. Subject to appropriate conditions on detail, it is my view that all of the proposals are in accordance with policy 4/10 of the Cambridge Local Plan 2006.

## **Impact on the conservation area**

- 8.4 As I have indicated, I am of the view that the changes proposed would enhance the character of the conservation area. The link through the ground floor of the Old Cavendish Laboratory and the associated improvements to Bene't yard would increase permeability, open up additional views, create a greater sense of space, allow the listed buildings to be more fully appreciated, and establish a clear visual and functional route from the heart of the city centre into this part of the University. I am satisfied that notwithstanding the loss of historic fabric and the significant alteration to the form of the Old Cavendish Building, the proposal would be in accordance with policy 4/11 of the Cambridge Local Plan 2006.

## **Highway Safety**

- 8.5 The highway authority has raised issues about the impact of the construction process. That impact will be significant, but I concur with the highway authority that it can be addressed by condition.

## **9.0 CONCLUSION**

- 9.1 The proposals are acceptable.

## **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 consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by section 51(4) of the Planning and Compulsory Purchase Act 2004).

2. Prior to the demolition of the adjoining Examination Schools building a system for monitoring the Arts School building for movement during demolition, excavation and construction shall be submitted to and approved in writing by the local planning authority. The submission shall include details of acceptable parameters, frequency and accuracy of measurements, and location of monitoring points and shall include a statement of who is responsible for monitoring and reviewing the results of the data, for informing the local planning authority and Building Control surveyors if results exceed the acceptable parameters and for taking preventative action to avoid damage to the listed building in the event of adverse movement.

Reason: To avoid harm to the special interest of the listed building and to be consistent with Cambridge Local Plan 2006 Policy 4/10 (Listed Buildings).

3. No alterations to the listed buildings shall take place until a full photographic record and survey has been made depicting the exterior and interiors of the buildings and a copy deposited with the Cambridgeshire County Archive, Shire Hall, Castle Hill, Cambridge. The nature of the photographs and drawings to be agreed in advance with the Local Planning Authority.

Reason: To foster understanding of the buildings importance in the national and Cambridge context, and to ensure proper recording of any aspects of the buildings special interest which are to be lost or altered in accordance with Cambridge Local Plan 2006 Policy 4/10 (Listed Buildings).

4. Existing ground floor ceiling joists, corbels and beams shall be retained in-situ within the Old Cavendish Building cut-through and drawn details of structural interventions to enable the cut-through shall be submitted to and approved in writing by the local planning authority prior to the forming of the cut-through. The works shall be carried out in accordance with the approved details.

Reason: in the interests of the retention of historic fabric and the character of the listed building and to be consistent with Cambridge Local Plan 2006 Policy 4/10 (Listed Buildings).

5. Notwithstanding submitted drawing 1406\_P\_415 (Bay Study Passageway South) dated 15.04.15 a revised scheme detailing the appearance of the south elevation of the Old Cavendish Building cut-through including the pier width and profile shall be submitted to and approved in writing by the local planning authority prior to the forming of the cut-through. The works shall be carried out in accordance with the approved details.

Reason: in the interests of the appearance of the elevation and character of the listed building and to be consistent with Cambridge Local Plan 2006 Policy 4/10 (Listed Buildings).

6. Piers as approved shall be reinstated into the Cavendish cut-through prior to the first re-occupation of the Cavendish or occupation of the Student Services Centre building.

Reason: The initial width of the cut-through is only approved as a temporary measure to allow north range site works and would otherwise be harmful to the character of the building and contrary to Cambridge Local Plan 2006 Policy 4/10 (Listed Buildings).

7. Insertion of new windows or the alteration of historic joinery (especially bookcases) in the Arts School Library, shall not be carried out until drawings at a scale of 1:10 of all such works have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Reason: in the interests of the retention of historic fabric and the character of the listed building and to be consistent with Cambridge Local Plan 2006 Policy 4/10 (Listed Buildings).

**INFORMATIVE:** The applicant is urged to consider the inclusion of a hearing loop in the refurbished lecture theatre, and to take all possible steps to meet the needs of disabled lecturers in this room as well as disable listeners

<b>Application Number</b>	14/1970/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	10th December 2014	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	11th March 2015		
<b>Ward</b>	Cherry Hinton		
<b>Site</b>	Land At Former Rosemary Branch 503 Coldhams Lane Cambridge Cambridgeshire		
<b>Proposal</b>	Erection of 8 dwellings and 2 flats, car and cycle parking and landscaping, together with associated infrastructure.		
<b>Applicant</b>	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

## **Rosemary Branch; Addendum to the report dated 04/03/2015**

- 1.1 This addendum relates to the Planning Obligations (S106 agreement) of this application. The application was recommended for approval by planning committee on 04/03/2015.
- 1.2 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is
- (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.

- 1.3 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all contributions now agreed by the City Council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.
- 1.4 As the original report and recommendation was formulated prior to the new 'pooling' restrictions introduced from 6 April 2015, it was based on the generic infrastructure types and did not relate to specific projects.
- 1.5 In light of the new restrictions, the County Council has not provided any specific projects relating to their functions (waste, education and transport) and so the contributions that were originally requested have been removed from the report and are not included as part of this application.

- 1.6 Heads of service related to the City Council's functions (open space, indoor/ outdoor sports and community facilities) have been consulted and asked if there are any specific projects where planning obligations from this development can be allocated that met the rests of the CIL Regulations 2010 (see paragraph 1.2).
- 1.7 The heads of service for both open space and community facilities do not currently have the evidence base to support this request on this occasion and so no planning obligations have been requested for these two functions.
- 1.8 The head of service for indoor/ outdoor sports has responded to the consultation sent out and has provided specific projects where planning obligations could be spent. This is summarised in paragraph 1.12 of this addendum.
- 1.9 In conclusion, the report has been amended to reflect the changes introduced on 6 April 2015 and members of the planning committee are asked to consider these changes when making their decision.

### **Planning Obligations (s106 Agreement)**

- 1.10 The Community Infrastructure Levy (CIL) Regulations 2010 have introduced the requirement for all local authorities to make an assessment of any planning obligation in relation to three tests. Each planning obligation needs to pass three statutory tests to make sure that it is
  - (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.

- 1.11 In line with the CIL Regulations, councils can pool no more than five S106 contributions towards the same project. The new 'pooling' restrictions were introduced from 6 April 2015 and relate to new S106 agreements. This means that all

contributions now agreed by the city council must be for specific projects at particular locations, as opposed to generic infrastructure types within the city of Cambridge.

1.12 I have consulted the service managers who are responsible for the delivery of projects to offset the impact of development and have summarised their consultation responses in the following tables:

Table 1 Indoor Sports Facilities

1	Is any on-site facility proposed to mitigate the development?	No
2	Could the extra demands created by the new development be mitigated by the existing capacity of nearby facilities?	Yes
3	Is a mitigation project proposed at a specific nearby location?	<p><u>Location</u></p> <ul style="list-style-type: none"> <li>- Cherry Hinton Village Centre (1km south-east of site)</li> </ul> <p><u>Project</u></p> <ul style="list-style-type: none"> <li>- Improvements to facilities and equipment at Cherry Hinton Village Centre; (Upgrade to the community kitchenette; new scoreboard PA system in sports hall; and/ or contribution towards extending the sports hall storage area.)</li> </ul>
4	How much S106 funding is requested from the developer?	<p>£7128.50 (£269 per person * 26.5 persons = £7128.50)</p> <p>Calculations formulated from Planning Obligations Strategy (2010)</p>

5	Have any contributions for this specific project been agreed since 6 April 2015? (Under S106 pooling constraints, no more than five contributions can be pooled towards the same project)	No

Table 2 Outdoor Sports Facilities

1	Is any on-site facility proposed to mitigate the development?	No
2	Could the extra demands created by the new development be mitigated by the existing capacity of nearby facilities?	Yes
3	Is a mitigation project proposed at a specific nearby location?	<p><u>Location</u></p> <ul style="list-style-type: none"> <li>- Cherry Hinton Recreation Ground (1.15km south-east of site)</li> </ul> <p><u>Project</u></p> <ul style="list-style-type: none"> <li>- Improvements to sports pitches (Training pitch: Improvement to floodlighting; and/or improvements to surface and drainage.)</li> </ul>
4	How much S106 funding is requested from the developer?	<p>£6,307 (£239 per person * 26.5 persons = £6,307)</p> <p>Calculations formulated from</p>

		Planning Obligations Strategy (2010)
5	Have any contributions for this specific project been agreed since 6 April 2015? (Under S106 pooling constraints, no more than five contributions can be pooled towards the same project)	No

In the event that the identified specific projects, for which S106 contributions are agreed and received, are not delivered the Council will be required to re-pay the commuted sum payments.

The service managers have confirmed that there insufficient evidence to demonstrate compliance with the CIL Regulations tests in relation to informal open space/play space and community facilities.

The following table is a summary of the s106 contributions that will be requested in relation to this development:

Table 6 Summary

Open Space	None requested.
Play Space	None requested.
Indoor Sports	£7,128.50
Outdoor Sports	£6,307
Community Facilities	None requested.

- 1.13 Subject to the completion of a S106 planning obligation I am satisfied that the proposal accords with Cambridge Local Plan (2006) policies 3/8, 5/14 and 10/1 and the Planning Obligation Strategy 2010 and the Cambridge City Council Open Space Standards Guidance for Interpretation and Implementation (2010)

#### Monitoring costs

- 1.14 There are no standard monitoring costs but monitoring costs may be requested in exceptional circumstances.

#### Planning Obligations Conclusion

- 1.15 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.

## **2.0 CONCLUSION**

- 2.1 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.

## **3.0 RECOMMENDATION**

**APPROVE** subject to completion of the s106 Agreement by 13/11/2015 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. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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.

25. The noise insulation scheme should address the noise generated by Cambridge Airport and the works associated with this use, i.e. maintenance repairs and testing of engines.

**APPENDIX A: Original Committee Report of 04/03/2015  
(including original planning obligations chapter)**

**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 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

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
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 Plan 2006	Local	3/1 Sustainable Development 3/4 Responding to context 3/7 Creating successful places 3/11 The design of external spaces 3/12 The design of new buildings 4/13 Pollution and amenity 5/1 Housing provision 8/2 Transport impact 8/6 Cycle parking 8/10 Off-street car parking Planning Obligation Related Policies 3/7 Creating successful places 3/8 Open space and recreation provision through new development 3/12 The Design of New Buildings (waste and recycling) 5/14 Provision of community facilities

	<p>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>
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### 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.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 he 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 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.”*

- 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 façade 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 Hatherdene 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:

<b>Outdoor sports facilities</b>					
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		
<b>Total</b>					<b>6307</b>

<b>Indoor sports facilities</b>					
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		
<b>Total</b>					<b>7128.5</b>

<b>Informal open space</b>					
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		
<b>Total</b>					<b>6413</b>

<b>Provision for children and teenagers</b>					
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		
<b>Total</b>					<b>7900</b>

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 £1256 for each unit of one or two bedrooms and £1882 for each larger unit. The total contribution sought has been calculated as follows:

<b>Community facilities</b>			
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		
<b>Total</b>			<b>16942</b>

- 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 £75 for each house and £150 for each flat. The total contribution sought has been calculated as follows:

<b>Waste and recycling containers</b>			
Type of unit	£per unit	Number of such units	Total £
House	75	8	600
Flat	150	2	300
<b>Total</b>			<b>900</b>

- 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 is 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 £5.5 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> 115,793	x 24,273	= £4,611,730
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.

<b>Pre-school education</b>					
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
<b>Total</b>					<b>7290</b>

<b>Primary education</b>					
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
<b>Total</b>					<b>12150</b>

<b>Secondary education</b>					
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
<b>Total</b>					<b>13680</b>

<b>Life-long learning</b>					
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
<b>Total</b>					<b>1600</b>

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:

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<b>Application Number</b>	15/1141/REM	<b>Agenda Item</b>	
<b>Date Received</b>	19th June 2015	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	18th September 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	Keith Day Road Cambridge Cambridgeshire		
<b>Proposal</b>	Reserved matters application for public realm (known as circus/piazza) totalling 1.57ha in area, pursuant to outline application 06/0796/OUT.		
<b>Applicant</b>	C/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1) The application accords with the outline parameter plans.</li> <li>2) A High quality landscaped public realm will be provided.</li> <li>3) Public Art has been integral to the design development and is successfully integrated into the scheme.</li> </ol>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site sits to the west of the main Addenbrooke's Campus within the emerging 'Cambridge Biomedical Campus' (CBC). CBC is situated between Robinson Way and the railway line, and is part of the Addenbrooke's 2020 land released from the Green Belt in the Cambridge Local Plan 2006. It was approved through outline planning permission **06/0796/OUT** for the following uses: clinical research and treatment, clinical in-patient treatment and biomedical and biotech research and development.

- 1.2 The application site is an irregular shaped parcel of open space known as the 'Circus' totalling 1.7ha in area. It is situated within the centre of CBC and will form the principal area of public realm required through the outline permission. The Circus will be framed by new buildings, some of which benefit from reserved matters approval, described below.
- 1.3 To the north of the site, a new building to be occupied by AstraZeneca (AZ) fronts approximately 50% of the northern edge of the Circus. The proposed building for AZ has three levels of accommodation and a planted threshold edge underneath an overhanging first floor level. The building has two entrances fronting the Circus.
- 1.4 To the south of the circus is Papworth Hospital proposal, a new building for clinical use. This building has five levels of accommodation and has a principal entrance onto the Circus, to be hard landscaped as shared surface public realm. Further south beyond is a recently opened Multi-Storey Car Park (known as MSCP2).
- 1.5 The site is bound by Francis Crick Avenue to the west. Francis Crick Avenue forms part of the internal CBC road network and has cycle lanes on both side of the carriageway (National Cycle Route 11). To the east of the site is Robinson Way, which is part of the internal road network of Addenbrooke's. Beyond, is the area known as the High Street (concurrent application **15/1171/FUL**) which will be addressed by numerous new buildings including the Forum, approved in 2014.
- 1.6 An existing shared cycle and pedestrian route bisects the site from east to west connecting Robinson Way with Francis Crick Avenue.
- 1.7 There is an existing ditch running through the site from east to west.

#### Local Plan constraints

- 1.8 The site is covered by policy 5/15 (Addenbrooke's) in the Cambridge Local Plan (2006). There are no listed Buildings, or buildings of Local Interest on the site. The site falls outside the controlled parking zone. There are no existing trees on the site.

## 2.0 THE PROPOSAL

- 2.1 The proposal is for new public realm consisting of the 'Circus' or 'Clearing', Piazza and High Street of the emerging CBC. The scheme will form the key landscaping and public realm for the development of adjacent plots, most importantly new buildings for AZ and Papworth Hospital to the north and south.
- 2.2 Procedurally, the majority of the development is a reserved matters application totalling 1.57ha in area. To the east of the site, approximately 25% of the site falls outside the original outline permission and is submitted as a concurrent full planning application (**15/1171/FUL**). This part of the site proposes resurfacing of Keith Day Road, previous referred to as the 'High Street'. The two separate applications have been designed comprehensively.
- 2.3 The centrepiece of the proposal is a circular area of green space known historically as the 'Circus' and latterly, the 'Clearing'. This contains a hierarchy of tree planting, seating, pathways and three of the four proposed public art icons. The Clearing has diameter of 106m.
- 2.4 The eastern end of the public realm (formally known as the Piazza) is landscaped green space divided into 'garden rooms' with seating, pathways, tree planting and planting. This part of the site contains one of the four public art icons. The Piazza has width of 46.5m.
- 2.5 Bisecting the site from east to west is the Cambridge Guided Bus (CGB) route, the integration of which is a requirement of the outline permission. The CGB route has two areas of 'shared space', at the entrance of Papworth hospital and at the junction with Robinson Way. These are raised tables within the carriageway with a different surface paving to the main CGB route.
- 2.6 Two bus gates are provided at the junction with Francis Crick Avenue to the west of the CGB route and at Robinson Way Junction to the east.
- 2.7 The CGB route contains two bus stops (on each side of the road), to the east of the Clearing.

2.8 The application site provides 21 public cycle stands for (short stay) visitors. Contextual information illustrates site wide provision for adjacent sites.

2.9 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Masterplanning Drawings
3. Planning Statement
4. Transport Statement
5. Drainage Report
6. Geotechnical Statement
7. Ecological report
8. Archaeological report
9. Public Art Delivery Plan

### 3.0 SITE HISTORY

Reference	Description	Outcome
06/796/OUT	Up to 215,000sqm floor space for various clinical research and development and new areas of public realm	Approved
C/05009/12/CW	Erection of Energy Innovation centre (EIC) of 2,675sqm GEA as part of the wider expansion of Addenbrooke's Hospital to form part of the Cambridge Biomedical Campus authorised under planning application ref:06/0796/OUT	Approved
11/0780/REM	Reserved matters application (access, appearance, landscaping, layout and scale details) for a 1,228 space multi-storey car park (33,141sqm gross external floor area) and perimeter access road at the south west corner of Addenbrooke's campus, to	Approved

serve Addenbrooke's as it expands and the new Papworth Hospital (pursuant to outline approval 06/0796/OUT).

14/0120/FUL	Redevelopment of existing parking area to provide education centre (3,985 sqm), private hospital (10,405 sqm), hotel and conference centre (12,540 sqm), ancillary hot food takeaway (Class A5, 605 sqm) and ancillary D1 (530 sqm) and associated car parking and public realm works known as The Forum Cambridge	Approved
14/1411/REM	Reserved matters application pursuant to outline approval 06/0796/OUT for New Papworth hospital and associated amenity space, planting, vehicle drop off area, cycle parking, energy centre/plant room and servicing area.	Approved
14/1633/REM	Reserved matters application pursuant to outline approval 06/0796/OUT for a total of 59,821sqm (Gross External Area excluding plant) Biotech and Biomedical Research and Development floorspace, to include: i) R&D Centre and Corporate Headquarters, ii) R&D Enabling Building, iii) Support Building and Energy Centre, iv) Associated car, motorbike and cycle parking, v) Hard and soft landscaping, vi) Internal roads, supporting	Approved

facilities and ancillary infrastructure.

**15/1171/REM Resurfacing of land at Keith Day Road to provide new public realm with 0.22ha associated landscaping. Concurrent application**

**4.0 PUBLICITY**

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

4.2 There was a pre-application developer presentation to Planning Committee members on 8 April 2015.

4.3 A presentation was made to the Southern Fringe Community Forum on 3 February 2015.

4.4 A presentation was made to the Disability Panel on 31 March 2015 as part of the pre-application process.

4.5 A presentation was made to the Cambridgeshire Quality Panel on 11 June 2014.

**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	3/4 3/6 3/7 4/13 4/15 5/15 8/2 8/4 8/5 8/6 8/8 8/11

	9/3 9/5
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### 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Public Art
Citywide Guidance:	Biodiversity Checklist Cambridge Landscape and Character Assessment Cambridge Walking and Cycling Strategy Cambridgeshire Design Guide For Streets and Public Realm
Area Guidelines	Southern Corridor Area Transport Plan Cambridge Southern Fringe Area Development Framework (2006)
Informal Guidance	Cambridge University Hospital Strategic Masterplan 2010 Transport Strategy for Cambridge and South Cambridgeshire 2014

### 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. 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. In the vast majority of instances, 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 16: Cambridge Biomedical Campus

Policy 55: Responding to Context

Policy 56: Creating Successful Places

Policy 59: Designing Landscape and the Public Realm

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No objections. The land is not, and will not, form a part of the adopted highway network and no significant adverse effect upon the Public Highway is anticipated to result from this proposal if it gains benefit of Planning Permission, however, the Cambridgeshire Guided bus and a public Right of Way may be affected and so both interested parties should be consulted as part of the planning process.

### **Cambridgeshire County Council (Public Rights of Way Officer)**

- 6.2 No objections. Public Footpath No.47 Cambridge runs along the eastern side of Francis Crick Avenue. The CGB cycleway runs through the site. The site plans show that both these routes are going to be kept clear and open.

### **Cambridgeshire County Council (Cambridge Guided Busway Team)**

- 6.3 No objections. Shared space route of CGB is acceptable. The rest of the overall scheme is supported, including the raised tables and kerb heights.
- 6.4 At present there will be a bus movement along this route every 7.5 minutes between 06:42 and 18:27. Then one bus movement every 15 minutes until 20:18 6 days per week (Mon to Sat). No services on a Sunday.

## **Cambridgeshire County Council (Flood and Water Management Team)**

- 6.5 No objections. The submitted Surface Runoff Management and Flood Risk Mitigation Strategy is acceptable.

### **Head of Refuse and Environment**

- 6.6 No objections in principle. The intrusive ground investigation has been undertaken and results of monitoring and laboratory testing are awaited. Following completion of this work, a Phase 2 Geotechnical and Geo-environmental Interpretative Report will be prepared and submitted to the LPA.
- 6.7 The initial findings direct that there are no matters that would prevent the development or influence the current design. The further investigations can be addressed through the reserved matters application or through a planning condition if deemed necessary.'
- 6.8 Planning conditions control construction related impact of the development.

### **Urban Design and Conservation Team**

#### *Overall concept*

- 6.9 The concept of rethinking the three spaces of the Circus, Piazza and High Street and creating a single linked series of spaces is supported in design terms and has the potential to create a more convincing public realm and more coherent setting for the new buildings in this section of the CBC.
- 6.10 The proposals have been designed to integrate with the surrounding approved schemes for Papworth, AstraZeneca and so materials will be consistent and pedestrian/cycle routes connect through.

#### *Connectivity/CGB/Design Speed*

- 6.11 One of the key issues to resolve as part of the proposals was how to reduce the dominance and speed of the CGB route as it passes through the spaces.

- 6.12 Bus gates are proposed at either end of the CGB link to prevent private vehicle access along it and these will also have the effect of slowing buses. The section between the bollards and the ramp/table is such that buses will not be able to achieve unacceptably high speeds.

### **Senior Sustainability Officer (Design and Construction)**

- 6.13 The approach to sustainable design and construction and responding to our changing climate is supported. Of particular note is the approach being taken to urban greening and integrating sustainable drainage systems into the scheme, with the use of rain gardens and some multi-functional space within the Circus. The proposals represent best practice and can be considered to be an exemplar in managing surface water from a site of this size and type. The proposals to investigate the use of low energy LED lighting as part of the Lighting Strategy is supported.
- 6.14 With regards to the hard landscaping materials, it is recommended that materials are sourced with reference to the BRE's Green Guide to Specification, and that timber used timber decking, benches, tables and chairs is from FSC/PEFC certified sources. Regarding construction waste, it is noted that a Detailed Waste Management Plan will be submitted prior to the commencement of development in light of Condition 24 of the outline permission.

### **Access Officer**

- 6.15 Application supported. An Equality Impact Assessment has carried out.

### **Head of Streets and Open Spaces (Landscape Team)**

#### Comments on Application as Submitted

- 6.16 The landscape team feel that the proposals provide a strong sense of place while maintaining practical links and connections between buildings, transport corridors and leisure spaces. The proposed landscape provides a variety of hard and soft leisure spaces from the open, park-like area to the west to the more intimate garden rooms to the east, which supports the area as a place of work and as a healthcare facility for the wider public.

SUDS features also form a part of the landscape proposals and feature throughout providing another layer of interest to a diverse scheme.

- 6.17 There is still work to be done in the detail and to finalise planting palettes and methods, but as a strategic masterplan, the landscape team can provide full support to the proposals.
- 6.18 In general more details of planting beyond strategic planting proposals and plant palettes. Planting plans with schedules, preparation/cultivation/planting specifications and maintenance/management plans will be required.

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

- 6.19 The application is generally supported with the exception of some pedestrian links.
- 6.20 Pedestrians coming from and to the west (e.g. Clay Farm and Trumpington) do not have a coherent route to the main hospital. They will cross from the busway and do not have a footway next to the road which will be the desire line.
- 6.21 Given the low level of lighting proposed for the areas through which the pedestrian routes are intended to go there is also an issue of personal security at night. Staff walking home from a late shift may feel vulnerable away from the main road.
- 6.22 The low level bollard lighting along the road and along the pedestrian routes is not acceptable with regards personal security. There may also be an issue with the glare from bus headlights which can blind oncoming cyclists where there is low lighting.
- 6.23 The design of the cycle link from the crossing of Francis Crick Ave onto the road must emphasise through surfacing materials, signage and design that this is the obvious route for cyclists to take for those heading towards the Forum, main hospital and AZ. Those heading to Papworth will use the path across the clearing to access the cycle parking and so the path should be a minimum of 3m in width to cater for this usage.

- 6.24 The width of the crossing area between this section of cycle and pedestrian link and Francis Crick Ave should be made as wide as possible to cater for the different movements both modes are making here.

**Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.25 The proposal is to restrict the flow to greenfield run-off rates and is in accordance with the site wide surface water drainage strategy. The main method of attenuating the flow and providing water quality benefits is by utilising rain gardens and some multi-functional space within the circus itself. This is considered best practice and as such would represent an exemplar in managing surface water from a site of this size and type. The design and appearance of the inlet and outlet structures are important to the overall success of the scheme.
- 6.26 Although details of who will be maintaining the system has been included a management and maintenance plan has not been included.

**Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.27 Awaiting comments. An update will be provided on the amendment sheet.

**Environment Agency**

- 6.28 No objections.

**Public Art Officer**

- 6.29 Awaiting comments. An update will be provided on the amendment sheet.

**Cambridgeshire Quality Panel (Meeting of 11 June 2015)**

- 6.30 The conclusions of the Panel meeting(s) were as follows:
- 6.31 The Panel applauded the vision for the proposed Circus and Piazza areas. Some concerns raised with how the vision for the

Piazza would be realised and recommended that the space be tested against spaces of similar size and character.

6.32 The Panel also noted a lack of detail regarding drainage of the Circus. Further consideration should also be given to night time use and the position of the CGB stop was also queried.

6.33 The relevant section of the minutes of the panel meeting(s) are attached to this report as **Appendix 2**.

### **Disability Consultative Panel (Meeting of 31 March 2015)**

6.34 The Panel's considered the scheme a very thorough and well-considered proposal. Several detailed comments on public realm provided.

### **Public Art Panel (Meeting of 10 February 2015)**

#### **Meeting minutes:**

6.35 The commissioning strands are to involve the public realm elements of the Circus, Piazza and High Street and an Artist in Residence has been appointed for the whole campus. The art strategy was approved in 2010/11 followed by the development of a Steering Group and artist's brief. The process of artist selection then followed with proposals developed. Public engagement is currently in its final stages.

6.36 Collaboration – artist and landscape architect. 'The Campground' will place the emphasis on green, not grey public realm. A network of connections between private and social spaces, primary and tertiary routes and meadow planting for seasonal change. Street furniture will be provided for informal, playful areas for escape.

6.37 Lighting and landscape architecture – 'The Clearing'. Illuminated resin 'tents' of light will be placed within the 'garden environment' of the public realm. The tent will act as a playful antithesis to the heavy architecture and permanence of the surrounding campus development. For the longer-term it is proposed that a pop-up food or coffee stall will inhabit the clearing area.

- 6.38 Securing 'activation' and the use of space through a programme of events. Other proposed works include 'The Gateway' a countryside gate sculpture providing an open invitation, a noticeboard and a postbox.
- 6.39 The process (next steps) - Campus users will be updated on the proposals that will be submitted into the planning process in the coming months. A further 18 months to 2 years will be needed for the development and delivery of detailed designs.

### Conclusion

- 6.40 The Panel welcomed the update. On the illuminated resin tents proposal, the Panel note the heavy cost implication as well as the maintenance considerations. The intention to provide only a very small number as incidental punctuations instead of a trail of tents is therefore supported, as they could have the added advantage of supporting other elements. The noticeboard and postbox should ideally play a functional role.
- 6.41 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**

Councillor Tim Moore has commented on the application. His comments are set out below:

### Functional use

- 7.1 This space will be used by staff, visitors and patients. At present there are few quiet places where patients who have received life limiting diagnoses can be, or discuss their feelings with relatives, places to meditate. Planting and layout could be sensitive to these people. Birds, good smelling plants and nature have a great health benefit for all, but especially those in mental distress.

### Safety and Open Access

- 7.2 The design has the guided bus travelling through the centre of the circle. It is on the level, smooth and with no steps. The design naturally limits speed and provides good driver visibility. The cycle paths should be clearly marked. The area should

provide tactile feedback for blind where their foot path crosses a cycle or bus way. Trip hazards should be avoided, so benches and seats should be set back from the paths. Those with disabilities need a variety of seat and bench heights. Any lighting or other post in the paths should be tall enough (waist height or greater) and have a high contrast band on them.

### Biodiversity/ecology

7.3 This open space can be seen as a part of the green space to the south and east. It should be planned to enhance this ecosystem, provide insect and bird benefits for as much of the year as possible. There could be bird feeding stations location planned (there will be local staff volunteers who would service these). As the trees mature bird nesting boxes could be added.

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

14 Collier Way

7.5 The following comments are made:

- The shared use of the CGB for cyclists is in conflict with the Transport Strategy for Cambridge and South Cambridgeshire.
- Cyclists should have their own 3m cycle lane.
- The southbound cycle route 11 is poorly designed requiring crossing Francis Crick Avenue.

7.6 Full details of the representation can be inspected through Public Access.

## **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. Principle of development
2. Parameter Plans and Outline Conditions
3. Context of site, design and external spaces
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity

- 8. Refuse arrangements
- 9. Highway safety
- 10. Car and cycle parking
- 11. Third party representations
- 12. Planning Obligation Strategy

### **Principle of Development**

8.2 The principle of the development has already been established through the outline planning permission 06/0796/OUT approved in 2009.

8.3 Local Plan policy 5/15 within the 2006 Local Plan allocates the site for clinical uses through proposals site 9.02. The principles of access, including integration of the CGB, accords with the criteria of Cambridge local plan 2006 policy 9/5 and the new policy framework in the draft Cambridge Local Plan 2014.

8.4 The outline conditions which this reserved matters application must be in accordance with are:

- Condition 5 Planning Parameters: Piazza and Circus
- Condition 16 Ecology: Reserved Matters Applications
- Condition 24 Detailed Waste Management Plan for Construction
- Condition 43 Structural Landscaping: Implementation and Replacement
- Condition 45 Landscaping: Development Plot Schemes
- Condition 47. Landscaping: Development Plot Management Plan
- Condition 62 Public Realm Design Strategy
- Condition 60 Archaeology
- Condition 64 Public Art Details
- Condition 65 Public Art Maintenance and Implementation Details
- Condition 66 Provision and Maintenance of Public Art

8.5 These matters are discussed in the relevant subsections in the report.

8.6 In my opinion, the principle of the development is acceptable and in accordance with Cambridge Local Plan 2006 policies 5/15 and 9/5.

## Parameter plans and outline conditions

### Parameter plans

- 8.7 The Circus public realm, its broad size and shape is set out within **Parameter plan 1** Location of land use and **Parameter plan 6** Landscape Provisions. The reserved matters application proposal is in complete accordance with these requirements.
- 8.8 Two guided bus stops are provided in the centre of the CGB route as required by **Parameter plan 8** Movement and Access.
- 8.9 The public realm was previously intended to incorporate public right of way footpath 47 under **Parameter plan 9** Access – Pedestrian. This footpath is now to be diverted to the south which has been formally agreed through a diversion application approved by Committee in 2014.
- 8.10 The Circus incorporates a dedicated cycle route along the length of the CGB route. This accords with **Parameter plan 10** Access- Cycle and is discussed in the further in the design subsection below.

### Outline Conditions

- 8.11 The proposed public realm accords with all of the mandatory minimum parameters which are specified within **condition 5** of the outline permission. The Circus measures 106m in diameter and 46.5m in width across the Piazza which accords with the criteria set out in the condition.
- 8.12 The parameter plans allow for an ‘amenity building’ to be accommodated within the Clearing area. The amenity building is not being provided in the short to medium term because of viability issues for future tenants as a service/restaurant/kiosk business. As adjacent plots are developed this position will be reviewed. **Condition 5** sets a maximum gross floor area for the amenity building, but not a minimum. On this is basis its provision is not mandatory. The applicant has adequately secured provision for its future construction (through underground services), which is considered acceptable.
- 8.13 The criteria for the circus and public realm development are set out in **condition 62** of the outline planning permission

**06/0796/OUT.** This condition requires a comprehensive design strategy addressing the proposed movement strategy, car parking, drainage, landscaping, public art and phasing. The application package includes the required strategy which is discussed in more detail in the relevant subsections below. In my view all components of **Condition 62** have been satisfactorily addressed.

- 8.14 The application includes a scheme for public art as required under outline **conditions 64, 65 and 66**. The detailed scheme, including phasing, maintenance and associated timescales are set out in the accompanying Public Art Delivery Plan (PADP). The public art related conditions attached to the outline permission have been addressed within this reserved matters submission.

### **Context of site, design and external spaces**

- 8.15 The key design issue is the design, appearance and function of the proposed public realm. This sections sets out how the design accords with the relevant Local Plan policies and the design requirements set out in **Condition 62** of the outline permission.

#### Design vision

- 8.16 This public realm project is collaboration between the public artist and landscape architects. The vision is for a green space for all, intimate in scale and deinstitutionalised in character. This approach was driven by the key principles emerging from public consultation through the public art process.
- 8.17 The scheme is based on the concept of ‘the field’, a large set piece of landscape which unifies the Circus/Piazza and High Street. Two character areas will be created. The ‘Clearing’, is a larger green amenity, suitable for social events and informal sport and recreation. ‘The Gardens’ are a series of smaller scale intimate ‘garden rooms’ which are more intimate spaces for people to enjoy.
- 8.18 The design of the public realm will serve as a hub for the CBC development. It is designed to cater for social activities with relatively long dwell times, such as sitting and socialising. The public realm is also appropriately designed for more functional

needs, with bus stops and key pedestrian and cycle routes integrated into the layout.

- 8.19 The proposed public realm is pedestrian focused with a low design speed for the CGB route. Shared space is also achieved through two key areas of the site on the route of the CGB. Enforcement and signage will be kept to a minimum. It follows the philosophy of shared space, giving pedestrians and cyclists an equal priority with buses.
- 8.20 The approach taken accords with the vision objectives set out within the parameter plans, **condition 62** of the outline permission and with the principles of design of external spaces set out within Cambridge Local Plan policy 3/7.

### Movement and Circulation

#### *Pedestrians*

- 8.21 A hierarchy of routes is proposed, with primary routes addressing key desire lines to main destination buildings and secondary and tertiary routes to enable people to meander and explore the public realm. This approach accords with the movement strategy requirement set out in **Condition 62**.
- 8.22 The analysis of movement desire lines set out in the Public Realm Design Strategy and Transport Statement are generally supported. Pedestrian links provide convenient access to the two southern entrances of AZ and the main entrance of Papworth Hospital. There is one exception. Officers consider the instatement of a 2m footpath along the northern side of the CGB necessary. This is because pedestrians walking west along the CGB are unlikely to divert their route around the perimeter of the Clearing. It also provides a safer, illuminated route at night time. The imposition of **condition 3** can ensure this minor change is incorporated into the scheme to provide optimum pedestrian connectivity.
- 8.23 The pedestrian orientated environment is achieved by traffic speeds of below 20 mph with low level 50mm kerbs and bespoke hard surfacing. Two semi formalised shared space crossings are integrated into the design of the CGB to ensure the space is easily navigable by vulnerable users. The crossing points are positioned on the basis of key desire lines

adjacent to the main entrance of Papworth Hospital and at the junction with Robinson Way. These crossings are flush with the level of the road, with colour contrast through the materials palette to aid navigation for the partially sighted. In taking this approach the hard surfacing and landscape elements are designed for ease of use by all users, with due regard for safety, in accordance with Cambridge Local Plan 2006 policies 3/11 and 8/4.

### *Cyclists*

- 8.24 The key issue relates to the provision made for cycling through the development and the strategic requirements of the parameter plans.
- 8.25 The site occupies an important position in relation to the local cycle network. The Transport Assessment estimates at present 31% of cycle movements into Addenbrooke's pass through the existing cycleway from Francis Crick Avenue which connects with Robinson Way. This demand is anticipated to intensify as the residential development of the southern fringe is built out.
- 8.26 The scheme incorporates a dedicated cycle route through the public realm which will meet anticipated demand and which accords with the requirements of the parameter plans. The cycle route is shared with the CGB. While I note one representation has been received objecting to the shared use of the CGB, this approach is fully supported by all consultees, including the Council's Cycling and Walking Officer. Given the overall frequency of buses (every 15 minutes at peak times), and limited vehicle speeds, the CGB route will not be a hostile environment for cyclists. Cyclists will have equal priority through the Clearing to the junction with Robinson Way.
- 8.27 The existing toucan signal controlled junction from the CGB route and Francis Crick Avenue will be the key entry point for cyclists travelling to CBC and the wider campus. Pedestrians and cyclists will cross Francis Crick Avenue together, but it will be necessary to segregate them to enable cyclists to join the CGB shared route through the Clearing. This is achieved by a short section of segregated pathway immediately following the crossing point. All consultees, including the Highways Authority and the Council's Cycling and Walking Officer support this approach.

8.28 Beyond the second bus gate to the east of the site (within the concurrent application **15/1171/FUL**) the cycle route returns on road. The internal road network of Addenbrooke's has low vehicle speeds and Robinson Way is classified by Sustrans as a local cycle route, so segregation on street is not necessary. The overall approach to cycle connectivity accords with part p of Cambridge Local Plan 2006 policy 9/5, contributing to the delivery of the accessibility outcomes for the southern fringe area of major change.

### *Vehicles*

8.29 The Clearing will not be accessible by private motor vehicle. The shared space approach is pedestrian orientated across the public realm. This environment is achieved by traffic speeds of below 20 mph with low level kerbs and bespoke hard surfacing.

8.30 The route bisecting the public realm will be used by bicycle and the CGB only. The 20mph design speed of the road will ensure that principles of shared space are maintained. The position of the bus gates will ensure that acceleration of buses over 20 mph would be hard to achieve through the central clearing area.

8.31 Dark buff aggregate finish of the CGB road surface further encourages moderation of bus speeds and clearly defines the extent of the public realm. Sound principles of a shared space environment are set out, which addresses criterion b of Cambridge Local Plan 2006 policy 3/7.

### Hard and Soft Landscaping and Materials

8.32 The design vision, led by the public artist, results in a high quality landscape design. The layout will be attractive in design, accessible and functional, and will provide a high quality amenity for the entire campus. The application proposal delivers on the vision of the outline permission **06/0796/OUT**.

8.33 The proposed landscape provides a variety of hard and soft leisure spaces from the open, park-like area to the west to the more intimate garden rooms to the east, which supports the area as a place of work and as a healthcare facility for the wider public.

- 8.34 The Clearing is a relatively large central space measuring approximately 1000 sq m in area. This flexible space would be suitable for a range of activities or events throughout the year. This provides a high quality space appropriate for its future context, in accordance with Local Plan policy 3/11.
- 8.35 Substantial tree planting will frame the Clearing, providing a high quality setting for adjacent buildings, balancing their considerable width and footprint. Native species (English Oak, Aspen, London Plane) will be planted at a height of 7m-9m to create an established landscape from initial completion. These trees will mature to approximately 25m in height. Cross section images support the officer view that the hierarchy of trees is both carefully considered and appropriate for the new context envisaged through the Public Art Delivery Plan (PADP).
- 8.36 The 'garden room' area to the east proposes native trees (Silver Birch), with fruit trees (Crab Apple) to contribute to biodiversity. Seasonal interest will be evident through the planting palette, contributing to a depth of character commensurate to the City's network of open spaces. Long views of the CBC site will be enhanced from the south, an objective set out in part J of Cambridge Local Plan 2006 policy 9/5.

*Integration with adjacent buildings*

- 8.37 This reserved matters application is for the public realm only. It is therefore important to consider the way in which the proposed space will integrate with the built form, thresholds and entrances of the buildings which will enclose the space.
- 8.38 To the north, the soft landscaping specification is coordinated with AZ to create uniformity between the threshold of this building and the main clearing area.
- 8.39 To the south, an area of shared space integrates with the principal main entrance of the approved Papworth hospital. In my view a high quality setting will be provided for both adjacent buildings. A good interrelationship and integration between buildings, routes and spaces is provided in accordance with part a of Cambridge Local Plan 2006 policy 3/7.

## Sustainable Drainage

- 8.40 The existing site has an open ditch which connects to Hobson's Brook to the west. Cambridgeshire County Council have consented to the realignment and culverting of the ditch.
- 8.41 The Council's Sustainable Drainage Officer has considered the proposals for the drainage of the public realm and is satisfied the scheme successfully integrates with the site wide surface water drainage strategy. The proposal utilises a combination of rain gardens to ensure runoff is managed and mitigated in accordance with SuDS principles. The scheme is considered an example of best practice.
- 8.42 The rain gardens will capture runoff from buildings, pavements and hard surfacing before slowly releasing this back into the drainage system. They will provide an effective drainage solution and will be attractive landscape features with associated benefits for biodiversity. Subject to final drainage details/calculations secured through **conditions 6, 7 and 8**, sustainable drainage has been effectively integrated into the proposals, in accordance with the Public Realm Design Strategy and Cambridge Local Plan 2006 policy 3/7.

## Lighting

- 8.43 Night time use of the space has been considered. A lighting strategy has been submitted which outlines the broad approach across the public realm. Lighting within the Clearing is minimised to reflect the 'field' concept set out within the PDAP. While officers have some concerns with safety and security of people walking across the Clearing at night time, instatement of an additional pedestrian pathway on the northern side of the CGB route will ensure that another well lit convenient route west is provided. In so doing, due regard has been given to lighting, safety and an uncluttered appearance, in accordance with Local Plan policies 3/11, part C and 4/15.

## Maintenance and Management

- 8.44 CBC Estate Management Ltd will be responsible for the maintenance of the Clearing/Piazza, which is funded by Cambridge University Hospital (CUH) and site occupiers. None of the public realm will be adopted by the City Council.

8.45 Indicative seasonal maintenance has been identified within the application submission. A detailed management plan will be controlled through the discharge of the relevant outline conditions. In my view the scheme adequately meets the soft landscape requirement of **condition 62** and accords with Cambridge Local Plan 2006 policy 3/7.

Quality Panel

8.46 Quality Panel considered this scheme on 11 June 2014. Overall, the Panel applauded the vision for the Circus. The Panel made a number of recommendations which are addressed below in **table 1**:

**Table 1: Quality Panel Summary**

<b>Issues raised by Quality Panel</b>	<b>Officer Response</b>
Consideration of similar green spaces to inform the design.	The applicant considered the design of similar public realm in the design development. An update to Committee will be provided on the amendment sheet.
Importance of low vehicle speed for the length of the CGB.	The applicant has ensured the CGB route has a relatively low 20 mph design speed. The bus gates and other carriageway events will help to create a low speed pedestrian dominated environment.  Also see paragraphs 8.19, 8.23 and 8.30.
Future Management and Maintenance.	The submission details the proposed management and maintenance arrangements which will be through

	Cambridge University Hospital (CUH).  Also see paragraph 8.45.
Use of the space at night time.	The scheme includes a lighting strategy with accompanying visuals and indicative specification.
Position of Cambridge Guided Bus Stop.	The application proposes two guided busway stops which meets the requirements of the CGB team.
Frequency of buses and vehicle speeds queried.	See paragraph 6.4.
Panel recommended breaking the landscape into rooms of space.	This suggestion has been incorporated into the design development. 'Garden rooms' within the landscape form the eastern side of the public realm.

## Public Art

- 8.47 The site accommodates the campus wide S106 obligation for public art under outline permission **06/0796/OUT**. The public art is intended to add value to the public realm design, creating an iconic place in the centre of CBC. The art and landscape proposal comprises five stages of work: Concept, landscape, furniture, sculpture and activation and legacy.
- 8.48 The concept of 'the field' and 'campground' was developed as an alternative design approach to the formal urban public realm envisaged in the initial Circus pre concept in 2005. A natural landscape character is now proposed, in direct contrast to the large institutional buildings which surround the space. Green space and soft landscape predominate. Secluded amenity is also incorporated in the orchard 'garden room' spaces to the east of the Clearing.

- 8.49 The campground, garden character is reinforced through the design of furniture within the public realm. Uncomplicated design of benches, bins and water fountains, predominately timber in construction, are coordinated to reinforce the overall design vision. This demonstrates a positive outcome of the public art process in driving the design, in accordance with part L of Cambridge Local Plan 2006 policy 3/7.
- 8.50 Four public art icons reinforce the design approach in the public realm. Two of the icons are bespoke sculptures of a contemporary 2-3 person tent. Resin in construction and internally illuminated, they are an 'anti monument'; an alternative human scale art intervention in direct contrast to the large surrounding institutions. The tent in the centre of the Clearing is the iconic symbol of the entire public realm: a place of relief, relaxation, contemplation, and an opportunity to experience nature away from the dense campus.
- 8.51 Two other public art interventions, a gateway sculpture and post box icon are also sited within the Clearing to reinforce this vision.
- 8.52 The approach to public realm and landscaping is integrated, which is fully supported. The proposal is considered best practice by the Public Art Steering Group and the Council's Public Art Officer. The scheme is considered robust and has built a good level of consensus amongst key consultees.
- 8.53 Consideration has been given to the practicalities of management, security and maintenance of public art icons as set out in section 6 of the submitted PADP. The proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010.

### **Disabled access**

#### Equality Impact Assessment

- 8.54 Inclusive access is fundamental to the design of the proposal. Officers have carried out an Equality Impact Assessment (EqIA) to identify people most affected by the development and measures to ensure the scheme is as inclusive as possible.

- 8.55 Shared space environments can be particularly difficult for blind and partially sighted people to navigate. This is because the absence of kerbs providing tactile information and clearly defined crossing points can potentially make the space difficult to navigate for these users of the space. The two shared space areas are provided at key junctions and are flush with the kerb, but have tonal/surface contrast between vehicle and pedestrian areas to help those with sensory impairments. Metal strips provide tactile information at the shared space crossings.
- 8.56 Seating is located throughout the public realm and is located not more than 50m apart to reduce the distance those with limited mobility need to travel without rest.
- 8.57 Street clutter and signage is generally kept to a minimum and visitor cycle racks are positioned away from the principal pedestrian routes.
- 8.58 There are no major level changes across the development and all pathways have a smooth bound surface or paving setts. The proposal robustly addresses the issue of inclusive design and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

## **Amenity**

### Impact on amenity of adjacent occupiers and future users

- 8.59 The proposed public realm will not have any adverse impact on neighbouring amenity. Construction related activities can be adequately controlled and mitigated through the discharge of planning conditions attached to the outline planning permission.
- 8.60 The lighting specifications across the space are mainly low level which will be compatible with the operations of surrounding buildings.
- 8.61 It is envisaged that the Clearing could provide an opportunity for events throughout the year. The impact of specific events would be managed through assessment of a temporary events notice under the Licensing Act 2003.

## Contaminated land

8.62 The scheme is accompanied by a phase 1 ground investigation which recommends further gas testing and monitoring. This process is secured under the outline planning permission. There are no matters that would prevent the development or influence the current design.

## **Highway Safety**

8.63 The County Highway Authority and Cambridgeshire Guided Busway Team have considered this scheme and support the proposals. The minimum 7.3m width for the CGB is provided which meets the specification set out for the safe passing of two passing vehicles.

8.64 Private vehicles will be able to travel north and south along Robinson way to access the multi storey car park. The design of the junction with the CGB and Robinson Way is considered acceptable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

### Cycle Parking

8.65 This application provides 21 visitor cycle parking spaces in close proximity to the bus stops, on the eastern edge of the clearing. Taken in context with the additional visitor cycle parking provided outside the Forum to the east and the employee provision for each new building, it is considered that cycle parking is adequate.

8.66 Sheffield stands are the preferred form of cycle parking, which can be secured through the imposition of **condition 2**.

### Car parking

8.67 There is no car parking provision within the Clearing, Piazza or High Street adjacent. The nearest disabled car parking is located on Robinson Way and on the eastern side of AZ. Although this parking is for AZ rather than general use, able disabled parking is available in MSCP2. The proposal is

compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### Third Party Representations

8.68 The issues raised in the representation received are discussed in the above report and are summarised in table 2 below:

**Table 2: Representations**

<b>Issue</b>	<b>Report Response</b>	<b>Section/Officer</b>
Birds, good smelling plants and nature have a great health benefit for all, but especially those in mental distress.	The landscaped 'garden rooms' have been designed to provide a range of secluded spaces for people to use and enjoy.	
The area should provide tactile feedback for blind where their foot path crosses a cycle or bus way. Trip hazards should be avoided, so benches and seats should be set back from the paths.	See Disabled Access subsection from 8.55.	
Any lighting or other post in the paths should be tall enough (waist height or greater) and have a high contrast band on them.	Bollards are minimized through the design. Lighting columns are 1.1m in height and will be clearly visible.	
Those with disabilities need a variety of seat and bench heights.	See Disabled Access subsection from 8.55.  The scheme provides a variety of benches and timber seats.	
The shared use of the CGB for cyclists is in conflict with the Transport Strategy for Cambridge and South Cambridgeshire.  Cyclists should have their own	See paragraph 8.27.	

3m cycle lane.	
The southbound cycle route 11 is poorly designed requiring crossing Francis Crick Avenue.	<p>The south bound cycle route on Francis Crick Avenue falls outside of the application site.</p> <p>While it is noted that cyclists travelling south along Francis Crick Avenue are required to make two road crossings to join the off road cycleway (route 11), this offsite issue cannot be addressed through this reserved matters planning application.</p> <p>The issue might be mitigated by an improved crossing point to the Francis Crick Avenue/Addenbrooke's Road roundabout. This will be brought to the attention of the Highway's Authority and strategic landowners for consideration of future phases of development at Addenbrookes.</p>

### **Planning Obligation Strategy**

8.69 This reserved matters application does not trigger any further S106 contributions over and above that secured at outline stage.

8.70 The outline contribution for public art is provided within this public realm application.

### **9.0 CONCLUSION**

9.1 The proposed public realm will deliver a high quality landscaped setting to serve the emerging CBC and wider Addenbrooke's campus. The space will function effectively for all modes travelling through the space and the submission robustly addresses inclusive access. Integration of public art has driven

the design concept and is successfully integrated. APPROVAL is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

1. 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)

2. Notwithstanding the details contained within the submitted Design and Access statement, the proposed 21 cycle parking spaces shall be Sheffield Stands.

Reason: To ensure convenient cycle parking is provided which functions effectively for future users, Cambridge Local Plan 2006 policy 8/6.

3. Notwithstanding what is shown on the approved plans, a revised drawing instating a 2m wide footpath on the northern side of the Cambridge Guided Bus route shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with this revised detail.

Reason: To ensure pedestrian connectivity along the busway route and to provide a safer footpath at night time, Cambridge Local Plan 2006 policy 3/7.

4. Prior to commencement of development a detailed lighting plan shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: To ensure a comprehensive lighting strategy is implemented. Cambridge Local Plan 2006 policy 3/7.

5. The development shall be carried out in accordance with the following approved drawings and technical documents:

OX5177 092 Wider masterplan integration  
OX5177 100 REV D00 Public Realm  
OX5177-101 REV D05 Masterplan context  
OX5177-102 REV D02 Landscape Masterplan  
OX5177-104 REV D01 Levels and lighting  
OX5177-106 REV D02 Boundary drawing  
OX5177-200 REV D01 Clearing sections  
OX5177-201 REV D01 Piazza sections

Archaeological report  
Ecological Statement  
Public Art Delivery Plan 7 May 2015 Rev 02

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.

6. Prior to commencement of development details of the linear drainage (designed to adoptable standards) along with calculations supporting their size shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order that the development integrates Sustainable Urban Drainage, Cambridge Local Plan 2006 policy 3/1.

7. No development shall take place until details of the implementation; maintenance and management of the surface water drainage scheme has been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In order that the development integrates Sustainable Urban Drainage, Cambridge Local Plan 2006 policy 3/1.

8. Prior to commencement of development details of the inlet and outlet drainage structures shall be submitted to and approved by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order that the development integrates Sustainable Urban Drainage, Cambridge Local Plan 2006 policy 3/1.

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# **CAMBRIDGESHIRE QUALITY PANEL**

## **REPORT OF PANEL MEETING**

**Scheme:** The Circus & Piazza Development

**Date:** 11<sup>th</sup> June 2014

**Venue:** The Clifford Allbutt Lecture Theatre, Cambridge Biomedical Campus, Cambridge  
CB2 0QH

**Time:** 13:50 – 16:30

### **Quality Panel Members**

John Worthington (Chair)

Simon Carne

David Prichard

Meredith Bowles

Oliver Smith

### **Panel secretariat and support**

Judit Carballo – Cambridgeshire County Council

James Tipping – Cambridgeshire County Council

### **Local Authority Attendees**

Elizabeth Rolph – Principal Planning Officer, Cambridge City Council

Jonathan Brookes – Principal Urban Designer, Cambridge City Council

Mark Parsons – Principal Planning Officer, Cambridge City Council

### **Applicant and Representatives**

Andrew Blevins – Liberty Property Trust

Anthony Miller – AstraZeneca

Mark Chatham – Countryside Properties

Matthew Reeve – Countryside Properties

Steve Wardell – Gillespies

Jon Akerscoyle – Gillespies

Andy Robinson – Future Systems Projects

Andrew Barron – ARUP

Inga Poulsen – ARUP



## 1. Scheme description and presentation

Master Plan	Allies & Morrison/Devereux
Landscape Architects	Gillespies
Applicant	NHS Trust
Planning status	Pre application stage

## 2. Overview

The developers, Cambridge Medipark Ltd (CML), a partnership between Countryside Properties, Liberty and Cambridge University Hospitals NHS Trust, are responsible for bringing forward the Circus and Piazza. The Circus is a substantial area of public realm and will include significant public art. The Piazza links the Circus to the High Street, which will be delivered by the Trust.

Following approval of the outline planning permission (ref. 06/0796/OUT), the NHS Trust appointed Allies & Morrison/Devereux to prepare a strategic masterplan for the Cambridge Biomedical Campus (CBC) and to further articulate the Trusts own Addenbrooke's 2020 vision. Cambridge City Council has been involved in the development of this document and supports the principles within it. The Masterplan has no formal planning status and is currently being updated to reflect the recent developments which have come forward.

The Masterplan proposes a new 'High Street' running through the existing campus, and a new southern perimeter road. Part of this High Street is included within The Forum application site however the High Street element will not necessarily be delivered at the same time as The Forum. The full delivery of the High Street is a long term aspiration of the NHS Trust but there is no current timescale for its delivery, as it will involve substantial redevelopment including the existing food court area and some of the operating theatres.

Under conditions attached to the outline permission, the proposed Piazza and Circus shall be:

- a) a minimum of 46.5m width and a minimum of 6,000sqm in area for the Piazza.
- b) a minimum of 104m in diameter and a minimum of 7,000sqm in area for the Circus.
- c) a maximum 1000sqm in gross floor area for buildings within the Circus.

This scheme comprises a comprehensive Public Realm Design Strategy applicable to the entirety of the proposed Circus and Piazza areas. The Strategy shall set out a vision for the proposed Circus and Piazza areas.



### **3. Cambridgeshire Quality Panel views**

#### Introduction

The Panel welcomed the site visit to the AstraZeneca and the Circus sites, which was useful in understanding the context for the proposed developments.

The AstraZeneca development fronts part of the proposed Circus and Piazza to the north, which will connect the current Addenbrooke's site to the new part of the CBC. Planning officers at Cambridge City Council proposed that both applicants of the Circus/Piazza and AstraZeneca proposals, which was also reviewed by the Panel, were present during both reviews of the schemes.

The Panel's advice reflects the issues associated with each of the four 'C's' in the Cambridgeshire Quality Charter. The comments below include both those raised in the open session of the meeting and those from the closed session discussions.

#### Community

The Panel welcomed the collaborative working relationship with the Hospital and the joined-up cultural, art and architectural approach, with the vision of connecting the new and the old campus; and the ambition to create an area where people would like to meet and find their spot. This proposal has to connect the CBC with the people using the open space, that being academic, patients, clinicians, other staff and visitors, in the main. At present, there are currently 12,000 employees who work at CBC, which will be doubled over the course of the development. The Panel heard that there was a Public Arts Strategy approved by Cambridge City Council in 2011. From that strategy funding was allocated to commission an 'artist in residence' to develop bespoke public art for the public realm at CBC.

It was questioned how the site is going to be managed and maintained in the future. The Panel also asked how the night-time economy will be taken into account, and how will this be realised.

#### Connectivity

The Panel highlighted the importance of the circus within the CBC development as this will have to act as the connection point between people and places within the campus. With the improvement of the public transport system, it is anticipated that there will be a reduction in car usage as people will change behaviour. However, in respect of public transport, the Panel considered that some of the connectivity and aspirations of the proposed public realm may be lost due to the proposed guided bus route, cycle lanes and other infrastructure requirements.

It was recognised that the site is well connected by the Cambridgeshire Guided Bus, with good walking and cycling links to the city centre. However, the Panel did express concern over the current positioning of the proposed guided busway stop. It was considered that it might be more appropriately positioned adjacent to the proposed Papworth Hospital.

The Panel also questioned the frequency of buses and their speed accessing the public realm.



The Panel were supportive of the concept of the public realm having a strong connection to the wider park area to the south west, and that the Circus was seen as a green corridor into the CBC.

### Character

The Panel noted that the edge of the proposed buildings become your defensible space within the Circus and Piazza. The Panel also recognised that there is a gradual change in typology from the older buildings from the east leading to the more recent and proposed buildings to the west of the CBC

The Panel highlighted the role that the design of the Piazza/Circus will play in defining the character of this part of the overall CBC district and establishing quality. The scheme has the opportunity to contribute to the variety of settings within the CBC east/west public real spine as it moves from a dense urban grain to the research campus with buildings in a park, bounded by the railway with open space and residential beyond.

The Panel welcomed the layout and available spaces and recognised that the piazza does not appear to fit with that definition. As such, the Panel questioned whether this area needs to be re-labelled something different as the piazza seems to have been re-defined. The Panel recommend that aspirations for the Circus and Piazza should be drawn on from the green spaces to the west, and questioned where the limits for the overall vision are.

The Panel recommended breaking the landscape into 'rooms of space' because there is a lot of potential within the Circus area. The Panel also raised concerns over how the public realm will be lit at night. It is expected that there will be ambient light coming from adjacent building, but what would be the overall lighting strategy?

### Climate

The Panel welcomed the proposals relating to biodiversity, but there were not any sufficient drainage details to comment upon. The inclusion of natural SUDS, including swales would be supported. The Panel suggested that the applicants look at the possible use of heat source pumps in the ground of the Circus, given the amount of land that could be exploited for this purpose.

## **4. Conclusion**

The Panel welcomed seeing this proposal at such early state of the development and applauded the vision for the proposed Circus and Piazza areas. However, the Panel failed to see how the Piazza vision was to be realised. The Panel recommended that the Circus/Piazza should be tested against spaces of similar size and the character and quality of settings for interactive to reflective activities be re-defined. Further work is required for this important focus of the masterplan in order to achieve the overall vision.

The next review could gain by having representation from the CBC master planners and the surrounding building design teams.

The Panel also considered that there was a lack of detail regarding the drainage of the Circus to provide fuller comments, although the Circus and surrounding buildings could benefit from the use of head source pumps within the grounds of the Circus.



The Panel recommended that further consideration should be given as to the night-time use and economy of the Circus and Piazza, and of the lighting strategy for the area.

In addition to the constraints highlighted by the route of the guided busway and cycle lanes, the panel also questioned the positioned the positioning of the guided busway stop, which they consider would be better positioned adjacent to the proposed Papworth Hospital.

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<b>Application Number</b>	15/1171/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	19th June 2015	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	18th September 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	Keith Day Road Cambridge Cambridgeshire		
<b>Proposal</b>	Resurfacing of land at Keith Day Road to provide new public realm with 0.22ha associated landscaping.		
<b>Applicant</b>	c/o agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1) The application complements the adjacent buildings and their uses.</li> <li>2) The proposal accords with the overall design vision for the Circus and Piazza.</li> <li>3) The proposed road resurfacing will enable the delivery of the High Street and adjacent public realm.</li> </ol>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site sits to the west of the main Addenbrooke's Campus within the emerging 'Cambridge Biomedical Campus' (CBC). CBC is situated between Robinson Way and the railway line, and is part of the Addenbrooke's 2020 land released from the Green Belt in the Cambridge Local Plan 2006. It was approved through outline planning permission **06/0796/OUT** for the following uses: clinical research and treatment, clinical in-patient treatment and biomedical and biotech research and development.

- 1.2 The application site is a T shaped parcel of open space known as the 'High Street' totalling 0.22ha in area. It is situated within the centre of CBC and will form a part of the principal public realm required through the outline permission. The High Street is the first part of an avenue that will extend into Addenbrooke's hospital.
- 1.3 To the north of the site is a new building known as The Forum. Its frontage addresses the northern edge of the High Street and it includes public realm outside of the application site. To the south of the site, new buildings for the Addenbrooke's Clinical Research Centre (ACRC) and Addenbrooke's treatment centre (ATC) will deliver further public realm to their public frontage.
- 1.4 To the west is the concurrent application for the main area of landscape and public realm known as the Circus or Clearing and the Piazza (**15/1141/REM**).
- 1.5 The existing site, Keith Day Road, is a tarmacked road with pedestrian footpaths either side and is part of the internal network of Addenbrooke's.

#### Local Plan constraints

- 1.6 The site is covered by policy 5/15 (Addenbrooke's) in the Cambridge Local Plan (2006). There are no listed Buildings, or buildings of Local Interest on the site. The site falls outside the controlled parking zone. There are no existing trees on the site.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for new public realm consisting of the 'High Street' of the emerging CBC. The scheme will form part of the public realm for the development of adjacent plots, ACRC, ATC and The Forum. The application site covers the resurfacing of Keith Day Road only. Adjacent public realm either side will be delivered through the implementation of the above new buildings.
- 2.2 Procedurally, the majority of the overall public realm development is a reserved matters application totalling 1.57ha in area (submitted concurrently **15/1141/REM**). The application proposal falls outside the original outline permission and is

submitted as a concurrent full planning application. The two separate applications have been designed comprehensively.

2.3 The resurfacing of Keith Day Road will be finished with applied aggregate to asphalt to link in with the Cambridge Guided Bus (CGB) route through the Circus to the west. Resin bound gravel will be used for the pavements.

2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Masterplanning Drawings
3. Planning Statement
4. Transport Statement
5. Drainage Report
6. Geotechnical Statement
7. Ecological report
8. Archaeological report
9. Public Art Delivery Plan

### 3.0 SITE HISTORY

Reference	Description	Outcome
06/796/OUT	Up to 215,000sqm floor space for various clinical research and development and new areas of public realm	Approved
C/05009/12/CW	Erection of Energy Innovation centre (EIC) of 2,675sqm GEA as part of the wider expansion of Addenbrooke's Hospital to form part of the Cambridge Biomedical Campus authorised under planning application ref:06/0796/OUT	Approved
11/0780/REM	Reserved matters application (access, appearance, landscaping, layout and scale details) for a 1,228 space multi-storey car park (33,141sqm	Approved

gross external floor area) and perimeter access road at the south west corner of Addenbrooke's campus, to serve Addenbrooke's as it expands and the new Papworth Hospital (pursuant to outline approval 06/0796/OUT).

14/0120/FUL	Redevelopment of existing parking area to provide education centre (3,985 sqm), private hospital (10,405 sqm), hotel and conference centre (12,540 sqm), ancillary hot food takeaway (Class A5, 605 sqm) and ancillary D1 (530 sqm) and associated car parking and public realm works known as The Forum Cambridge	Approved
14/1411/REM	Reserved matters application pursuant to outline approval 06/0796/OUT for New Papworth hospital and associated amenity space, planting, vehicle drop off area, cycle parking, energy centre/plant room and servicing area.	Approved
14/1633/REM	Reserved matters application pursuant to outline approval 06/0796/OUT for a total of 59,821sqm (Gross External Area excluding plant) Biotech and Biomedical Research and Development floorspace, to include: i) R&D Centre and Corporate Headquarters, ii) R&D Enabling Building, iii) Support Building and Energy Centre,	Approved

- iv) Associated car, motorbike and cycle parking,
- v) Hard and soft landscaping,
- vi) Internal roads, supporting facilities and ancillary infrastructure.

**15/1141/REM      Reserved matters application for public realm (known as circus/piazza) totalling 1.57ha in area, pursuant to outline application 06/0796/OUT.      Concurrent application**

**4.0 PUBLICITY**

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

4.2 There was a pre-application developer presentation to Planning Committee members on 8 April 2015.

4.3 A presentation was made to the Southern Fringe Community Forum on 3 February 2015.

4.4 A presentation was made to the Disability Panel on 31 March 2015 as part of the pre-application process.

4.5 A presentation was made to the Cambridgeshire Quality Panel on 11 June 2014.

**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 4/13 4/15 5/15 8/2 8/4 8/5 8/6 8/8 8/11 9/3 9/5

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

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95
Supplementary Planning Documents	Public Art
Citywide Guidance:	Biodiversity Checklist Cambridge Landscape and Character Assessment Cambridge Walking and Cycling Strategy Cambridgeshire Design Guide For Streets and Public Realm
Area Guidelines	Southern Corridor Area Transport Plan Cambridge Southern Fringe Area Development Framework (2006)
Informal Guidance	Cambridge University Hospital Strategic Masterplan 2010 Transport Strategy for Cambridge and South Cambridgeshire 2014

## 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. 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. In the vast majority of instances, 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 16 Cambridge Biomedical Campus

Policy 55: Responding to Context

Policy 56: Creating Successful Places

Policy 59: Designing Landscape and the Public Realm

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No objections. The land is not, and will not, form a part of the adopted highway network and no significant adverse effect upon the Public Highway is anticipated to result from this proposal if it gains benefit of Planning Permission, however, the Cambridgeshire Guided bus and a public Right of Way may be affected and so both interested parties should be consulted as part of the planning process.

### **Cambridgeshire County Council (Public Rights of Way Officer)**

- 6.2 No objections. Public Footpath No.47 Cambridge runs along the eastern side of Francis Crick Avenue. The CGB cycleway runs through the site. The site plans show that both these routes are going to be kept clear and open.

**Cambridgeshire County Council (Cambridge Guided Busway Team)**

- 6.3 No objections. Shared space route of CGB is acceptable. The rest of the overall scheme is supported, including the raised tables and kerb heights.
- 6.4 At present there will be a bus movement along this route every 7.5 minutes between 06:42 and 18:27. Then one bus movement every 15 minutes until 20:18 6 days per week (Mon to Sat). No services on a Sunday.

**Cambridgeshire County Council (Flood and Water Management Team)**

- 6.5 No objections. The submitted Surface Runoff Management and Flood Risk Mitigation Strategy is acceptable.

**Head of Refuse and Environment**

- 6.6 No objections in principle. The intrusive ground investigation has been undertaken and results of monitoring and laboratory testing are awaited. Following completion of this work, a Phase 2 Geotechnical and Geo-environmental Interpretative Report will be prepared and submitted to the LPA.
- 6.7 The initial findings direct that there are no matters that would prevent the development or influence the current design. The further investigations can be addressed through the reserved matters application or through a planning condition if deemed necessary.'
- 6.8 Planning conditions control construction related impact of the development.

**Urban Design and Conservation Team**

*Overall concept*

- 6.9 The concept of rethinking the three spaces of the Circus, Piazza and High Street and creating a single linked series of spaces is supported in design terms and has the potential to create a more convincing public realm and more coherent setting for the new buildings in this section of the CBC.

- 6.10 The proposals have been designed to integrate with the surrounding approved schemes for Papworth, AstraZeneca and so materials will be consistent and pedestrian/cycle routes connect through.

*Connectivity/CGB/Design Speed*

- 6.11 One of the key issues to resolve as part of the proposals was how to reduce the dominance and speed of the CGB route as it passes through the spaces.
- 6.12 Bus gates are proposed at either end of the CGB link to prevent private vehicle access along it and these will also have the effect of slowing buses. The section between the bollards and the ramp/table is such that buses will not be able to achieve unacceptably high speeds.

**Senior Sustainability Officer (Design and Construction)**

- 6.13 The approach to sustainable design and construction and responding to our changing climate is supported. Of particular note is the approach being taken to urban greening and integrating sustainable drainage systems into the scheme, with the use of rain gardens and some multi-functional space within the Circus. The proposals represent best practice and can be considered to be an exemplar in managing surface water from a site of this size and type. Proposals to investigate the use of low energy LED lighting as part of the Lighting Strategy is also supported.
- 6.14 With regards to the hard landscaping materials, it is recommended that materials are sourced with reference to the BRE's Green Guide to Specification, and that timber used timber decking, benches, tables and chairs is from FSC/PEFC certified sources. Regarding construction waste, it is noted that a Detailed Waste Management Plan will be submitted prior to the commencement of development in light of Condition 24 of the outline permission.

**Access Officer**

- 6.15 Application supported. An Equality Impact Assessment has been carried out.

## **Head of Streets and Open Spaces (Landscape Team)**

### Comments on Application as Submitted

- 6.16 The landscape team feel that the proposals provide a strong sense of place while maintaining practical links and connections between buildings, transport corridors and leisure spaces. The proposed landscape provides a variety of hard and soft leisure spaces from the open, park-like area to the west to the more intimate garden rooms to the east, which supports the area as a place of work and as a healthcare facility for the wider public. SUDS features also form a part of the landscape proposals and feature throughout providing another layer of interest to a diverse scheme.
- 6.17 There is still work to be done in the detail and to finalise planting palettes and methods, but as a strategic masterplan, the landscape team can provide full support to the proposals.
- 6.18 In general more details of planting beyond strategic planting proposals and plant palettes are required. Planting plans with schedules, preparation/cultivation/planting specifications and maintenance/management plans will be required.

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

- 6.19 The application is generally supported with the exception of some pedestrian links.
- 6.20 Pedestrians coming from and to the west (e.g. Clay Farm and Trumpington) do not have a coherent route to the main hospital. They will cross from the busway and do not have a footway next to the road which will be the desire line.
- 6.21 Given the low level of lighting proposed for the areas through which the pedestrian routes are intended to go there is also an issue of personal security at night. Staff walking home from a late shift may feel vulnerable away from the main road.
- 6.22 The low level bollard lighting along the road and along the pedestrian routes is not acceptable with regards personal security. There may also be an issue with the glare from bus

headlights which can blind oncoming cyclists where there is low lighting.

6.23 The design of the cycle link from the crossing of Francis Crick Ave onto the road must emphasise through surfacing materials, signage and design that this is the obvious route for cyclists to take for those heading towards the Forum, main hospital and AZ. Those heading to Papworth will use the path across the clearing to access the cycle parking and so the path should be a minimum of 3m in width to cater for this usage.

6.24 The width of the crossing area between this section of cycle and pedestrian link and Francis Crick Ave should be made as wide as possible to cater for the different movements both modes are making here.

#### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

6.25 The proposal is to restrict the flow to greenfield run-off rates and is in accordance with the site wide surface water drainage strategy. The main method of attenuating the flow and providing water quality benefits is by utilising rain gardens and some multi-functional space within the circus itself. This is considered best practice and as such would represent an exemplar in managing surface water from a site of this size and type. The design and appearance of the inlet and outlet structures are important to the overall success of the scheme.

6.26 Although details of who will be maintaining the system has been included a management and maintenance plan has not been included.

#### **Head of Streets and Open Spaces (Nature Conservation Officer)**

6.27 Awaiting comments. An update will be provided on the amendment sheet.

#### **Environment Agency**

6.28 No objections.

## **Public Art Officer**

- 6.29 Awaiting comments. An update will be provided on the amendment sheet.

### **Cambridgeshire Quality Panel (Meeting of 11 June 2015)**

- 6.30 The conclusions of the Panel meeting(s) were as follows:
- 6.31 The Panel applauded the vision for the proposed Circus and Piazza areas. Some concerns raised with how the vision for the Piazza would be realised and recommended that the space be tested against spaces of similar size and character.
- 6.32 The Panel also noted a lack of detail regarding drainage of the Circus. Further consideration should also be given to night time use and the position of the CGB stop was also queried.
- 6.33 The relevant section of the minutes of the panel meeting(s) are attached to this report as **Appendix B**.

### **Disability Consultative Panel (Meeting of 31 March 2015)**

- 6.34 The Panel's considered the scheme a very thorough and well-considered proposal. Several detailed comments on public realm provided.

### **Public Art Panel (Meeting of 10 February 2015)**

#### **Meeting minutes:**

- 6.35 The commissioning strands are to involve the public realm elements of the Circus, Piazza and High Street and an Artist in Residence has been appointed for the whole campus. The art strategy was approved in 2010/11 followed by the development of a Steering Group and artist's brief. The process of artist selection then followed with proposals developed. Public engagement is currently in its final stages.
- 6.36 Collaboration – artist and landscape architect. 'The Campground' will place the emphasis on green, not grey public realm. A network of connections between private and social spaces, primary and tertiary routes and meadow planting for

seasonal change. Street furniture will be provided for informal, playful areas for escape.

- 6.37 Lighting and landscape architecture – ‘The Clearing’. Illuminated resin ‘tents’ of light will be placed within the ‘garden environment’ of the public realm. The tent will act as a playful antithesis to the heavy architecture and permanence of the surrounding campus development. For the longer-term it is proposed that a pop-up food or coffee stall will inhabit the clearing area.
- 6.38 Securing ‘activation’ and the use of space through a programme of events. Other proposed works include ‘The Gateway’ a countryside gate sculpture providing an open invitation, a noticeboard and a postbox.
- 6.39 The process (next steps) - Campus users will be updated on the proposals that will be submitted into the planning process in the coming months. A further 18 months to 2 years will be needed for the development and delivery of detailed designs.

### Conclusion

- 6.40 The Panel welcomed the update. On the illuminated resin tents proposal, the Panel note the heavy cost implication as well as the maintenance considerations. The intention to provide only a very small number as incidental punctuations instead of a trail of tents is therefore supported, as they could have the added advantage of supporting other elements. The noticeboard and postbox should ideally play a functional role.
- 6.41 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 representations have been received.

## **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. Principle of development
2. Parameter Plans
3. Context of site, design and external spaces
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Third party representations
12. Planning Obligation Strategy

### **Principle of Development**

- 8.2 The principle of the development on the Cambridge Biomedical Campus has already been established through the outline planning permission 06/0796/OUT approved in 2009. This is a full planning application because it falls outside of the original application site, but it is closely related to the approved scheme.
- 8.3 Local Plan policy 5/15 within the 2006 Local Plan allocates the site for clinical uses through proposals site 9.02. The principles of access, including integration of the CGB, accords with the criteria of Cambridge local plan 2006 policy 9/5 and the new policy framework in the draft Cambridge Local Plan 2014.
- 8.4 Conditions relating to construction management, contamination and archaeology should be imposed, because they are not covered by the outline permission for this part of the site.
- 8.5 In my opinion, the principle of the development is acceptable and in accordance with Cambridge Local Plan 2006 policies 5/15 and 9/5.

### **Parameter plans**

- 8.6 The High Street application is not bound by the parameter plans approved on the CBC extension site. The proposal has however been designed comprehensively with the adjacent Clearing.

- 8.7 The public realm was previously intended to incorporate public right of way footpath 47 under **Parameter plan 9 Access – Pedestrian**. This footpath is now to be diverted to the south which has been formally agreed through a diversion application approved by Committee in 2014.
- 8.8 The Circus incorporates a dedicated cycle route along the length of the CGB route. This accords with **Parameter plan 10 Access- Cycle** and is discussed in the further in the design subsection below.

### **Context of site, design and external spaces**

- 8.9 The key design issue is the design, appearance and function of the proposed public realm. This sections sets out how the design accords with the relevant Local Plan policies and the design requirements set out in **Condition 62** of the outline permission.

#### Design vision

- 8.10 This public realm project is a collaboration between the public artist and landscape architects. The vision is for a green space for all, intimate in scale and deinstitutionalised in character. This approach was driven by the key principles emerging from public consultation through the public art process.
- 8.11 The scheme is based on the concept of ‘the field’, a large set piece of landscape which unifies the Circus/Piazza and High Street. Two character areas will be created. The ‘Clearing’, is a larger green amenity, suitable for social events and informal sport and recreation. ‘The Gardens’ are a series of smaller scale intimate ‘garden rooms’ for people to enjoy.
- 8.12 The High Street public realm will be delivered through the implementation of the adjacent buildings. The indicative landscaping either side of Keith Day Road follows the guiding principles of the ‘campground’ concept.

## Movement and Circulation

### *Pedestrians*

- 8.13 A hierarchy of routes is proposed, with primary routes addressing key desire lines to main destination buildings and secondary and tertiary routes to enable people to meander and explore the public realm. This approach accords with the movement strategy requirement set out in **Condition 62**.
- 8.14 The High Street application provides the key desire lines through Keith Day Road and will connect to the adjacent buildings at the eastern end of the new public realm.

### *Cyclists*

- 8.15 The key issue relates to the provision made for cycling through the development and the strategic requirements of the parameter plans.
- 8.16 Beyond the second bus gate at Robinson Way (within the application proposal) the cycle route returns on road. The internal road network of Addenbrooke's has low vehicle speeds and Robinson Way is classified by Sustrans as a local cycle route, so segregation on street is not necessary. The overall approach to cycle connectivity accords with part p of Cambridge Local Plan 2006 policy 9/5, contributing to the delivery of the accessibility outcomes for the southern fringe area of major change.

### *Vehicles*

- 8.17 The High Street will continue to function as part of the Addenbrooke's internal road network and will have low levels of traffic. The raised table at the junction with Robinson Way will contribute to the low vehicle speeds in this part of the site.
- 8.18 Dark buff aggregate finish of the CGB road surface further encourages moderation of bus speeds and clearly defines the extent of the public realm. Sound principles of a shared space environment are set out, which addresses criteria b of Cambridge Local Plan 2006 policy 3/7.

## Hard and Soft Landscaping and Materials

- 8.19 The design vision, led by the public artist, results in a high quality landscape design. The layout will be attractive in design, accessible and functional, and will provide a high quality amenity for the entire campus. The application proposal delivers on the vision of the outline permission **06/0796/OUT**.
- 8.20 This application relates to the resurfacing of Keith Day Road only, the public realm either side to be delivered by the adjacent buildings.
- 8.21 The Landscape Team consider the hard surface materials generally acceptable. A fully permeable resin bound product is preferred for the pavements, which can be ensured through the imposition of **condition 2**.

### *Integration with adjacent buildings*

- 8.22 The proposed resurfacing of Keith Day Road accords with the overall design vision. A good interrelationship and integration between buildings, routes and spaces is provided in accordance with part a of Cambridge Local Plan 2006 policy 3/7.

## Lighting

- 8.23 Night time use of the space has been considered. A lighting strategy has been submitted which outlines the broad approach across the public realm. In so doing, due regard has been given to lighting, safety and an uncluttered appearance, in accordance with Local Plan policies 3/11, part C and 4/15.

## Quality Panel

- 8.24 Quality Panel considered this scheme on 11 June 2014. Overall, the Panel applauded the vision for the site. The Panel made a number of recommendations which are addressed below in **table 1**:

**Table 1: Quality Panel Summary**

<b>Issues raised by Quality Panel</b>	<b>Officer Response</b>
Consideration of similar green spaces to inform the design.	The applicant considered the design of similar public realm in the design development. An update to Committee on the amendment sheet will be provided.
Importance of low vehicle speed for the length of the CGB.	The applicant has ensured the CGB route has a relatively low 20 mph design speed. The bus gates and other carriageway events will help to create a low speed pedestrian dominated environment.  Also see paragraphs 8.19, 8.23 and 8.30.
Future Management and Maintenance.	The submission details the proposed management and maintenance arrangements which will be through Cambridge University Hospital (CUH).  Also see paragraph 8.45.
Use of the space at night time.	The scheme includes a lighting strategy with accompanying visuals and indicative specification.
Position of Cambridge Guided Bus Stop.	The application proposes two guided busway stops which meets the requirements of the CGB team.

Frequency of buses and vehicle speeds queried.	See paragraph 6.4.
Panel recommended breaking the landscape into rooms of space.	This suggestion has been incorporated into the design development. 'Garden rooms' within the landscape form the eastern side of the public realm.

## **Public Art**

- 8.25 The site accommodates the campus wide S106 obligation for public art under outline permission **06/0796/OUT**. The public art is intended to add value to the public realm design, creating an iconic place in the centre of CBC. The art and landscape proposal comprises five stages of work: Concept, landscape, furniture, sculpture and activation and legacy. Public Art for the main Circus is discussed in the concurrent application **15/1141/REM**.
- 8.26 This full application for the resurfacing of Keith Day Road does not include any public art within its boundaries. Separate commissions for the Forum and ACRC buildings will fulfil their own public art commitments in the public realm to the north and south of Keith Day Road. These adjacent projects are developing commissions in collaboration with the Circus public artist.

## **Disabled access**

### Equality Impact Assessment

- 8.27 Street clutter and signage is generally kept to a minimum and visitor cycle racks are position away from the principal pedestrian routes.
- 8.28 There are no major level changes across the development and all pathways have a smooth bound surface. The proposal robustly addresses the issue of inclusive design and is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7 and 3/11.

## **Highway Safety**

- 8.29 The County Highway Authority and Cambridgeshire Guided Busway Team have considered this scheme and support the proposals. The minimum 7.3m width for the CGB is provided which meets the specification set out for the safe passing of two passing vehicles.
- 8.30 Private vehicles will be able to travel north and south along Robinson way to access the multi storey car park. The design of the junction with the CGB and Robinson Way is considered acceptable. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

### Cycle Parking

- 8.31 This application does not accommodate cycle parking as the red line is drawn tightly around the highway. This will be provided in the adjacent public realm to be delivered by the Forum and ACRC applications.

### Car parking

- 8.32 There is no car parking provision within the Clearing, Piazza or High Street adjacent. The nearest disabled car parking is located on Robinson Way and on the eastern side of AstraZeneca. The proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Planning Obligation Strategy**

- 8.33 This reserved matters application does not trigger any further S106 contributions over and above that secured at outline stage.
- 8.34 The outline contribution for public art is provided within this public realm application.

## **9.0 CONCLUSION**

- 9.1 The proposed resurfacing of Keith Day Road is part of the broader design objectives of the adjacent Circus and Piazza.

The CGB, pedestrian and cycle connectivity is integrated into the scheme. The adjacent public realm will be delivered through the implementation of the adjacent buildings. APPROVAL is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to the following conditions:

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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 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.

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 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).

4. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

5. Collection or deliveries to the site for the purposes of construction shall not be carried out outside the hours of 0730 to 1800 Monday to Friday, 0800 to 1300 on Saturdays nor at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in writing by the local planning authority pursuant to criteria D of the Construction Environmental Management Plan.

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

6. No development shall take place 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 has been submitted by the applicant and approved in writing by the local planning authority.

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

- (i) Approval of a Written Scheme of Investigation;
- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
- (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;
- (iv) Completion of analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure the implementation of an appropriate archaeological investigation, recording, reporting and publication. (Cambridge Local Plan 2006 policy 4/9)

7. The development shall be carried out in accordance with the following approved drawings and technical documents:

OX5177-092 REV D01 Wider Masterplan Integration  
OX5177-101 REV D06 Indicative context coordinated  
OX5177-103 REV D01 Landscape Masterplan  
OX5177-105 REV D01 High Street Levels and Lighting  
OX5177-202 REV D01 High Street Sections

Public Art Delivery Plan 27 May 2015.

8. No development shall commence 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 policy4/13

9. 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 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)

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<b>Application Number</b>	15/0225/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	6th February 2015	<b>Officer</b>	Mr Sav Patel
<b>Target Date</b>	3rd April 2015		
<b>Ward</b>	Trumpington		
<b>Site</b>	2 Barrow Road Cambridge CB2 8AS		
<b>Proposal</b>	Erection of new dwelling following demolition of existing dwelling on the site.		
<b>Applicant</b>	Ms C Speed		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed development is considered to be of high quality design and would preserve the character and appearance of the area and sympathetically assimilate into the site without appearing dominant or out of keeping.</li> <li><input type="checkbox"/> The proposed development has been designed to mitigate any significant adverse impact on the residential amenity of the adjoining neighbours.</li> <li><input type="checkbox"/> The proposal would not have a detrimental impact on the existing protected trees.</li> </ul>
RECOMMENDATION	APPROVAL

**Annex:**

**Loss of light and Overshadowing:**

1.1a Concerns have been raised, which were not fully addressed in my original officer report regarding the impact of loss of light of and overshadowing on the neighbouring occupier at no.4 Barrow Road. I set out below my assessment of the proposed development in relation to these issues.

- 1.2b In order to assess any potential loss of light and overshadowing impact from the proposed replacement dwelling on the adjoining neighbour at no.4, it is important to understand the site context.
- 1.3c The rear gardens of the applicant site and neighbouring dwellings are south facing and therefore would generally benefit from optimum sunlight. The eastern boundary of the application site is partly defined by the side elevation of the existing flat roof brick built garage, which is approximately 2.7 metres in height and 5.1 metres in depth. The rest of the boundary is defined by a (approx.) 1.8 metre high timber fence and a variety of trees. The side elevation of the garage projects past the rear elevation of no.4 by approximately (approx.) 4.7 metres at (approx.) 2.7 metres in height. This combined with the mature protected tree belt, which defines the western boundary of the application site (adjacent to Trumpington Road), already causes a degree of shadowing over the neighbour's patio area and conservatory.
- 1.4d The proposed development would include the removal of the existing garage and replacement with a 1.8 metre high boundary fence. The side elevation of the replacement dwelling would be set off the side boundary by 1.5 metres. The roof slope of the eastern wing would contain an integral garage, a 'cool room' and separate plant room. The eaves line of the eastern wing nearest the boundary would start at 2.35 metres in height before sloping away from the boundary to a height of 9.35 metres. This would create a large expanse of tiled roof of which approximately 5.5 metres (of the overall 10.5 metres depth) would project beyond the rear elevation of no.4. In my view, the visual appearance of this section of roof compared to the existing situation and at the level of separation proposed would not be overbearing such that it would cause an adverse sense of enclosure on the neighbouring occupier. The occupier of the neighbour property also has an open outlook south.
- 1.5e The two storey part of the eastern wing would be set off the boundary by a further 4.6 metres and project into the rear garden by 10.5 metres beyond the rear elevation of no.4 at a height of approximately 9.35 metres. It is important to note that the two storey wing has a hipped roof and the 9.35 metre high ridge line would be set approximately 7 metres off the boundary with no.4. In this context, I do not consider the proposed development would result in the significant loss of light or cause significant overshadowing or appear overbearing.

- 1.6f In order to properly assess the potential impact from shadowing, the applicant has also carried out shadow studies for the existing and proposed dwellings to demonstrate what impact it would have on the adjoining neighbour. The studies have been carried out on the equinox and mid-summer for every hour between 1pm to 6pm. The studies have been broken down into two phases 1pm to 3pm and 4pm to 6pm. The applicant was advised to remove all trees from the studies in order to understand the impact from the proposed dwelling itself.
- 1.7g The equinox study between 1pm to 3pm demonstrates that there would be no material change to the shadowing currently experienced by no.4 from the existing dwelling. If anything, the study shows that the proposed dwelling would result in slight improvement in terms of overall area of overshadowing.
- 1.8h The equinox study between 4pm to 6pm demonstrates that the proposed dwelling would cause some additional overshadowing between 4pm and 6pm compared to the existing dwelling.
- 1.9i Having carefully assessed the equinox shadow study and whilst the proposed dwelling would cause some additional shadowing, I am of the view that the proposed dwelling would not result in significant loss of daylight or cause a significant levels of overshadowing such that it would have a significant adverse impact on the residential amenity of the adjoining occupier. The main impact from overshadowing from the proposed dwelling would occur during late afternoon/early evening when the sun is starting to set. Otherwise, the rear patio and garden of no.4 would receive a significant amount of day/sun light during the rest of the day. According to the Site Layout Planning For Daylight and Sunlight: A guide to good practice (2011 2<sup>nd</sup> edition), it recommends that at least half of the 'amenity areas' which includes back gardens, should receive at least two hours of sunlight on 21 March." The rear garden of no.4 would receive significantly more than two hours of sunlight during this time. Therefore, it would, in my view, be unreasonable to argue the proposed dwelling would have a significantly adverse impact on the residential amenity of the adjoining neighbour such that it would warrant the application for refusal.

- 1.10j The mid-summer study between 1pm to 3pm demonstrates that the existing dwelling would cast more of a shadow over the neighbour's garden during this period than the proposed dwelling. The proposed dwelling would cast a very small shadow over the curtilage of no.4 as a result of the chimney stack at 3pm.
- 1.11k The mid-summer study between 4pm to 6pm demonstrates that the proposed dwelling would cast a shadow over the rear patio area of no.4 between 5pm and 6pm. The study shows that the proposed dwelling would cast the same shadow over the patio and conservatory as the existing at 6pm but the shadow from the proposed dwelling would also creep into the garden area. Therefore, in my view, the impact from the proposed dwelling on no.4 would only be felt during late afternoon onwards. The rest of the day, no.4 would not be materially affected by any additional overshadowing over and above that which they already experience by the existing dwelling.
- 1.12l Having assessed the shadow studies, I am satisfied that the proposed dwelling would not cause significant levels of overshadowing and loss of light on.4 such that it would have a detrimental impact on the residential amenity of the adjoining neighbour.

### **Height of the proposed dwelling**

- 2.1a Concerns have been received regarding the height of the proposed dwelling and the dimensions in paragraphs 2.3 and 8.10 below of the original report (below). For clarification and to clear any ambiguity I set out below the correct ridge heights of the existing and proposed dwelling.
- Existing ridge height – approx. 7.9 metres (east to west)
  - Proposed dwelling ridge height – approx. 8.85 metres (9.35 metres to ridge of main two storey wing, which runs north to south)
- 2.2b The proposed ridge height (east to west; facing Barrow Road) would project approx. 900mm above the existing ridge. The ridge of the main two storey wing which would run north to south would be an extra 500mm above this at 1.4 metres above the main ridge of the existing dwelling. The applicant has now provided a street scene showing the proposed replacement

dwelling in context with nos. 4, 6, 8 and 10 Barrow Road. This shows that the height of the proposed dwelling would sit comfortably within the street context and not appear unduly dominant.

- 2.3c I therefore maintain my original view that the increase in height of the proposed dwelling would not appear out of keeping or unduly dominant. Instead it would add to the variation of the heights and styles of the dwellings in Barrow Road.

### **Heritage significance**

- 3.1a Concerns have been raised that my report did not give enough consideration to the assessment of Barrow Road (Barrow Road; An Appreciation) carried out by local residents. I can advise that I did review this assessment but did not make explicit reference to it in my report, albeit I did refer to it in my oral introduction to the scheme. A copy of the assessment is appended to my report for the Committee's information. Concerns have also been raised that I did not consider whether 2 Barrow Road and Barrow Road as a whole has heritage significance.
- 3.2b Neither Barrow Road nor 2 Barrow Road are within a Conservation Area and none of the buildings in Barrow Road (including no. 2) are listed buildings. Therefore neither Barrow Road nor 2 Barrow Road are designated heritage assets. 2 Barrow Road is also not a Building of Local Interest (BLI) and it is not considered to be a non-designated heritage asset. Nonetheless, objectors to the application have raised the question whether Barrow Road could be considered as a non-designated heritage asset notwithstanding the above.
- 3.3c According to the NPPF, a heritage asset is a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. This includes assets identified by the local planning authority.
- 3.4d The term "identified" is important. Whilst Barrow Road has heritage value, this does not, in my view, equate to it being "identified" and no formal identification process has been carried out other than an assessment by local residents, which has not been verified or endorsed by the Council. Historic

England advises on a structured approach being required to identify the heritage significance of an asset.

- 3.5e Historic England has produced a document titled 'Managing Significance in Decision-Taking in the Historic Environment (March 2015). In paragraph 5, it states that heritage assets include designated and non-designated assets identified by the local planning authority as having a significance justifying consideration in a planning decision. Non-designated heritage assets include those that have been identified in a Historic Environment Record in a Local Plan through local listing or during the process of considering the application. Barrow Road and no.2 have not been identified in the current Local Plan or the emerging Local Plan through the plan process, and no application has been made which is currently being considered for this.
- 3.6f It is also important to note that the designation of Barrow Road as a Conservation Area was considered at the Council's Environmental Scrutiny Committee (ESC) in October 2014. The Committee resolved that the request for designation would not be prioritised over other ongoing work/projects. Therefore, whilst no.2 has heritage value within the sense of it being within a wider potential Conservation Area, it is my view that only limited weight can be given to the significance of this value without any informed assessment.
- 3.7g Therefore, whilst Barrow Road has some heritage significance and value which can be taken into account, in the absence of a comprehensive assessment and decision made on the designation of Barrow Road as a Conservation Area, only limited weight can be given to the preliminary proposal put forward to ESC, and the heritage value of Barrow Road in the consideration of this application. Members should also understand that the applicant could apply for prior approval (under Part 11b) to demolish the existing dwelling and the Council could not refuse such an application only control the method of demolition. Therefore, this is the fall-back position that Members need to bear in mind when considering how much weight they give to the heritage value of no.2 within Barrow Road.

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site relates to a detached residential property situated within a large rectangular garden plot, on the southern side of Barrow Road. The site is located close to the corner of Barrow Road and Trumpington Road.
- 1.2 The existing dwelling is partly screened from the road side by a front boundary hedge. Views of the dwelling from Trumpington Road are screened by boundary trees which are protected. There is an existing gated access into the site directly from Trumpington Road.
- 1.3 The existing building on the site has elements of the 'Arts and Crafts' style, which is characteristic of this area. It has a rectangular footprint and projecting front gable. The front elevation has symmetrical fenestration, across eaves dormers and part external chimney breasts, which are design features associated with the Arts and Crafts style.
- 1.4 The building is not Listed or a Building of Local Interest. The site is not within a Conservation Area although a proposal has been made by Barrow Road residents to make the road a Conservation Area. This was considered by Environment Scrutiny Committee on 17 October 2014 but the work to undertake the process of evaluation and consultation was not considered to be a priority.
- 1.5 To the west of the dwellinghouse and along the western boundary of the site are mature trees which form part of a group of trees along Trumpington Road which are protected by a group Tree Preservation Order.
- 1.6 Barrow Road is referenced in the Trumpington Road Suburbs and Approaches Study (March 2012) and the application site is located within 'Character 3' area. The study states "*The overriding character of this section of Trumpington Road is of a wide, generous road flanked either side by mature deciduous trees, some of which overhang the road, that create a sense of enclosure and privacy....*" "*Views down Porson Road, Bentley Road and Barrow Road are of substantial private residential properties set in a maintained landscape of tree avenues that emphasise the linear nature of these side roads*".

## 2.0 THE PROPOSAL

- 2.1 The proposal is for the demolition of the existing two storey five bed detached dwellinghouse and replace it with a double gable fronted six bed detached dwellinghouse. The proposed dwellinghouse also includes an additional level within the roof space for two bedrooms, and a basement level which contains a swimming pool, cinema room, wine store, gym and sauna/steam room and storage and plant room.
- 2.2 The replacement dwelling has been designed in an 'arts and crafts' style. The main form of the proposed dwelling consists of two gable elements that are connected by a central link. The eastern gable would be the more dominant in terms of height.
- 2.3 The proposed replacement dwelling would be 8.85 metres to the main ridge (existing ridge 8.1 metres) and 5.05 metres to the eaves, 21.8 metres wide (existing width 19.4) and 18.4 metres in depth; at it deepest (existing deepest depth 11.7 metres). The eaves line of the proposed garage on the eastern boundary would be 2.4 metres rising to 5.25 metres.
- 2.4 The application is accompanied by the following supporting information:
1. Supporting Statement (including Structural Engineer's report)
  2. Tree Survey
  3. Plans
- 2.5 The planning application follows previously refused application (14/1615/FUL) and pre-application discussions with Officers.

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
14/1615/FUL	Replacement dwelling.	REFUSED
14/1616/FUL	New dwelling	WITHDRAWN
15/0804/FUL	New dwelling to rear of site with access from Trumpington Road.	PENDING

3.1 The previous planning application was refused for the following reasons:

1. *The proposed replacement dwelling would by virtue of its two storey depth, location of first floor windows in the side elevation and close proximity to the boundary with no.4 Barrow Road result in a form of development that would appear overbearing, visually intrusive and result in an unacceptable invasion of privacy currently enjoyed by adjacent occupiers. The proposed dwelling 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.*
2. *The proposed replacement dwelling would by virtue of its two storey front projecting gable and layout have a detrimental impact on the pattern of development along Barrow Road. As a result the development would appear out of character and upset the consistent pattern of development along Barrow Road. The proposal development is therefore contrary to policy 3/4 and 3/12 Cambridge Local Plan (2006) which states that development will be permitted which demonstrate that it responds to its context and draws inspiration from the key characteristics of its surroundings. The proposed development has failed to respond to the site context and is out of character in terms of its scale and layout.*
3. *The proposed development would by virtue of its width within the plot and proximity to the western boundary result in the loss of a protected tree, which screens development of the dwelling from Trumpington Road. The loss of the tree would therefore increase views into Barrow Road from this location which would not only have a detrimental impact on the character of the area but result in the loss of tree from the belt of trees which plays an important amenity role within the site and area. Therefore contrary to Cambridge Local Plan (2006) policy 4/4 and guidance in the National Planning Policy Framework (2012).*

3.2 In response to the refusal reasons, the applicant held pre-application discussions with Officers to try and resolve the concerns in the above refusal reasons.

3.3 To address the first refusal reason, the applicant 'flipped' the dwelling, so that the garage accommodation moved to the

eastern side with a sloping roof that connected to the main two storey gable. This also resulted in the main two storey element being push back approx. 4.8 metres from the eastern boundary; instead of 1.5 metres as with the refused scheme. However, the number of windows (including dormer windows) was increased from two to five.

- 3.4 The proposed double garage with first floor accommodation above has been removed and replaced with a single garage with sloping roof which connects to the roof of the two storey element. The width of the proposed dwelling has also been reduced from 24.5 metres to 21.8 metres.
- 3.5 With regards to the other refusal reasons, the applicant has pulled the proposed dwelling back to behind the 'building line' for the street. The reduced width of the dwelling has enabled the footprint of the proposed dwelling to fall outside the Root Protection Zone of the main trees along the eastern boundary.
- 3.6 Following a meeting with officers, the applicant subsequently amended the revised scheme. Amendments were made to the eastern elevation. The rear roof two storey eastern wing has now been hipped to reduce its bulk and visual dominance from no.4. The eastern elevation was also moved forward to nearer the front elevation but still set back from it and stepped in at the rear to reduce the expanse of the roofslope.

#### **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 Plan 2006	Local	3/1 3/2 3/4 3/7 3/11 3/12 4/4 5/1 8/2 8/6

## 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><u>Area Guidelines</u></p> <p>Trumpington Road Suburbs and Approaches Study (March 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.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Engineering)**

- 6.1 As Barrow Road is not an adopted public highway and the proposed access to the site is onto Barrow Road, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

### **Head of Refuse and Environment**

- 6.2 No objections in principle subject to conditions on construction collection and delivery hours, construction hours, dust (including dust informative) and piling.

### **Urban Design and Conservation team**

- 6.3 Object to the proposal for the same reasons made on the previous application (14/1615/FUL); see below, and acknowledge the changes made to the plans as now proposed. Clearly the projecting two storey front gable element has been reduced in response to the previous reason for refusal. However, if approved, the following condition recommended:

*No works for the demolition of the building or any part thereof shall commence on site until an unconditional contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of the site for which Planning Permission has been granted under application reference(s) XX/XXXX/FUL and evidence of the said contract*

*has first been submitted to and approved in writing by the Local Planning Authority.*

*Reason: To avoid harm to the appearance of the area and to be consistent with NPPF para 136.*

Comments on previous application – 14/1615/FUL:

- 6.4 The new development is not considered to make a positive contribution to local character and distinctiveness because it requires the demolition of the original house; would lose the connection with No.1 and is not of a form characteristic of Barrow Road.

#### **Street and Open Space (Tree Officer)**

- 6.5 Satisfied with the tree retention and proposed protection of the trees. Therefore no objection subject to conditions requiring Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) and implementation of the approved AMS and TPP.

#### **Drainage Officer**

- 6.6 No comments to make.

#### **Historic England**

- 6.7 The history and architecture of Barrow Road, a development of the 1930s by Trinity College, contribute to the interest of Cambridge. The street and its original buildings have a coherent character, and we understand that consideration is being given to the possibility of designating the street as a conservation area. In this context, the demolition of one of the original buildings – one which forms one of a pair flanking the entrance to the road – would erode the character of this potential conservation area.

#### **Twentieth Century Society**

- 6.8 Makes the following comments:
- The proposal will have a negative impact on a non-designated heritage asset;

- Loss of house to a modern structure is out of keeping with the area and loss of the original and unaltered feature of the estate will detrimentally harm this non-designated heritage asset
- The house remains fit for purpose and sensitive refurbishment should be encouraged

### **Cambridge Past, Present and Future**

6.9 Makes the following comments:

- The principle of demolition should be re-evaluated in view of its connection with the replacement dwelling;
- The loss of these buildings would impact the context and original design;
- The buildings should be considered as non-designated heritage assets
- In areas such as this where the design of the street has been intentionally designed greater protection should be afforded to proposal that would permanently alter the character and appearance;
- Scale of replacement dwelling is considerably at odds with the existing dwellings;

6.10 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 Barrow Road
- 3 Barrow Road
- 4 Barrow Road
- 6 Barrow Road
- 8 Barrow Road
- 9 Barrow Road
- 11 Barrow Road
- 12 Barrow Road
- 18 Barrow Road
- 20 Barrow Road
- 21 Barrow Road

- 24 Barrow Road
- 25 Barrow Road
- 27 Barrow Road
- 29 Barrow Road
- 30 Barrow Road
- 31 Barrow Road
- 32 Barrow Road
- 39 Barrow Road
- 45 Barrow Road
- 13 Porson Road
- 29 Porson Road
- 34 Porson Road
- 38 Porson Road
- Ardglass, Inverlounin Road, Lochgoilhead
- Salix House, Top Road, Wimbish
- Twentieth Century Society
- Cambridge Past, Present and Future
- English Heritage

## 7.2 Context, scale, design, character:

- Proposed dwelling would be very close to the boundary and extend a long way into the garden;
- The character of Barrow Road will be spoiled;
- Dislike the tall chimney and sloping roof;
- Demolition of no.2 destroys the original architectural design of the entrance to Barrow Road;
- No.2 is one of the more elegant houses of the road and is proportionally appropriate for its role as a gateway to the street
- Design of replacement house fails to recognise both architectural character and nature of original layout of the road;
- Proposed dwelling out of character and would destroy the architectural integrity of the road;
- Revised design still very large and bulky;
- Modern structure is out of keeping with other area and loss of original and unaltered feature will detrimentally harm this non-designated heritage asset;
- East elevation presents an extensive and imposing area of tiled roof;
- Height of proposed dwelling would be 1 metre taller than existing which is out of context with Barrow Road;

- Proposed dwelling would be significantly bigger than other properties in Barrow Road and encroach deeper into the garden adversely affecting the balance between built area and surrounding land;
- No positive impact on the area as required by policy 3/12
- The proposal would destroy the architectural symmetry of no.1 and 2 forming entrance to Barrow Road;
- The existing façade should be retained to preserve the gatehouse concept;
- Demolition of no.2 would be a tragedy and wholly wrong;
- To permit a pastiche replacement robs the road and city of its architectural heritage;
- Concerns regarding the demolition and proposed replacement dwelling supported by Cambridge Past, Present and Future and, 20<sup>th</sup> Century Society and English Heritage;
- The proposed dwelling is unnecessarily large and similar to the scheme that was refused;
- Concerns that the swimming pool along with the applicant occupation may result in business use at this site would change the nature of the neighbourhood;
- The proposal replacement dwelling would set a poor precedent;
- The proposal to demolish an original building would erode the character of this potential conservation area.

### 7.3 Residential amenity

- Concerned by noise and disturbance
- Outflanking and overbearing no.4 Barrow Road
- Overlooking and loss of privacy on no.4 Barrow Road

### 7.4 Comments following amendments:

- Revisions do not address objection and remains out of keeping;
- The proposed house is still very large and overbearing, out of character with the design of the original Barrow Road houses and will still be intrusive on its neighbouring properties.
- The large roof slope would appear dominant from no.4
- Remains out of character with other houses in Barrow Road in height and floor area
- Applicant should be encouraged to do a tasteful extension behind the existing façade;

- Reduction in mass, number of windows and cutting back the dwelling from the boundary is welcome;
- Scale of new building still oppressive from the garden no.4;
- Three storey house in the context of two storey houses;
- End the “*Blitzkrieg*” approach to home improvements;
- Barrow Road is a “*smiling road*” which a “*second ugly tooth*” would spoil;
- Commercial building which is inappropriate;
- Concerns with contractor parking on the corner of Barrow Road

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 The provision of a replacement dwelling accords with Local Plan Policy 5/1, housing provision.

8.2 The house and its garden are not within a Conservation Area. I acknowledge the desirability of retaining the existing house but its loss cannot be protected under current planning legislation because the applicant could submit a notification under Part 11B of the General Permitted Development Order 2015 to demolish the dwelling and the Council could not refuse such an application. The Council could only control the method of demolition current. Therefore, whilst there are aspirations for the street to be included within a Conservation Area in the future, there is no policy protection against the demolition of the existing dwelling.

8.3 Requests have been made for Barrow Road to be included within a new Conservation Area. This has been formerly considered by Environmental Scrutiny Committee and would also require the production of a Conservation Area Appraisal and include public consultation. In my view, the aspiration for Barrow Road to be included within a Conservation Area adds very little weight in favour of retaining the existing building. If Barrow Road was a Conservation Area, it would become a Designated Heritage Asset. This would not negate all demolition but would place a higher test of consideration for the demolition

and replacement because issues of demolition would come with the control of the Council. I recognise the issues raised by both Historic England and The 20<sup>th</sup> Century Society but they have limited weight and do not enable the Council to resist demolition in this instance due to the building falling within an emerging Conservation Area. That does not mean that the Council cannot consider the context and character of the road and whether the replacement dwelling adequately reflects this. The existing property is not a Building of Local Interest (BLI = a non-designated heritage asset) and does not appear on the current list of BLI's and there are no such designations within Barrow Road.

- 8.4 In my opinion, the principle of the development is acceptable and in accordance with policy 5/1. There are no planning grounds on which to resist the principle of demolition.

#### **Context of site, design and external spaces**

- 8.5 Barrow Road consists of large two storey detached dwellings, which are set back from the road with well landscaped frontages and on generous plots. The character of the street has a spacious suburban feel with wide grass verges, tree lined avenue and a general consistency in terms of building line and two storey scale on both sides. In terms of architecture, many of the dwellings are in an 'Arts and Crafts' style, typically in brick and render with tiled hipped, gabled roofs and dormer windows. However, many of the dwellings have also been extended and altered to increase their size with modern interventions which have diluted the arts and craft style.
- 8.6 No's.1 and 2 Barrow Road are set behind landscaped/green boundaries, which are between 2 and 2.5 metres in height, and are screened from Trumpington Road by a dense band of mature trees, which are group protected. Neither dwelling has been designed to mark them out as being important 'gateway' buildings into Barrow Road but careful consideration needs to be given to the replacement building to ensure it can sympathetically assimilate into the site and context of Barrow Road.
- 8.7 Local Plan policy 3/12 (New buildings) is relevant for consideration of this proposal. Policy 3/12 requires new buildings to have a positive impact on their setting in terms of

location on the site, height, scale and form, materials, detailing and wider townscape and landscape impacts and available views. The footprint of the proposed new dwelling can be comfortably accommodated within the large rectangular plot. The proposed dwelling has a deeper footprint as compared with the existing house and its neighbour no.4, but this does not result in any harm to the character and appearance of the suburban street scene or from the rear gardens.

- 8.8 The increased depth of the proposed dwelling (compared to the existing) would only be apparent from oblique angles from along Barrow Road. However, the rear projecting gables (particular the eastern gable) would project beyond the rear of no.4 and be visible from neighbours gardens. In my view, the additional depth of the proposed dwelling beyond the rear of no.4 and the hipped roof form would have limited impact. As such the rear aspect of the proposed dwelling would not significantly alter the character of the rear garden landscape. Views of the proposed dwelling and its depth would be limited and largely screened from Trumpington Road by the existing band of trees and boundary treatment.
- 8.9 Several of the properties along Barrow Road have been extended and altered from their existing form. A range of extensions, predominantly to the rear and side, have resulted in a more varied street scene from its original appearance. This has also changed the rear view of the dwellings from rear garden-scape. Therefore the location within the plot is considered to be acceptable in this context.
- 8.10 In terms of height, the proposed dwelling would be approx. 750mm above the existing ridgeline (excluding the main gable which would project 600mm above the main ridge, which runs north-south). The increase in height over the existing would not be harmful because of the spacing between properties. In my view, the variation in heights in the front elevation of the proposed dwelling gives architectural interest and articulation. The height of the proposed dwelling is considered to be acceptable in this context and would not appear significantly out of keeping such that it would have an adverse impact on the character of this area.
- 8.11 The proposed dwelling would occupy most of the footprint of the existing dwelling and stretch beyond it at the rear and sides

whilst maintaining a two storey form and appearance. The scale of the proposed dwelling has been broken up by a combination of gables projecting off a central element, varied roof slopes and roofscape and features such as bay windows and dormers. I am of the view that the scale of the proposed dwelling would fit comfortably within the plot without appearing unduly dominant or out of scale with other existing dwellings. The proposed dwelling would in my view complement the existing built form along Barrow Road.

8.12 The applicant states that the proposed dwelling has been designed to maintain and respect the 'art and craft' theme of Barrow Road. The projecting gables, steep roof slope, dormer windows, prominent chimneys and tiled roof are features that are found in existing dwellings in this locality. However, because of its depth and form, I am not convinced that it could be said to be a faithful replication. In my view, the proposed design and form are considered to be of high quality and would preserve the character and appearance of the area. Whilst I understand the existing dwelling is part of the original development along Barrow Road at a time when the 'arts and craft' movement was in fashion, I do not consider this reason alone is worthy of its protection. The proposed dwelling has a more prominent appearance with strong articulation and bold features visible from the road such as the gable but I do not consider its presence would be harmful. It would not, in my view, be appropriate or reasonable to insist the applicant retains the front façade of the existing dwelling, as some third parties have suggested, as this would result in a contrived form of development. The proposed dwelling has incorporated sympathetic architectural references which would complement the character of the area.

8.13 Materials and detailing are important elements to ensure the appearance of the proposed dwelling is appropriate. I have therefore recommended a materials condition (condition 3) so that such details can be agreed before development is commenced.

8.14 The proposed dwelling has been designed to respond to the context of the site whilst respecting the architectural form of Barrow Road. The proposed dwelling would adequately respect the character and appearance of the area.

- 8.15 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

- 8.16 The proposed dwelling has been amended, particularly the eastern elevation, to mitigate its impact on the adjoining neighbour (no.4) in terms of enclosure.
- 8.17 The ridge of the eastern gable would be higher than the existing property, but would be located over 4.6 metres away from the boundary and the roofscape would slope down towards the boundary. This would allow for an improved outlook from the rear of no.4 than existing. The roof of the rear facing projecting gable end has also been hipped and a section of the single storey element removed to create a step, which removes a large area of roofscape. The combination of these amendments has reduced the visual mass of the roofscape and bulk of the eastern elevation.
- 8.18 The existing dwelling has four windows at first floor, two serving bathrooms and two serving bedrooms. The bedroom at the rear of the property has a slot window which faces over the garden of no.4. The other bedroom window is located nearer the front of the property but is a larger window that overlooks the side elevation of no.4 and the boundary. The proposal includes four windows in the eastern elevation at first and second floor levels. All these windows are to be obscure glazed and I have recommended a condition as such (condition 10). The first floor windows are proposed to be recessed dormers that would serve a bathroom and ensuite. The window in the second floor would serve a landing and ensuite. None of the windows would serve habitable rooms. Therefore, I believe the proposed scheme would not result in overlooking from the eastern elevation such that it would have a detrimental impact on the privacy of the adjacent neighbour.
- 8.19 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, 3/7 and 3/12.

Amenity for future occupiers of the site

- 8.20 The proposed new house provides a high-quality living environment, appropriate in this setting, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12. I recognise that there is a current application for a new dwelling in the rear garden, but even in the event that that proposal were to be acceptable, it would not alter my conclusion.

### **Refuse Arrangements**

- 8.21 There is enough space within the curtilage to accommodate the required level of waste receptacles.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.23 The applicant has demonstrated on plan that adequate visibility splays and car parking dimensions can be accommodated.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

Car parking

- 8.25 The proposed dwelling would not have any impact on the existing parking provision.

Cycle parking

- 8.26 The proposed dwelling makes provision for four cycles to be stored within the garage. There is also enough space within and around the dwelling to accommodate additional spaces.
- 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 addressed most of the comments received by third party representation in the above section. However, I set out below the comments that I have not addressed.

<b>Issue</b>	<b>Officer response and report section</b>
Noise, disturbance and contractor parking during construction	This can be mitigated through appropriate planning conditions. See construction hours condition 4.
Commercial use of the proposed dwelling	This is not what has been applied. Nevertheless, this would require separate planning permission subject to the degree of commercial activity from the site.
The applicants should pay for the surface of the road to be re-laid.	The maintenance of the Barrow Road is a civil matter and is not a material planning consideration.
Damage to trees from construction traffic.	This can be ensured through the imposition of a suitable planning condition.
Existing dwelling is elegant and original to the street	I do not agree that its appearance could be considered as elegant, but as an original house to the street, its loss cannot be resisted
Precedent for demolition and replacement	Any future proposed development would be assessed on its own individual merits.
Application to subdivide garden would adversely affect the neighbour at no.4	The application for the subdivision has not been determined and cannot be assessed as part of this application.

<p>Unnecessary increase in carbon footprint.</p>	<p>I recognise that the existing building could feasibly be retained and extended but the fact that this may be unnecessary does not make it unacceptable. A new dwelling is likely to be built to higher energy efficiency standards than at present and as stated above the demolition of the building could not be resisted.</p>
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## 9.0 CONCLUSION

- 9.1 Whilst it is acknowledged that Barrow Road has heritage significance it is not currently designated as a Conservation Area and limited weight can be given to this under national and local policy provision. The proposal to demolish the existing dwelling at no.2 Barrow Road is therefore acceptable in principle. The proposed replacement dwelling is of a design and scale that would sympathetically assimilate into the site and would preserve the character and appearance of the area, despite its depth of form.
- 9.2 The proposed dwelling has been designed and laid out to mitigate the impact on the residential amenity of the adjoining occupier. The scale and mass of roofslope on the eastern elevation has been reduced from the original scheme and all windows in the eastern elevation are proposed to be obscure glazed to prevent overlooking.
- 9.3 The proposed dwelling would not have any adverse impact on the existing trees along the western boundary as it would be located outside the root protection zone.

## 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 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. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

5. 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.

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

6. No development shall commence 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 policy4/13

7. 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). In addition the method statement should include details to be adopted to minimise the impact of retained trees on the building in the future.

The development shall be carried out in accordance with the approved details.

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)

8. Prior to commencement, a site visit will be arranged with the retained arboriculturalist, developer and LPA Tree Officer to agree tree works and the location and specification of tree protection barriers and temporary ground protection.

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)

9. 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)

10. The windows on the east elevation at first and second 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 (of the extension) 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).

11. No windows or openings of any kind shall be introduced in the first floor or second floor level of the east elevation.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

**INFORMATIVE:** Dust condition 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](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

<b>Application Number</b>	15/1123/S73	<b>Agenda Item</b>	
<b>Date Received</b>	12th June 2015	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	11th September 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	The Perse Upper School Hills Road Cambridge Cambridgeshire CB2 8QF		
<b>Proposal</b>	Section 73 application to vary condition 16 (Long Road Access) of 14/2070/FUL to also allow vehicles providing a delivery, collection or maintenance function for the Perse School.		
<b>Applicant</b>	Mr Gerald Ellison The Perse Upper School, Hills Road Cambridge Cambridgeshire CB2 8QF United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Planning permission was granted to use the service permanently through planning permission 06/0175/FUL. Considering the unrestricted use granted by the previous permission it is, in my view, unreasonable to restrict the use of the road so severely through the permission for the Performing Arts Centre. In my opinion the amenity of neighbouring properties can be protected through conditions restricting the hours of use and the type of vehicle, and I therefore recommend that the application is approved subject to conditions.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Perse Upper School is accessed off Hills Road from a long driveway and is bounded by residential development on all four sides. To the south of the site are dwellings that front onto Long Road. To the north and west are properties on Sedley Taylor Road, Luard Road and Luard Close.
- 1.2 The site does not fall within a Conservation Area and falls outside the controlled parking zone.
- 1.3 The area of the school site that is the subject of this application is currently in use as an all-weather sports pitch.

## 2.0 THE PROPOSAL

- 2.1 Planning permission was granted by Planning Committee on 3<sup>rd</sup> June 2015 for a new purpose built performing arts centre and landscaped courtyard within the grounds of the Perse School (14/2070/FUL).
- 2.2 This application seeks to vary condition 16 of this permission. The condition reads as follows:

*The access road from Long Road shall be used for the delivery of construction materials during the construction of the building hereby approved and emergency service vehicles only.*

*Reason: In the interests of the residential amenity of neighbours. (Cambridge Local Plan 2006, policy 4/13)*

- 2.3 The applicant seeks to reword this condition to also allow vehicles providing a delivery, collection or maintenance function for the Perse School to use this road.

## 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
C/95/0714	Erection of new sports hall and swimming pool, and associated access road and car parking including use of temporary access for contractors adjacent to No.19 Long Road.	Approved

C/97/0976	Temporary use of access land adjacent to 19 Long Road for contractors vehicles in connection with the third phase of laboratory extension.	Approved
C/99/0531	Erection of a school sports hall and sixth form centre and continued temporary use of the contractors access from Long Road during the construction period of the sports hall.	Approved
06/0175/FUL	Erection of new 3 storey classroom block, new 2 storey art and technology block, sports centre extension and science block extension together with associated parking service road extension, landscaping and all weather pitch.	Approved
10/1317/FUL	First floor extension over Sports Hall store and link to rest of first floor.	Approved
14/2070/FUL	New purpose built performing arts centre and landscaped courtyard within the grounds of the Perse School. The scheme will accommodate a new 360 seat auditorium, rehearsal room, foyer and ancillary areas as well as 5 new classrooms. The landscaped courtyard will include soft landscaping, an external performance space and a reflection pool.	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 3/7 4/13

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
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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 No significant adverse effect upon the Public Highway is anticipated to result from this proposal if it gains benefit of Planning Permission.
- 6.2 The above response is a summary of the comments that have been received. Full details of the consultation response can be inspected on the application file.

### **Head of Refuse and Environment**

- 6.3 On review of the historic information relating to the Long Road access road, I understand that the route is currently used for service and construction vehicle access to and from the school. Additional use is anticipated for servicing the new Performing Arts Centre. I also understand that the access road is laid to tarmac, which will minimise the spread of airborne dust and help to reduce surface noise.
- 6.4 With regards to use by commercial waste collection vehicles, it is understood that servicing will be tied into the existing rota and as such, should not result in an increase in refuse vehicles using the access road.
- 6.5 Due to the operational requirements of the waste collection crews, access to commercial premises for waste collection vehicles is accepted by the Council to be no earlier than 7am. This is controlled through separate measures by the Refuse and Environment Department (specifically Environmental Health) who can take action on early morning deliveries. As such, there should be no requirement to condition this.
- 6.6 I consider that, given the access road is already used by service vehicles, the most appropriate controls will be in limiting the hours of use, as suggested below:

During construction for the Performing Arts Centre

- 8am to 6pm on Mondays to Fridays
- 8am to 1pm on Saturdays and
- at no time on Sundays or Bank Holidays

During operation of the Performing Arts Centre:

- 8am to 6:30pm on Mondays to Fridays
- 8am to 1pm on Saturdays
- and at no time on Sundays or Bank Holidays

6.7 An additional restriction should be included to prevent use of the access road to staff and members of the public at any time (including visiting, drop off and pick up). However, emergency service vehicles should be excluded from the restrictions.

## 7.0 REPRESENTATIONS

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

- 9 Long Road
- 11 Long Road
- 13 Long Road
- 15 Long Road

7.2 The representations can be summarised as follows:

- The temporary road was originally installed to provide contractors with access to the school site and was to be removed when work was finished. It was used for the building of the sports hall and classroom blocks.
- The application for the classroom blocks included a request for more permanent use for future maintenance works. At this time there was no request to for all trade vehicles to use this access.
- No details are given on the use – numbers, regularity or hours.
- Noise
- Smell from fumes
- Dust
- Loss of privacy
- Many neighbours use the end of their gardens as private space to get away from the noise and fumes of Long Road.
- The pathway between 13 Long Road and 15 Long Road meets the road and is used by pupils
- In condition 17 of the classroom block permission (06/0175/FUL) the condition states that it was to be used for service vehicles only. The service vehicles referred to are the lorries delivering construction vehicles.

- The road has only been resurfaced very recently so that it can be used by a wider a variety of vehicles. The road was a temporary rough surface.
- The school has made promises it has not kept.

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. Residential amenity

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

8.2 In 2006 planning permission was granted for a three storey classroom block, a two storey art and technology block, an extension to the sports centre, and extension to the science block (06/0175/FUL). This permission included the permanent use of the service road. Permission was granted subject to conditions, with condition 17 stating that the service road 'shall be used for service vehicles only'. The term 'service vehicles' was not defined.

8.3 It has been suggested in the representations received that the term 'service vehicles' relates to vehicles delivering constructing materials, ie vehicles servicing the construction sites, which the permission relates to. Whilst this is logical, in my view this is not the case as the condition does not explicitly describe the vehicles in this way. If the Local Planning Authority wished to enforce the use of the road in this way it would be unreasonable. The use of the road is therefore relatively unrestricted, and would include use by maintenance vehicles, delivery vehicles and refuse vehicles.

8.4 Condition 16 of the planning permission for the Performing Arts Centre, which this application relates to, restricts the use of the service road to 'the delivery of construction materials during the

construction of the building hereby approved and emergency service vehicles only'. What must be assessed is the additional use of the service road over and above what was lawful under the previous application (06/0175/FUL) and the impact of this additional use. Due to the proximity of the road to the common boundaries with the neighbouring houses on Long Road, and due to the fact that the occupiers of these houses use the end part of their gardens as their main private outside space, it is my view that the use of the road should be restricted to minimize the disruption experienced by the occupiers of these properties. Considering the unrestricted use granted by the previous permission (06/0175/FUL) it is, in my view, unreasonable to restrict the use of the road so severely through the permission for the Performing Arts Centre as the Local Planning Authority did consider it acceptable for the road to be used for service vehicles throughout the construction phase and after occupation of the classroom blocks, art and technology block and extensions.

8.5 In my view, the use of the service road should be restricted in the following ways, by separate conditions:

- During the construction period for the Performing Arts Centre the hours of use of the service road by construction vehicles or vehicles delivering construction materials shall be restricted to the hours stated in condition 4 of the planning permission for the Performing Arts Centre (14/2070/FUL) (8am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays, and at no time on Sundays or Bank Holidays) (3)
- When the Performing Arts Centre is occupied the hours of use of the road by delivery vehicles (ie stage sets) or maintenance vehicles should be restricted to 8am to 6:30pm on Mondays to Fridays and 8am to 1pm on Saturdays, and at no time on Sundays or Bank Holidays) (4)
- Unrestricted access to Emergency Service Vehicles (5)
- Prohibition of use as a drop off or pick up point for pupils at any time (6)

8.6 In my opinion these conditions would result in the protection of the residential amenity of neighbours and I consider that the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 4/13.

### Third Party Representations

Issue	Response
The temporary road was originally installed to provide contractors with access to the school site and was to be removed when work was finished. It was used for the building of the sports hall and classroom blocks.	Permanent use of the service road was granted in 2006 as part of the planning application for the a three storey classroom block, a two storey art and technology block, an extension to the sports centre, and extension to the science block (06/0175/FUL).
The application for the classroom blocks included a request for more permanent use for future maintenance works. At this time there was no request to for all trade vehicles to use this access.	Condition 17 of 06/1075/FUL restricted the use of the road to 'service vehicles only'. This is addressed in paragraph 8.3.
No details are given on the use – numbers , regularity or hours.	Addressed in paragraph 8.5.
Noise	Vehicles will create noise but this will be minimized through the control of hours of use. This is addressed in paragraph 8.5.
Smell from fumes	Vehicles will create fumes but this will be minimized through the control of hours of use. This is addressed in paragraph 8.5.
Dust	As the road is tarmaced it is my view that little dust would be created by the use of the road.
Loss of privacy	The boundary will be strengthened by additional planting through conditions 7, 8 and 9 of the planning permission for the Performing Arts Centre (14/2070/FUL).
Many neighbours use the end of their gardens as private space to get away from the noise and fumes of Long Road.	Addressed in paragraphs 8.4 and 8.5
The pathway between 13 Long Road and 15 Long Road meets the road and is used by pupils	The use of this pathway cannot be controlled.

In condition 17 of the classroom block permission (06/0175/FUL) the condition states that it was to be used for service vehicles only. The service vehicles referred to are the lorries delivering construction vehicles.	Addressed in paragraph 8.3.
The road has only been resurfaced very recently so that it can be used by a wider a variety of vehicles. The road was a temporary rough surface.	Permanent use of the service road was granted in 2006 as part of the planning application for the a three storey classroom block, a two storey art and technology block, an extension to the sports centre, and extension to the science block (06/0175/FUL).
The school has made promises it has not kept.	No breach of planning permission has taken place.

## 9.0 CONCLUSION

9.1 Planning permission was granted to use the service permanently through planning permission 06/0175/FUL. Considering the unrestricted use granted by the previous permission it is, in my view, unreasonable to restrict the use of the road so severely through the permission for the Performing Arts Centre. In my opinion the amenity of neighbouring properties can be protected through conditions restricting the hours of use and the type of vehicle, and I therefore recommend that the application is approved 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. During the construction period for the Performing Arts Centre the service road granted planning permission under ref 06/0175/FUL shall be used by construction vehicles or vehicles delivering construction materials between the following hours only: 0800 to 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays, 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. After the occupation of the Performing Arts Centre the service road granted planning permission under ref 06/0175/FUL shall be used by vehicles delivering to or providing maintenance to the Performing Arts Centre only and between the following hours only: 0800 to 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays, 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)

5. The service road granted planning permission under ref 06/0175/FUL may be used by emergency vehicles at any time.

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

6. The service road granted planning permission under ref 06/0175/FUL shall not be used for the dropping off or picking up of pupils at any time.

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

7. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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. 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)

10. No development shall take place until there has been submitted to and approved by the local planning authority in writing a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with 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)

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. 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)

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. 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).

15. 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 Local Planning Authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006, policies 3/4 and 3/12).

16. 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 Local Planning Authority. This may consist of large-scale drawings and/or samples. Thereafter the development shall be undertaken in accordance with the agreed details unless the Local Planning Authority agrees to any variation in writing.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006, policies 3/4 and 3/12).

17. 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.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

18. Prior to the occupation/use of the development, details of equipment for the purpose of extraction and filtration of 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 and shall thereafter be retained as such..

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

19. No development shall take place until full details of the external lighting for the landscaped area, including the amphitheatre have been submitted to and approved in writing by the Local Planning Authority. The details shall include type of lighting structures, location, height, illumination levels and direction of illumination. The lighting details shall thereafter be installed in accordance with the approved plans.

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

20. During performances and practices, all doors and windows serving the Auditorium must be kept closed to contain noise.

Reason: In the interests of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

21. Amplification equipment shall not be used for outside performances.

Reason: In the interest of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

22. Performances held outside shall cease by 10pm.

Reason: In the interest of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

23. Prior to the first use of the building a management plan for the use of the building outside school term time and outside school hours shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of residential amenity. (Cambridge Local Plan 2006, policy 4/13)

24. 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)

25. Prior to the commencement of the development hereby approved full details of a scheme of public art shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme will need to meet the Council's requirement for public art as set out in the Public Art SPD (2010). The approved scheme for public art shall be carried out in accordance with the approved details not later than 3 months after the first occupation of the building or within a timeframe set out and agreed within the submitted scheme.

Reason: In the interest of creating successful, high quality, attractive environments, Cambridge Local Plan 2006 policy 3/7.

26. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). 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)

**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).

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<b>Application Number</b>	15/0787/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	28th April 2015	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	23rd June 2015		
<b>Ward</b>	Trumpington		
<b>Site</b>	St Marys School Bateman Street Cambridge Cambridgeshire CB2 1LY		
<b>Proposal</b>	Creation of a new extended entrance to the school (Bateman Street). Construction of a new boundary wall and signage, enclosing the bicycle store. A small extension to the classroom accommodation and signage. Provision of through colour render to the existing brickwork of two buildings (the Cortile and the Science block). Provision of new gates/screens/ fencing on to Bateman Street. Provision of screen to obscure extract ductwork from the science classrooms (Bateman Street)		
<b>Applicant</b>	Ms Charlotte Avery St Marys School Bateman Street Cambridge Cambridgeshire CB2 1LY United Kingdom		

SUMMARY	<p>The development fails to accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed use of render would not be in keeping with the defined character of this part of the Conservation Area and would appear out of context with the surrounding area, consequently harming the Conservation Area.</li> </ul>
RECOMMENDATION	REFUSAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site, St Marys School, is comprised of a series of large multi-storey buildings used for education purposes. The

application relates specifically to the building which has been developed incrementally over time between the sites of Paston House and The Elms which front Bateman Street.

1.2 The school is situated on the south side of the street bounded by the Botanical Gardens. Opposite the school site on the north side is the Goldsmiths Hall, a Grade II listed building, and at the western end of the site is 1 Brookside, also Grade II listed. The area is predominantly formed of two-storey Victorian terrace style properties designed in traditional brick with tiled roofs.

1.3 The site falls within the Central Cambridge Conservation Area.

## **2.0 THE PROPOSAL**

2.1 The proposal seeks planning permission for the following:

- Creation of a new extended entrance to the school (Bateman Street). The new entrance would project out to the front by 2.1m with a series of glazed doors and windows. A new canopy in the form of a curved metal roof and a tall fin wall would project towards Bateman Street to create a more distinctive entrance.
- Construction of a new 3.3m high boundary wall and signage, enclosing the bicycle store.
- A small extension of 1m in depth to the classroom accommodation at two-storey level on the west elevation of the science block and signage.
- Provision of through colour render to the existing brickwork of two buildings (the Cortile and the Science block).
- Provision of new gates/screens/ fencing on to Bateman Street to replace existing.
- Provision of perforated screen to obscure extract ductwork from the science classrooms (Bateman Street).

2.2 The proposal has been amended to remove the through colour render on the science block and retain as existing.

2.3 The application has been called in for determination at planning committee by Councillor Meftah on the grounds that the application should be supported as the proposal will enhance the presence of the building and will not detract from the character of the area.

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/0086/FUL	Erection of a new four storey D1 educational building including associated landscape works following demolition of a rear extension.	Withdrawn
07/0526/FUL	Installation of new canopy and replacement of two windows and replacement of existing doors.	Permitted.
06/1404/FUL	Provision of temporary mobile classroom.	Permitted.
06/0407/FUL	Replacement windows and frames to existing school building facade.	Permitted.

### 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 3/14 4/11

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)
Material Considerations	
	<u>Area Guidelines</u>  New Town and Glisson Road Conservation Area Appraisal (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 of relevance.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

6.1 No objection, subject to informative.

## **Urban Design and Conservation Team**

- 6.2 When considering applications for works within a conservation area, we are looking to preserve or enhance the character or appearance of the conservation area. The Conservation Team does not consider that the use of render on the upper three storeys of this building will either preserve or enhance the conservation area as it will be the introduction of an alien material to this part of the conservation area. As stated in the original comments on this application, a key characteristic of this part of the conservation area is that of brick facades to the buildings.
- 6.3 The reasons why the use of render is not supported in this area are noted below:
- With the introduction of render the texture of the bricks is lost and the emphasis of the building changes from individual building blocks of different hues to slabs of over-regular colour.
  - By the breaking up of the consistent use of brick in Bateman Street, views from Panton Street and those along Bateman Street itself would be significantly altered if the building were to be rendered.
  - This would be exaggerated if the colour of the proposed render were to be inappropriate for the area
  - There may also be a long term maintenance issue with render.
- 6.4 All of the above would be to the detriment of the character of the conservation area.

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 representations have been received.

## **8.0 ASSESSMENT**

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

1. Context of site, design and external spaces and Impact on Conservation Area
2. Residential amenity

### **Context of site, design and external spaces and Impact on Conservation Area**

- 8.2 All of the proposed works would be highly visible from the street scene. In order to assess the proposed works more clearly, each aspect has been assessed individually as is demonstrated in the sub-chapters below.

#### New entrance

- 8.3 At present, the entrance is by way of a set of double doors, with relatively blank and un-noteworthy brick wall sections between glazed panels.
- 8.4 The proposal seeks to enhance the visual presence of the main entrance by replacing the existing brick section of this frontage with glazed panels with automatic sliding doors. A new canopy in the form of a curved metal roof and a tall fin wall would project towards Bateman Street to create a more distinctive entrance.
- 8.5 The Conservation Team has not raised any objection to this element of the proposed works and I agree with their advice. Overall, I consider that the proposed entrance, fin and canopy roof would enhance this frontage and create a far more welcoming and positive entrance for users.

#### New 3.3m high boundary wall and signage

- 8.6 The existing cycle store is currently visible from Bateman Street and is partially obscured by low level railings.
- 8.7 The proposals would replace these railings with a new boundary wall to increase security of cycles and a sign for the school would be positioned in the corner of this wall. The Conservation Team are supportive of these works subject to details of the materials and I agree with this advice.

### 1m Extension to science block

- 8.8 A 1m extension at two-storey level is proposed on the western side of the science block which would allow for new signage on this elevation to make this entrance more focal. This would also enable classrooms on these levels to become small lecture theatres.
- 8.9 The proposed extension is relatively minor in terms of scale and massing. The overall design is supported in principle by the Conservation Team but further details would be needed to clarify the dimensions, colours and materials of the signage. I agree with this advice and consider that subject to further details, which could be dealt with through condition, this element is supported.

### Render to main building

- 8.10 The main building is currently clad in brick which is a feature characteristic of this part of the Conservation Area.
- 8.11 The proposals seek to replace the existing brick on the main building with render. The Conservation Team is not supportive of this element of the proposed works. Within Bateman Street and Panton Street, almost all of the buildings are finished in brickwork. This brings a visual homogeneity to this part of the Conservation Area and is a distinct characteristic of it. I acknowledge that properties on Hills Road may be rendered, such as Three Crowns House, but to my mind that is a completely different visual character, which includes a greater variety of building styles and finishes, including commercial and business premises. The character differs from many of the side streets. The use of render on the main building of the school is therefore not supported as it is seen to be out of character with the Conservation Area.

### New gates/screens/ fencing

- 8.12 The proposed gates, screens and fencing are in similar positions to that of the existing. The new designs are reflective of the proposed patterned perforations of the new entrance screen. The existing gates and fencing are not considered to be of any particular interest or value to the character of the area.

The Conservation Team are supportive of this element of the proposed works and I agree with this advice.

### Perforated Screen

- 8.13 The proposed perforated screen has been designed to obscure the extract ductwork from the science block when viewed from Bateman Street. The Conservation Team are supportive of this element and I agree with this advice, particularly given that it will help shield the exposed extract ductwork from public view which is not considered to be an aesthetically positive feature.

### Summary

- 8.14 The applicants were advised previously that render was unlikely to be acceptable as an alternative finish to the building. Officers have welcomed numerous changes to the building but the use of render would appear out of context with the positioning of the building in the Conservation Area.
- 8.15 In my opinion the proposal is contrary to Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.16 As the overall mass and scale of the building is not being increased substantially and no new outlooks are being created by any of the proposed works, I am content that the proposal poses no harm to the amenity of neighbouring properties.
- 8.17 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 3/14.

## **9.0 CONCLUSION**

- 9.1 The proposal to replace the existing brickwork with render on the main building would appear out of character with the Conservation Area and is consequently not supported. Refusal is recommended.

## 10.0 RECOMMENDATION

**REFUSE** for the following reasons:

1. The proposal to replace the existing brickwork with render on the main building would appear out of context with the area and would consequently harm the character and appearance of the Conservation Area. Bateman Street is characterised by properties designed in brick and the proposal to introduce render on this street, which would also be visible from along Panton Street, would clash with this distinctive feature and appear alien from public views throughout this street of the Conservation Area.

For this reason, the proposals fail to respond to their immediate context and would neither preserve or enhance the character and appearance of the Conservation Area. As such the proposals are contrary to the provisions of Policies 3/4, 3/7, 3/11 and 4/11 of the Cambridge Local Plan 2006.

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<b>Application Number</b>	15/0567/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	26th March 2015	<b>Officer</b>	Mr Amit Patel
<b>Target Date</b>	21st May 2015		
<b>Ward</b>	Romsey		
<b>Site</b>	63 Thoday Street Cambridge CB1 3AT		
<b>Proposal</b>	Construction of a two storey one bed room unit on land to the rear.		
<b>Applicant</b>	Mrs S Saunders C/O NEALE ASSOCIATES THE TRAM SHED 184 EAST ROAD Cambridge CB1 1BG		

SUMMARY	<p>The development does not accord with the Development Plan for the following reasons:</p> <p>The proposed development will have a cumulative impact on the open space to the rear of the site.</p> <p>The design of the building, especially the fenestration detailing will lead to an impression of a new dwelling rather than an out building and have a detrimental impact on the Conservation Area.</p> <p>The proposed building due to its position relative to the Birch tree will lead to future pressure of pruning or felling detrimental to the street and the tree.</p>
RECOMMENDATION	REFUSAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site is the garden area for 63 Thoday Street. Catherine Street and Thoday Street are characterised by two storey residential properties with on street parking provision. St Phillips Road cuts across their axes and provides glimpse views down the backs of the two streets, partially obscured by outbuildings and infills.

- 1.2 The site is within the Central Conservation Area and is within a controlled parking zone.
- 1.3 To the west of the site is a shared path which provides access to the rear gardens of the properties in Catherine Street and Thoday Street.
- 1.4 Directly opposite the site to the south residential land has been split in a similar fashion to that proposed here and has been developed to provide a two-storey detached building used as a flat. Within the former garden of 39 Thoday Street, to the immediate west of the application site is a long timber clad, black painted building which provides for a flat a first floor level and provides parking underneath for Catharine Street properties.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks planning permission for a two storey residential studio. The proposed building has an apex roof form and would be accessed via St Phillips Road. The main windows would face onto St Phillips Road. The building would contain a high level roof light in the east, west and south elevations of the roofscape.
- 2.2 The proposed building would be 6.2 metres to the ridgeline. The footprint on the ground floor measures 6.4m by 5m and first floor 5.2m x 5.2m in plan form. The ground floor would be used for a bin/bike store, a lobby and shower room with an open plan kitchen/dining and living room. The first floor would be used as the main sleeping accommodation with en-suite.
- 2.3 The application is accompanied by the following supporting information:
  1. Design and Access Statement
  2. plans
- 2.4 The application is brought before Planning Committee because officers consider that this application causes wider policy issues for back-land sub-division within this part of the Mill Road Conservation Area. Existing and approved schemes are within the visual sphere of the site but have not responded sensitively

to the Conservation Area and there is a cumulative issue of erosion of back garden space, particularly regarding St Phillips Road that needs to be assessed. At the same time, officers recognise that this form of accommodation provides a need within Cambridge which must be balanced against the conservation concerns raised.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/71/0704	Conversion of terraced house into two flats	Approved
C/69/0345	Conversion of shop into a lounge and store into bathroom	Approved

### SITE HISTORY FOR ADJACENT SITES

Reference	Description	Outcome
05/1184/FUL	Erection of 1no. 2 storey building incorporating 1no. 1 bed residential flat with parking below to the rear of 66 - 70 Catharine Street.	A/C (to the west)
13/1169/FUL	Construction of a two storey studio unit.	A/C (not built)
14/0399/FUL	Construction of two storey studio unit	A/C (immediately south)

### 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, Cambridgeshire and Peterborough Structure Plan 2003 policies, 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 3/10 3/12 4/11 5/1 8/4 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 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning Documents	Sustainable Design and Construction Cambridgeshire and Peterborough Waste Partnership (RECAP) : Waste Management Design Guide Planning Obligation Strategy
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> Cambridge Walking and Cycling Strategy

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways)**

- 6.1 No objection on the grounds of highway safety. The proposal would increase the demand for on street car parking in an area where competition is already intense and may result in the loss of some residential amenity. The removal of on street parking bays will need to be established with the County Council and should be conditional. There are conditions recommended relating to the redundant crossover, access width of 5m and run for 10m from the highway boundary and Traffic Management Plan. Informatives regarding works in highway, encroachment and Public Utility.

### **Head of Environmental Services**

- 6.2 No objections raised – conditions recommended to protect amenity during construction works collection and deliveries.

### **Urban Design and Conservation Team**

- 6.3 The proposal is not supported as the design of the proposal especially the first floor window gives a domestic feel rather than an outbuilding which the design tries to replicate and therefore harmful to the character and appearance of the Conservation Area. In addition the cumulative impact of the proposal on the Conservation Area will have a negative impact.

### **Trees**

- 6.4 Object to the proposal in this form. The application seeks to retain the Birch tree. This is welcomed but concerns regarding the future pruning of the tree as the relationship of the building and tree, especially the large window. The application could be re-designed so that the bike and bin store were to be on the opposite side and the building to be moved eastwards.

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:

- 23 Hope Street
- 81 Cromwell Road
- 32 Romsey Road
- 3 Catharine Street
- 2 Willis Road
- 19A Belgrave Road
- 69 Thoday Street
- 5 Malta Road

7.2 The representations can be summarised as follows:

- Overdevelopment of the site
- Inappropriate location as it is eroding the character
- The cumulative impact is damaging to the area from parking and traffic
- Impact of the proposal on schools, etc
- Pressure on parking
- Fly tipping is increased

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. Trees
8. Third party representations
9. Planning Obligation Strategy

## **Principle of Development**

- 8.2 The application site is located within, and surrounded, by residential development. The site is located within reasonable walking distance of a 'District and Local Centre' which is located to the south, on Mill Road. The site is also within close proximity to public transport links into the city centre and wider area.
- 8.3 The proposed residential redevelopment of the site is considered to be acceptable in this location and context. Windfall housing sites such as this are permitted subject to the existing land use and compatibility with adjoining uses.
- 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 & impact on Conservation Area**

- 8.5 The site is proposed to be subdivided from the main garden area to the rear of no.63 Thoday Street. The key issue is the visual impact of the proposal and the effect on the Conservation Area.
- 8.6 There are recent planning approvals for similar proposals in the immediate vicinity of the site on the southern side of the road (14/0399/FUL -39 Thoday Street and 13/1169/FUL -64 Catharine Street). The proposal at number 39 Thoday Street has been built and having visited the site I am concerned about the impact of this development on the street scene and Conservation Area. The proposal is at odds with the character of the area and the scale of the building to the rear of 39 Thoday Street means that the building does not read as a subservient out building and clearly reads as a residential building.
- 8.7 Given that there is a recent history of approvals in the vicinity of the site, it is clear that the character of the Conservation Area is being impacted. There is now concern that the cumulative impact of properties being built in the rear gardens of the existing dwellings is starting to have a negative visual impact and the current proposal would exacerbate this situation. Whilst I accept that other similar proposals have been granted

planning permission, the site must be assessed as it stands currently and the erection of the property at 39 Thoday Street is a material consideration, as is the extant planning permission for a further dwelling at 64 Catherine Street. In the light of this, I consider that the cumulative impact is key and that the immediate area has reached the point where no further development of this nature can be accommodated without visual harm to the character.

- 8.8 The Conservation Officer has advised that there are concerns regarding the cumulative effect of more development in this short stretch of St Philips Road, and the proposed large first floor windows which are very domestic in character. For these reasons the application is not supported as it will be detrimental to the character and appearance of the conservation area. In the light of this advice and the discussion above I am minded that the proposal would be unacceptable.
- 8.9 In my opinion the proposal would not be compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/10, 3/12 & 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 The proposed building would be located 5.7 metres away from the nearest rear point on no.63 Thoday Street (east). The rear part of the garden to number 65 Thoday Street to the north is a car parking space then moving east is a single-storey outbuilding. The proposals northern elevation will abut the car parking space of number 65. There will be a separation gap of approximately 20m from boundary with the application site and the buildings on the opposite side of the road to the south.
- 8.11 In view of these separation distances, site context and the overall scale of the building and the fact that there are no windows giving outlook to the north and eastern elevations, I am of the view that the proposed building is unlikely to create any significantly adverse residential amenity issues. There are no windows that would directly overlook the private amenity space of the adjoining properties. 66A Catharine Street is located to the west of the proposal and is in residential use. There are no windows in the east elevation of 66a or in the west

elevation of the proposal and therefore will not have any significant impact on residential amenity for this neighbour.

- 8.12 To the north of the site are the rear gardens of the properties facing Thoday Street and Catherine Street. The rear gardens of properties facing Catherine Street are obscured by the building of 66a Catharine Street and considering that there are no windows in the west elevation, the proposed building is considered to be located far enough away from the private amenity space of the surrounding properties so as not to have a significant impact in terms of appearing overbearing and loss of light.
- 8.13 The Environmental Health Team has commented that the proposal is within a residential area and construction and deliveries should be controlled to minimize the disruption caused. This aspect can be controlled by way of a suitably worded condition should the proposals be deemed acceptable.
- 8.14 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, 3/7, 3/10 and 3/12.

#### Amenity for future occupiers of the site

- 8.15 Any future occupant will have access to some amenity space which roughly measures 2.5m by 4m. I accept that this is small however, the site is located within relatively close proximity to Romsey recreation ground on Vinery Road. The site is also located within close proximity to the local shops and services, as well as the city centre and public transport links. The proposed building would have good access to local amenities and given the small size of the unit it would be unlikely to be occupied as a family unit and as such the amenity space is considered acceptable.
- 8.16 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**

- 8.17 Representations have been received regarding increase in illegal waste dumping. The proposed building has been laid out to accommodate a bin storage area on the ground floor in a separate vented room which is accessible from the public highway. I consider that the waste storage is sufficient to accommodate the three bins required and therefore is acceptable.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.19 The Highway Authority have not raised any concerns with regard to highway safety and I consider that there would not be any issues in this regard.
- 8.20 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

### **Car Parking**

- 8.21 The Highway Authority have commented that the development would result in the loss of off-street parking and would be likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application. Third party representations have also been received regarding the impact of the proposal on loss of car parking.
- 8.22 Whilst I accept that there would be a loss of a car parking space, I do not agree that the loss of one space would have a significant impact on the existing car parking provision of the area. The site is located in a sustainable location and the shortage of car parking space would be an additional incentive not to keep a car. Given the size of the unit, and the proximity of

public transport on Mill Road, cycle and walking routes, this lack of parking is deemed acceptable.

- 8.23 The proposal is in accordance with the Council's Car Parking Standards, which are maximum requirements.

#### Cycle Parking

- 8.24 The proposal includes cycle parking for two cycles on the ground floor. This complies with the Council's Cycle Parking Standards.

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

#### Trees

- 8.26 The proposal seeks to retain the Birch tree in the front garden. The Arboriculture Officer has commented that the proposal may have an impact upon the retention of the tree due to the future pressure to prune it. I note that the relationship of the proposal to the tree will have some impact on the windows in the north elevation which is a single aspect outlook, which is a cause for concern. I agree with the Arboriculture Officer that the retention of the tree is acceptable but being in a rear garden location and highly visible in the street the tree plays an important role to give a green breathing space and adds to the character of the rear gardens. The proposal, as submitted, leads me to consider that there will be future pressure to prune or fell the tree.

- 8.27 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policy 4/4.

### Third Party Representations

Principle of development – Over development, eroding character	Covered in paragraphs 8.2 and 8.5 to 8.8
Design – Cumulative impact	Covered in 8.5 to 8.8
Traffic – safety, increased parking,	Covered in 8.20 to 8.24
Other – impact on schools	The proposed building is a one bed studio unit. There increase in numbers of residents from this unit will not, in my opinion, have a significant increase on services such as schools etc and this would not be a reasonable planning reason for refusing the application.
Refuse arrangements and fly tipping	8.16 refuse arrangements, Fly tipping is covered by other legislation and cannot be afforded significant weight in the determination of this application.

8.28 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

Given the council's previous approach to S106 contributions (based on broad infrastructure types within the city of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the

context of the capacity of existing facilities serving the development.

- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. **In this case, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects.** Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future.

## 9.0 CONCLUSION

- 9.1 In the light of the preceding discussion it is concluded that the proposals would be unacceptable by virtue of the scale, siting and cumulative visual impacts of this proposal and others already permitted in the vicinity of the site which would erode the character of the Conservation Area. There would also be pressure on the Birch tree for future pruning/removal which would be likely to result in the loss of the tree.

## 10.0 RECOMMENDATION

**REFUSE** on the following grounds:

1. The proposed studio flat due to the infilling of the gap, eroding the open space and being of a scale and form which is highly visible in the street would create a form of development that cumulatively has a detrimental impact upon the character and context of the Conservation Area. In addition to this the pressure on the Birch tree will be significant that the pressure to prune or fell the tree will be detrimental to the tree which plays an important role with in the street. For these reasons the proposed infill studio would be contrary to policies 3/4, 3/7, 3/10, 3/11, 3/12, 4/4 and 4/11 of the adopted Local Plan.

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<b>Application Number</b>	15/0400/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th March 2015	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	19th May 2015		
<b>Ward</b>	West Chesterton		
<b>Site</b>	23 Garden Walk Cambridge Cambridgeshire CB4 3EW		
<b>Proposal</b>	Extension to 23 Garden Walk, incorporating 3 new dwellings of 1.5 storey high, cycle store and amenity area.		
<b>Applicant</b>	Mr Mike Wilson 24 Limes House Purfleet Street Kings Lynn Norfolk PE30 1ER United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal would not have a detrimental impact on the character or appearance of the Conservation Area</li> <li><input type="checkbox"/> On balance, the proposal would not have a significant detrimental impact on neighbours</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 23 Garden Walk is a two storey detached building situated on the western side of Garden Walk. The building has been converted into nine flats. The surrounding area is predominantly residential. The site is within a Conservation Area.

## 2.0 THE PROPOSAL

2.1 Full planning permission is sought for a 1.5 storey rear extension to provide three additional one bedroom flats. The

extension would stand 1m from the common boundary with 25/27 Garden Walk to the north, and 6.8m from the common boundary with 19 Garden Walk to the south. The extension would be 11m deep, and would be 2.6m in height to the eaves and 6m in height to the ridge.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/69/0623	Erection of two toilets one above the other at back of house	A/C
C/71/0346	Extension to existing house and erection of 7 garages at rear of property	REF
C/72/0508	Erection of 2 story extension to existing flats to form 2 flats and erection of 7 garages.	A/C
C/97/0448	Erection of two storey residential block in place of existing house (provision of 8no flats).	
C/98/0207	Residential development (erection of detached single storey building and extension to existing building to allow creation of 4no 2 bedroomed flats, and retention of existing 4no bedsits).	A/C
C/99/0090	Two storey side extension to existing house in multiple occupation (resulting in property with 2 two bedroomed flats and 5 bedsits and 6 garages for car parking to the rear).	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 Plan 2006	Local	3/1 3/4 3/7 3/14 4/11 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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Castle and Victoria Road Conservation Area Appraisal (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 should be taken into account.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

#### Original application

- 6.1 The proposal provides no car parking provision for the site, removing all existing car parking provision. The development is therefore likely to impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Planning Authority may wish to consider when assessing this application. If the application is approved a condition is recommended relating to the submission of a traffic management plan.

#### Amended application

- 6.2 Comments are awaited.

### **Head of Refuse and Environment**

#### Original application

- 6.3 No objection subject to conditions relating to construction hours and waste storage.

Amended application

- 6.4 No objection subject to a condition relating to construction hours. The waste storage shown on the amended plans is adequate. However, the applicant should be reminded of the City Councils requirements for waste storage capacity.

**Urban Design and Conservation Team**

Original application

- 6.5 Whilst architecturally uninspired the proposed extension would, in isolation, accord with Section 72 of the Listed Buildings Act, the NPPF and Local Plan policies 3/4, 3/14 and 4/11.

Amended application

- 6.6 These amended drawings are welcome. They reduce the visual impact of the building in glimpsed views from Garden Walk, by turning the structure through 90 degrees and therefore allowing views into the rear of the plot and beyond.
- 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**

Original application

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

- 4 Garden Walk
- 19 Garden Walk
- 24 Garden Walk
- 27 Garden Walk
- 33 Garden Walk
- 35 Garden Walk
- 36 Garden Walk
- 37 Garden Walk

- 39 Garden Walk
- 45 Garden Walk
- 46 Garden Walk
- 49 Garden Walk
- 53 Garden Walk
- 63 Garden Walk
- 69 Garden Walk
- 71 Garden Walk
- 4 Stretten Avenue
- Garden Walk Residents Association

7.2 The representations can be summarised as follows:

- Lack of parking – would exacerbate the existing safety problems on the street
- Bins would block the pavement if they were stored at the front and would block views down the road (for the occupiers of Nos 25 and 27 when reversing) as the land is raised
- There is not sufficient space for rotary driers
- Smoke and smell from the barbecue area
- Overdevelopment
- Overlooking

7.3 The owner/occupier of the following address has made a representation neither objecting to or supporting the application:

- 29 Garden Walk

7.4 The representations can be summarised as follows:

- Pleased that the property is being renovated by the parking at the rear should be retained

#### Amended application

7.5 The owners/occupiers of the following addresses have made representations objecting to the application:

- 22 Garden Walk
- 33 Garden Walk
- 37 Garden Walk
- 46 Garden Walk
- 49 Garden Walk
- 53 Garden Walk
- 57 Garden Walk
- Garden Walk Residents Association

7.6 The representations can be summarised as follows:

- Inadequate parking

7.7 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 (and impact on heritage assets)
3. Residential amenity
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligations (s106 Agreement)

### **Principle of Development**

8.2 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. As the site is currently in residential use and the surrounding area is predominantly residential it is my view that the proposals comply with policy 5/1 of the Cambridge Local Plan (2006) and are acceptable in principle.

### **Context of site, design and external spaces (and impact on heritage assets)**

#### Response to context

8.3 The proposed rear extension would not be visible from the street and would have no detrimental impact on the streetscene. The properties on Garden Walk stand on relatively deep plots and substantial extensions have been carried out at 15 and 29 Garden Walk, which has led me to the view that a deep extension would not be out of character with the surrounding area. The Conservation Officer has raised no objection to the

original proposal or the amended proposal and has explained that the amendments 'reduce the visual impact of the building in glimpsed views from Garden Walk, by turning the structure through 90 degrees and therefore allowing views into the rear of the plot and beyond'. It is therefore my view that the proposal would not have a detrimental impact on the character or appearance of the Conservation Area. I recommend a condition requiring the materials used to match the existing building (6).

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.4 The neighbouring properties that may be directly impacted on by the proposals are 19 Garden Walk to the south, 25 and 27 Garden Walk to the north, and 4 Stretten Avenue to the west.

#### *Overshadowing, dominance and enclosure*

- 8.5 The proposed extension would stand to the north of 19 Garden Walk. The extension would stand 6.8 from the common boundary with this neighbouring property and due to this separation distance it is my view that it would not enclose or dominate this neighbouring property to an unacceptable degree. The submitted shadow diagrams demonstrate that the proposed extension would not overshadow this neighbouring property.
- 8.6 The proposed extension would stand to the south of 25 and 27 Garden Walk. The extension would stand 1m from the common boundary, and would be 2.6m in height to the eaves with the roof sloping away from the boundary. Due to the height of the extension and its design it is my view that it would not dominate or enclose these neighbouring properties to an unacceptable degree. The submitted shadow diagrams show that the neighbouring flats would be overshadowed by the extension but the accompanying data demonstrates that the level of overshadowing is minimal and meets the BRE guidelines.

#### *Overlooking*

- 8.7 No windows are proposed on the northern elevation of the extension and there is therefore no potential for direct overlooking of 25 and 27 Garden Walk.

- 8.8 Windows are proposed in the southern elevation, which would serve the living areas of the flats. Considering that these windows would stand 6.8m from the common boundary with 19 Garden Walk and the common boundary is heavily planted it is my view that this relationship is acceptable.

*Noise and disturbance*

- 8.9 The proposal would result in an intensification of the use of the site. When I visited the site the area of land to the rear of the building had been newly graveled with the rear section fenced off with Heras fencing.
- 8.10 I understand that this area was used for car parking. It is proposed that five car parking spaces are provided at the rear of the site, along with a cycle store and bin store. Amenity space is also proposed. Concern has been raised regarding noise and disturbance from this amenity area, specifically smoke and smell from the barbecue area, which was originally proposed. Considering the size of the amenity area it is my view that it would not be heavily used and that the use of it would not result in unacceptable disturbance. Barbecues cannot be controlled through the planning process. The number of car parking spaces are fewer than existed and therefore comings and goings from vehicles would be less. It is my view that the additional comings and goings from the proposed flats (which are likely to be on foot or cycle) would not disturb neighbouring properties to an unacceptable degree. To ensure that disturbance is kept to a minimum I recommend that a Management Plan is required by condition (7).

*Construction activities*

- 8.11 Building works are disruptive, and in order to minimize this I recommend conditions restricting contractor working hours (3) and delivery hours (4). I also recommend a condition requiring details of contractor working arrangements (5).
- 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 Cambridge Local Plan (2006) policies 3/4 and 3/7.

### Amenity for future occupiers of the site

- 8.13 The amenity space provided is small but considering the sites proximity to public open spaces (Jesus Green and Alexandra Gardens) it is my view that this provision is adequate and acceptable. Concern has been raised that there is insufficient space for clothes drying. Outdoor rotary driers are not a necessity and cannot be insisted on, and there is adequate space to dry clothes within the individual flats.
- 8.14 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 (or 3/14).

### **Refuse Arrangements**

- 8.15 The Environmental Health Officer is satisfied that adequate waste storage is provided.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Car and Cycle Parking**

- 8.17 Five parking spaces are proposed on site for the 12 flats. This is below the maximum parking standards and a number of the representations have raised concern that this will have an impact on the demand for on-street parking spaces. Demand for on-street parking spaces on Garden Walk is high as the street is outside the Controlled Parking Zone and used by residents and commuters. Through the NPPF, government guidance is that car parking should be kept to a minimum. Considering the sites proximity to the City Centre, public transport routes and car club cars, and because the Highways Engineer has not raised concerns about highway safety it is my view, on balance, that it would be unreasonable to refuse planning permission due to the limited number of car parking spaces. I recommend an informative regarding the car club (8).
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### Third Party Representations

Issue	Response
Lack of parking – would exacerbate the existing safety problems on the street	Addressed in paragraph 8.17
Bins would block the pavement if they were stored at the front and would block views down the road (for the occupiers of Nos 25 and 27 when reversing) as the land is raised	The amended plans now show a bin store at the rear and not the front.
There is not sufficient space for rotary driers	Addressed in paragraph 8.13
Smoke and smell from the barbecue area	Addressed in paragraph 8.10
Overdevelopment	Addressed in paragraph 8.3
Overlooking	Addressed in paragraph 8.7 and 8.8

### Planning Obligations (s106 Agreement)

8.19 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

8.20 Given the council's previous approach to S106 contributions (based on broad infrastructure types within the city of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.

- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

8.21 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects. Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be recommended in future. More details on the council's approach to developer contributions can be found at [www.cambridge.gov.uk/s106](http://www.cambridge.gov.uk/s106).

## 9.0 CONCLUSION

9.1 The proposed extension would be in character with the surrounding area and would not have a detrimental impact on the character or appearance of the Conservation Area; and it is my view, on balance, that the proposal would not have significant detrimental impact on neighbour amenity. I therefore recommend that the application is approved 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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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)

5. 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)

6. The extension hereby permitted shall be constructed in external materials to match the existing building in type, colour and texture.

Reason: To ensure that the extension is in keeping with the existing building. (Cambridge Local Plan 2006 policies 3/4, and 3/14)

7. The extension hereby permitted shall not be occupied until a Management Plan for the building has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006, policy 4/13)

8. 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. (Cambridge Local Plan 2006, policy 8/2)

**INFORMATIVE:** The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

<b>Application Number</b>	15/0999/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th May 2015	<b>Officer</b>	Elizabeth Thomas
<b>Target Date</b>	22nd July 2015		
<b>Ward</b>	Petersfield		
<b>Site</b>	161 Gwydir Street Cambridge CB1 2LJ		
<b>Proposal</b>	Rear roof extension		
<b>Applicant</b>	Mr And Mrs Parry 161 Gwydir Street Cambridge CB1 2LJ		

<b>SUMMARY</b>	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed rear roof extension would read as a third storey on a traditional modest mid-row Victorian terrace property.</li> <li><input type="checkbox"/> The proposed scale and bulk appearance significantly detracts from the traditional roof form</li> <li><input type="checkbox"/> The proposed development is a form of poor design contrary to Local policy and national policy</li> <li><input type="checkbox"/> The proposed development does not preserve or enhance the Conservation area, which would cause substantial harm.</li> </ul>
<b>RECOMMENDATION</b>	<b>REFUSE</b>

## 1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The property is located in an area of predominately Victorian terraced properties. The mid-terraced property is east facing and has a long rear garden. The site falls within the Central Core Conservation Area and is within a controlled parking zone.

## 2.0 THE PROPOSAL

2.1 The proposal is for a rear roof extension to create two linked dormers which would cover the majority of the rear roof space.

2.2 The application is accompanied by the following supporting information:

- Existing and proposed drawings
- Design and access statement

## 3.0 SITE HISTORY

Reference	Description	Outcome
14/1083/FUL	Rear roof extension (including raising ridge height)	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	3/1 3/4 3/14 4/11

### 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 <sup>st</sup> 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)
Material Considerations	<u>City Wide Guidance</u>  Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u>  Cambridge Historic Core Conservation Area Appraisal (2006) Mill Road and St Matthews Conservation Area Appraisal (1999)

### 5.4 Status of Proposed Submission – Cambridge Local Plan

5.5 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.

- 5.6 For the application considered in this report, there are three policies in the emerging Local Plan that are of relevance these are: Policies 55, 56, 58 and 61.

## 6.0 CONSULTATIONS

### Conservation Officer

- 6.1 Not supported. The conservation officer replicates their comments made on the previous refused application (14/1083/FUL) because the application fails to address the issues of the previous refusal and inspectors appeal decision that determined the roof extension reads as a third storey. The scale and bulk detracts from the traditional roof form, which does not preserve or enhance the character of the conservation area. Subsequently considers the proposed development contrary to local plan policies 3/4, 3/14 and 4/11.
- 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 The owners/occupiers of the following addresses have made representations:

159 Gwydir Street (Neutral comment):

- 7.2 The comments are in relation to the following:
- Orientation of the stairs to face the back of the property where ownership matters are.
  - Party wall above the flying freehold
  - Ceiling height is not clear
  - Concerned about the size of the proposed roof extension and the boundary between
  - Unclear about construction and utilities

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. Context of site, design and external spaces
2. Residential amenity
3. Third party representations

### **Context of site, design and external spaces**

8.2 The proposal is for a rear dormer consisting two double pitch dormers with a flat roof link in between.

#### Review of dismissed appeal decision of application 14/1083/FUL:

8.3 The dismissed appeal decision in respect of application 14/1083/FUL identifies that the main issue is whether the proposal would preserve or enhance the character or appearance of the Central Conservation Area. The inspectors report concluded the traditional form of the terrace is for the most part unaltered so that it makes a positive contribution to the conservation area.

8.4 The proposed rear roof extension would appear as a substantial third story addition, the scale and bulky appearance would detract from, and significantly alter the traditional roof form of the dwelling house and terrace. Subsequently the proposed development would not provide high quality design, contrary to paragraph 17 of the National Planning Policy Framework. The inspector had also taken into account the smaller rear roof slope of number 161 compared to that of nearby dwellings.

8.5 The appeal decision also identifies the proposal would be in conflict with Local Plan policy 3/4 and 3/14 and The Roof Extension Design Guide due to the adverse affect on the

character and appearance of the conservation area and the dominance in the traditional roof space.

- 8.6 Overall the appeal decision concluded substantial harm of the proposed development overrides the benefit of the proposed development. The appeal decision is attached as appendix 1.

Comparison of this proposal with refused application 14/1083/FUL

- 8.7 In comparing this proposal with the previous refusal the main differences are:
- The proposed extension roof height has been reduced in height by 0.2 metres. The roof line would remain level with the existing pitch.
  - The Juliet Balcony in between the proposed linked dormers has been removed
  - The width of the proposed dormer has been brought in slightly from the party wall line by approx. 0.3 metres.

Issues still remaining:

- 8.8 The general scale and bulk design of the proposed development remains broadly the same as that under application 14/1083/FUL because the proposed development fills the majority of the roof space. The proposal protrudes out from the existing roof pitch line out to the existing eaves, which in effect creates the effect of a third storey element and box appearance on a traditional modest Victorian terraced property. Consequently the proposed dormer would not appear subservient in the existing roof. Therefore, the proposal does not preserve or enhance the conservation area and would be contrary to policies 3/4, 3/14 and 4/11 of the Cambridge Local Plan.

Impact on the Conservation area

- 8.9 The proposed development is considered significantly harmful as the proposed development does not comply with Local Plan policies 3/4 3/14 and 4/11. The proposed development does not respond positively to features of historic or architectural merit and the proposed development conflicts with The Roof

Extension Design Guide due to the over dominant roof proposal, which would overwhelm the immediate and modest setting.

- 8.10 Paragraphs 64 of the National Planning Policy Framework states permission should be refused for development of poor design that fails to take the opportunity available for improving the character and quality of an area and the way it functions. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Therefore, it is considered the proposed development does not meet the criteria or objectives of National policy.
- 8.11 I am mindful there has been a similar rear dormer allowed at 171 Gwydir Street, but in my opinion this does not set a precedent for future poor design rear roof extensions or determine the prevailing character of the area the area as a whole is undisturbed. Furthermore, I also consider the proposed development would have a detrimental cumulative impact upon the Gwydir Street terrace overall, which makes further development of this scale and bulk contrary to planning policy. The recent inspectors appeal decision is also a material consideration and the issues relating to the previous refusal have not been overcome.
- 8.12 In my opinion the proposal is contrary with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.13 The proposed dormer is unlikely to adversely affect the amenity of the neighbouring properties in terms of daylight/sunlight, outlook and privacy.
- 8.14 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**

8.15 The third party representation from number 159 Gwydir Street raises concerns in relation to internal arrangements, party wall matters, size of roof extension and unclear drawings. I address each matter in turn as follows:

Internal arrangements

8.16 Internal alterations do not directly affect this application materially and any roof ownership matters would need to be addressed through building regulations and the party wall act.

Party wall above the flying freehold

8.17 The party wall act is separate legislation and the grant of planning permission would not remove the need to comply with all relevant legislation.

Concerned about the size of the proposed roof extension and the boundary between

8.18 The scale and bulk of the proposed development I have addressed from paragraph 8.8.

Unclear about construction and utilities / ceiling height is not clear

8.19 In reviewing the submitted drawings I am satisfied the information is clear for the purpose of assessing for planning permission. If the application was to be approved further technical drawings may need to be sought for construction.

## **9.0 CONCLUSION**

9.1 The rear roof extension is considered unacceptable as it dominates the rear roof slope of the building and is out of character and appearance with the building and the wider Conservation Area.

## 10.0 RECOMMENDATION

**REFUSE** for the following reasons:

1. The scale and bulk of the rear roof extension will fundamentally alter the rear roof shape creating the appearance of a third storey on a modest traditional Victorian terraced property, which will not preserve or enhance the character and appearance of the Conservation area resulting in a detrimental cumulative impact on the Gwydir Street terrace. As such the rear roof extension is contrary to Cambridge Local Plan (2006) policies 3/4, 3/14, 4/11 and the Cambridge Roof Extensions Design Guide.

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## Appeal Decision

Site visit made on 9 March 2015

by Sue Glover BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 March 2015

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**Appeal Ref: APP/Q0505/D/14/2229518**

**161 Gwydir Street, Cambridge, CB1 2LJ**

- 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 Mr & Mrs Parry against the decision of Cambridge City Council.
  - The application Ref 14/1083/FUL was refused by notice dated 9 September 2014.
  - The development proposed is the erection of a rear roof extension (including raising the ridge height).
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Central Conservation Area.

### Reasons

3. This part of the conservation area is characterised by terraces of houses closely positioned to the street. At the rear of no. 161 and nearby dwellings there is a more open aspect with long narrow gardens. No. 161 is within a traditional terrace of 4 houses. There are some extensions at the rear of the terrace, but none to the front or rear roof slopes. The traditional form of the terrace is for the most part unaltered so that it makes a positive contribution to the conservation area.
4. The proposal is a rear roof extension that would occupy most of the rear roof slope appearing as a substantial third storey addition. There would be 2 pitched roofs with a flat interconnecting roof, central glazed doors and a Juliette balcony. The slight raising of the roof beyond the existing ridge line would not be visible from street level.
5. There would be matching materials, but the proposal on account of its scale and bulky appearance would detract from, and significantly alter, the traditional roof form of the dwelling house and terrace. There would not be a high quality of design, contrary to paragraph 17 of the National Planning Policy Framework. In reaching this conclusion, I have taken into account the smaller rear roof slope of no. 161 compared to that of some nearby dwellings.
6. The proposal would neither preserve nor enhance the character and appearance of the Central Conservation Area contrary to Policy 4/11 of the Cambridge City

Council Local Plan 2006 (LP). There would also be conflict with LP Policy 3/4, which requires development to respond positively to features of historic character, and with LP Policy 3/14, which expects extensions not to adversely affect the character and appearance of conservation areas. The proposal would conflict with The Roof Extensions Design Guide, which indicates that extensions should not over dominate the roof or overwhelm the immediate setting.

7. The development plan policies are compatible with the objectives of the Framework in these respects. Paragraph 64 of the Framework says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 132 of the Framework says that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The proposal does not meet the objectives of the Framework in these respects.
8. Although there is a larger rear roof extension of a similar design visible from no. 161 further along the street, and there are other roof extensions in the locality, these other extensions do not justify an unacceptable development at the appeal dwelling. The appellants have questioned the Council's approach to roof extensions, but this is a matter for the Council. I find no more overlooking into nearby gardens from the proposed second storey windows than might reasonably be expected between closely positioned dwellings in a residential area.
9. I am mindful that the proposal would provide additional living space for the appellants and their family and it would improve the safety of the existing loft conversion. These matters are material to my decision and I place some weight on them. I have also considered all other matters, including all the policies in the Framework, and other national planning guidance. However, all these matters do not override the substantial harm that I have identified to the character and appearance of the conservation area from the appeal proposal. The appeal does not succeed.

*Sue Glover*

INSPECTOR

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<b>Application Number</b>	15/0134/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	3rd February 2015	<b>Officer</b>	Mr Toby Williams
<b>Target Date</b>	31st March 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	44 Queen Ediths Way Cambridge CB1 8PW		
<b>Proposal</b>	Part two storey, part single storey, front, side and rear extensions including conversion of the garage to living space (retrospective).		
<b>Applicant</b>	Mr H EFTAR 47 Gunhild Way CAMBRIDGE Cambs CB1 8QZ		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>-The design and scale of the extensions is appropriate.</li> <li>-The extensions would not result in unreasonable overlooking, overshadowing or visual domination of adjacent properties.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The site is located on the corner of Queen Edith's Way and Nightingale Avenue and comprises a detached two storey property. It is not located within a Conservation Area or any other area of specific constraint.
- 1.2 The general pattern of development in the area is characterised by two storey detached and semi-detached properties on generous plots.
- 1.3 To the east of the property is Nightingale Avenue. To the south is 2a Nightingale Avenue, a detached infill property close to the rear gardens of 42 and 44 Queen Edith's Way. To the west is no. 42 Queen Edith's Way which sits in broad alignment with no. 44

1.4 The house and its curtilage are highly visible from the corner of Queen Edith's Way and Nightingale Avenue.

## **2.0 THE PROPOSAL**

2.1 The proposal is part-retrospective and seeks full planning permission for part two storey, part single storey, front, side and rear extensions including conversion of the garage to living space.

2.2 The physical dimensions of what is proposed have already been largely completed in terms of brickwork. Work has ceased on the site however pending the determination of this application.

2.3 The various components of the proposal can be summarised as follows:

a) To the east (side) of the building onto Nightingale Avenue, the conversion of the existing garage and utility room and a first floor extension above to create two new en-suite bedrooms at ground and first floors.

b) To the south (rear) of the building into the garden, almost full width ground floor and partial width first floor extensions.

-At ground floor, the works extend to a maximum depth of 4.4m. The depth is partially staggered and shorter at the side facing Nightingale Avenue. New kitchen and family room space is shown as being provided.

-At first floor, a square shaped new master bedroom is proposed. This extends 4.4m off the original back wall of the host property, is set in marginally by 0.74m, and extends to a width of 4.4m.

c) To the north (front) of the property facing Queen Edith's Way, ground and first floor extensions are proposed 0.54m outwards.

2.4 The east side of the extensions are to be finished in a mixture of brick at ground floor and render at first floor. The remaining parts of the extensions are finished in a matching brick.

- 2.5 The proposed first floor side extension ties into the existing ridge height of the property. The proposed rear first floor extension is hipped and at a lower ridge height. A new front door would be provided. New windows are located in all east, south and north facing elevations.
- 2.6 The plans have been amended on a number of occasions. The original plans and subsequent amendments did not reflect what was built on site. I have compared the latest plans with key measurements I have taken from all elevations from my last site visit. The latest set of plans accord with what has been built in terms of the physical dimensions of the extensions. I have re-consulted on this basis.
- 2.7 The agent has confirmed in writing that the property is intended for use for the family of the applicant.

### 3.0 SITE HISTORY

Reference	Description	Outcome
12/0820/FUL	Part single storey, part two storey extension side and rear extensions and single storey front extension.	A/C
C/81/0236/FUL	Erection of single-storey extension to existing dwelling house	A/C

- 3.1 The site history is a material consideration. The 2012 permission is currently extant, expiring on 19 September 2015. 12/0820/FUL granted permission for a similar scheme involving alterations to all east, south and north elevations. I compare the key differences in dimensions between what has been approved and what is now sought in the assessment section of my report.

### 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 Plan 2006	Local	3/4, 3/7, 3/14

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	N/A
Material Considerations	Roof Extensions Design Guide (2003)
	<u>Area Guidelines</u>  N/A

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 should be taken into account.

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 No significant adverse effect upon the Public Highway should result from this proposal, should it gain the benefit of Planning Permission.
- 6.2 The above response is a summary of the comment that has been received. Full details of the consultation response can be inspected on the application file.

## **7.0 REPRESENTATIONS**

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

- 42 Queen Edith's Way
- 47 Queen Edith's Way
- 52 Queen Edith's Way
- 1 Nightingale Avenue
- 2A Nightingale Avenue

- 7.2 The representations can be summarised as follows:

### *Design and Character*

- The design is poor, the extent of brickwork is substantial and detracts from the character of the area.
- The revised plans for the side to include render and a window now soften this elevation (previous concerns that it was all brick and that a window had been removed from the plans).

- The ground floor plans are too deep.
- The proposal represents an overdevelopment of the site.
- Guttering will overhang the drawn dimensions.

### *Overbearing*

- The enlarged 2-storey extension would visually dominate no. 42, which is already enclosed (4.4m now proposed as opposed to 4m as approved).
- The roofline and structure on the side of the rear extension will negate any indenting of the first floor and be dominating.
- The application is retrospective and has a greater material impact on the occupants of no. 42 Queen Edith's Way than previously.

### *Light*

- Early morning sunlight will be affected into the property and garden/patio of no. 42.

### *Privacy*

- Scaffolding has not been screened on the side facing no. 42 resulting in loss of privacy during construction.

### *Permitted Development*

- The large extension does not fall within the permitted development rights of the property.
- The applicants intend on erecting a dormer window under permitted development rights, which should be removed if permission is granted. The loft extension would reduce light into the side and velux windows of no. 42 Queen Edith's Way; cause overlooking to no. 42's garden; not be in keeping; and be overbearing in size and proximity. The absence of the dormer window from the plans does not give the overall impact of works proposed for the property.

### *Parking and Highways*

- The plans show 7 bedrooms which will add to parking pressures locally.

- Additional occupancy of the dwelling will add to car parking pressure within Nightingale Avenue which has a hazardous crossing with Queen Edith's Way.
- It has not been demonstrated that cars would be able to turn within the site and leave in forward gear.

### *Noise and Disturbance*

- The kitchen extractor will face no. 42.
- The house has been used for the letting of students who were unduly noisy at unsociable hours. With the dormer and extensions, it will allow for 9 bedrooms over 3 floors and more noise and disturbance.
- Construction work has taken place at unsociable hours contrary to the Party Wall Act.

### *Use*

- The side extension will be used separately and accessed down the side passage adjacent to no. 42 causing noise and disturbance. Internally, there is not currently access from the side extension to the main body of the house.
- The property will be used as a business/hotel which will bring with it noise and disturbance, parking problems and the letting of which would be out of character with the area.

### *Other*

- The site location plan is out of date and does not show 2a Nightingale Avenue.
- The construction of the extensions has led to health and safety issues and highway danger.
- The plans do not reflect what has been built.
- Conditions of any permission should remove pd rights for dormers, restrict the no. of occupants of the property, restrict separate letting, control working hours, ensure privacy screening is erected for scaffolding before any further work commences.
- Errors in the plans give no confidence in future development or of neighbourliness.
- Trees have been removed, infringing on privacy.
- The ground floor extension has been constructed with disregard to the Party Wall Act, infringing privacy and causing stress.

-The 2012 permission is the extent of what should be allowed.

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.

7.4 The application is being reported to Main Planning Committee because it has been called in by Councillor Moore on the following grounds:

- Aesthetically the altered plan will not fit in with the surrounding houses, especially the enlarged blank wall facing Nightingale Ave.
- The additional encroachment towards the neighbours on the other side (42) is not insubstantial, particularly the second floor which would be oppressive.
- The number of additional bedrooms, past plans, and floor plans suggests that the house is intended for use as a HMO. It should be viewed in that light with the additional safety concerns and resultant building regulations.
- To allow, in the future, an attic extension under permitted development would result in an out sized dwelling that does not fit in with the surrounding houses, and that would overlook several local private gardens. It would also add to the mass towering over no 42. Consideration should be given to preventing this as a condition.
- Given the history of building outside the agreed planning permission, and unsafe building practice (insecure perimeter fencing, creating a dangerous slippery clay covered pavement, blocking the pavement, leaving the cut telephone line across the road, encouraging fly tipping and more) additional conditions should also be considered.

## **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

2. Context of site, design and external spaces
3. Residential amenity
4. Permitted Development Restrictions and Use
5. Highway safety
6. Third party representations

### **Principle of Development**

- 8.2 Planning permission is being sought for a range of extensions to the existing property for domestic use. There is nothing in principle in adopted policy which states that this is unacceptable.

### **Context of site, design and external spaces**

- 8.3 The proposed front extension onto Queen Edith's Way is very modest in scale and would extend the existing profile of the roof downwards to provide marginally more living space to existing and proposed rooms at the property. I have no concerns with the effect of this part of the extension or the arrangement of windows or doors.
- 8.4 The proposed side and part rear extension onto Nightingale Avenue is long at 12.7m and hard onto the verge. Amended plans have broken down the use of materials on this elevation to include render and brick, with a first floor window. The neighbour at no. 48 Queen Edith's Way on the opposite side of Nightingale Avenue has undertaken a similar styled extension. Provided the extension is finished in the manner proposed, I am satisfied that it would sit comfortably within the street.
- 8.5 The proposed rear extensions are a mixture of ground and first floor elements. The first floor extension is subservient in height and of an appropriate width for the property. I have no concerns with the proposed single storey elements, which are modest in scale and configuration. I do not consider any of the extensions too deep or that the extensions in any way represent an overdevelopment of the site.
- 8.6 Overall, I consider the scheme has adequately responded to its context and that its overall massing and design is appropriate. In my view it accords with policies 3/4 and 3/14 of the Cambridge Local Plan 2006.

## 8.7 Residential Amenity

### *Impact on amenity of neighbouring occupiers*

#### Enclosure and Dominance

- 8.8 No. 42 Queen Edith's Way is immediately to the west of the application site. The proposed first floor extension would extend 4.4m off from the back of the rear of no. 44. The ridge height would be lower than the main ridge. The extension is inset by 0.740m, and extends to a width of 4.4m.
- 8.9 I have visited the garden of no. 42 to examine the visual impact of the extension. I have also considered the proposed extensions in light of other properties and extensions to houses nearby. I do not consider that the first floor rear extension would unduly dominate either internal or external spaces to no. 42. This is a substantial detached property with a relatively generous garden and the overall impact on the amenity for the occupants would, in my view, be acceptable. I acknowledge that the impact would be greater than approved, but that in itself is not a reason to refuse this application.
- 8.10 I do not consider that any other aspect of the extensions cause significant issues of enclosure or dominance for other adjacent properties.

#### Overshadowing/loss of light

- 8.11 Located to the east of no. 42, the extensions could potentially cause some loss of morning sunlight. However, at 4.4m in depth - 0.4m longer than previously proposed - I do not consider that the windows or garden space of no. 42 would in any way be significantly affected. I have not requested shadow studies because in my view it would be unreasonable to do so given the history, the modest size of the extensions, the south rear facing aspect and the relatively generous garden width of no.42.
- 8.12 I do not consider that any other aspect of the extensions cause significant issues of overshadowing or loss of light for other adjacent properties.

### Overlooking/loss of privacy

- 8.13 I have no issues with any of the proposed ground floor windows or privacy issues arising from them. The first floor rear extension would provide for a new master bedroom window looking south. Whilst further back into the site, this would only be some 400mm more than approved previously. I am mindful that there was a first floor bedroom window on the rear side of no. 44 which gave partial oblique views into the garden of no. 42 previously. The new master bedroom will also cut off an oblique view from bedroom 2. I do not consider any significant harm to privacy will arise from the proposed extensions on the occupants of no. 42.
- 8.14 The occupants of no. 42 have asked for privacy screening for scaffolding adjacent to their boundary to be erected if permission is forthcoming. I do not consider that it is necessary or reasonable to condition this as part of a planning permission because of the temporary nature of the scaffolding works.
- 8.15 I do not consider that any other aspect of the extensions cause significant issues of privacy for other adjacent properties.

### Noise and disturbance

- 8.16 The proposed plans are for extensions to a detached house and the applicants have indicated their intention to use the property as a dwelling. The submitted plans show all of the spaces to be interconnected internally providing 6 bedrooms in total, one at ground floor with an en-suite and five at first floor. I do not consider the scale of the extensions unusual for a domestic property and I cannot see any reason why noise and disturbance arising out of the domestic use of the property would be harmful.
- 8.17 The location of a kitchen extractor facing no. 42. is not unreasonable and the location of such features is not ordinarily a planning issue.
- 8.18 I understand the property has been used for the letting of students previously who were unduly noisy at unsociable hours. Planning legislation does not set out to provide control over who lives at a particular property, who a property is let to or how neighbourly people should be. These are civil matters between

property owners which can be normally resolved through direct communication or as necessary either through separate Environmental Health legislative controls or the police as necessary.

- 8.19 The applicants are not seeking a change of use of the property and the local planning authority cannot determine this application based upon fears of how it might be utilised in the future. If the applicants did indeed wish for the property to be used as a HMO for more than 6 persons, planning permission would be required, as would a change of use to bed and breakfast or a subdivision of the property into one or more independent units. I acknowledge that some internal works will have to be rectified to accord with the proposal, such as the knocking through of a wall to form a link with a proposed family room from the side extension. Condition 1 ensures that works are carried out in accordance with the approved plans.
- 8.20 Likewise, third parties state that with the dormer extensions, it will allow for 9 bedrooms over 3 floors and create more noise and disturbance. However, the dormer extensions are not part of this application and could be carried out separately under the existing applicant's permitted development rights. I do not necessarily equate such extensions as resulting in undue noise and disturbance. These works are not within the Council's reasonable control in any case.
- 8.21 I acknowledge that construction work can take place at unsociable hours. I recommend standard condition 2 to control this.
- 8.22 In summary and 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 3/14.

### **Permitted Development Rights and Use**

- 8.23 All of the proposed works on the proposed plans in combination with one another require planning permission.
- 8.24 Objectors have raised the issue of the applicant's intention to also erect a dormer window under permitted development rights (not shown on the submitted plans but forwarded from an

objector) over the original roof slope of the property. It is requested that a condition be imposed upon any permission removing permitted development rights for dormers because of concerns regarding its possible impact.

- 8.25 The Local Planning Authority can, if it considers it reasonable, remove permitted development rights for development proposals and for changes of use at properties under a planning permission. This would normally be undertaken, for example, where a new bungalow was being built in a rear garden and it was only granted on the basis of no dormer windows being inserted into certain roof-slopes or windows into walls which the Council would otherwise be unable to control and which would create overlooking issues. The imposition of planning conditions also has to apply to the proposal for which permission is being sought. That is not the case in this circumstance as the dormer would be in the original roof space of the house and not include the roof space of any of the proposed extensions. Members should also note, in consideration of this issue, that permitted development rights already exist at the property, so the applicants could nonetheless undertake these works presently. My view is that a condition removing permitted development rights would be unreasonable and that the same logic applies to fears of a change of use to a small scale House in Multiple Occupation (C4 use class) which would also be permitted development.
- 8.26 I acknowledge that the loft extension could reduce light into windows of no. 42, create additional overlooking, unbalance the look of the property and potentially create additional enclosure on top of what is being proposed, but the Council does not have any planning control over this aspect of development if the applicants choose to implement their permitted development rights. The Council does have control over changes of use which require planning permission, such as a change of use to a sui generis HMO, a bed and breakfast or the separation of the side extension and its use as a separate flat. These uses would have to be subject to applications for separate planning permission in their own right and would be judged on their own merit. I have appended an informative to the recommendation to highlight this to the applicants.
- 8.27 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 3/14.

### **Highway Safety and Parking**

- 8.28 The Local Highway Authority has not raised any objection to the scheme. At least three spaces are set out for the parking of vehicles within the front garden which is approximately 10.5 – 11m wide. I consider this is sufficient space, albeit tight, for cars to turn and exit in forward gear. The access arrangement remains unaltered with the proposed scheme from that existing.
- 8.29 On-street parking is at a premium in this part of the City but given the on-site provision, I do not consider that the extensions to the house would necessarily worsen the situation or create harm.
- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Third Party Representations**

- 8.31 A number of outstanding third party issues remain. I deal with them in the table below.

Issue	Officer Response
The site location plan is out of date and does not show 2a Nightingale Avenue.	It is sufficient to identify the site. The officer assessment acknowledges the presence of 2a to the south of the site
The construction of the extensions has led to health and safety issues and highway danger.	Health and safety issues arising from the construction work on the site is the responsibility of the contractors. Obstruction of the highway is a matter for the highway authority and/or police to deal with.
The plans do not reflect what has been built.	I acknowledge this, but the plans do represent what the applicants wish to complete and the external physical dimensions of what is built on site reflect the plans (as

	amended), now put forward.
Conditions of any permission should restrict the no. of occupants of the property, restrict separate letting, control working hours.	Provided the property is used as a dwellinghouse I have no reason to restrict the number of occupants. Use by more than 6 individuals as a HMO would require planning permission and does not need to be conditioned. Separate use of the side extension as a flat would require planning permission.
Errors in the plans give no confidence in future development or of neighbourliness.	I accept that the applicants have failed on a number of occasions to produce accurate plans and this has led to numerous consultations having to be carried out. This has now been corrected but has led to a lack of confidence in future plans for the property or improved neighbourliness. I have relayed these concerns to the agent for the site, but they do not amount to reasons for refusal.
Trees have been removed, infringing on privacy.	I understand that the trees which were removed were not protected. Notwithstanding this, I do not consider privacy issues to be harmful because of the arrangement of windows in the existing property compared to that proposed.
The ground floor extension has been constructed with disregard to the Party Wall Act, infringing privacy and causing stress.	This is a civil matter.
The 2012 permission is the extent of what should be allowed.	I disagree. The proposed extensions are relatively modest and entirely

acceptable.
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## 9.0 CONCLUSION

9.1 I understand entirely that the retrospective nature of this application, the issues that have arisen as a result of poor contractor working, incorrectly detailed plans and issues of neighbourliness have created a number of issues for adjacent residents which have heightened sensitivity to it. Work has ceased on the site in order for the current planning application to run its course. Taking all of the issues into account, I am of the view that the proposed extensions are entirely reasonable in their own right and do not give rise to any significant design or amenity issues that would warrant a refusal of planning permission.

## 10.0 RECOMMENDATION

**APPROVE** subject to 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. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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 applicants are reminded that the use of the property as a House in Multiple Occupation for more than 6 people, for bed and breakfast or the creation of a separate planning unit as part of the side extension as a flat or similar would all require separate planning permission in their own right.

**PLANNING COMMITTEE**

**2<sup>nd</sup> September 2015**

<b>Application Number</b>	15/0287/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	19th February 2015	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	16th April 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	Cantabrigian Rugby Club Sedley Taylor Road Cambridge Cambridgeshire CB2 8PR		
<b>Proposal</b>	Erection of 1No. Dwelling, Formation of a New Access on to Long Road and Associated Operational Development.		
<b>Applicant</b>	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"> <li>• The principle of residential development on the site is acceptable;</li> <li>• The proposed development does not harm the heritage asset of the nearby listed building.</li> <li>• The proposed development would not have a significant impact on neighbour amenity;</li> <li>• The Highway Authority is satisfied that the proposal does not pose a threat to highway safety</li> </ul>
RECOMMENDATION	APPROVAL

**Cantabrigian Rugby Club; Addendum to the report dated 05/08/2015**

- 1.1 This addendum has been produced in response to comments raised by the owner/ occupier of no.23 Sedley Taylor Road after the Planning Committee meeting of 5<sup>th</sup> August 2015, where the application was approved by committee, which have been summarised below:
- The case officer did not address the loss of the Protected Open Space to residential land.
  - The case officer did not make it clear in his assessment that the dwelling would be situated on a section of car park land as well as the former garden land.
- 1.2 In the original report presented to committee on 02/09/2015, the case officer did make reference to the land being Protected Open Space, as designated under the 2009 Proposals Map. Reference was also made in the policy chapter of the report to policy 4/2 of the Local Plan (2006) which relates to the development/ loss of Protected Open Space.
- 1.3 In light of the third party comments raised, officers have decided that in the original committee report the case officer could have made a clearer assessment of the loss of the protected open space in accordance with policy 4/2 of the Local Plan (2006). Also officers have decided to highlight for committee the fact that the proposed dwelling would protrude marginally beyond the former garden land and would occupy a small strip of the existing car park.

- 1.4 Therefore, the officer's report has been updated. This assessment and additional information is provided in paragraphs 8.7 to 8.9 of the officer's report.
- 1.5 The recommendation remains that of approval and the loss of the small strip of protected open space and car park land is considered to be acceptable for the reasons set out in paragraphs 8.7 to 8.9 officer's report.

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

- 1.1 The site is located to the west of Sedley Taylor Road and to the north of Long Road, and is comprised of the access to the car park used in association users of the playing fields including the Hills Road Sixth Form College (HRSFC), Cantabrigian Rugby Club and the former rear garden of no.23 Sedley Taylor Road. The existing access to the area from the east is between nos.23 and 23a Sedley Taylor Road. Directly to the south of the site is the club house associated with the rugby club, and to the west are sports pitches upon which stands the new pavilion for HRSFC. The site of the proposed dwelling lies to the north of the car park and to the west of no.23 Sedley Taylor Road.
- 1.2 The surrounding area is predominantly residential in character and is formed of large detached residential properties with car parking at the front and large rear gardens.
- 1.3 In terms of site constraints, no.23 Sedley Taylor road to the east is a Grade II listed building. The rugby club house and car park are designated as a Protected Open Space under the 2009 Proposals Map. There are two protected trees on the site of the proposed dwelling. There is a TPO area on the south side of the site along Long Road. The site is not situated within a controlled parking zone or conservation area.

## **2.0 THE PROPOSAL**

- 2.1 The proposal has been the subject of pre-application advice and seeks permission for the erection of a four-bedroom one and a half-storey detached dwelling and for the creation of a 5.5m

wide vehicular access and 1.8m wide pedestrian access from Long Road to service the existing parking area.

- 2.2 The proposed dwelling has been designed with an eaves height of approximately 2.8m and overall ridge height of approximately 6.9m with an attached garage to provide one car parking space internally, as well as an external space along the east elevation of the dwelling. The dwelling has been designed to be lower closer to the east and north boundaries of residential properties with an extensive proportion of the proposed dwelling being 5.8-6.2m above ground level. A patio and landscaped garden area is provided to the west of the proposed dwelling and is shielded by extensive planting and trees from the pitches to the west.
- 2.3 Following consultation with the Local Planning Authority, the proposal has been amended to reflect the following changes to the original proposal:
- Omission of the extension to the car park.
  - Addition of proposed landscaping treatment adjacent to Long Road
  - Additional tree planting and landscaping around site of proposed dwelling.
  - Addition of inward opening gate on access track off Sedley Taylor Road.
  - Change of roof form adjacent to no.22 Sedley Taylor Road from pitched roof to hipped roof
- 2.4 Outline planning permission for the erection of a dwellinghouse on this site was previously refused (c/99/0562) due to the widening of the Sedley Taylor Road access and the safety of this access, the access would have a detrimental impact upon no.23 and 23a Sedley Taylor Road, the development would be out of character with the existing pattern of development and the loss of woodland would harm the character of the area. This application was then allowed at appeal.
- 2.5 An application (05/0028/S73) was later submitted to vary condition no.3 of planning permission (c/99/0562) to allow a further five years for development to commence. This was refused on the grounds of constituting an inappropriate form of backland development and for not making appropriate provision for public open space or community development facilities. This application was then dismissed at appeal on the grounds of the

proposal not making adequate provision for access by vehicles and pedestrians, conflicting with policy 3/10 of the Local Plan (2006).

- 2.6 I include both of these appeal decisions within appendices 1 and 2 of this report.
- 2.7 The intention of this application is to realise the potential for a new dwelling on the site whilst also overcoming previous highway issues by providing a new access to the playing fields and closing of the existing access from Sedley Taylor Road to be only used for people using the new property.

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
12/0956/CLUED	Application for a certificate of lawfulness under Section 191 for use of land (excluding the footprint of the Cantabrigian's clubhouse) ancillary to the playing fields as a car park	Certificate Granted
12/0585/CLUED	Application for a certificate of lawfulness under Section 191 for use of land as a car park (land to the west of 51 Long Road).	Withdrawn
11/0900/FUL	Demolition of existing Sports Pavilion and replacement and relocation of new replacement Sports Pavilion, with associated secure open air store.	Permitted.
05/0028/S73	Variation of Condition 3 of planning permission C/99/0562/OP (allowed on appeal) to allow a further five years for development to commence.	Refused – appeal dismissed
c/99/0562	Erection of single dwellinghouse and improvement to existing	Refused – appeal

c/85/0854 access road (Class C3) (outline planning). allowed  
 OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED BUNGALOW (AMENDED BY LETTER DATED 1/11/85 AND ACCOMPANYING DRAWING) Refused

**4.0 PUBLICITY**

4.1 Advertisement: No  
 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	3/6	3/7	3/8	3/10	3/11	3/12
		4/2	4/4	4/10					
		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
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	<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><u>City Wide Guidance</u></p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</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 of relevance:

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 Following extensive pre-application discussions with the applicant the application as presented is acceptable to the Highway Authority.

Whereas the access to the proposed property is below the width that the Highway Authority would normally seek to serve such a development, the significant reduction in motor vehicle movements that will be a consequence of the proposal is welcomed. The following conditions are recommended:

*Traffic management plan, bound material, turning area.*

### **Head of Refuse and Environment**

- 6.2 No objection subject to comments, and the following conditions:

*Construction hours, waste and recycling, piling.*

### **Urban Design and Conservation Team**

- 6.3 The significance of the listed building as “a remarkably unaltered house of the period” would not be harmed. The proposal is consistent with Policy 4/10 of the 2006 Local Plan.

- 6.4 The “one and a half storey” form of the proposed dwelling means its eaves heights are lower than those of a two storey house. The bulk of the one and a half storey form is thus less than that of a two storey house of the same ridge height. The overall floorspace comparison between the two buildings would be difficult to perceive “on the ground”.

### **Landscape Team**

- 6.5 No objection, subject to the following conditions:

## *Hard and soft landscaping, hard and soft landscaping implementation*

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 application:

- 23 Sedley Taylor Road (on behalf of Luard Road and Sedley Taylor Road residents group)

7.2 The representation can be summarised as follows:

- The proposed dwelling would be harmful to the special nature of the listed house (no.23 Sedley Taylor Road).
- The sub-divided plot forms part of the listed setting and curtilage of the listed house.
- The former woodland was a visual amenity and enhanced the setting of the listed house.
- With reference to the first appeal decision (c/99/0562), the inspector had expressed the need to retain the visual amenity of onlookers by retention of the extensive woodland setting existing on the plot which was reiterated in the second planning appeal (05/0028/S73). What happened to this wooded display and when did its loss take place?
- The reference in the design statement to the site as a 'rough wasteland' is misleading and conceals the fact that all the trees have been cut against the advice that they should be retained in future applications as most clearly stated by two appeal inspectors.
- The felling of the trees is contrary to paragraphs 126, 128, 130 and 132 of the NPPF.
- The ridge height of 6.9m near existing boundaries is intrusive and will affect neighbouring amenity.
- Overshadowing
- Noise and disturbance from users of vehicular turning point and car park.
- Overlooking.

- A Grampian condition should be imposed and agreed for use of the access, to protect neighbourhood amenity, privacy and safety.
- Residents require further clarification over the land ownership of the site as two names appear on the land registry and it is understood that Trinity College still own part of the land.
- Residents require further clarification regarding the location of the builder's compound and the route of construction vehicles.
- There should not be any work or deliveries on weekends to avoid harm to amenity and to prevent any highway safety issues between users of the adjacent sport facilities and the construction of the dwelling.
- A two-way mirror should be installed at the entrance of the Sedley Taylor Road access.
- The inclusion of the gate could encourage illegal parking.
- The access from Sedley Taylor Road is unsuitable for emergency or large vehicles.

7.3 The owners/occupiers of the following addresses have made representations in support of the application:

- 23A Sedley Taylor Road
- 24A Sedley Taylor Road

7.4 The representations can be summarised as follows:

- The reduction in traffic between 23 and 23A Sedley Taylor Road will improve quality of life.
- Request that a condition for a gate between 23 and 23A Sedley Taylor Road be applied.
- A stipulation made that the hedge forming the boundary between 23A Sedley Taylor Road and the access must in no way be reduced in width to ensure privacy.

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. Impact on Listed Building
4. Trees
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

#### Creation of new dwelling

8.2 Policy 5/1 of the Cambridge Local Plan (2006) supports the provision of extra housing within the City and states that windfalls are an essential component of future housing provision in the City.

8.3 Furthermore, any proposal to sub-divide an existing plot needs to comply with policy 3/10 of the Cambridge Local Plan (2006), which sets out criteria a) to f).

8.4 The inspector in the appeal for the previously refused application (05/0028/S73) for this site stated that:

*“However, the dwelling would be single storey and its prominence could be further reduced by a careful approach to design and siting and by landscaping, including retention of some of the existing trees and vegetation on the site.*

*Having regard to the above, I conclude that, while the dwelling would not be consistent with the predominant local character, it would not cause unacceptable harm to the character and appearance of the surrounding area. I consider that the proposal would not fully meet the aspiration of LP policy 3/4 but would not conflict with policy 3/10 in this respect.”*

- 8.5 I consider that the proposed dwelling, in conjunction with the associated landscaping, to be in accordance with the aforementioned planning inspector's previous assessment of the principle of development. The proposal complies with all of the criteria of policy 3/10 as described in the relevant sections of this report.

#### Creation of Long Road Access

- 8.6 The principle of creating a new access on Long Road is considered to be acceptable to the Highway Authority and in accordance with Cambridge Local Plan (2006) policy 8/2. With regard to the use of the existing car park its lawful use has been granted in association with the use of the adjacent playing fields through the recent application for a Certificate of Lawful Use (12/0956/CLUED).

#### Loss of Protected Open Space

- 8.7 The rugby club house and car park is designated under the 2009 proposals map as Protected Open Space and so policy 4/2 of the Local Plan (2006) is applicable. This open space is identified in the Open Space and Recreation Strategy (2011) under SPO 59 as a private open space of both environmental and recreational importance and with a quality % of 61.05%. This open space also includes the playing fields to the west and occupies a total area of 5.05ha (50,500m<sup>2</sup>). The proposed dwelling and its curtilage, specifically part of the garden area, garage and drive would be situated on a small strip of this open space which would comprise of a total area of approximately 84m<sup>2</sup>. The open space lost would be a small strip of car park land which equates to approximately less than 5% of the car park/ rugby club house land, and less than 1% of the entire designated open space including the playing pitches.
- 8.8 Policy 4/2 of the Local Plan (2006) states that development will not be permitted which would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreation unless the open space uses can be satisfactorily replaced elsewhere and the site is not important for environmental reasons.

- 8.9 The protected open space that would be lost is a relatively small strip of land that is currently used for car parking and is not considered to hold any environmental or recreation significance. The level of parking provision for the rugby club and users of the playing pitch will be retained. The playing pitches to the west of the site are considered to hold environmental and recreation significance, but as these fields are not being developed, this character and importance of this open space will be retained. Therefore, in respect of the lack of significance and relatively small size of the land that would be developed for residential purposes, the loss of this open space and car park land to residential development is considered to be acceptable.
- 8.10 In my opinion, the principle of the development is acceptable and in accordance with policies 5/1, 3/10, 4/2 and 8/2 of the Local Plan (2006).

### **Context of site, design and external spaces**

- 8.11 The predominant form of development along Sedley Taylor Road is linear development of large residential detached houses fronting onto the road. In the previous inspectors report (05/0028/S73), it was stated that:

*“Whereas the predominant linear frontage character is primarily seen from Sedley Taylor Road, there would be very limited views of the proposed dwelling from that vantage point. It would be seen from other viewpoints, including the rugby club, the sports field and Long Road, from where views would be filtered through trees.”*

- 8.12 In light of the above assessment made by the planning inspector, the main consideration in terms of the impact on the character of the area, are the views from the aforementioned vantage points and that the proposal would have little impact on the character of the area when viewed along Sedley Taylor Road.
- 8.13 Firstly, extensive planting and landscaping is proposed along the western boundary of the site and so I consider that the proposed dwelling would be well shielded and not noticeably visible from the sports fields to the west. Secondly, there is a 1.8m high fence that separates the dwelling and access road along Sedley Taylor Road from the rugby club and car park

immediately to the south. This boundary treatment and separation clearly distinguishes the backland plot as a residential area and not associated or linked to the rugby club. Finally, the creation of the vehicular access onto the car park from Long Road would inevitably lead to the loss of some trees that filter the view to the site from this public viewpoint. However, as the larger trees to the west and east of the proposed access will remain, and additional buffering landscaping in the form of a large hedge has been proposed behind the established tree line, I consider that the proposed dwelling would still be well shielded from this vantage point along Long Road and that the proposed dwelling will not detrimentally harm the character of the area in this respect.

- 8.14 Although it has been established that the site is not highly visible from public vantage points, consideration needs to be made as to whether the design and scale of the proposed dwelling is in keeping with the character of the area. The inspector stated in his previous assessment that a single storey dwelling would be acceptable and so deliberation needs to be made as to whether the proposed scale of a one-and-a-half storey dwelling is acceptable from a design perspective.
- 8.15 The proposed dwelling has been designed as a single storey property with a steep roof to allow for the roof space to be used for habitable rooms with roof dormers. The ridge height has been varied so that the ridge height closest to the eastern boundary would be 5.8, whilst the ridge height along the west, south and north elevations are higher at up to 6.9m. The roof form on the north elevation has been altered from a pitched roof to a hipped roof following concerns raised relating to the residential amenity of no.22 Sedley Taylor Road. In my opinion, whilst the proposed dwelling is larger in scale than the previous bungalow style dwellings, I consider that with the extensive planting and limited visibility from public viewpoints, a one-and-a-half storey dwelling in this location is acceptable and would not detrimentally harm the character of the area. The staggered roof height, use of dormers and velux windows, and the variation in the layout of the built form helps break up and reduces the emphasis on the steepness and height of the roof and therefore makes the proposed dwelling less visually dominant and obtrusive in its context. I consider that the design is acceptable and blends in successfully within a backland

context and does not compete with the neighbouring dwellings to the east.

- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11 and 3/12.

### **Impact on Listed Building**

- 8.17 Consideration needs to be made as to the impact of the proposed dwelling on the listed building of no.23 Sedley Taylor Road to the east.

- 8.18 In the inspector's previous assessment, the inspector dismissed the previous reason for refusal that the proposed dwelling would be harmful to the setting of no.23 Sedley Taylor Road. This was justified due to the application site having an appearance as a distinct plot and the separation from no.23 by way of a timber fence. The inspector stated that subject to careful consideration of siting, design and landscaping, a single storey dwelling on the site would not have an unacceptable effect on the setting of no.23. As a result, consideration needs to be made as to whether the siting, design and landscaping of the proposed dwelling is acceptable in this instance so as to avoid harm to the nearby listed building.

- 8.19 As noted in the previous section of this report, the house has been designed so that the height of the roof form is set lower closest to the boundary of no.23 Sedley Taylor Road. In addition to this, the external garage proposed under the previously refused scheme has been removed and relocated to the south-west corner of the proposed dwelling in this current scheme. While I appreciate that the majority of the vegetation on site has already been cleared, there are still two trees within and outside the north-east boundary of the site that do partially shield the site when viewed from no.23. Two additional trees have also been proposed to the east and north-east of the proposed dwelling which would increase the level of shielding on site.

- 8.20 It is identified that concerns have been raised from the Sedley Taylor and Luard Road Residents Group regarding the incorrect comparative ridge height measurements made by the applicant and that this may have misled the Conservation Team in making their previous comments. In addition, a point has been

raised stating that the actual ridge height of the two-storey property at no.23 Sedley Taylor Road is 7.1m and that therefore the impact of the proposal on the listed building should be treated as though it is effectively a two-storey dwelling. In the validation of planning applications, the applicant is only required to accurately measure the dimensions of the proposed development and features that are on-site. While it is appreciated that the measurements stated in the design and access statement relating to the other properties in the surrounding area may be incorrect, this does not undermine the validity of the planning application itself. The Conservation Team has been made aware of this discrepancy in the design and access statement and to the comments made by the Residents' Group. While the heights of the proposed dwelling and no.23 are comparable, the form of the proposed dwelling is that of a one-and-a-half storey dwelling. The Conservation Team has made additional comments and remains of the opinion that the overall scale and form of the proposed development would not harm the setting of the listed building.

- 8.21 In my opinion, in consideration of the distinctiveness of the plot from no.23, the variation in ridge height, the separation distance from this listed building to the proposed dwelling and the partial shielding present on and off-site, I consider that the proposed dwelling would not cause any significant detrimental harm to the setting of the listed building and is compliant with Cambridge Local Plan (2006) policy 4/10.

### **Trees**

- 8.22 The protected trees that are on the plot of the proposed dwelling will not be impacted by the proposed works. I note that the majority of the existing vegetation has been cleared prior to this application. However, as these trees did not have any protected status, their removal was entirely lawful. The application must be assessed on the merits of the site in its current form and the impacts on those trees that are protected. In light of this, I do not consider that the proposal would pose any harm to the protected trees that are on or off-site.
- 8.23 It is also identified that the creation of the vehicular access along Long Road and extension to the car park would involve the removal of several category B and C trees that form part of the TPO area. However, the arboricultural survey identifies that

these trees are of lower value than the category A trees which will not be impacted by the proposed works. I consider that the loss of these trees to be acceptable in balancing the benefits of an improved access to the car park and that the void left by the creation of the access will not detrimentally harm the character of the area.

- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/4.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.25 In terms of the impact on neighbours, the proposal seeks to minimize this through the design elements. The main consideration is the impact of the proposed dwelling on nos. 22, 23 and 23a Sedley Taylor Road, and nos.51 and 49 Long Road.

### Overlooking/ Loss of Privacy

- 8.26 The proposed groundfloor windows on the east and north elevations will not significantly infringe on the privacy of any neighbouring properties due to the 1.8m high timber fence that runs around the perimeter of the site boundary of the proposed dwelling. A potential cause of overlooking to neighbouring properties is the roof dormer on the east elevation.
- 8.27 The proposed roof dormer would not affect nos. 21 and 22 due to the fact that the view towards these properties is blocked by the projection of the roof out to the east.
- 8.28 I note that objections have been raised regarding the velux window and dormer window overlooking no.23. There would be a view out towards no.23 that would offer a limited view of this neighbouring properties garden. However, given that the separation distance between the proposed dormer and velux window, and the rear of no.23 would be over 40m, I do not consider that the proposed dwelling would lead to a significant loss of privacy at no.23.
- 8.29 There is a large protected tree in the north-west corner of the rear garden of no.51 Long Road which shields no.23a Sedley Taylor Road from the view of the rear dormer. Furthermore, the

separation distance between no.23a and the proposed dormer would also be so extensive, at approximately 50m, as to prevent any significant loss of privacy at this neighbouring property.

- 8.30 The view out to properties along Long Road from the proposed dormer would be acute, and when considered alongside the substantial length of these properties rear gardens, there would be limited overlooking issues regarding this dormer.

#### Visual dominance/ Enclosure

- 8.31 There were originally concerns regarding the impact of the gable end of the pitched roof of the north elevation on the garden of no.22 Sedley Taylor Road. However, the roof form of this element of the proposed dwelling has been altered from a pitched roof to a hipped roof in an attempt to reduce the visual dominance of this gable end on the garden of this neighbouring property. I am satisfied that in light of this amendment, the proposed dwelling would not be perceived as visually dominant from this neighbouring property.

- 8.32 The eastern elevation of the proposed dwelling would be 5.8m in height and situated 5.3m away from the boundary between the site and no.23's boundary. While it is acknowledged that the bulk of the proposed dwelling behind this lowered element would be higher at 6.9m in height, I consider that the separation distance from this neighbouring property, coupled with the existing and proposed tree planting, would prevent the proposed dwelling from visually enclosing this neighbouring property.

- 8.33 The remaining properties along Sedley Taylor road and Long Road are set a considerable distance away from the proposed dwelling and would therefore not be visually enclosed.

#### Overshadowing/ Loss of light

- 8.34 In studying the orientation of the site, it is evident that consideration needs to be made as to the potential overshadowing that could be caused to nos. 22 and 23 Sedley Taylor Road.

- 8.35 The proposed dwelling would inevitably overshadow the rear garden of no.22 due to the additional scale and mass of the proposed dwelling. However, as no.22 benefits from a long rear garden, the actual impact of overshadowing on the rear of the house and the majority of the garden would be insignificant and the access to light in the main amenity areas would be unaffected by the proposed dwelling.
- 8.36 I note that concerns have been raised from no.23 regarding the loss of light that the proposed dwelling could cause on this neighbouring property. However, it is felt that the orientation of the proposed dwelling in relation to no.23, coupled with the significant separation distance will mean that there will only be a minimal loss of light over the latter half of the rear garden in the late afternoon hours of the day. In addition to this, there are already high trees on and off-site that partially shade the garden of this neighbouring property during afternoon hours. As a result, I do not consider this loss of light to be significantly harmful to the amenity of this neighbouring property. I have carefully considered no.23's representation regarding this in coming to my conclusion.

#### Noise and disturbance

- 8.37 In terms of noise and disturbance, I consider that the impact of people and vehicle movements arising from this additional dwelling would not significantly harm the amenity of nearby residential dwellings.
- 8.38 In response to the concern raised from no.23, the creation of the vehicular access from Long Road will reduce the number of users of the Sedley Taylor Road access road and so the scheme as a whole would be an improvement, in my view, in terms of noise and disturbance from private car users.
- 8.39 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, 3/7, 3/10 (criteria a) and 3/12.

#### Amenity for future occupiers of the site

- 8.40 The site is located within a highly sustainable area of the City, close to public transport routes and local amenities. The design

of the building 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. The garden is approximately 15m in depth.

- 8.41 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, 3/10 (criteria b) and 3/12.

### **Refuse Arrangements**

- 8.42 Details of the refuse arrangements have not been provided within this application. I consider that there is scope for refuse arrangements on this site and have attached a condition requiring full details of this storage prior to occupation.
- 8.43 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.44 The highway authority has raised no objections to the proposed scheme. It is explained in their comments that whilst the access to the proposed property along Sedley Taylor Road is below the width that the highway authority would normally seek to serve such a development, the significant reduction in motor vehicle movements that will be a consequence of the proposal is welcomed. I agree with this advice and consider that the proposal does not pose a threat to highway safety.
- 8.45 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.46 Two parking spaces are provided to the east and south of the dwelling. I consider that the level and provision of car parking to serve this dwelling is acceptable.
- 8.47 No details of cycle storage for the proposed dwelling have been included in this application. I consider that there is scope to accommodate three cycle spaces on this site and so have

attached a condition requiring full details of this cycle storage prior to occupation

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

### **Third Party Representations**

- 8.49 The majority of third party representations have been addressed in the main body of this report.
- 8.50 Concern has been raised regarding the loss of the woodland area on the site of the proposed dwelling and how this should be retained in future applications as most clearly stated by two appeal inspectors. I acknowledge that the two previous appeal inspectors made reference to the fact that landscaping, including retention of some of the existing trees and vegetation would reduce the visual prominence. However, as this vegetation has now been cleared, the application site needs to be judged on its present form. I note that the protected tree in the north-west corner of the site has been retained, and that as suggested by the previous planning inspector (05/0028/S73), the dwelling has been carefully designed and sited to shift the main bulk of the proposed dwelling furthest away from no.23. Additional landscaping has been provided to the south-west of the proposed dwelling and two new trees to the east and north-east of the proposed dwelling. I consider that this proposed dwelling has been carefully designed and sited as to minimize its visual prominence and that even without the extent of planting formerly on the site, the proposed dwelling would not detrimentally harm the character of the area and is reflective of the context of the site, which now also includes the new HRSFC pavilion building.
- 8.51 Reference has been made to the wording of the recommended landscaping condition suggested by the Landscape Team, specifically “these details shall include retained historic landscape features and proposals for restoration.” The retained historic landscape features refer to those features that are currently on site which in this case are the protected trees. This does not include those landscape features that were on or off-site previously and only refers to current features.

8.52 Reference has been made to the email sent to the applicant from the planning officer dated 22<sup>nd</sup> April 2015 and how this has not been fully addressed, particularly point 5 of this email stating that

*“Fifthly, the recent removal of much of the wooded vegetation from the site has exposed the plot more readily to the proximity of the listed building and reduced the ability of a dwelling on this plot to nestle more comfortably within its environment and relate successfully to its surroundings as set out in the reasoning for the related appeal decision. In order to reduce the visual prominence of the scheme to the east and from the new access point from Long Road, additional space needs to be given over within the site for landscaping.”*

8.53 Since this email, amendments have been made by the applicant to demonstrate additional landscaping (as described in paragraph 2.3 of this report). The residents’ group does not consider that this request, specifically the request for landscaping along the eastern boundary adjacent to no.23, has been addressed. Two additional trees have been provided along the eastern boundary of the proposed dwelling and I consider that these additional trees are sufficient as to reduce the exposure of the plot from the curtilage of the listed building and enables the proposed dwelling to relate to the context of the site. In addition to this, hedge planting has also been proposed to reinforce the tree line along Long Road to reduce the visual prominence of the dwelling when viewed from Long Road.

8.54 The Residents Group has also suggested that the footprint of the proposed dwelling could be moved up to 7m further back towards the western field end of the plot to restore the historic setting on the plot and restore lost amenity/ privacy. This suggestion was brought to the attention of the applicant but the applicant does not wish to amend the scheme in this way and so the application must be determined based on the most recent set of amendments which does not include this suggestion. I do not consider that the proposed dwelling in its proposed position on the site would significantly harm the amenity of neighbours or the historic setting of the listed building for the reasons set out in the main body of this report. As a result, I do not consider it necessary to move the footprint

of the proposed dwelling in order for the proposal to be acceptable.

- 8.55 The Residents Group has conducted an analysis of the internal dimensions and height of the listed building at no.23 compared to the proposed dwelling which demonstrates that the floor area of the proposed dwelling is approximately double that of the listed building and that this would consequently overwhelm the listed house and its setting. While the overall floor area of the proposed dwelling may be double that of the listed building, I consider that the separation distance from this listed building and the one-and-a-half storey form means that the proposal does not overwhelm the historic setting of the listed building. These measurements have been brought to the attention of the Conservation Team and they remain of the opinion that the proposed dwelling would not harm the setting of the listed building.
- 8.56 In response to the concern raised regarding the proposal not being compliant with paragraphs 126, 128, 130 and 132 of the NPPF, I consider that the proposal is compliant with these paragraphs. Firstly, paragraph 126 refers to plan making and not decision making and so this is not relevant for the determination of this application. Secondly, Paragraph 128 has been complied with as sufficient detail is included in the design and access statement. Thirdly, I do not consider that the clearance of the vegetation on site has neglected or damaged the nearby heritage asset of the listed building, in accordance with paragraph 130. Finally, I consider the principles of paragraph 132 to have been covered in the 'Impact on the Listed Building' section of this report.
- 8.57 The request for a gate across the Sedley Taylor Road access has been included in the amendments to this proposal.
- 8.58 Grampian conditions relate to the need for works to take place on land that is not under the control of the applicant prior to the commencement of the development. A condition has been included to ensure that the access off Long Road is completed prior to the commencement of development of the dwelling. This is to ensure that the benefits of the new access are realized, to overcome previous refusal reasons as otherwise there would be little incentive for the works.

- 8.59 The concerns regarding the ability of the access off Sedley Taylor Road to accommodate emergency vehicles is a building control matter and not a planning consideration.
- 8.60 The concerns regarding the position of the gate and illegal parking in front of this is a matter for the police and is not a planning consideration.
- 8.61 The highway authority has not requested a two-way mirror on the Sedley Taylor Road access and I do not consider the implementation of this necessary.
- 8.62 The Residents' Group has requested clarification regarding the land ownership and interests of the site. The applicant has provided a Certificate B land ownership form and demonstrated which parties with an interest on the land have been notified of the development. I believe the correct notices have been served and the applicants have been specifically made aware of these issues.
- 8.63 A construction method statement condition has been included to ensure that access to the car park and adjacent sports fields is retained and safe for users of these facilities. Parking of contractor vehicles and deliveries to and from the site will be covered by the traffic management plan condition.
- 8.64 I do not consider it reasonable to prevent construction and deliveries on Saturdays as these standards allow for limited activity until 1pm on Saturdays. I do not consider that the proposed construction and delivery times on this day of the week would significantly harm the amenity of neighbouring properties. The construction method statement and traffic management plan conditions will take account of the safety of the users of the sports field during times of construction and delivery.

## **Planning Obligation Strategy**

### **Planning Obligations**

- 8.65 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 will not harm the setting of the listed building, will not appear out of character with the area, and will not harm the amenity of nearby residential properties. Approval is recommended.

## **10.0 RECOMMENDATION**

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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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 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)

5. Prior to occupation of the 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)

6. 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)

7. 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)

8. The proposed drive shall be constructed using a bound material, for the first five metres into the proposed car park to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

9. The area shown as a manoeuvring space to the proposed private house shall be kept free from any obstruction.

Reason: in the interests of highway safety (Cambridge Local Plan 2006 policy 8/2)

10. "Prior to the commencement of development, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the local planning authority. The CMS shall provide a specific construction programme and a plan identifying: the contractor site storage area/compound; screening and hoarding locations; access arrangements for vehicles, plant and personnel; building material, plant and equipment storage areas; the parking of vehicles of site operatives and visitors; and the location of contractor offices. Thereafter the development shall be undertaken in accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

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).

11. 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)

12. 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)

13. Prior to commencement of the proposed dwelling, the access off Long Road to the car park must be completed.

Reason: To ensure that access to the car park and sports facilities is retained for these users during the construction phase and closure of the existing access from Sedley Taylor Road, in the interests of highway safety (Cambridge Local Plan Policies 3/10 and 8/2).

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<b>Application Number</b>	15/1038/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	9th June 2015	<b>Officer</b>	Mr Sav Patel
<b>Target Date</b>	4th August 2015		
<b>Ward</b>	Queen Ediths		
<b>Site</b>	92 Queen Ediths Way Cambridge CB1 8PW		
<b>Proposal</b>	Two storey dwelling to the rear of 92 Queen Edith's Way		
<b>Applicant</b>	Mrs Lynda Burchell 92 Queen Ediths Way Cambridge CB1 8PW		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed subdivision of the existing residential curtilage to create a new residential plot is considered to be acceptable as it would be compatible with existing residential context of the area;</li> <li><input type="checkbox"/> The design and scale of the proposed dwelling is appropriate for this site. The modern design and form would contrast well with the traditional house types in this area. The scale is considered to be modest and would not appear out of place in this context.</li> <li><input type="checkbox"/> The proposed dwelling would not have a detrimental impact on the residential amenity of the adjoining neighbour or those in the host property.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site consists of a raised hardstanding area within the rear garden of no.92 Queen Edith's Way. There are

double gates facing Almoners Avenue. The site also contains a small shed in the south-west corner.

- 1.2 No.92 is an extended two storey detached dwelling which is set back from the road. The dwelling is screened from the front and side by boundary vegetation. The built form of the area is characterised by two storey detached dwellings which are set back from the road and on generous plots.
- 1.3 To the boundary of the site adjoins the rear garden of 37 Kinnaird Way which is also a two storey dwelling on a generous plot. Adjacent to the rear boundary of no.37 is a single storey pitched roof garage with access onto Almoners Avenue.
- 1.4 The site not located within a Conservation Area and there are no listed buildings or buildings of local interest within close proximity of the site. None of the trees in or around the site are protected.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is to subdivide the curtilage of no.92 to create a new residential plot consisting of a modern two storey pitched roof detached dwelling which would utilise the existing access onto Almoners Avenue.
- 2.2 The proposed dwelling would be 6 metres to the main ridge; and 3.5 metres to the eaves line (4.4. to the projecting element on the south elevation). In terms of footprint the proposed dwelling would be 5.2 metres wide and 10 metres in depth.
- 2.3 The curtilage would include an off street parking space, garden area and sliding gate which would replace the existing double timber gates.
- 2.4 The dwelling would be set off the northern boundary with the host dwelling by 1.5 metre and approx. 1 metre from the western boundary; and between 4.2 and 5.8 metres off the southern boundary. The northern boundary of the plot would be approx. 11 metres from the rear elevation of the host dwelling.
- 2.5 The proposal has been amended following concerns with the size of private amenity space in the original scheme. The plot has been increased in depth by 1.9 metres.

### 3.0 SITE HISTORY

Reference	Description	Outcome
C/88/0824	ERECTION OF 1 NO 2-BED CHALET BUNGALOW (OUTLINE APPLICATION).	REFUSED
C/02/0003	Erection of a single storey side extension to existing dwellinghouse.	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  
Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)

#### 5.2 Cambridge Local Plan 2006

3/1 Sustainable development  
3/4 Responding to context  
3/7 Creating successful places  
3/10 Subdivision of existing plots  
3/11 The design of external spaces  
3/12 The design of new buildings  
5/1 Housing provision  
8/6 Cycle parking  
8/10 Off-street car parking

#### 5.3 Material Considerations

##### City Wide Guidance

Cycle Parking Guide for New Residential Developments (2010)

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 Concerns have been raised regarding the proposed sliding gates as this would require a vehicle to wait on the public highway which could also conflict with users of the footway. This can be overcome if the gates are removed or set back from 5 metres.

The existing gates would open onto the highway which is an offence under the Highway Act.

Subject to the above being addressed the following conditions and informatives are recommended:

- Visibility splays;
- Driveway constructed to avoid surface water draining onto public highway;
- No unbound material on the access;
- No encroachment from foundations under the adopted public highway;
- Works to public highway is an offence and require separate consent;

### **Head of Refuse and Environment**

- 6.2 The proposal is acceptable subject to conditions on construction hours and piling.
- 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:
- 1 Almoners Avenue
  - 35 Kinnaird Way
  - 37 Kinnaird Way
  - 96 Queen Edith's Way

## 7.2 The representations can be summarised as follows:

### Residential amenity:

- Truncate garden of no.92 to insufficient level and bring the new dwelling closer to the boundary of no.37 Kinnaird Way which would result in noise and massing issues on the boundary;
- The proposed dwelling would have a very small curtilage and appear cramped on the site;
- Insufficient useable outdoor space to support a two bed house;
- Overlooking from first floor windows resulting in loss of privacy;
- Overlooking of gardens and windows;
- Breach of the Human Rights Act
- The proposal would result in loss of light

### Design, scale, context:

- The proposal is inconsistent with the urban grain of the area and would appear incongruous within the street scene;
- The new dwelling would damage the character of the area;
- Precedence set for this type of development at no.1 Nightingale Avenue, however the proposed arrangement would be significantly smaller;
- The proposed dwelling would be located closer to the road which is out of keeping with other houses in Almoners Avenue, detracting from the street scene
- The proposal fails to respond to local context in terms of siting, massing and design;

### Use:

- Retirement property – this would be difficult to enforce and there is no shortage or desire for these types of properties

### Highway safety

- No turning space within the plot so future occupier would need to reverse into or out of the site, either option would obstruct the highway and cause highway safety issues.
- No visitor parking;
- Significant increase in traffic and parked cars

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 The provision of extra housing within the city is supported in the Cambridge Local Plan (2006). As policy 5/1 points out, proposals for housing development on windfall sites will be permitted, subject to the existing land use and compatibility with adjoining uses.

8.2 The principle of developing the site for residential purposes is considered acceptable and conforms to the provisions set out in the development plan. However, while residential development is broadly supported, it must comply with considerations such as impact on the appearance of the area and impact on the amenity of neighbouring properties. These, and other relevant issues, are assessed below.

8.3 As the proposal is for the subdivision of an existing residential plot, Local Plan policy 3/10 is relevant in assessing the acceptability of the proposal. Policy 3/10 allows for the subdivision of existing plots, subject to compliance with specified criteria. However, in this instance, Section d, e and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d), would not adversely affect trees, wildlife features or architectural features of local importance (e), and would not prejudice the comprehensive development of the wider area (f).

8.4 Residential development within the garden area or curtilage of existing properties will not be permitted if it will:

a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;

b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;

c) detract from the prevailing character and appearance of the area.

8.5 I set out below my assessment of the proposal in relation to the above.

a) Residential amenity

8.6 The proposed dwelling has been carefully designed to mitigate the impact on the residential amenity of the surrounding neighbours. No windows are proposed in the western elevation which would prevent overlooking of the gardens to the west. Also no windows are proposed in the north elevation to prevent overlooking of the host property. I am therefore satisfied that the proposal would not cause loss of privacy to the residents to the west and host property.

8.7 Windows are proposed in the southern elevation at first floor level. These windows would serve a bedroom and bathroom. The bathroom window would be obscure glazed but the bedroom window which is set 1.3 in from the western elevation is not proposed to be. The bedroom would also be served by a rooflight. The rear elevation of the proposed dwelling would be 5.8 metres from the rear boundary and approx. 36.6 metres from the rear of no.37 Kinnaird Way. The pitched roof garage of no.37 would also be within 1.7 metres of the rear boundary of the site at 4.1 metres in height. The eaves line of the dwelling would overhang the window thus reducing the angle of view and outlook. The internal head room at the window would be 1.57 metres due to the pitch of the roof. Therefore, views from the bedroom window over the rear garden of no.37 Kinnaird Way would be mitigated by the existing garage and level of separation. The applicant has also produced a street elevation plan showing the sight lines. This shows that due to the garage and height of the first floor window, it would not be possible to view the rear garden of no.37. However, I have recommended a condition (7) to obscure glaze the window pane closest to the side elevation to mitigate overlooking of the gardens to the south-west. In order to mitigate the impact from overlooking of the adjoining neighbour's garden at no.90 (west), I have recommended a condition (10) to restrict any additional windows. Also due to the level of separation from no.90 (approx. 16.6 metres), I do not consider the proposed dwelling

would appear overbearing or cause an adverse sense of enclosure.

- 8.8 The proposed dwelling would be located to the south of the host property. Currently the garden is subdivided by a tall hedge which separates the garden area from the hardstanding area. Whilst a shadow study has not been carried out, I am satisfied that the modest height of the proposed dwelling (6 metres to the ridge and 4.4 metres to eaves) and its separation from the host property (12.4 metres) and other adjacent dwellings, would not cause significant levels of overshadowing such that it would have an adverse impact on the residential amenity of the existing occupiers. I do not consider the proposed dwellings would cause any adverse levels of shadowing on adjacent plots due to the level of separation and scale of the proposed dwelling.
- 8.9 The proposed dwelling would be set off all four boundaries by a minimum of 1 metre and maximum of 5.8 metres. The nearest dwelling to the proposed dwelling would be the host at 12.4 metres. No windows are proposed in the rear elevation. Therefore due to the modest scale of the proposed dwelling; compared to the existing built form and level of separation from other dwellings, I do not consider it would appear overbearing such that it would cause an adverse sense of enclosure of the residential amenity of the surrounding residents.
- 8.10 In terms of traffic generation, the proposed includes one off street parking space to serve the 2bed dwelling. I do not consider the proposed dwelling would result in significant levels of traffic generation such that it would have a materially adverse impact on the residential amenity of the local area in terms of noise nuisance/disturbance. Almoners Avenue is partly unrestricted and therefore whilst the proposal includes an off street space, any future resident would be able to park on street if they desired. This is the same for any of the existing residents.
- 8.11 I am therefore satisfied that the proposed dwelling would not have a significantly adverse impact on the residential amenity of the neighbour occupiers.

b) Amenity space, access and parking

8.12 The proposed subdivision of the plot would result in two defined curtilages. I have recommended a condition (8) to ensure the curtilage of the proposed dwelling is retained. Concerns were originally raised regarding the amount of usable garden space for the proposed dwelling and a request was made to increase this. The applicant response to this was to increase the size of the plot from 10.6 metres in width to 12.5 metres. This provides an additional 1.9 metres of garden space resulting in a garden area of 5.8 metres (including patio areas) by 5.7 metres. This is considered to be a sufficient amount of amenity space. Whilst the revision would take up garden land for the host dwelling, the occupier of the host dwelling would still enjoy a relatively generous amount of private amenity space (excluding the front garden area which is screened by boundary vegetation). The garden for the host property would be between 13.2 and 14.2 metres wide and 10.8 metres deep. Whilst these gardens would be much smaller than those gardens in the adjoining plots, I am satisfied that the subdivision would provide a satisfactory level of outdoor space for both dwellings without appearing as a cramped form of development. The proposal would also make efficient use of land to accommodate additional housing.

8.13 Both plots would include off street parking. The host property would maintain the existing off street car parking at the front of the site.

c) Detract from the prevailing character of the area

8.14 The built form of the area is characterised by a mix of house styles and features, particularly on Almoners Avenue. The prevailing feature of the rear is of projecting gables. The proposed dwelling would be located gable side onto the highway thus reflecting the gable feature in the area. The design of the dwelling which includes a projecting bay element, although unusual, is not, in itself, considered inappropriate; there is no uniformity amongst existing houses in the vicinity, and there are examples of gables facing the street close by. The proposed external materials of render and timber cladding also reflect the materials on adjacent buildings. I am therefore satisfied that the proposed dwelling would sympathetically assimilate into the site context and character of the area without appearing as an alien form.

- 8.15 In my opinion, the principle of the development is acceptable and in accordance with policies 3/4, 3/7, 3/10, 3/11, 3/12 and 5/1.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.16 As set out in paragraphs 8.6 to 8.12 above. 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

- 8.17 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**

- 8.18 The proposed plan indicates that the bins (3 receptacles) would be stored adjacent to the eastern boundary. However, no details of the type of enclosure has been provided. Therefore whilst I am satisfied that there is sufficient space within the plot to accommodate bins, I have recommended a waste storage condition (5) so that details of the type of enclosure is provided for our consideration. Subject to the submission of details, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.19 The applicant has proposed to remove the sliding gates to overcome the highway concerns. As for the parking issue, the proposed parking arrangement is similar to that of other existing properties i.e. vehicles reserving out of driveways onto the highway. I have not yet received additional comments from County Highway on the revised arrangements. I will therefore report their comments either orally or on the Amendment Sheet.

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

### **Car and Cycle Parking**

#### Car parking

8.21 The proposal includes one off street parking space to serve the proposed 2bed dwelling. The Car Parking Standards set a maximum provision of one car parking space per dwelling with up to two bedrooms outside of the controlled parking zone. The proposal is therefore compliant with the Council's car parking standards. It is Local Plan policy to promote lower levels of car parking in order to encourage a modal shift towards sustainable forms of transport. The City's Car Parking Standards are therefore expressed as maximum levels, and in a location such this; relatively well placed for local services, the railway station and cycle routes into the city, the level of car parking is acceptable.

#### Cycle parking

8.22 The applicant has indicated an area adjacent to the western boundary for a cycle store. However, no details of the store have been provided. The proposal would need to provide one cycle parking space (per 3 bedrooms) to serve the proposed dwelling which is in accordance with the City Council's minimum Cycle Parking Standards as set out in Appendix D of the Cambridge Local Plan (2006). There is enough space within the plot to accommodate this provision.

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

### Third Party Representations

8.24 I set out below my response to the concerns raised in the third party representations:

Representation	Response
Truncate garden of no.92 to insufficient level and bring the new dwelling closer to the boundary of no.37 Kinnaird Way which would result in noise and massing issues on the boundary;	The subdivision of the garden of no.92 to accommodate an additional residential plot would provide sufficient levels of garden/outdoor space for both the existing and proposed dwelling. The proposed dwelling is unlikely to create significant levels of noise disturbance to have a significantly adverse impact on the residential amenity of the occupier of no.37 Kinnaird Way. The massing of the proposed dwelling would not adversely impact the occupier of no.37 Kinnaird Way as it would be screened by the existing detached garage.
The proposed dwelling would have a very small curtilage and appear cramped on the site;	See para 8.9. The curtilage for the proposed dwelling is considered to be acceptable in terms of size and usable space.
Insufficient useable outdoor space to support a two bed house;	As above.
Overlooking from first windows resulting in loss of privacy;	See para 8.7-8.8. The proposed dwelling would not cause overlooking of neighbouring properties.
Overlooking of gardens and windows;	As above.

Breach of the Human Rights Act	The proposal has been carefully assessed to ensure it does not have a significantly adverse impact on the residential amenity of existing neighbours.
The proposal would result in loss of light	Due to the scale of the proposed dwelling and level of separation from existing dwellings, the proposed dwelling would not result in the significant loss of light on existing neighbours.
The proposal is inconsistent with the urban grain of the area and would appear incongruous within the street scene;	In this context, the proposed dwelling would make a positive contribution to the street scene along Almoners Avenue.
The new dwelling would damage the character of the area;	As above.
Precedence set for this type of development at no.1 Nightingale Avenue, however the proposed arrangement would be significantly smaller;	Each application is considered on its own merits and the proposed dwelling is considered to be of an appropriate scale for this location.
The proposed dwelling would be located closer to the road which is out of keeping with other houses in Almoners Avenue, detracting from the street scene	The proposed dwelling would be closer to the road than the dwellings on the opposite side of the road. However, in this context, where Almoners Avenue has grassed verges and pavements, I do not consider the scale of the proposed dwelling would detract from the character of the street scene.
The proposal fails to respond to local context in terms of siting, massing and design;	See para 8.14

Retirement property – this would be difficult to enforce and there is no shortage or desire for these types of properties	I do not consider it necessary to enforce the proposed dwelling is occupied as a retirement property. I have assessed the proposal on the basis of it being a dwelling for general habitation.
No turning space within the plot so future occupier would need to reverse into or out of the site, either option would obstruct the highway and cause highway safety issues.	This is no different to how some of the existing residents enter and leave their curtilage. Therefore, it would be difficult to argue the proposal would materially impact highway safety over and above the existing arrangement in the street.
No visitor parking;	The proposed car parking arrangement is compliant with the car parking standards. No visitor car parking is required for the proposed dwelling.
Significant increase in traffic and parked cars	The addition of one extra vehicle would not significantly increase traffic in the area such that it would have a materially adverse impact. Almoners Avenue has unrestricted on street parking.

## 9.0 Conclusion

- 9.1 The proposed residential development of this ancillary rear garden site is considered acceptable in principle. The design and scale of the proposed dwelling would sympathetically assimilate into the site and street scene without appearing as an alien form. The scheme is considered to provide a high-quality living environment and an acceptable standard of residential amenity for future occupiers and its neighbours. The proposal would also make efficient use of garden land for additional housing. As such, I recommend the application be approved.

## 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. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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 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.

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

5. 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 walk distances for residents including the specific arrangements to enable collection from the kerbside or within 5m 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. Cambridge Local Plan 2006 policies 3/12 and 4/13

6. The window identified as having obscured glass on drawing number shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwelling 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).

7. The pane window closest to the western boundary at first floor level in the south elevation as shown on drawing no.1050/P02 rev A shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to occupation of the dwelling and shall have restrictors (if necessary) 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).

8. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

9. 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied 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)

10. Notwithstanding the provisions of Schedule 2, Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), no new windows or dormer windows (other than those expressly authorised by this permission), shall be constructed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

11. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order with or without modification), the provision within the curtilage of the dwellinghouse(s) of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties (Cambridge Local Plan 2006 policies 3/4, 3/10 and 3/12).

**INFORMATIVE:** 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.

**INFORMATIVE:** Notwithstanding any consent granted under the relevant planning act/s, the applicant is advised that before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway the express consent of Cambridgeshire County Council as the Local Highway Authority will be required. All costs associated with any construction works will be borne by the developer.

<b>Application Number</b>	15/1085/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	15th June 2015	<b>Officer</b>	Mr Amit Patel
<b>Target Date</b>	10th August 2015		
<b>Ward</b>	West Chesterton		
<b>Site</b>	253 Chesterton Road Cambridge Cambridgeshire CB4 1BG		
<b>Proposal</b>	Change of use from an A1 (shop) to A3 (restaurant/cafe). Installation of new air-conditioning/heating. Alterations to external facade and immediate forecourt. Installation of cycle racks and external seating onto private forecourt.		
<b>Applicant</b>	Mrs Judith Harrison 3 Kimberley Road Cambridge Cambridgeshire CB4 1HG United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal is in accordance with policy</p> <p>The external changes are acceptable</p> <p>The proposal would not have a detrimental impact on residential amenity</p> <p>There will be an increase in cycle parking on site which is acceptable</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site lies at the corner of Chesterton Road and Hawthorn Way, and consists of two adjacent rectangles, joined corner-to-corner by a 3m wide ‘neck’.
- 1.2 At present the corner unit on the ground floor (253 Chesterton Road) was occupied by a delicatessen, and the current

adjoining retail unit, to the east, (255 Chesterton Road) is occupied by hairdressers. The remainder of the ground floor space (fronting Hawthorn Way), and part of the first floor, are used by a private tutorial college, and there are also a two-bedroom flat and a three-bedroom flat at first floor level. There are wide paved areas adjacent to the footway on both frontages; that on the Hawthorn Way side is currently used for parking cars.

- 1.3 The north-eastern rectangle lies in the backland between Chesterton Road, Hester Adrian Way and Coach House Court. It measures 13m x 30m, and is occupied by a row of single-storey garages. Access to the backland rectangle is by an access drive which runs to the north of the frontage building along the northern edge of that part of the site. It is closed off from Hawthorn Way by double gates.
- 1.4 The surrounding area is predominantly residential, but there are a number of hotels and guest houses on the opposite side of Chesterton Road. On the opposite corner of Chesterton Road/Hawthorn Way, at 251, there is a similar, but not identical, building to that on the application site. The ground floor of that building is occupied by a convenience store. This group of shops is not identified as a local centre in the Cambridge Local Plan (2006).
- 1.5 The site is not within or near to any conservation area. It falls outside the controlled parking zone (CPZ).

## **2.0 THE PROPOSAL**

- 2.1 The application seeks approval for a change of use from class A1 retail unit to class A3 (restaurant/café). The works will also include installation of plant, cycle racks and seating. There will also be an installation of plant to the rear roof scape.
- 2.2 There are proposed changes to the shop front which include new signage. The signage details will require a separate application.
- 2.3 The applicants have submitted revised drawings to address the comments raised by the local highway engineer.

2.4 The application is accompanied by the following supporting information:

1. Plans

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/0319/FUL	Erection of 9 flats (1 one-bed flat, 7 two-bed flats and 1 three-bed flat) and offices (Class B1).	Refused
14/0810/FUL	Change of use from continental delicatessen to private (specialist) referral Dental Practice	A/C

### 4.0 PUBLICITY

4.1 Advertisement:	No
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 4/13 6/3 8/2 8/6 8/10

## 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
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## 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, policy 72 in the emerging Local Plan is of relevance.

The site is allocated as a neighbourhood centre (Hawthorn Way).

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 The end two cycle stands would obstruct the highway. The application should be refused until these are removed, otherwise no significant adverse impact on the highway.

### Additional Information

The applicants have submitted revised drawings removing the two cycle parking spaces and it addresses the concern raised.

### **Head of Refuse and Environment**

- 6.2 No objection in principle subject to conditions relating to construction hours, plant noise insulation, waste and opening hours, odour compliance condition and informatives relating to food safety, noise insulation and licensing.
- 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 objecting to the proposal:

- 255A Chesterton Road
- 257 Chesterton Road (x5)

- 7.2 The representations can be summarised as follows:

- Impact of additional noise, pollution and vehicle traffic would be disruptive to the wellbeing and life style of the area
- Additional parking will lead to congesting the surrounding roads
- Increase in pollution from food waste, smell and noise is not compatible with residential areas
- Loss of privacy due to the people using the play area to the rear.
- The proposal could have more cars than stated and this could lead to competition for parking on the surrounding street.
- Hours of operation will need to be controlled from 9am to 5pm
- The number of patrons will impact on the surrounding area

- 7.3 The owners/occupiers of the following addresses have made representations supporting the proposal:

- 19 De Freville Avenue
- 32 Chesterton Hall Crescent
- 2 Gurney Way

- 19 Orchard Avenue (x2)
- 7 Pretoria Road
- 259 Chesterton Road

7.4 The representations can be summarised as follows:

- Proposal is welcomed as there is nothing of this type of business in this area
- The parking will not be a problem as this will serve the local community who will visit by foot or cycle
- The proposal will allow the community to meet in a safe environment
- The proposal for outdoor seating is safer than the current car parking arrangement

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. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Waste
7. Third party representations

### **Principle of Development**

8.2 The site is not within a district or local centre in the current local plan, and is therefore not subject to any local plan policy restricting changes of use from Class A1 to other uses. In the Cambridge Local Plan 2014: Proposed Submission, the site is within Local Centre 27 (Hawthorn Way).

8.3 Relatively little weight can be afforded to the emerging local plan because it has not yet completed the stage of examination in public. Notwithstanding this, the proposal is in accordance

with Policy 72 of the Proposed Submission, which supports changes of use in local centres from A1 to other centre uses (which include A3) provided that an appropriate mix and balance of uses is retained which will provide for the day-to-day needs of local people. In my view, the proposed use within class A3 will provide a day-to-day need for the locality and add to the mix of uses within this neighbourhood centre. The proposal involves no conflict with the aspirations of Policy 72 of the Proposed Submission which seeks to promote and coordinate the use of sustainable transport modes, and deliver and reinforce a sense of place and local shops and services.

- 8.4 The compliance of the proposal with policy 72 of the Proposed Submission, while carrying very little weight in itself, is in my view, a useful pointer, providing some assurance that the change of use would not conflict with paragraph 70 of the National Planning Policy Framework (2012), which requires councils to guard against the unnecessary loss of valued facilities and services.
- 8.5 I am also of the view that approval of the change of use would comply with paragraphs 19 and 21 of the National Planning Policy Framework (2012), which urges councils to support existing business sectors, allow their expansion, and avoid acting as an impediment to sustainable growth.
- 8.6 The unit is currently vacant. Granting this change of use will bring it back into use and will provide a facility for the community at large which is supported. The Local Plan is silent on change of use outside a Local or District Centres and therefore bringing a vacant unit back into use is supported as the use could benefit the local area by providing a service for the local community.
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with the aim of Chapter 6 of the Cambridge Local Plan 2006 to ensure Cambridge is vibrant and thriving, and with paragraphs 19, 21 and 70 of the National Planning Policy Framework (2012).

### **Context of site, design and external spaces**

- 8.8 There are some external changes proposed. This involves the cleaning and repainting of the shop front and additional doors

and windows in the rear elevation, I consider that these are acceptable. There are no extensions and therefore I do not consider that the proposal will not have any impact upon the character of the area.

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

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 There are not any physical changes proposed but concerns have been raised regarding car parking. I will address this later in my report but this site is not within a controlled parking zone and there will be no on site car parking
- 8.11 Representations have been received regarding the proposal having an impact from noise and smell pollution and loss of privacy. The proposal is for a community café. The applicants have stated that the proposal will serve warmed up Paninis and hot drinks. Additionally the proposed plant will need further control if the cooking on site becomes more intense and this can be controlled by condition. The Environmental Health officer does not consider that this will have a significant impact on noise and odour pollution to the neighbouring occupiers subject to conditions. I agree with their advice and recommend conditions 3 and 4.
- 8.12 There will be no useable space at the rear as this is currently a service area for the shops. There will be changes at ground floor level with additions of doors and windows but this will not lead to any overlooking as this is at ground floor level and the existing boundary treatment will stop any direct overlooking to the neighbouring residential properties and I consider this acceptable.
- 8.13 Representations have been received regarding the hours of operation to be limited to 9 to 5. The Environmental Health Officer has commented that the hours stated in the application form of 7am to 8pm Mon to Saturday and 9am to 5pm on Sunday and Bank Holidays is acceptable. I consider, due to the location and the proposed serving of hot drinks and toasted sandwiches will not lead to a significant impact to the residential

neighbours. I agree with the advice given and recommend a condition for opening hours. (Condition 5).

- 8.14 The number of patrons may add to the movement of coming and goings. However, Chesterton Road is a major route around the City and the noise generated would, in my opinion not be significantly worse than the current situation or when the previous use was running.
- 8.15 The Environmental Health Team have also commented that construction hours (condition 7) could have an impact on the adjoining occupiers and therefore recommend a condition. I agree with their advice. I cover the waste element below and add the informatives as recommended.
- 8.16 Subject to conditions, 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 and 4/13

### **Highway Safety**

- 8.17 Third party comments state that the car parking on street will cause congestion and impact on the highway network. The local highway authority has not raised any concerns regarding this and agree with their advice.
- 8.18 The site is located outside the controlled parking zone and therefore on street car parking could occur without any restrictions. In addition to this, I consider the previous use could have generated more movements due to the nature of the business than the one being proposed. Considering that people can park on street without any restrictions will not have a detrimental impact over and above the existing situation and is acceptable.
- 8.19 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.20 The site is 171 square metres. The City Council Car Parking Standards set a maximum level of 4 car parking spaces for a A3

use of this size. The proposal does not provide any off street car parking and therefore is acceptable.

- 8.21 The Cycle Parking Standards seek 6 spaces per 25 square metres. The revised plans show 14 spaces. So the proposed number of spaces required is an over provision which is acceptable and encouraged. The plans show the type of cycle stand, as being Sheffield Steel hoop type, this is acceptable.
- 8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Refuse Arrangements**

- 8.23 No details are provided regarding trade waste. Comments have been received regarding concerns from third parties and Environmental Health that there is no information regarding waste storage and this could lead to vermin and smell pollution. The Environmental Health Team has recommended a condition to overcome this concern and I consider there is space on site to provide adequate storage of waste and recommend condition 6.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

### **Third Party Representations**

- 8.25 Third party comments have been addressed in the main body of the report above.

## **9.1 CONCLUSION**

- 9.1 The proposal is to change the use of the vacant A1 unit to a community cafe falling within A3 use. There some external alterations and increase in cycle parking. I consider subject to conditions the proposal is acceptable and I recommend 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. 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 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 and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: To protect the amenity of residential occupiers. (Cambridge Local Plan (2006) policy 4/13).

4. Any A3 use of the development shall install and maintain an odour filtration/extraction system designed 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 and/or its subsequent amendments' .

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

5. The premises shall be open from 07:00 hours to 20:00 hours Monday till Saturday and 09:00 hours till 17:00 on Sunday and Bank Holidays.

Reason: To protect the amenity of neighbouring occupiers. (Cambridge Local Plan (2006) policy 4/13).

6. 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

7. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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:** To satisfy the plant noise insulation condition, 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 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:** 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.

**INFORMATIVE:** A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email [Licensing@cambridge.gov.uk](mailto:Licensing@cambridge.gov.uk) for further information.

<b>Application Number</b>	15/1014/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	28th May 2015	<b>Officer</b>	Mr Amit Patel
<b>Target Date</b>	23rd July 2015		
<b>Ward</b>	Romsey		
<b>Site</b>	74 Catharine Street Cambridge Cambridgeshire CB1 3AR		
<b>Proposal Applicant</b>	Rear roof extension Miss N Woodbine 74 Catharine Street Cambridge Cambridgeshire CB1 3AR		

<b>SUMMARY</b>	<p>The development does not accord with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal is highly visible in the street and therefore will have a detrimental impact on the Conservation Area</li> <li><input type="checkbox"/> The design of the proposal is a near full width and full height roof extension which will dominate the roof</li> </ul>
<b>RECOMMENDATION</b>	<b>REFUSAL</b>

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

- 1.1 The application site, no.74 Catharine Street, is situated on the east side of Catharine Street and is comprised of a two storey terraced property with a small rear garden. The surrounding area is predominantly residential and is formed of similar sized terraced properties.
- 1.2 The site falls within the Central Cambridge Conservation Area (2011).

## 2.0 THE PROPOSAL

2.1 The application seeks full planning permission for a rear roof extension designed in slate and timber. A previous application was refused for the same design under planning reference 15/0377/FUL.

## 3.0 SITE HISTORY

Reference	Description	Outcome
15/0377/FUL	Rear roof extension.	Refused

## 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 3/14 4/11

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	Sustainable Design and Construction (May

Planning Guidance	2007)
Material Considerations	<u>City Wide Guidance</u> Roof Extensions Design Guide (2003)
	<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.

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 (Engineering)**

6.1 No comment on this application.

### **Urban Design and Conservation team**

6.2 The application is not supported. The dormer is nearly full width and height and therefore the extension reads as a third storey extension rather than a subservient roof extension.

- 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.

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 Cllr Smart has requested this application be determined at Planning Committee due to the conflicting advice of officers and what is visible from the public realm and the impact on the appearance in a Conservation Area needs further discussion.

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

- 27 Ferry Path

- 7.3 The representations can be summarised as follows:

- The proposal is similar in size and scale to the previously refused application. This application has not addressed the concerns raised with regards to the size and scale and therefore the refusal still stands.
- Conditions to control working hours, skips etc should be conditioned if planning permission should be granted.
- The proposal will have a harmful impact on the character and context of the site

- 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**

### **Context of site, design and external spaces and Impact on Conservation Area**

- 8.1 The key consideration in terms of the design of the rear roof extension is the impact on the character of the Conservation Area. A representation has been received regarding the

proposal fitting into the context and consideration given to other approved schemes.

- 8.2 I note that a dormer very similar to this design and scale has been approved 5 doors down at number 84 Catharine Street. The Conservation Officer supported that scheme but has commented that this scheme is not acceptable. I have compared the two schemes and have come to the view that this site is different in context to the approved scheme and therefore agree with the conservation advice. The main issue is that number 74 is highly visible from St Phillips Road whereas number 84 is not and is obscured by a traditional two-storey wing on the adjoining property. The roof design on the immediate neighbours to number 74 are cat slide roofs over the two-storey wing and this makes the roof scape more visible.
- 8.3 The Roof Design Guide allows greater flexibility in situations where the rear parts of the roofs are not visible in the street; this is not the case here. The roof design guide states that scale and massing should be appropriate to the roof, these are narrow roofs and by having a nearly full width and height roof extension here would be detriment to the character of the area.
- 8.4 I also note that there are other roof extensions that are highly visible from St Phillip's Road but these appear to have been carried out prior to the Conservation Area designation and therefore have little weight in the assessment. I consider that the proposed rear roof extension is not acceptable in the context of the site and would result in harm to the character of the Conservation Area. I also consider that this scheme differs significantly from the approval given at number 84.
- 8.5 In my opinion the proposal is not compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/14 and 4/11.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.6 There would inevitably be views into the rear gardens of neighbouring properties as a result of the proposed rear roof extension. However given the compactness of the terraced properties, the outlook from these proposals would be no worse

than the existing situation, such as views from first floor windows, and is this acceptable.

- 8.7 The compact nature of the site also means that there are no concerns regarding visual dominance or enclosure caused by this proposed rear roof extension.
- 8.8 There will also be no issues regarding overshadowing at neighbouring properties as the proposed roof extension will have a minimal impact in comparison to the existing situation and no significant loss of light will occur.
- 8.9 Concerns have been raised regarding construction activity, relating to dust, parking etc. I consider that this could be overcome by suitable conditions.
- 8.10 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**

- 8.11 Third party comments have been addressed in the main body of the report above.

## **9.0 CONCLUSION**

- 9.1 It is my view that the site context is different here as the views of the proposal will be afforded from the public realm, notably St Phillips Road. Considering that other properties have not been extended in a similar way from 74 to the junction with St Phillips Road the proposal will have a harmful impact upon the character of the Conservation Area.

## **10.0 RECOMMENDATION**

**REFUSE** for the following reasons:

1. The proposed dormers being nearly full width and height would visually dominate the roof scape and appear incongruous, particularly as the immediate properties have not been extended at this level. The proposal would be highly visible in the street. As such the proposals would be out of character and would neither preserve nor enhance the character and appearance of the Conservation Area. The proposal would therefore be contrary to the aims and objectives of the Cambridge Local Plan (2006) policies 3/4, 3/7, 3/14 and 4/11.

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<b>Application Number</b>	15/0611/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	30th March 2015	<b>Officer</b>	Elizabeth Thomas
<b>Target Date</b>	25th May 2015		
<b>Ward</b>	West Chesterton		
<b>Site</b>	3 Ascham Road Cambridge Cambridgeshire CB4 2BD		
<b>Proposal Applicant</b>	Erection of single storey two bedroom house. Mr David Taylor 3 Ascham Road Cambridge Cambridgeshire CB4 2BD		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The principle of development has already been established under application 04/1181/FUL.</li> <li><input type="checkbox"/> The previous approved application has been implemented via foundation works in 2007.</li> <li><input type="checkbox"/> The design of the proposed development is likely to have less visual impact than the previously approved scheme (04/1181/FUL)</li> <li><input type="checkbox"/> The development will provide adequate amenity space for the proposed dwelling and the existing dwelling on site</li> <li><input type="checkbox"/> Impact on trees is not considered to adversely affect public or private amenity due to other mature trees within the neighbouring vicinity and the detail can be dealt with via condition</li> <li><input type="checkbox"/> The 2004 permission could continue</li> </ul>
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	to be built, which would have the same impact on surrounding mature trees as the current proposal.
<b>RECOMMENDATION</b>	<b>APPROVE</b>

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

- 1.1 The site is situated within a suburban area of West Chesterton, where the prevailing character includes large dwellings in spacious plots that contain vegetation and mature trees.
- 1.2 These trees are of significance and maturity and make a very positive contribution to the site in question and the prevailing character area, which includes private spaces (such as rear gardens) and public spaces.
- 1.3 There is a mature tree to the front of the site and a number of mature trees to the rear of the site.
- 1.4 There are two TPO trees on site (front and north west), which are visible from the public highway, which make a positive contribution to public views.
- 1.5 The site is not within the conservation area and there are no other designated planning constraints affecting the site.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is for the erection of a single storey flat roof two bedroom house.
- 2.2 The proposed width is 12 metres by 14 metres in depth with space for parking, cycle and refuse storage.
- 2.3 It is noted within the site history section below there has been a previous application on this site which was permitted under reference 04/1181/FUL for the erection of one dwelling house (renewal of consent ref: C/99/0815/FP).
- 2.4 The supporting letter submitted with this application states the development commenced foundation work in 2007 and the S106 has previously been paid.
- 2.5 The application is accompanied by the following supporting information:
  1. Proposed drawings
  2. Additional tree details submitted (named species)

### 3.0 SITE HISTORY

Reference	Description	Outcome
04/1181/FUL	Erection of one dwellinghouse (renewal of consent ref: C/99/0815/FP).	Permitted
C/97/0676	Variation of conditions	A/C
C/97/1045	Erection of a dwelling and widening of the existing access.	Permitted
C/95/0423	Approval of reserved matters of permission C/0548/92 for the erection of one residential unit.	Permitted
C/92/0548	Erection of detached residential dwelling (outline application).	A/C
C/88/1091	Erection of detached bungalow (outline application)	Refused (appeal allowed)

### 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 Plan 2006	Local	3/1 3/3 3/4 3/7 3/10 3/12 4/3 4/4 5/1 8/2 8/6 8/10

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

<p>Central Government Guidance</p>	<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>
<p>Supplementary Planning Guidance</p>	<p>Sustainable Design and Construction (May 2007)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Arboricultural Strategy (2004)</p> <p>Cambridgeshire Design Guide For Streets and Public Realm (2007)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p> <p>Roof Extensions Design Guide (2003)</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.

- 5.5 For the application considered in this report, policies 55, 56 and 71 in the emerging Local Plan are of relevance to this application.

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Transport)

- 6.1 The proposed development should have no impact on the public highway subject to conditions.

#### Tree Officer

- 6.2 The revised tree officer comments in response to additional information being submitted by the applicant concluded that tree protection is acceptable in principle, but the submitted information is not sufficient to show how the trees will be protected. The tree officer is content for the required tree protection information to be conditioned.
- 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 addresses have made representations:

Flat 1, 67 Milton Road – (provisional support)

- 7.2 The representation can be summarised as follows:

- Support providing the development does not affect the root development area of trees.
- Sustainable site for development

- 7.3 The above representation is 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 trees
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 principle of development for a detached bungalow was granted on appeal in September 1989 under reference C/1091/88. Subsequently another outline application C/0548/92 was submitted in July 1992 and was approved on 19<sup>th</sup> August 1992. A further permission was granted under reference 04/1181/FUL. The commencement of foundation works in 2007 means that the 2004 permission has been commenced and remains extant.
- 8.3 The submitted plans for application ref. C/99/0815/FP were identical to those approved previously under references C/97/0676/VC and C/97/1045/RM. However, application reference C/99/0815/FP did not constitute a renewal of those consents because they had lapsed at the time of its submission. Application 04/1181/FUL concluded the site circumstances have not changed and any conflict had been overcome via a unilateral undertaking.
- 8.4 A considerable amount of time has passed since 2004, which is the most recent permission since the foundation construction started (2007). It is now 11 years since the renewal of application C/99/0815/FP under granted application 04/1181/FUL and therefore the key considerations in relation to this determination are whether there have been any changes in circumstances either on site or in terms of proposed development and site context since previous determination and if so how significant those changes are and whether any changes affect the site and surroundings. The key is that there

is an extant permission which can be fully implemented at any given time. The consideration is therefore, the difference between the extant and the proposed applications.

#### Planning Policy background

- 8.5 I have provided a brief policy summary for information and context into the substantial planning background of the site.
- 8.6 The granted 2004 application under reference 04/1181/FUL was determined under the Cambridgeshire and Peterborough Structure Plan (2003) and the Cambridge Local Plan (1996). The current proposal must be assessed under the provisions of the Cambridge Local Plan (2006) and NPPF (2012).
- 8.7 In my opinion, the principle of the development is established and cannot be further assessed. This decision is based on the fallback position of extant planning permission.

#### Current Site Circumstances

- 8.8 The site has changed since the determination of the previous application as there are mature trees on the site that could be affected by the proposed development. It is unclear through lack of arboricultural information in accordance with BS5837:2012 whether there would be impacts on significant trees now established north, west and south of the site.
- 8.9 It is considered the proposed development may potentially impact on public and private views due to the potential impact the proposed development may cause on the mature trees in and around the site. However, any impact would be the same as the previously approved 2004 application. Policy 4/3 Safeguarding features of amenity or nature conservation value requires for development to seek to enhance features of the landscape which are of importance for amenity. Furthermore, policy 4/4 (Trees) does not support proposed development that would involve significant harm to trees of amenity value. Based on the information provided it is considered the proposed development may harm the trees of amenity value which could lead to possible harm. However, so could the previous permission that has already commenced.

- 8.10 In my opinion the trees in and around the site are significant in size and provide significant public benefit and amenity value. However, I consider this application compliant with policy 4/3 and 4/4 of the Cambridge Local Plan (2006) as there are other surrounding mature trees that are also of amenity value to compensate any harm or loss that may be caused to the two protected trees on site (cherry (front) and Silver Birch (side)). Furthermore, the principle of development has already been established on site via the commenced 2004 permission. Therefore, development under 04/1181/FUL could still go ahead without this application being permitted. This would have the similar impact on trees. In light of this it must be concluded that the proposal is acceptable.
- 8.11 The tree officer has recommended tree conditions to secure the relevant details in relation to the trees. I will add the recommended condition to this permission by the tree officer as surrounding site context has changed and the surrounding trees are of public benefit.

### **Context of site, design and external spaces**

- 8.12 The general pattern and form of development is large dwellings in spacious plots with mature tree that give the site and area a spacious sub urban appearance.
- 8.13 The form of the proposed development is a single storey dwelling with a flat roof and chimney. The proposed development will accommodate a study, living room, dining room, two bedrooms kitchen/utility areas. This differs to the previously approved scheme under reference 04/1181/FUL which approved a dwelling with a pitch roof and chimney.
- 8.14 The proposed development is visually subservient to surrounding dwellings as the proposed mass and scale is modest. The scale/bulk of the scheme has been reduced from that previously approved and therefore will have less of an impact.
- 8.15 Therefore, I consider the design of the proposed development acceptable and consider it complies with the Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/12.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.16 The proposed new dwelling is some considerable distance (approx. 23 metres from the host dwelling) from other existing surrounding dwellings and the site and surrounding sites are surrounded by mature trees. The proposed dwelling should not cause overlooking issues due to the single storey flat roof proposal.
- 8.17 In my opinion the proposed development should respect the residential amenity of its neighbours. I consider the proposed development compliant with the Cambridge Local Plan (2006) policies 3/4 and 3/7.

### Amenity for future occupiers of the site

- 8.18 It is considered future occupiers would not be overlooked by neighbouring properties as there is a range of tree and flora species that seclude the site area in question. There is also an amenity area provided to the rear of the new property and I consider this to be sufficient.
- 8.19 In my opinion the proposal provides a similar living environment to that commenced under the 2004 permission. Therefore, in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Trees**

- 8.20 The proposed development may impact on some existing mature trees and that visual amenity may be different once the dwelling is built to the views that are existing. However, I do not consider the situation to be significantly different to what can be achieved under the existing 2004 extant permission. Therefore, I do not consider the loss of any trees to be significant. The Tree Officer has also not raised any objections to the proposals and has recommended conditions to secure details in respect of this. I agree with this advice and have recommended conditions relating to trees.
- 8.21 In my opinion the proposal would be compliant with Cambridge Local Plan (2006) policy 4/4.

## **Refuse Arrangements**

- 8.22 This application is being considered under the waste standards applied to the 2004 application as the permission has commenced and is extant. The newer requirements of RECAP 2012 cannot apply to this application as the principle has already been established and is considered acceptable.
- 8.23 In my opinion the proposal is contrary to Cambridge Local Plan (2006) policy 3/12, but compliant with previous assessed standards already approved.

## **Highway Safety**

- 8.24 The highways officer has not objected to the proposal. I am of the opinion that there is unlikely to be any significant impact on the public highway subject to conditions in the interest of highways and public safety.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.26 It is considered the site could accommodate for cycle storage, but it is unclear exactly where cycle storage would be positioned. Therefore, I consider that this can be controlled via a suitably worded condition.
- 8.27 In my opinion the proposal would be compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Third Party Representations**

### **Flat 1 67 Milton Road – (provisional support)**

- 8.28 The representation made with provisional support, subject to no harm to the trees in and around the site.
- 8.29 Due to the lack of arboricultural information I am not in a position to clarify whether the proposed development would impact on trees in and around the site or not. Based on the information submitted with this application I consider the

proposed development may impact on existing mature trees and that visual amenity may be different once the dwelling is built to the views that are existing. However, I do not consider the situation to be significantly different to what can be achieved under the existing 2004 extant permission. Therefore, it would be difficult to control the loss of any trees on this site as previously mentioned in paragraph 8.20 development can still go ahead on this site due to commended 2004 permission, which is similar to what is being proposed.

## 9.0 RECOMMENDATION

**Approve** subject to 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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. 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 (2006) policy 8/2).

5. 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).

6. 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 (Cambridge Local Plan (2006) policy 8/2).

7. 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 (Cambridge Local Plan (2006) policy 8/2).

Reason: To prevent surface water discharging to the highway (Cambridge Local Plan (2006) policy 8/2).

8. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety (Cambridge Local Plan (2006) policy 8/2).

9. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: In the interests of highway safety (Cambridge Local Plan (2006) policy 8/2).

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 (Cambridge Local Plan (2006) policy 8/2).

11. 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)

12. No development shall commence until details of tree protection is submitted in the form of an Arboricultural Method Statement and Tree Protection Plan and should detail the working methodology in a format that is clear and actionable by the builder.

The following information must be addressed:

What temporary ground protection will be used and how will it be installed. What is the specification for the new driveway, how will the crossover be installed and what is the extent of excavation required to match levels. How will the wall and footings be removed. How will the new boundary treatment be erected adjacent to the Birch. There is a structure within the RPA of T1 and T2, this must be built without causing damage to tree roots. Tree protection fencing is required to stop access into the RPA.

90% of tree roots are found in the top 60cm of soil. Any excavation, including excavations for posts, excavation for sub bases, footings and foundation, can therefore cause material damage to tree roots and it is not just the damaged area that is effected, severing a root at 1m from the trunk will remove everything beyond.

Reason: In the interest of amenity (Cambridge Local Plan Policies 3/4, 3/7 and 4/4)

**INFORMATIVE:** 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.

<b>Application Number</b>	15/0729/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	13th May 2015	<b>Officer</b>	Mrs Angela Briggs
<b>Target Date</b>	8th July 2015		
<b>Ward</b>	Romsey		
<b>Site</b>	15 Coleridge Road Cambridge Cambridgeshire CB1 3PH		
<b>Proposal Applicant</b>	Construction of a two bedroom house. Mr Peter Davidson 15 Coleridge Road Cambridge Cambridgeshire CB1 3PH United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposed dwelling would make a positive contribution to the character of the area and street scape;</li> <li><input type="checkbox"/> The proposed dwelling would not have a significant impact on neighbour amenity;</li> <li><input type="checkbox"/> The proposed dwelling would provide a high quality standard of living for future occupiers.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The site is to the rear of no.15 Coleridge Road, fronting onto the junction where Malta Road meets Mamora Road. No.15 Coleridge Road is a two storey semi-detached property, set back from the road. To the rear is a long rectangular shaped garden. There is a mature apple tree situated centrally, towards the back of the site. To the south of the site is a public footpath/cycle path linking Mamora Road/Malta Road with

Coleridge Road. Further south, beyond the public footpath, are a group of garage buildings which have access onto Mamora Road. This path is used regularly by pedestrians and mainly cyclists. The application site shows some remains of a building on this part of the site, possibly a garage.

- 1.2 No.30 Malta Road is to the north of the site and is a two storey semi-detached property with a single storey extension on the boundary with the application site.
- 1.3 The area is characterised mainly by terrace properties along both Mamora Road and Malta Road. Whereas, Coleridge Road is characterised by semi-detached dwellings. The site would front onto the Mamora Road and Malta Road junction. The site does not fall within a Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 The full application seeks planning consent for a two bedroom dwelling on the site.
- 2.2 The proposed dwelling would be contemporary in design and style, using modern materials. The proposed dwelling would be set back from the road and behind the building line of no.30 Malta Road. To the rear would be a private amenity space, which would be separated from the remaining rear garden area for 15 Coleridge Road.
- 2.3 The application has been amended (8<sup>th</sup> July 2015) and a new design approach has been submitted to address concerns relating to light (into the proposed dwelling) and façade treatment.
- 2.4 A daylight/sunlight assessment has also been received (4<sup>th</sup> and 5<sup>th</sup> August) showing the impact on 30 Malta Road during the March and June Equinox on an hourly basis from 9am until 8pm.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
15/0073/FUL	New two bed coach house to rear of existing garden	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 Plan 2006	Local	3/1 3/4 3/7 3/10 3/11 3/12 4/13 5/1 8/2 8/6

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)
Material Considerations	<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 to the original and amended scheme

#### **Head of Refuse and Environment**

6.2 No objection to the original and amended scheme, subject to conditions relating to construction hours and construction collection/delivery hours.

#### **Urban Design and Conservation Team**

6.3 No objections to the amended scheme.

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**

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

- 30 Malta Road

7.2 The representations can be summarised as follows:

- Loss of daylight and sunlight;
- The site is too small and narrow and not suitable for a dwelling;
- The proposal would have a negative impact on the street scape and townscape;
- Concerns about vehicles, construction, drainage and party wall.

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. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

## **Principle of Development**

- 8.2 Policy 5/1 of the Cambridge Local Plan (2006) is relevant. The development of additional dwellings within the City is generally supported provided that:

*“Proposals for housing development on windfall sites will be permitted subject to the existing land use and compatibility with adjoining uses”.*

- 8.3 This is a windfall site and situated within a residential area. Therefore I consider that the principle of a dwelling on this site is acceptable.
- 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 Policy 3/10 of the Cambridge Local Plan (2006) is relevant which refers to sub-division of existing plots. This policy aims to ensure that proposals to sub-divide a residential plot are developed successfully whilst respecting the setting of the host dwelling in terms of amenity and character. The test criteria of the policy are discussed as follows. The proposed dwelling would sit on a narrow plot, adjacent to no.30 Malta Road. The site is small measuring 87m<sup>2</sup>. The character of the area is mainly of terrace properties set back and set forward, from the road. No.26 Malta Road is, however, a detached single dwelling which visually breaks up the rhythm of the terrace form. The erection of a dwelling on this site would introduce another form of a detached dwelling which would be contrary to the prevailing character of the area. However, given that this form already exists in the locality, I consider that it would be difficult to warrant refusal on the basis that the development would be out of character with the area.
- 8.6 In terms of the design, the proposal has been amended from the original scheme which was similar but took a different form in terms of the façade and roof treatment. I raised concerns about the quality of the living accommodation and the lack of natural light into the building. I was also concerned about the upper part of the dwelling and felt that the building needed

better articulation, particularly to the front and the side (facing onto the footpath). The original scheme also came further forward towards Mamora Road/Malta Road which would have appeared more prominent within the street scene. The amended scheme is now pushed slightly further back into the site, as can be seen on the site layout plan (PA002). I consider that the amended scheme overcomes my concern about the quality of the living accommodation and light by introducing windows at high level within the roof scape which also helps to articulate this part of the dwelling.

- 8.7 When compared with the traditional terrace form of Malta Road and Mamora Road, the proposal takes a contemporary approach that would contrast against the traditional form. The proposed dwelling would essentially be rectangular in shape, reflecting the rectangular shape of the site, with an asymmetrical roof form that is raised away from no.30 Malta Road. The proposed dwelling measures 4.2m to the eaves, and rising up to 5.3m at its highest point, 9.4m in length and 4m in width. The building would be lower in height than the dwellings on Malta Road. The building would be set off the boundaries on both sides. The private amenity space to the rear would measure 6.6m by 4.4m (the site is slightly wider at this point). In my view, I consider that the contemporary design approach contrasts positively and introduces a form that is high quality, unique, distinctive and eye catching, particularly as people using the public footpath would notice it and the site is highly exposed. The proposed materials mentioned in the application suggests timber cladding, traditional Cambridge stock brick, locally sourced stone, appropriate energy efficient glazing, and a zinc roof. I consider that these material suggestions would be suitable within the locality. However, a condition (condition 3) requiring material samples, is recommended to ensure a high quality finish.
- 8.8 In terms of external spaces, the proposed dwelling would not fill the width of the site and would be set off the boundary with no.30 Malta Road. The dwelling would be set back from the road, which in my view reflects the character of this side of Malta Road, with dwellings set back from the road. The building line of the proposed dwelling is behind that of no.30 Malta Road which in my view, helps to break up the street view and helps to make the dwelling appear less prominent. The existing apple tree that currently dominates the site would be removed. I do

not consider that this tree adds positively to the visual amenity of the area and it is not a tree that is protected by a preservation order and thus I consider its removal to be acceptable in this case. The sub-division aspect of the proposal would mean that the host dwelling would still have a reasonable amount of private amenity space to the rear of the property. The distance between the host property and the proposed dwelling would be over 21m (taken from the rear of the extension of no.15 Coleridge Road to the rear wall of the proposed dwelling). The garden area remaining for the host dwelling would be in excess of 18m, which I consider is acceptable.

- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/10, 3/11, 3/12.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

- 8.10 The neighbour at no.30 Malta Road has objected on a number of grounds. The first issue is loss of light which is a material consideration. I have requested a shadow diagram which shows the impact at both the March and June Equinox from 9am until 6pm on an hourly basis. The submitted shadow diagram illustrates the impact from 9am until 8pm. During the March equinox, during the morning hours, there is quite a lot of shadow from the host dwelling itself, and some from the proposed development. This does improve over time and into the afternoon and would continue to improve as the months progress towards the Summer season. My view is that, on balance, whilst I accept some additional over-shadowing would occur during the morning hours during the Spring equinox (and probably also during the Autumn equinox), I consider that this over-shadowing would not be significant to warrant refusal of the application on this basis.
- 8.11 In terms of over-looking, there are no windows in the north elevation which faces no.30 Malta Road. There is a large window on the rear elevation at first floor level which is an asymmetrical window and follows the roof form. This window continues around the corner edge and across the south elevation overlooking the public footpath. I do not consider that there would be significant over-looking from this window that

would be over and beyond the current situation of overlooking from other neighbouring properties and as such I consider that this is acceptable.

- 8.12 The way in which the proposed dwelling has been designed, means that the roof form would slope away from no.30 Malta Road, which, in my view, reduces the bulk of the building and its relationship with no.30 Malta Road. The height of the building up to the eaves level is 4.2m, which would be about the same as the eaves height of no.30 Malta Road. There is a small extension to the side of no.30 Malta Road which comes up against the boundary with the flank wall making part of the boundary treatment. The proposal would be set away from this boundary by approximately 0.4m. In my view, the scale and mass of the building would not significantly impact on no.30 Malta Road and I do not consider that it would be unduly dominant. I consider that the design responds positively to the site constraints and surroundings without impacting significantly on neighbouring properties.
- 8.13 In terms of the impact of the proposed dwelling on the host dwelling, I consider that it is far enough away not to have a detrimental impact on privacy or dominance, and is acceptable.
- 8.14 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

- 8.15 The proposed dwelling would provide a compact, high quality, dwelling that is sustainably located, has an adequate private amenity space and would integrate well within the established residential area.
- 8.16 The adjacent footpath/cycle way is situated adjacent to the site. I consider that the relationship with this path would not compromise the amenity of future occupants in terms of noise and disturbance, and is therefore acceptable.
- 8.17 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**

- 8.18 The refuse arrangements for the host dwelling would not be affected by the proposal. In terms of the proposed refuse arrangements, the plans indicate that adequate provision can be made on site to serve the proposed dwelling and that the bins can be easily brought out on collection days.
- 8.19 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Car and Cycle Parking**

- 8.20 There is no car parking provision for the proposed dwelling. The site is located close to public transport routes and local amenities and as such I do not consider that car parking provision is necessary. In terms of cycle parking, there is an area indicated on the site layout plan for cycles. However, for all new developments, a secure cycle parking area is required, which I am confident can be achieved on the site. As such I am recommending a condition requiring cycle parking details to be submitted and agreed (condition 4).
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.22 The neighbour has raised a number of concerns, which I will address in the table below:

Loss of light	See paragraph 8.10
The site is too small and narrow and not suitable for a dwelling	See paragraphs 8.5, 8.6, 8.7 and 8.8
The proposal would have a negative impact on the street scape and townscape	See paragraphs 8.5, 8.6, 8.7 and 8.8

Concern about construction and related vehicles	I have recommended conditions relating to construction hours and construction collection and delivery hours (conditions 3 & 4).
Concern about drainage (pressure on existing drainage system)	Not a material planning consideration
Concern about Party Wall issues	Not a material planning consideration

## Planning Obligation Strategy

8.23 This application was received prior to the High Court ruling on 31 July 2015, which quashed the ministerial statement from the Department of Communities and Local Government in late November 2014 that S106 contributions should not be sought from developments of fewer than 11 homes. Whilst this means that new S106 contributions can once again be considered for housing developments of 10 homes or less, the implications of the S106 pooling constraints, which came into effect from 6 April 2015, also need to be taken into account.

8.24 Given the council's previous approach to S106 contributions (based on broad infrastructure types within the city of Cambridge), the pooling constraints mean that:

- S106 contributions have to be for projects at specific places/facilities.
- The amount of S106 contributions secured has to relate to the costs of the project for mitigating the development in the context of the capacity of existing facilities serving the development.
- Councils can no longer sign up to any more than five new S106 contributions (since 6 April 2015) for particular projects to mitigate the impact of development.

8.25 The Council is, therefore, now seeking S106 contributions for specific projects wherever practicable, but this does not mean that it will be possible to seek the same number or amount of contributions as before. **In this case, for example, there has not been enough time, since the High Court ruling, to identify suitable specific on-site projects.** Council services are currently reviewing and updating their evidence bases to enable more S106 contributions for specific projects to be

recommended in future. More details on the council's approach to developer contributions can be found at.

## **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. 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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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)

5. 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)

6. 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)

7. 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied 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)

8. 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)

9. 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)

<b>Application Number</b>	15/1021/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	1st June 2015	<b>Officer</b>	Mr Sav Patel
<b>Target Date</b>	27th July 2015		
<b>Ward</b>	Abbey		
<b>Site</b>	15 Whitehill Road Cambridge Cambridgeshire CB5 8LT		
<b>Proposal</b>	Erection of new 3 Bedroom dwelling to the land r/o 15 Whitehill Road, Cambridge and creation of new access off Elfleda Road.		
<b>Applicant</b>	Mr Tim Dean 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"> <li><input type="checkbox"/> The proposed development would due to its design and scale sympathetically integrate into the site and make a positive contribution to the street scene.</li> <li><input type="checkbox"/> The proposed dwelling has been carefully designed and laid out to mitigate the impact on the surrounding neighbours.</li> <li><input type="checkbox"/> The proposed development would make efficient use of ancillary garden land in a residential area.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site forms the rear garden of no.15 Whitehill Road which is located on the corner with Elfleda Road to the south. The site also consists of a detached single storey flat roof double garage adjacent to the eastern boundary. The site is located within a residential area characterised mainly by two

storey hipped roof semi detached dwellings with deep albeit narrow rear gardens.

- 1.2 To the north is the rear garden of no.13, to the south is Elfleda Road, and to east is no.60 Elfleda Road which is a two storey dwelling.
- 1.3 The site not located within a Conservation Area and there are no listed buildings or buildings of local interest within close proximity to the site.

## **2.0 THE PROPOSAL**

- 2.1 The proposal is to subdivide the curtilage of no.15 to create a new residential plot consisting of a two storey hipped roof 2bed detached dwelling with car parking, cycle and bin storage and amenity space. The proposed dwelling would be located on a similar footprint as the existing garage building.
- 2.2 The application is a resubmission of a previous application which was withdrawn due to concerns with overlooking of the host property from first floor bedroom and study room windows in the western elevation, the amount of amenity space and height of the dwelling.
- 2.3 The applicant has revised the layout of the first floor so that there would be only one window in the western elevation which serves a bedroom. The window is proposed to be obscure glazed. The bedroom also would have a clear window facing south onto Elfleda Road.
- 2.4 The applicant has also reduced the height and footprint of the proposed dwelling to increase the amount of private amenity space.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
15/0513/FUL	Erection of new 3 Bedroom dwelling to the land r/o 15 Whitehill Road, and creation of new access off Elfleda Road.	WITHDRAWN

## **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

### **5.2 Cambridge Local Plan 2006**

3/4 Responding to context  
3/10 Subdivision of existing plots  
3/11 The design of external spaces  
3/12 The design of new buildings  
5/1 Housing provision  
8/6 Cycle 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)

### **5.4 Material Considerations**

#### **City Wide Guidance**

Cycle Parking Guide for New Residential Developments (2010)

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 The development may impose additional parking demands upon the on-street parking on the surrounding streets. The proposal is unlikely to result in any significant adverse impact

upon highway safety subject to conditions and informatives relating to no unbound material, install access in accordance with County specification, construction access with adequate surface water drainage, visibility splays, return vehicle crossover to normal footway, access free from obstruction, notify applicant of offence to carry out work to highway without consent, and not to affect public utilities

### **Head of Refuse and Environment**

- 6.2 No objections in principle subject to conditions relating to construction hours and piling.
- 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:

- 38 Elfleda Road
- 34 Elfleda Road
- 60 Elfleda Road
- 13 Whitehill Road
- 13 Whitehill Road
- 8 Holyoake Court, Whitehill Road

- 7.2 The representations can be summarised as follows:

- Confirmation that only private cars will be use the car parking spaces and not commercial vehicles;
- The proposal would add to car parking problems in the area, particularly during match days at Cambridge United;
- Disruption during demolition and construction process from noise, vibration, dust pollution and traffic generation on this narrow road;
- Concerns with noise and disturbance from future residents;
- Concerns with the proximity of the proposed dwelling to the existing dwelling to the east;
- Concerned by the potential loss of light into the rooms at the front of the house;

- Concerned by the presence of large commercial food vending vehicles that currently park in front of the existing garage;
- Impact on views during the day and night

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 The principle of residential development in this location is considered to be acceptable as it would be a use that is compatible with surrounding uses. However, to assess the proposed subdivision of the existing garden to create the additional residential plot, policy 3/10 is relevant. I set out below my assessment of the proposal in relation to policy 3/10.

8.2 Section d, e and f of the policy are not relevant as the proposal would not adversely affect the setting of a listed building (d), would not adversely affect trees, wildlife features or architectural features of local importance (e), and would not prejudice the comprehensive development of the wider area (f).

8.3 Residential development within the garden area or curtilage of existing properties will not be permitted if it will:

a) have a significantly adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and generation of unreasonable levels of traffic or noise nuisance;

b) provide inadequate amenity space, or access arrangements and parking spaces for the proposed and existing properties;

c) detract from the prevailing character and appearance of the area.

8.4 I set out below my assessment of the proposal in relation to the above.

a) Residential amenity

- 8.5 The proposed dwelling has been designed to ensure there are no windows, particularly at first floor that would cause direct overlooking of the neighbouring properties. The rear elevation includes a window at first floor which would serve a landing area. This window is proposed to be obscure glazed. Other than this no additional windows are proposed in the rear elevation at first floor or above, apart from two rooflights in the roof. These rooflights would serve the main bathroom and en-suite. I am therefore satisfied that the existing residents to the north would not be directly overlooked by the proposed dwelling. I have recommended an obscure glazing condition (5) to ensure the window is obscure glazed to Pilkington level 3 and restricted from opening.
- 8.6 No windows are proposed in the side elevation facing the eastern boundary adjacent to no.60 Elfleda Road. I have recommended a condition (7) to prevent windows at first floor in this elevation and the rear elevation.
- 8.7 The west elevation includes a first floor window which would serve a bedroom but the applicant has proposed to make this obscure glazed. I have again recommended an obscure glazing condition (5). At ground floor the proposed dwelling would include French patio doors. However, as the applicant is proposing a 1.8 metre boundary fence to define the boundary between each plot, I do not consider the patio doors would cause any adverse overlooking issues.
- 8.8 The proposed dwelling would be located a sufficient distance from the host dwelling to not cause loss of light. The proposed dwelling would be located east of no.15 and no.13 and so would not cause any significant loss of light or adverse levels of overshadowing.
- 8.9 The proposed dwelling would be located within the width of the side elevation of no.60 Elfleda Road. Whilst no.60 has windows in the side elevation, these appear to be secondary windows. The proposed dwelling would be located to the west of the side elevation and therefore is unlikely to cause any significant levels of loss of light on the existing windows to warrant refusal.
- 8.10 In my view, the proposed dwelling would not result in any

significant loss of light on the neighbouring dwellings.

- 8.11 In terms of overbearing, the proposed dwelling would be located a sufficient distance from the host dwelling so as not to appear overbearing. The proposed dwelling would not project beyond the rear elevation of no.60 and so would not be visible from the rear windows. The proposed dwelling would be set approx. 1.4 metres back from the rear elevation. Whilst the proposed dwelling would be located approx. 2.4 metres of the side elevation of no.60, I do not consider this would cause an adverse sense of enclosure such that it would have a significantly adverse impact on the occupiers' residential amenity.
- 8.12 In terms of traffic generation, the proposed includes one off street parking space to serve the 2bed dwelling. I do not consider the proposed dwelling would result in significant levels of traffic generation such that it would have a materially adverse impact on the residential amenity of the local area in terms of noise nuisance/disturbance.
- 8.13 I am therefore satisfied that the proposed dwelling would not have a significantly adverse impact on the residential amenity of the neighbour occupiers.

b) Amenity space, access and parking

- 8.14 The proposed subdivision of the plot would result in two defined curtilages. The host dwelling would maintain some private amenity including an off street car parking space. The garden for the host property would be between 4.6 and 8 metres deep and 10.9 metres wide and also include an off street parking space for one car. The garden area for the proposed dwelling would be 6 metres deep and 9.6 metres wide (excluding the front garden area). Whilst these gardens would be much smaller than those gardens in the adjoining plots, I am satisfied that the subdivision would provide a satisfactory level of outdoor space for both dwellings and make efficient use of land to accommodate additional housing.

c) Detract from the prevailing character of the area

- 8.15 The proposed dwelling has been designed to integrate into the street scene of Elfleda Road. It has a hipped roof similar to

no.60 and would be set back and follow the same building line as no.60. The proposed dwelling would not appear as back-land development due to the corner plot of no.15 and instead read as a continuation of Elfleda Road. I am therefore satisfied that the proposed dwelling would sympathetically assimilate into the site context and character of the area without appearing as an alien form.

- 8.16 In my opinion, the principle of the development is acceptable and in accordance with policies 3/10 and 5/1.

### **Context of site, design and external spaces**

- 8.17 The proposed dwelling is of a scale, design and layout such that it would sympathetically integrate into the site without appearing out of character or a cramped form of development.

- 8.18 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

- 8.19 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

- 8.20 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 Suitable and convenient provision for refuse storage has been proposed for both the existing and proposed dwellings.

- 8.22 In my opinion the proposal is compliant with Cambridge Local

Plan (2006) policy 3/12.

### **Highway Safety**

- 8.23 The proposed car parking spaces for each plot includes visibility splays to ensure vehicles entering Elfleda Road can do so with sufficient visibility of pedestrians and other road users.
- 8.24 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

Car parking

- 8.25 The proposal includes one car parking space for each dwelling. This is considered to be sufficient to serve both dwellings. The existing highway is unrestricted and so there is on street car parking.

Cycle parking

- 8.26 There is enough space within the curtilage of the existing dwelling to accommodate cycle parking. Three cycle spaces are proposed for the proposed dwelling within an enclosed structure.
- 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 set out below my response to the concerns raised in the third party representations received.

- Confirmation that only private cars will be use the car parking spaces and not commercial vehicles;

The proposal is for residential development. If the is a material change of use of the site away from residential use then planning permission may be required. There is nothing in the application to suggest that the site will be for anything other than residential use.

- The proposal would add to car parking problems in the area, particularly during match days at Cambridge United;

The proposed residential development is unlikely to have a material impact on traffic generation in this area. It is up to the County Council to enforce any illegal parking or nuisance parking during match days.

- Disruption during demolition and construction process from noise, vibration, dust pollution and traffic generation on this narrow road;

This is an inevitable part of development. I have therefore recommended a construction hours condition to mitigate the impact from demolition and construction work.

- Concerns with noise and disturbance from future residents;

If concerns are raised regarding noise and disturbance from future residents then local residents should contact the Environmental Service team or police to deal with any concerns.

- Concerns with the proximity of the proposed dwelling to the existing dwelling to the east;

The proposed dwelling would be 2.4 metres from the side of the adjacent dwelling. This is comparable to the spacing between existing dwellings. I therefore do not consider the proposed dwelling would have an overbearing impact on the occupier of the dwelling to the east.

- Concerned by the potential loss of light into the rooms at the front of the house;

The proposed dwelling is considered to be a sufficient distance from surrounding dwellings so as not to cause any loss of light.

- Concerned by the presence of large commercial food vending vehicles that currently park in front of the existing garage;

Elfleda Road is unrestricted in terms of on street parking.

Therefore, if there are vehicles that are causing a nuisance to local residents then this should be reported to the County Council who manage the adopted highway.

- Impact on views during the day and night

The proposal would result in the introduction of a dwelling that would be sympathetic to the local context and appearance of the local area. The proposed dwelling would make a positive contribution to the visual appearance of the area.

## **9.0 RECOMMENDATION**

- 9.1 The proposed subdivision of the curtilage of no.15 Whitehill Road to create a new residential curtilage consisting of a two storey 2bed dwelling is considered to be acceptable and would make efficient use of the deep rear garden. The proposed dwelling has been designed and laid so that it would not have an adverse impact on the residential amenity of local residents and would provide future residents with a high quality living accommodation and environment.

**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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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 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.

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

5. The windows identified as having obscured glass on drawing number PL(21)01 rev P1 shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent prior to commencement of use (of the extension) 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).

6. No new windows or openings of any kind shall be introduced at first floor level in the East and North Elevations of the hereby approved dwelling.

Reason: In the interests of residential amenity (Cambridge Local Plan 2006 policies 3/4 and 3/12 or 3/14).

7. The curtilage (garden) of the proposed property as approved shall be fully laid out and finished in accordance with the approved plans prior to the occupation of the proposed dwelling or in accordance with a timetable otherwise agreed in writing by the Local Planning Authority and thereafter remain for the benefit of the occupants of the proposed property.

Reason: To avoid a scenario whereby the property could be built and occupied without its garden land, which is currently part of the host property (Cambridge Local Plan 2006 policies, 3/4, 3/7, 3/10)

8. 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

9. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (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: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

10. 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: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

11. The driveway hereby approved shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Once constructed the driveway shall thereafter be retained as such.  
Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

12. Two 2.0 x 2.0 metres visibility splays shall be provided as shown on the drawing PL(90)01 rev P2. The splays are to be included within the curtilage of the new dwelling. 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: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

13. The 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 effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

14. The access shall be provided as shown on the approved drawings and retained free of obstruction.

Reason: for the safe and effective operation of the highway in accordance with Policy 8/2 of the Cambridge Local Plan 2006.

15. Dust informative

The demolition phase may give rise to dust and therefore the applicant is advised to ensure that appropriate measures are employed to minimise the spread of airborne dust from the site. Further guidance can be obtained from:

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

[https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD\\_WEB.pdf](https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SustainComSPD_WEB.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**INFORMATIVE:** 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 applicants 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.

**INFORMATIVE:** 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.

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<b>Application Number</b>	15/0945/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	2nd June 2015	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	28th July 2015		
<b>Ward</b>	Petersfield		
<b>Site</b>	23-25 Hills Road Cambridge Cambridgeshire CB2 1NW		
<b>Proposal</b>	Mixed use development comprising ground floor retail (use Class A1), with a non-speculative student accommodation scheme of 26No. Bedrooms on the upper floors to be occupied by Abbey College, along with cycle parking, following demolition of existing buildings on site.		
<b>Applicant</b>	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"> <li>- The proposed building would be in keeping with the character of the area and would not harm the wider Conservation Area.</li> <li>- The proposal will not detrimentally impact on the amenity of nearby occupiers.</li> <li>- The proposal would provide a high quality living environment for future occupiers.</li> <li>- The proposal would not pose a threat to highway safety.</li> </ul>
RECOMMENDATION	APPROVAL

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

- 1.1 The application site, nos.23 and 25 Hills Road, is comprised of a three-storey building and a four-storey building situated on the corner of Hills Road and Cambridge Place, on the east side of Hills Road.
- 1.2 No.23 Hills Road is a three-storey building, with a shop on the ground floor (A1) and educational rooms (D1) on the upper floors, in association with Abbey College. The building is designed with a shop front on the ground level and in red brick with projecting windows on the first and second floor, with a flat roof form. The third floor is stepped back from the building line and is designed with a mansard roof, again, used for education purposes.
- 1.3 No.25 Hills Road is a three-storey building with the ground floor used as a retail shop (A1) and education rooms (D1) on the upper floors. The building is staggered in height and eclectic in form, with a two-storey flat roof design facing Hills Road, which then progresses up to a three-storey form with a hipped roof.
- 1.4 The rear of the site is comprised of hard standing car parking and there are several air conditioning units erected on the rear elevations of the buildings.
- 1.5 The surrounding area is mixed in terms of the use classes of buildings with a range of city centre uses, as well as offices, residential uses and places of worship in the wider area. The predominant scale of buildings in this area is 3-4 storeys in height along Hills Road, while residential properties along the various side streets that filter off Hills Road are mainly two-storeys in height and traditionally terraced properties.
- 1.6 The site falls within the Central Conservation Area.  
The site falls within the controlled parking zone.  
The site falls within the Hills Road Local Centre.

## **2.0 THE PROPOSAL**

- 2.1 The proposal seeks planning permission for the demolition of nos.23-25 Hills Road and the re-development of this plot with a four-storey building with a mansard roof form, containing a retail unit (A1) on the ground floor level and student accommodation

(C2) on the upper floors. The building would project an additional 6.3m to the rear compared to the existing building and occupy the entire site with built form.

- 2.2 The building itself would be four-storey in scale including the mansard roof, measuring 10.4m to the point of the flat roof and approximately 12.7m to the ridge of the mansard roof. This is 0.5m higher than the highest point of the existing building at no.23 Hills Road. The building would be designed in Gault brick with powder coated aluminium windows, and the mansard roof designed in zinc cladding.
- 2.3 The proposed retail unit would be accessed from Hills Road and contain 100m<sup>2</sup> of retail space. The retail unit would have a store area to the rear at ground floor level, as well as a bin store accessed via Cambridge Place.
- 2.4 The proposed student accommodation would occupy the first, second and third floors of the building, with the third floor being reduced in foot print in line with the mansard roof. There would be a total of 26no. bedrooms for use by students of the Abbey College. The student accommodation would be accessed from Cambridge Place. A cycle store, including 22 spaces, and bin storage would both be provided internally on the ground floor of the building for future occupiers.
- 2.5 The application is accompanied by the following supporting information:
  1. Design and Access Statement
  2. Planning Statement
  3. Drawings

### 3.0 SITE HISTORY

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
14/1537/FUL	Mixed use development comprising ground floor retail (Use Class A1), a 20no. bed House in Multiple Occupation (HMO)(sui generis) on the first and second floors, with 5no. student studio flats to be	Withdrawn.

	provided on the upper floor, along with cycle parking, following demolition of existing buildings on the site.	
13/1422/CAC	Demolition of the existing building.	Withdrawn
13/1421/FUL	Proposed mixed use development at 23-25 Hills Road, comprising ground floor retail area, cycle parking and a 28 bed HMO, further to the demolition of the existing building.	Withdrawn
09/1194/FUL	Change of use of first floor to third floors of 3 Cambridge Place and of the first floor of 25 Hills Road from offices (B1) to offices (B1) and/or education (class D1) use and provision of associated cycle parking at 25 Hills Road, 3 Cambridge Place and 3 Glisson Road.	Permitted.

#### 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 3/15
		4/4 4/11 4/13 4/14
		5/11

	6/7
	7/10
	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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Material Considerations	<u>City Wide Guidance</u>  Balanced and Mixed Communities – A Good Practice Guide  Cycle Parking Guide for New Residential Developments (2010)  The Cambridge Shopfront Design Guide (1997)  Air Quality in Cambridge – Developers Guide
	<u>Area Guidelines</u>  New Town and Glisson Road Conservation Area Appraisal (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, the following policies in the emerging Local Plan are of relevance:

Policy 46 (new student accommodation)

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

6.1 No objection, subject to conditions and informatives:

- *Traffic management plan*
- *Opening of store doors*
- *Standard highways informative*
- *Residents parking scheme informative*

### **Head of Refuse and Environment**

6.2 No objection, subject to conditions and informatives:

- *Construction hours*
- *Collection or deliveries during construction.*
- *Construction/ demolition noise, vibration and piling.*
- *Dust*

- *Noise insulation scheme*
- *Noise assessment – emperor pub*
- *Odour monitoring*
- *A1 Plant noise insulation*
- *Waste – communal bins*
- *Waste – Internal arrangements*
- *Dust condition informative*
- *Plant noise insulation informative*
- *Contaminated land informative*
- *Housing informative*

## **Urban Design and Conservation Team**

- 6.3 The submitted scheme is supported in design and conservation terms and has addressed a number of concerns raised in our comments on the previous withdrawn application (14/1537/FUL). The approach to scale and massing and material treatment helps maintain the appearance of two individual buildings and is considered appropriate to its context.
- 6.4 The contribution of the set-back and upper parts of existing No.25 makes to the conservation area is marred by the poor street frontage and by No.23. The proposed replacement building is considered to preserve the appearance of the New Town and Glisson Road section of the Central Core Conservation area.
- 6.5 Further detailed design of the shop front is needed. Transoms and stall risers should be introduced to reflect the existing shop fronts in the Local Centre. The detailed design of the shop front should be conditioned should the application be approved.
- 6.6 Alternative bricks should be considered for the elevations. A darker buff brick (as used for Hobbs House on Regent Terrace) would form a better relationship with the buff bricks on the existing C19th buildings opposite.
- 6.7 The traditional 'Cambridge Place' road sign contributes to the character of the Conservation Area and should be retained and re-incorporated on the south elevation of the proposed building.
- 6.8 Conditions relating to the facing brick, windows, the shopfront and the salvage of existing materials are recommended.

## **Policy Officer**

6.9 No comment.

## **Cambridgeshire County Council (Archaeology)**

6.10 No objection, subject to condition.

## **Access Officer**

6.11 On the first floor one room needs to be set as wheelchair accessible meeting Building Regulations Part M standard to meet Local Plan and SENDA requirements.

## **Disability Consultative Panel (Meeting of 30<sup>th</sup> June 2015)**

6.12 The Panel were disappointed that accessible rooms were not included among the 26. As a minimum requirement, the Panel would like to see clutch bars added to bathrooms for the benefit of the ambulant disabled and students with acquired injuries, as well as one fully accessible unit. The proposed style of lift would be regarded as acceptable in this context, providing instructions are provided as to its use.

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:

- 15 Cambridge Place
- 47 Cambridge Place
- South Petersfield Residents Association

7.2 The representations can be summarised as follows:

- No provision is made for outside recreational facilities/activities.
- The movement of students is a highway safety hazard.
- There is no provision for service vehicles to park on the site.
- Lack of disabled access

- A plan needs to be submitted for how the building operation will be carried out, as requested by the Highway Authority.

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 (and impact on heritage assets)
3. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking
8. Third party representations

### **Principle of Development**

#### Ground floor A1 Unit

- 8.2 Policy 6/7 of the Local Plan (2006) states that additional development within classes A1, A2, A3, A4 and A5 will be permitted in District and Local Centres if it will serve the local community and is of an appropriate nature and scale to the centre.
- 8.3 The proposal would involve the demolition of two A1 units, each with a GIA (Gross Internal Area) of approximately 47.5m<sup>2</sup> (excluding the storage area), and replace these with a single A1 unit with a GIA of 100m<sup>2</sup> (excluding the storage area).
- 8.4 As the quantity of floor space is very similar to that of the existing combined A1 units at ground floor level and the use class is staying the same, I am satisfied that the proposed A1 use on the ground floor is acceptable and is in accordance with policy 6/7 of the Local Plan (2006).

## New Student Accommodation

- 8.5 Policy 7/10 in the Cambridge Local Plan (2006) relates to Speculative Student Hostel Accommodation. While the planning policy team have formally elected not to comment on the application, the case officer has been directed to a previously approved application which has similar policy implications (13/1250/OUT).
- 8.6 Abbey College is a specialist school that runs GCSE and A Level courses for predominantly overseas students. Given the age of their students, they will not be taking up housing stock in the same manner as University of Cambridge or Anglia Ruskin University students in HMO's. They will also not be able to keep cars in Cambridge. The planning statement provided by the applicant explains that Abbey College has been running at capacity for a number of years and are continuing to expand and that the existing teaching units on the upper floors of the site will be moved to a new site at Homerton Business Park in 2016.
- 8.7 In terms of evidence, the application is accompanied by a letter of intention from Abbey College confirming that they are committed to taking occupation of the rooms upon completion which is likely to be summer 2017. Draft Heads of Terms have also been prepared and included as part of this submission.
- 8.8 The emerging revised Local Plan as published can be taken into account, especially those policies where there are no or limited objections to it. Policy 46 in the Local Plan 2014 proposed submission document deals with new student accommodation. This draft policy supports the provision of student accommodation to meet the identified needs of an existing educational institution providing courses for one academic year or more, provided they meet a number of criteria. The proposal would appear to be likely to meet a number of the criteria e.g. need for accommodation to serve the institution; no result in the loss of existing housing; be in an appropriate location to serve the institution; and be well served by sustainable transport modes.
- 8.9 There is clearly a need for the student rooms and to require these rooms to be for the sole use by students of the University of Cambridge or Anglian Ruskin University would be

unnecessarily restrictive, unworkable and undeliverable in practice. Draft policy 46, which carries minimal weight as there has been an objection to it, nevertheless indicates policy is moving away from the narrow scope for student accommodation dictated by policy 7/10. The scheme is NPPF compliant. I have no land use issue in principle with the proposed student accommodation.

- 8.10 In my opinion, the principle of the proposed land uses is acceptable in the round, taking into account adopted policy, the NPPF and emerging policy.

### **Context of site, design and external spaces (and impact on heritage assets)**

#### Response to context

- 8.11 It is considered that the existing buildings on the site, no.23 and no.25 Hills Road, form two distinct buildings due to the separate plots, arrangement of the retail units at ground floor, the differences in roof forms and the stepped height of the later extensions.
- 8.12 The overall rhythm and grain of the plot, as well as the width and arrangement of shop frontages, is reflective of other buildings in this area.
- 8.13 The application site is within the New Town and Glisson Road section of the Central Conservation Area. The site is not identified as being important to the character of the area or having any heritage significance to the character of this Conservation Area. This Hills Road Suburbs and Approaches Study does not make specific reference to the application site, but, in summarizing the character of the area states:

*“It is in largely commercial use with a mixture of 19th century shops and villas and modern office blocks; the chief exception being the landmark Roman Catholic Church.*

- 8.14 The form, massing and detailed design of buildings fronting Hills Road is fairly eclectic and there is not a uniform building form or style in the area. Buildings are predominantly 3-4 storeys in height, although there are some notable exceptions in the form

of various large scale office developments and St Paul's Church within close proximity of the site.

- 8.15 In respect of the context of the site and the lack of heritage or design significance awarded to these buildings, I consider the loss of the existing buildings and the subsequent re-development of this plot with a building of a similar foot print and overall scale to be acceptable, subject to the detailed design of the proposal.

#### Movement and Access

- 8.16 The proposed ground floor retail unit would be accessed off Hills Road, similar to the existing retail units on the site and in keeping with other buildings that face Hills Road in the surrounding area. Therefore, I consider the ground floor unit to be well connected to the existing routes along Hills Road.
- 8.17 The proposed upper floor student accommodation would be accessed from an entrance off Cambridge Place at ground floor level and is clearly defined and independent of the ground floor retail unit. The cycle parking entrance for the student accommodation is also accessed off Cambridge Place and is accessed separately from the pedestrian entrance to avoid conflict between users. There is an internal staircase and lift for students to gain access to their respective rooms and this is acceptable. In my opinion, the residential pedestrian and cycle access is integrated successfully into the existing routes into the area and would be straightforward and easy for future users to access.

#### Layout

- 8.18 The proposed ground floor retail unit would be orientated towards Hills Road which is supported given the position of the site within the Hills Road Local Centre as this positively contributes towards the character of the area. The store room and service area would be positioned to the rear of the unit and accessed off Cambridge Place. The majority of retail units in the surrounding area are serviced off the smaller side streets due to the high frequency of all modes of traffic that use Hills Road. The shop front would wrap around part of the side elevation along Cambridge Place and I am of the opinion that this helps to contribute towards creating an active frontage.

8.19 The student accommodation on the upper floors is coordinated so that the communal living room, dining room and kitchen areas have outlooks that face out onto Hills Road. The orientation of the accommodation so that the windows face out in this direction helps to improve the levels of natural surveillance along this frequently used Hills Road and will overall make a positive contribution to the street scene. The elevation along Cambridge Place would be comprised of a series of windows which all serve individual bedrooms. I consider that these windows help to increase the perception of natural surveillance along this side street which is important considering that the entrance to the student accommodation is along this elevation.

#### Scale and massing

8.20 The proposed building would rise to 4 storeys in height and is similar in mass to the existing buildings at nos.23 and 25 Hills road.

8.21 The scale and massing has been subject to pre-application advice between the Urban Design and Conservation Team and the applicant. The mansard roof is setback approximately 2/6m above no.23, with a deeper 4.6m setback proposed above no.25. The Urban Design and Conservation Team have explained that the different setbacks are supported and reflect the existing setback roof of surrounding buildings. Furthermore, as the mansard roof continues around the south elevation (facing Cambridge Place) and the rear (east) elevation and reinforces the appearance 'roof' when viewed looking north along Hills Road.

8.22 In light of these comments from the Urban Design and Conservation Team and the reflectiveness of the overall mass and scale to other properties, I am of the opinion that the design is acceptable in this respect.

#### Open Space and Landscape

8.23 The proposal does not include any open space and landscaping. However, given the urban grain and density of the site, coupled with the city centre context of the site, open space

and landscaping is not considered a necessity to help the proposal correlate with the character of the area.

- 8.24 The existing trees to the rear of the site along Cambridge Place, which are protected by virtue of the Conservation Area designation, will not be removed under the proposed works. There would be some pruning/ crown reduction works required to accommodate the proposed building, but as the trees will be remaining, I do not have any objection to this.

#### Elevations and Materials

- 8.25 The materials of the proposed building are generally supported by the Urban Design and Conservation Team. However, it is explained in their comments that further consideration of the facing brick needs to be made and it is suggested that a dark buff/ grey brick would form a better relationship with the existing stained buff bricks on the C19th buildings opposite and a condition has been recommended to control this. I agree with this advice and have recommended the condition accordingly.
- 8.26 The treatment of brick is supported by the Urban Design and Conservation Team to help emphasise the plot division of the existing layout and to break up the depth of the block.
- 8.27 Window arrangements have been designed to create the appearance of two buildings which again helps to break up the bulk of the block and relate successfully to the character of the area. The Urban Design and Conservation Team have recommended a condition for detailed drawings of windows to be provided and I agree with this advice.
- 8.28 While the overall elevation treatment of the shop front is supported, there are a number of key features missing such as stall risers and transoms. However, the additional detailing can be dealt with through condition.
- 8.29 The traditional 'Cambridge Place' road sign is considered to contribute positively to the character of the area. As a result, a condition has been attached to ensure that the sign is retained and re-incorporated on the Cambridge Place Elevation.
- 8.30 Finally, the Urban Design and Conservation Team, has advised that the existing slate tiles, grills and stone heads and window

cills should be salvaged and so an appropriate condition has been attached to ensure this.

8.31 Overall the approach to the elevations and materials is supported, subject to detailing which can be dealt with through conditioning.

8.32 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 3/15, 4/4 and 4/11.

### **Disabled access**

8.33 The proposed access to the student accommodation is acceptable from a disabled access perspective. The Access Officer and Disability Consultative Panel have recommended a few minor alterations which can be incorporated in the building regulations stage of the proposed works. The proposal does not conflict with planning policy in this respect.

8.34 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

#### Visual Enclosure/ Dominance

8.35 The proposed building would not project any further to the rear than that of the public house immediately to the north-west of the site. There are no windows on the side elevation of this adjacent building and so I do not consider that the proposed building will be perceived as visually dominant from this neighbouring occupier.

8.36 On the other side of Cambridge Place to the south-east of the application site is 27 Hills Road which does have residential accommodation on the upper floors. However, the side elevation windows of this neighbour already look onto the built form of nos.23 and 25 which is fairly similar in mass and scale to the proposed replacement building. Furthermore, as the mansard roof is stepped back from the main building line, the

visual perception from these neighbouring windows will be more of a three-and-a-half storey form rather than four storey which in my opinion will not visually dominate these outlooks.

- 8.37 Residential properties on Cambridge Place are situated over 35m away from the application site and so this separation distance is considered sufficient as to prevent the building from having any impact on the amenity of these properties.

#### Overshadowing/loss of light

- 8.38 In studying the orientation of the site, the main area that is likely to be affected in terms of overshadowing is the adjacent car park to the north-east of the application site. However, given the function of this space as a car park, the overshadowing of this area is not considered to be harmful.
- 8.39 As there are no garden spaces, habitable windows or other amenity spaces to the west, north or east of the site that are close enough to be overshadowed, I do not consider that the proposed building will harmfully overshadow any neighbouring occupiers.

#### Overlooking/loss of privacy

- 8.40 The proposed windows on the front elevation (Hills Road elevation) would not lead to a loss of privacy due to the fact that this is a very frequently used and public road and there are a considerable number of windows from other first floor properties that mutually look over this space.
- 8.41 The proposed windows on the side elevation (Cambridge Place elevation) would allow for views from student bedrooms that look across towards the upper floor residential flats of no.27 Hills Road. However, as there are already views from the upper floor teaching rooms that look out in this direction and these neighbouring windows of no.27 are visible from both Hills Road and Cambridge Place, the level of privacy afforded to these windows is relatively low at present. Therefore, while I accept there will be views out towards the neighbouring property at no.27, I consider that the privacy of this neighbour will not be significantly harmed.

8.42 The proposed windows on the rear elevation will only have views out onto the car park and so there will be no loss of privacy caused by these windows. Furthermore, the perception of overlooking onto this car park will likely increase the levels of surveillance over these parked cars which will benefit the users of this car park.

#### Noise and disturbance

8.43 The proposed student accommodation would involve comings and goings from a considerable amount of future occupiers. At present, there is a high volume of students who use the upper floors of the building for educational purposes and the nature of this use means that students frequently enter and exit the building onto Cambridge Place before/ after teaching starts. Students tend to congregate outside the application site after/ between teaching which can lead to a high volume of people situated on this narrow street. Therefore it could be argued that the change of use from D1 (education) to C2 (residential institution) will lead to a reduction in the frequency of trips to and from the site due to the nature of the use as students will likely be spending the majority of their time at the various educational facilities in the wider area, and only go to and from the site when teaching has finished. As a result, I consider that the change from educational use to student accommodation will likely result in an improvement in terms of comings and goings, particularly as future occupiers will be spending the majority of their time inside and off the narrow street, rather than outside on the street at present.

8.44 In terms of noise specifically, the Environmental Health team has recommended three conditions to control the levels of noise, two referring to the student accommodation use and one relating to the ground floor retail unit. The Environmental Health team has also recommended an odour monitoring condition to avoid odour disturbance to neighbouring occupiers. The Environmental Health team is supportive of the proposals subject to these conditions and I agree with this advice.

8.45 Given that the future occupiers will be between the ages of 16-18 years old, a management plan condition has been recommended to ensure that if any antisocial behavior arises,

there is scope for residents to contact an appropriate warden or site manager to resolve the issue.

#### Overspill car parking

- 8.46 The proposal does not include any parking for future occupiers and Cambridge Place is situated within the Controlled Parking Zone.
- 8.47 Sufficient cycle parking has been provided internally on-site for future occupiers and the site is considered to be in a sustainable location as it is in a local centre, within walking distance of the city centre and close to bus routes and stops. Therefore, I do not consider that there will be a significant increase in parking in this area resulting from this proposed scheme.

#### Construction activities

- 8.48 The Environmental Health Team has recommended conditions relating to construction hours, collection or deliveries during construction, and construction/ demolition noise, vibration and piling. The Highway Authority has also recommended a Traffic Management Plan for the construction/ demolition phases. I agree with this advice and consider that subject to complying with these conditions, the proposal is acceptable in this respect.
- 8.49 In my opinion, subject to conditions, 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

- 8.50 The proposal would provide 26 student bedrooms which would each be approximately 12.15m<sup>2</sup>, although the three double bedrooms would be larger at 18.76m<sup>2</sup>, and each room would have its own en-suite bathroom. The first floor and second floor are identical in layout and would each contain a communal living/ dining/ kitchen space which would be 51m<sup>2</sup> in area. The third floor is smaller in overall size due to the fact that the mansard roof is recessed behind the main building line. This third floor would host 6 bedrooms and have a living/ dining/ kitchen area of 31m<sup>2</sup>. No external amenity space is provided as

part of this development but the site is within walking distance of communal open spaces such as Parkers Piece. Furthermore, given the city centre location of the site, it is not characteristic of upper floor residential units in the area to have outdoor amenity space and so I do not consider it a necessity in this instance.

- 8.51 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**

- 8.52 The proposals include bin storage for both the A1 unit and the student accommodation to be provided internally on the ground floor of the building. The Environmental Health team are generally supportive of this approach but have recommended conditions relating to waste to see more detailed plans. I agree with this advice and consider the proposal is acceptable subject to this condition.

- 8.53 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.54 It is noted that concerns have been raised from properties along Cambridge Place regarding the overspill of students onto this narrow street and the highway safety hazards that currently exist and that could be increased by the proposed development. However, for the reasons set out in paragraph 8.43, I consider that the frequency and volume of users congregating on the street of Cambridge Place will be lower than that at present. The Highway Authority has not raised any objection to the proposal in principle and I agree with this advice.

- 8.55 The Highway Authority has requested that the proposed doors to the store open outwards rather than inwards to prevent them opening over the highway and to reduce the conflict between persons using this entrance and vehicles turning to Cambridge Place. I agree with this advice and consider that this can be dealt with through a condition requiring further details of this door.

8.56 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.57 No car parking spaces are provided for future occupiers. The Local Plan (2006) parking standards do not require any parking for this type of development. For the reasons stated in paragraph 8.46 of this report, it is considered that the lack of car parking is acceptable in this instance.

8.58 The proposal would provide 22 cycle parking spaces and this level and type of provision conforms to the cycle parking standards of the Local Plan (2006).

8.59 A Car Club informative has been attached so that the future occupiers are aware of their nearest car club service given that there is no car parking provided on-site for this development.

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

### **Third Party Representations**

8.61 The third party representation have been addressed below:

<b><u>Representation</u></b>	<b><u>Response</u></b>
No outdoor garden/ amenity space is provided.	See paragraph 8.49
The movement of students is a highway safety hazard.	See paragraph 8.53
There is no provision for service vehicles to park on the site.	Servicing will have to be undertaken along Cambridge Place. The majority of retail units along Hills Road are serviced via their respective side streets. The Highway Authority has not raised any objection to the proposal and so I consider the servicing to be acceptable.
Lack of disabled access	See paragraph 8.33
A plan needs to be submitted for	This is in reference to the Traffic

<p>how the building operation will be carried out, as requested by the Highway Authority.</p>	<p>Management Plan recommended by the Highway Authority which has been included in the recommendation of this application.</p>
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## 9.0 CONCLUSION

9.1 In conclusion, I consider that the proposed building would not appear out of context or detract from the character of the area, would not pose any harm to the amenity of adjacent occupiers, and provides a high quality living environment for future occupiers. Approval is recommended.

## 10.0 RECOMMENDATION

**APPROVE** subject to 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 construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hrs and 1800 hrs on Monday - Friday, 0800 hrs and 1300 hrs Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

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

5. 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 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 the adjoining properties.  
(Cambridge Local Plan 2006 policy 4/13)

6. No development shall commence 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 the adjoining properties.  
(Cambridge Local Plan 2006 policy 4/13)

7. 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.

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

8.
  - a. After demolition and prior to the commencement of construction, a noise assessment that considers the impact of airborne and impact sound from the Emperor pub upon the residential units of the proposed development shall be submitted in writing for consideration by the local planning authority.
  - b. Following the submission of a noise assessment and prior to the commencement of construction works, a noise insulation scheme detailing the acoustic noise insulation performance specification of the building envelope (having regard to the building fabric, glazing and ventilation) for protecting the residential units from noise from the neighbouring emperor pub 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 and prior to occupation of the residential units and shall not be altered.

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

9. Prior to the commencement of development works, a comprehensive odour impact assessment and odour control scheme for protecting the residential units from odour shall be submitted to and approved in writing by the local planning authority.

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

10. Before the A1 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 and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

11. Prior to occupation of the 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.

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

12. Prior to the commencement of occupation, full details of the storage facilities for the separation of waste for recycling and composting within the accommodation shall be provided. The approved arrangements shall be retained thereafter.

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. 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).

14. 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.

15. Prior to installation of any shopfront, large scale drawings of all joinery (doors, window frames, etc) and other elements of the shopfront shall be submitted to and approved in writing by the local planning authority. This includes timber and other mouldings [to cornices, sills, mullions, transoms, pilasters, etc.], stallriser finishes, console and other brackets, doors, thresholds and fanlights, etc.. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11)

16. Prior to the commencement of development, the street name plate for Cambridge Place shall be removed from the flank of No.25 Hills Road. It shall be stored safely (in a location to be agreed with the Local Planning Authority) and re-erected in equivalent position on the replacement building before its first occupation.

Reason: To secure the historic sign before demolition and its re-erection in the interests of the character and appearance of the conservation area and to be consistent with Cambridge Local Plan 2006 policy 4/11.

17. The slate tiles, grills and stone heads and window cills are to be carefully removed from the building and set aside in a safe & secure place. If the slate tiles, grills and stone heads and window cills are to be reused on the building, full details of the method of reuse are to be submitted to and approved in writing by the LPA. If the slate tiles, grills and stone heads and window cills 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 avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2006, policy 4/11).

18. All doors on the Cambridge Place elevation of the building shall not open outwards onto the public highway. The doors should be modified to open inwards or replaced with bi-fold doors that would not open so far outwards.

Reason: In the interests of Highway Safety (Cambridge Local Plan Policy 8/2).

19. 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.

Reason: in the interests of highway safety (Local Plan 2006 Policy 8/2).

20. Prior to the occupation of the College building, a student management plan shall be submitted to and approved in writing by the local planning authority. This shall set out measures as to how the student accommodation will be managed on a day-to-day basis and how any issues arising from its operation in terms of impact on adjacent neighbours will be handled. It shall include the contact name and number of a College representative, made available to local residents and placed as information near to the entrance of the building in a prominent and publicly visible location.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4, 3/7, 3/12)

## 21. Student Management Plan

Prior to the occupation of the College building, a student management plan shall be submitted to and approved in writing by the local planning authority. This shall set out measures as to how the student accommodation will be managed on a day-to-day basis and how any issues arising from its operation in terms of impact on adjacent neighbours will be handled. It shall include the contact name and number of a College representative, made available to local residents and placed as information near to the entrance of the building in a prominent and publicly visible location.

Reason: In order to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 3/4, 3/7, 3/12)

## 22. Occupier

The student accommodation shall, during the relevant educational institution's term-time, be for the benefit of full-time students attending either Abbey College, Anglia Ruskin University or the University of Cambridge only save for during the summer vacation period only when the accommodation may be occupied by the following persons:

- a) Students of any of the educational institutions above; and/or
- b) Students attending summer educational courses in Cambridge.

Reason: In light of the fact that the Council has accepted a need for student accommodation for these three educational institutions through the granting of this application and through policy 7/10 of the Cambridge Local Plan 2006.

## 23. Occupier

The student accommodation within Block A shall, during the relevant educational institution's term-time, be for the benefit of full-time students attending either Abbey College, Anglia Ruskin University or the University of Cambridge only save for during the summer vacation period only when the accommodation may be occupied by the following persons:

- a) Students of any of the educational institutions above; and/or
- b) Students attending summer educational courses in Cambridge.

Reason: In light of the fact that the Council has accepted a need for student accommodation for these three educational institutions through the granting of this application and through policy 7/10 of the Cambridge Local Plan 2006.

**INFORMATIVE:** 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 applicants 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.

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

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

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

o Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

o Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**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.

**INFORMATIVE:** The Housing Act 2004 introduced Mandatory Licensing for Houses in Multiple Occupation (HMOs) across all of England. This applies to all HMOs of three or more storeys and occupied by five or more persons forming more than one household and a person managing or controlling an HMO that should be licensed commits an offence if, without reasonable excuse, he fails to apply for a licence. It is, therefore, in your interest to apply for a licence promptly if the building requires one. Further information and how to apply for a Licence may be found here:

<https://www.cambridge.gov.uk/licensing-of-houses-in-multiple-occupation>.

## **INFORMATIVE:**

### Traffic Management Plan:

The principle areas of concern that should be addressed are:

- i. Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- ii. Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- iii. Movements and control of all deliveries (wherever possible 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.

**INFORMATIVE:** The applicant is encouraged to ensure all future tenants/occupiers of the flats are aware of the existing local car club service and location of the nearest space.

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CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Planning  
TO: Planning Committee  
WARD: Trumpington Ward

**Report to seek members' approval of the highway project that has been identified by the County Highway Authority to link the South Area Corridor Transport Payment (SCATP) raised from the proposed extension and alteration to provide 16 additional bedroom and to remove the request for public art payment - Double Tree by Hilton hotel, Granta Place.**

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## 1. INTRODUCTION

- 1.1 On 4<sup>th</sup> March 2015 Planning Committee considered an application (14/1740/FUL) to allow the extension and alterations to the existing hotel to provide 16 additional bedrooms. The Committee resolved to approve the application subject to conditions and completion of a S106 agreement for SCATP contributions (£23,616) and public art.
- 1.2 As no highway project was identified at the stage of the application, I seek Committee's approval to secure the contribution towards an identified project.
- 1.3 On the basis the Council can no longer pool contributions from developments without having identified a local project to secure it against, I seek members' approval for the following:
- 1.4 The County Highways Authority (CHA) has identified the "Trumpington Road Mini-Roundabouts Safety Improvement Scheme" as the project to secure the SCATP contribution (£23,616) through a S106 agreement.
- 1.5 I also seek members' approval to withdraw the public art contribution as no public art strategy has been prepared for this and no local project has been identified. Also as the public art officer did not make any request for this, I do not consider it necessary to seek public art contribution, in this instance.

## 2. RECOMMENDATIONS

- 2.1 Agree the project that the County Highway Authority has identified in para 1.4 for the SCATP contribution to be spend on.
- 2.2 Agree to withdraw the request for public art contribution as set out in para 1.5.
- 2.3 Agree an extension of time for completion of the Section 106 agreement until 31<sup>st</sup> October 2015

## 3. CONCLUSIONS

3.0 I recommend that the Committee agrees to the recommendations at paragraphs 2.1 – 2.3 of this report.

#### **4. IMPLICATIONS**

(a) **Financial Implications** – None

(b) **Staffing Implications** – None

(c) **Equal Opportunities Implications** – None

(d) **Environmental Implications** – None

Climate Change Impact: Nil

(e) **Procurement** – None

(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:

Planning application 14/1740/FUL  
Report for 14/1740/FUL to 4<sup>th</sup> March 2015 Planning Committee

To inspect these documents contact Sav Patel on extension 7167

The author and contact officer for queries on the report is Sav Patel on extension 7167.

Report file:

Date originated: 19 August 2015

Date of last revision: 19 August 2015